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

Case Number: DCI2023-00004
Case Name: Winkler Junction Minor CPD
Area Subject to Request: +/- 2.57 Acres
Case Type: Minor Planned Development Rezone
Sufficiency Date: May 15, 2023
Hearing Date: July 12, 2023

REQUEST:

Banks Engineering has filed an application to rezone approximately 2.57 acres from Agricultural (AG-2) to minor Commercial Planned Development (CPD) to allow a maximum of 90,000 square feet/675 units of self-storage and associated uses with a maximum height of 45 feet.

The subject property is located at 15881 Summerlin Road, southwest of the Winkler Road and Summerlin Road intersection. The parcel is located within the Suburban Future Land Use Category, Coastal High Hazard Area and Iona/McGregor Planning District according to the Lee Plan. The site is not located within any Community Planning area. A legal description and boundary survey of the subject property are attached as Attachment B of the staff report.

SUMMARY:

Staff recommends **APPROVAL** of the applicant's request, as conditioned, to rezone 2.57 acres to Commercial Planned Development to allow 90,000 square feet/675 units of self-storage and associated uses with a maximum height of 45 feet. The applicant has requested one deviation from the required on-site garbage and recycling collection container size requirements, and staff recommends approval of this deviation with conditions found in Attachment E of the staff report.

HISTORY OF PARCEL:

The subject property is a previously abandoned railroad grade and has remained vacant. The subject parcel and the property to the northeast (Racetrac) were all one parcel. The Racetrac parcel was split from the subject parcel through a lot split, LDO2016-00591 (Attachment F), which removed the northeast portion of the parent property and established a cross access easement that provides for public access to be shared by each new parcel. The agreement was recorded as a Reciprocal Easement and Restriction Agreement (Attachment F). The parcel split from the subject parcel was rezoned from Agricultural (AG-2) to Community Commercial (CC), Resolution Z-15-023, and currently is a Racetrac Convenience Food and Beverage Store with fuel pumps (Attachment F).

CHARACTER OF THE AREA:

The subject parcel is located southwest of the Winkler Road and Summerlin intersection on the south side of Summerlin Road. The parcel abuts Summerlin Road, a County-maintained arterial road, to the northwest, a RaceTrac Convenience Food and Beverage Store with fuel pumps zoned Community Commercial (CC) to the northeast, and a Florida Power and Light maintenance facility and storage yard to the southeast. Property immediately surrounding the subject property is depicted in Attachment C of this report and can be characterized as follows:

North

The subject property abuts Summerlin Road, a County-maintained arterial road. Northeast of Summerlin Road is a shopping plaza, Summerlin Crossing, that is zoned Commercial Planned Development. The RaceTrac abuts the subject property to the northeast.

East

To the east of the subject property is a Florida Power and Light maintenance and storage facility that abuts Winkler Road, a County-maintained major collector roadway. Further east is Prentiss Pointe Residential Planned Development that was approved per Resolution Z-03-062A for 144 multi-family units with maximum building heights of 35 feet.

South

The subject property abuts a Florida Power and Light maintenance and storage facility along the east and south property lines that is zoned Agricultural (AG-2). Further south is Avalon Preserve Residential Planned Development that was approved per Resolution Z-03-065 for 154 single-family residential units with maximum building heights of 35 feet.

West

The subject property abuts Summerlin Road, a County-maintained arterial road. Further west is a vacant Commercial Planned Development that was approved per Resolution Z-00-017 for 207,770 square feet of gross floor area with buildings not to exceed 35 feet in height.

Availability of Urban Services

Public Services are defined by the Lee Plan as "*the requisite services, facilities, capital improvements, and infrastructure necessary to support growth and development at levels of urban density and intensity*." The level of urban services currently serving the subject property are as follows:

Public water and sewer: The applicant has provided a letter of availability for potable water and sanitary sewer from Lee County Utilities. Potable water and wastewater utility lines are available in proximity to the subject property, with sufficient capacity available for 675 self-storage units with an estimated potable water flow of approximately 588 gallons per day; however, developer funded system enhancements such as line extensions may be required (see Attachment I).

Public transit and pedestrian facilities: A shared-use path abuts the subject property along the east side of Summerlin Road and a sidewalk is planned along the west side of Summerlin Road abutting the vacant CPD. LeeTran bus stops are located approximately 0.25 miles to the northwest at the westbound side of Summerlin Road or 0.17 miles to the southwest along the eastbound side of Summerlin Road.

Police, fire, and emergency services: Iona/McGregor Fire Station #73 is located southeast of the subject property at 15961 Winkler Road for both fire and EMS. The Lee County Sheriff's Office is located at 14750 Six Mile Cypress Parkway, approximately four miles from the subject parcel.

Property Development Regulations & Off-Street Parking

The applicant proposes property development regulations that include maximum heights, minimum setbacks, maximum lot coverage (Attachment G). Staff finds the proposed property development appropriate to facilitate development in accordance with the MCP.

DEVIATIONS:

The applicant has requested one deviation from LDC Section 10-261(a), which requires all new commercial developments to provide sufficient on-site space for garbage and recyclable materials collection containers for 25,000 square feet at a rate of 216 square feet (120 + 96) for first 25,000 square feet plus 8 square feet for each additional 1,000 square feet (216 + 520) for a total of 736 square feet required for garbage and recyclable collection containers (Attachment G). The applicant is requesting to allow 128 square feet of on-site space since the use is a low garbage and recycling generator. The deviation is internal to the site and will protect the public health, safety and welfare by positioning the collection area off of the internal parking lot aisle to comply with setbacks per LDC Section 10-261(e) in order to avoid encroachment into the required buffers. Staff has recommended approval of this deviation with written approval from Lee County Solid Waste prior to the issuance of a development order.

Review Criteria

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

a) Complies with the Lee Plan;

b) Meets the Land Development Code and other applicable County regulations or qualifies for deviations;

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

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

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

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

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

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

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

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

c) That each requested deviation:

1) Enhances the achievement of the objectives of the planned development; and

2) Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.

The applicant has provided a narrative that addresses the planned development rezoning request with analysis against the applicable criteria (see Attachment G). The following provides staff's analysis of the request, as measured against the established criteria.

REVIEW CRITERIA ANALYSIS:

The subject property is within the Suburban Future Land Use Category (FLUC) per the Lee Plan. **Lee Plan Policy 1.1.5** states that these areas will consist of predominantly residential areas that are either on the fringe of the Central Urban or Urban Community future land use categories or in areas where it is appropriate to protect existing or emerging residential neighborhoods. This category provides housing near the more urban areas but does not provide the full mix of land uses typical of urban areas. Rezoning the subject property to CPD increases the commercial node that exists at the intersection of Winkler Road and Summerlin Road. The infrastructure for the access exists per the Reciprocal Easement and Restriction Agreement. The surrounding properties are located in the Suburban Future Land Use Category including a transition to Urban Community north of Summerlin Road which is characterized as a mixture of relatively intense commercial and residential uses. The public storage facility will serve as a transition from the more intense FLUC of Urban Community to Suburban FLUC providing a use that may support the surrounding residential communities. **Lee Plan Policy 1.6.5** establishes the distribution, extent, and location of land uses through the Lee Plan's horizon per the Planning Districts Map and Acreage Allocation Table per Map 1-B and Table 1(b). Currently, there are 1,100 acres allocated for commercial development within the Iona/McGregor Planning Community with 557 acres existing. There are 543 acres remaining to be developed as commercial; therefore, the applicant's request to rezone 2.57 acres for commercial uses complies with **Lee Plan Policy 1.6.5**. Staff finds the request, as conditioned, to be **CONSISTENT with Policies 1.1.5 and 1.6.5.**

The proposed development complies with **Objectives 2.1 and 2.2** for development location and timing due to the variety of surrounding residential uses to support the proposed commercial uses. As mentioned, there is access to potable water and sewer and the property is in close proximity to shared-use path, LeeTran public transportation, fire and EMS stations, and other services to demonstrate compliance with **Lee Plan Objectives 2.1 and 2.2 and Policy 2.2.1 and Standards 4.1.1 and 4.1.2**.

Lee Plan Objective 6.1 and Policies 6.1.1, 6.1.4, 6.1.5, 6.1.6, and 6.1.7 require commercial land uses to be consistent with policies that require the availability of essential services, site design standards to provide landscaping, open space, and buffering, proximity to other similar centers, traffic carrying capacity, and the impact on surrounding uses. The development is located in an area that is served by central water and sewer, EMS, Fire, and Police protection, and access to a multi-use pedestrian/bike path. Commercial development at varying intensities exists in this area, creating a commercial node. The applicant has provided a Master Concept Plan that depicts Land Development Code (LDC) required buffers and open space (see Attachment D). The Traffic Impact Statement provided by the applicant and reviewed per the Institute of Transportation Engineers trip generation manual classifies a public warehouse use as a low traffic generator; therefore, the shared access drive is sufficient to support the proposed use. Staff has removed the private warehouse use from the Schedule of Uses because the access does not support this use and the use was not evaluated as part of the applicant's TIS. Infrastructure Planning has provided a condition so that the traffic impacts may be evaluated to the specific type of warehouse being proposed at time of development order. Staff finds the proposed project, as conditioned, to be consistent with the **Lee Plan Objective 6.1 and Policies 6.1.1, 6.1.4, 6.1.5, 6.1.6, and 6.1.7.**

Lee Plan Objectives 60.2 and 60.3 and Policies 60.1.1, 60.4.1, 60.4.2, and 61.3.11 all speak to the design of the stormwater management system and the utilization of green infrastructure to filter pollutants and protect the surrounding natural environment. The applicant submitted a Surface Water Management Plan (Attachment G). The subject parcel does not contain any environmentally sensitive wetlands, flow-ways, or natural features. The site was previously impacted and is an abandoned railroad grade. The proposed drainage system will provide an on-site dry detention system comprised of pavement inlets and outfalls conveying runoff to a system of storm pipes and grassed swales directed to the dry detention areas. Once the runoff has met the water quality and attenuation standards per South Florida Water Management District, the runoff will discharge offsite to the Summerlin Road south roadside conveyance ditch. The drainage system is being designed to preserve the existing drainage patterns and to block any natural runoff to or from adjacent properties in an effort not to negatively affect the surrounding uses. The site, as mentioned, has been disturbed due to the railroad tracks being removed. The railroad tracks were constructed on a mounded-up berm, with the grading of the adjacent swales creating the embankment material needed to elevate the tracks. The entire parcel remains disturbed and the existing stormwater runoff sheet flows to the southwest towards Summerlin Road. Staff finds the request, as conditioned, to be consistent with **Lee Plan Objectives 60.2 and 60.3 and Policies 60.1.1, 60.4.1, 60.4.2, and 61.3.11.**

Lee Plan Goal 101, Policies 101.1.1, 101.3.2, 101.3.5, and 126.1.4 address the protection of human life within the Coastal High Hazard Area (CHHA), require development to be compatible with natural systems, restrict development in the CHHA to uplands, except for needed public facilities, appropriate mitigation for public safety if a caretaker's residence is proposed during development, and maintaining or improving surface water flows, groundwater levels and lake levels. The site is located within the CHHA. As discussed, the site has been impacted by the removal of railroad tracks and the fill that was used to build the embankment to support the railroad tracks was scattered throughout the site, creating uplands and man-made swales on both sides of the railroad embankment, which are identified as other surface water (OSW) in the environmental report (Attachment H). These man-made swales have been filled on the RaceTrac development and the FPL transmission lines to the south. The site will be developed to provide pretreatment swales to accommodate the stormwater runoff. The swales systems existing onsite are not connected to

any offsite system. The property is within a FEMA flood zone that will be mitigated by placing fill such that the finished floor elevation is above the FEMA base flood elevation. Staff finds the request, as conditioned, to be consistent with **Lee Plan Goal 101, Policies 101.1.1, 101.3.2, 101.3.5, and 126.1.4.**

Land Development Code Compliance

Staff finds the proposed planned development rezoning request, as condition, to be in compliance with the LDC, including regulations which pertain to:

- Use and corresponding supplemental regulations, such as parking;
- LDC Chapter 10 Development Standards; and
- Details required on the MCP and compliance with Division 9 of Article VI, Chapter 34, Planned Development Districts.

All relevant County regulations, which are not specifically deviated from as part of this planned development request, will apply, such as LDC, Code of Ordinances and Administrative Code provisions. If future deviations are proposed, each will be evaluated within the parameters of the established LDC review criteria.

a) Compatibility with existing and planned uses in the surrounding area

As previously detailed, staff finds the request, as conditioned, to be compatible with existing and planned uses in the surrounding area. The FPL maintenance and storage facility provides a transition between the subject property, with a proposed building to be 45 feet high, and the residential subdivision to the south where the dwelling units are 35 feet high. The applicant has provided a Master Concept Plan that demonstrates compliance with required buffers and open space. The applicant is proposing a U-haul truck rental and leasing establishment where the rental trucks will be enclosed within the building and not displayed for rent. Therefore, LDC Section 34-1352 does not apply. Rezoning the subject property will extend the existing commercial node south of the Winkler Road and Summerlin Road intersection, which will diversify the existing retail, medical offices, Publix shopping center, and multiple commercial outparcels. The request will remain compatible with the surrounding uses.

b) *Sufficiency of Access and Transportation Impacts*

The applicant has provided a traffic impact statement (TIS) concerning trip generation expected by a mini-warehouse project (see Attachment J). Infrastructure Planning staff has reviewed the applicant's TIS and has provided separate memorandum concerning the project's transportation impacts (see Attachment K). In summary, the vehicular trip generation associated with the request includes 11 new trips in the PM peak hour and 8 new trips in the AM peak hour. Since the project is generating less than 100 trips, the zoning traffic impact statement is not required to provide roadway section traffic operation level of service or roadway intersection traffic operation level of service analyses per Administrative Code 13-17. However, the TIS evaluated the trips associated with a mini-warehouse use and did not evaluate a caretaker's residence and the moving vehicle

rentals along with sales of moving boxes and other moving-related items. The applicant when considering trip generation must consider a worse-case scenario including a single residential unit and the entire office area as separate uses in addition to the mini-warehouse. Staff did review the TIS and concludes that the proposed mini-warehouse use will not have a detrimental impact on the surrounding roadway system and recommends a condition to ensure that at time of development order, the developer is allowed a maximum calculated development density/intensity based on new trip generation for a 90,000-square-foot mini-warehouse. Intensity is defined as a measurement of the degree of customarily nonresidential uses based on use, size, impact, bulk, shape, height, coverage, sewage generation, water demand, traffic generation or floor area ratios. The Schedule of Uses include public and private warehouse. Private warehouse is defined in LDC Section 34-2 as "indoor terminal facilities operated primarily for a specific commercial establishment or group of establishments in a particular industrial or economic field, such as moving companies, transfer companies, freight delivery, specific retail store storage or beverage distribution, but not generally accessible to the public". Staff has recommended removing the private warehouse use due to the intensity of a private distribution center and the limited access to the site. Distribution trucks would be required to traverse through the RaceTrac development site to exit on to Winkler Road in order to go northeast. The TIS provided must be revised to reflect all uses proposed in order to accurately represent the request. Further evaluation of the traffic impacts will take place at time of local development order approval in compliance with existing county regulations and the recommended conditions of approval.

f) *No adverse impacts to environmentally critical or sensitive areas and natural resources*

There are no wetlands or environmentally critical or sensitive areas onsite as indicated by the environmental report (Attachment H). As mentioned, the site has been impacted by the removal of the railroad tracks. There were no protected species onsite.

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

As noted and defined above, the subject property is located within a future urban area. The subject property has adequate access to urban services to accommodate the development proposed by the request. Future improvements required by the LDC at time of local development order approval will further improve urban services and pedestrian facilities surrounding the subject property.

h) *Supplemental Planned Development Criteria*

Staff finds the request to be consistent with the following additional criteria:

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

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

c) That each requested deviation, as conditioned:

    1) Enhances the achievement of the objectives of the planned development; and

2) Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.

OUTSTANDING ISSUE:

The applicant must revise the TIS to include the caretaker's residence and the rental leasing establishment, group III to provide a complete evaluation of the request.

CONCLUSION:

Based upon an analysis of the application and the standards for approval of planned development rezonings, staff finds the request to be consistent with the established review criteria. The minor CPD rezone is consistent with the Suburban future land use designation and the applicable goals, objectives and policies of the Lee Plan. The request, as conditioned, is appropriate in the context of its surroundings with the removal of inappropriate uses. Staff recommends **APPROVAL** of the request to rezone the property from AG-2 to CPD to allow a maximum of 90,000 square feet/675 units of self-storage and associated uses with a maximum height of 45 feet with the conditions attached as Attachment E of this report.

ATTACHMENTS:

A. Expert Witness Information
B. Legal Description
C. Location Aerial, Future Land Use, and Current Zoning Maps
D. Master Concept Plan
E. Development Regulations and Conditions
F. Winkler Junction LDO2016-00591
   Reciprocal Easement and Restriction Agreement
   RaceTrac Resolution Z-15-023
G. Applicant's Project Narrative
   Schedule of Uses
   Property Development Regulations
   Surface Water Management Narrative
   Deviation Request and Justification
H. Environmental Sciences Staff Report
   Applicant's Protected Species Survey
I. Utility Availability Letter
J. Applicant's Transportation Impact Statement
K. Development Services Infrastructure Planning Memorandum

Attachment A

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

Case Number:	**DCI2023-00004**
Project Name:	**Winkler Junction Minor CPD**
Hearing Examiner Date:	**July 12, 2023**

Beth Workman, Principal Planner, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

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

Brandon Dunn, Principal Planner, Planning, 1500 Monroe Street, Fort Myers, FL 33901

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

Brian Roberts, P.E., Plan Reviewer, Development Services, 1500 Monroe Street, Fort Myers, FL 33901

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- Seeking to be qualified as an expert witness in the Lee County Land Development Code and Lee Plan.
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Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Marcus Evans, P.E., Engineer, Infrastructure Planning, 1500 Monroe Street, Fort Myers, FL 33901

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Nic DeFilippo, Senior Environmental Planner, Planning, 1500 Monroe Street, Fort Myers, FL 33901

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- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, and Environmental Sciences.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Exhibit A
Page [redacted] 1 of 2

GULF SHORE SURVEYING, INC.

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

Parcel 1B

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

DESCRIPTION

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

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

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

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

REFER TO 8/12"X11" SKETCH

Tim J. Pufahl 10/20/16

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

REVIEWED
DCI2023-00004
Hunter Searson, GIS
Planner
Lee County Government
5/2/2023

Exhibit A
Page 2 of 2
Parcel 1B

LINE TABLE

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

CURVE TABLE

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

250 125 0
SCALE IN FEET
1"=250'

SKETCH OF DESCRIPTION
(NOT A FIELD SURVEY)

REFER TO 8 1/2" X 11" (LEGAL DESCRIPTION)
SURVEYOR'S CERTIFICATE

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

DATE OF SIGNATURE: 10/20/16

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

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

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

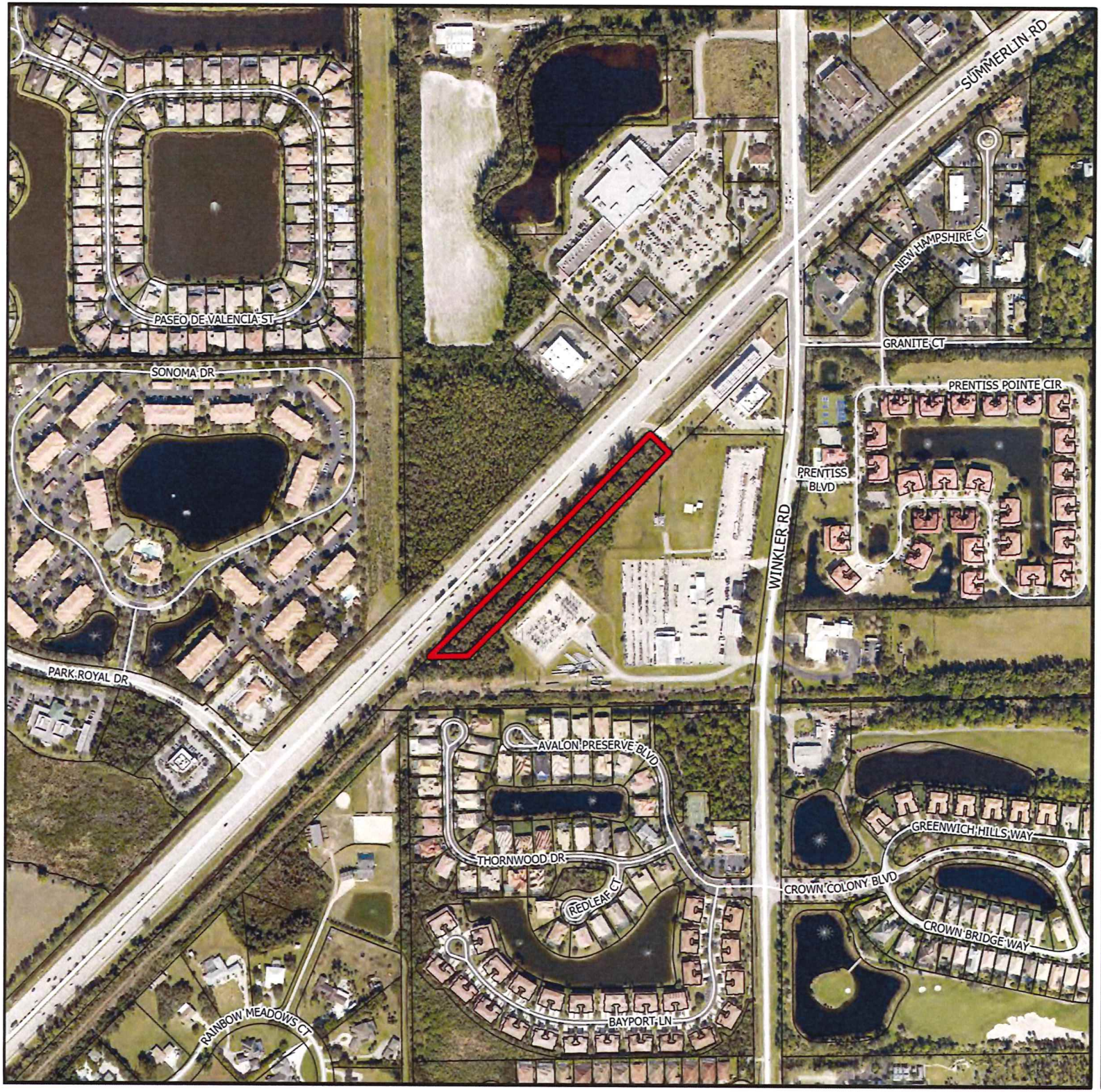
GULF SHORE SURVEYING, INC.
LICENSED BUSINESS NO. 6729
CHARLOTTE COUNTY:
30930 OIL WELL ROAD
PUNTA GORDA, FL 33955
(941) 639-7800

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

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

JOB
1324
L08

DCI2023-00004 Lee County ePlan



DCI2023-00004

Aerial

ATTACHMENT C

Subject Property

N
W E
S

0 500 1,000
Feet

Lee County
Southwest Florida



DCI2023-00004

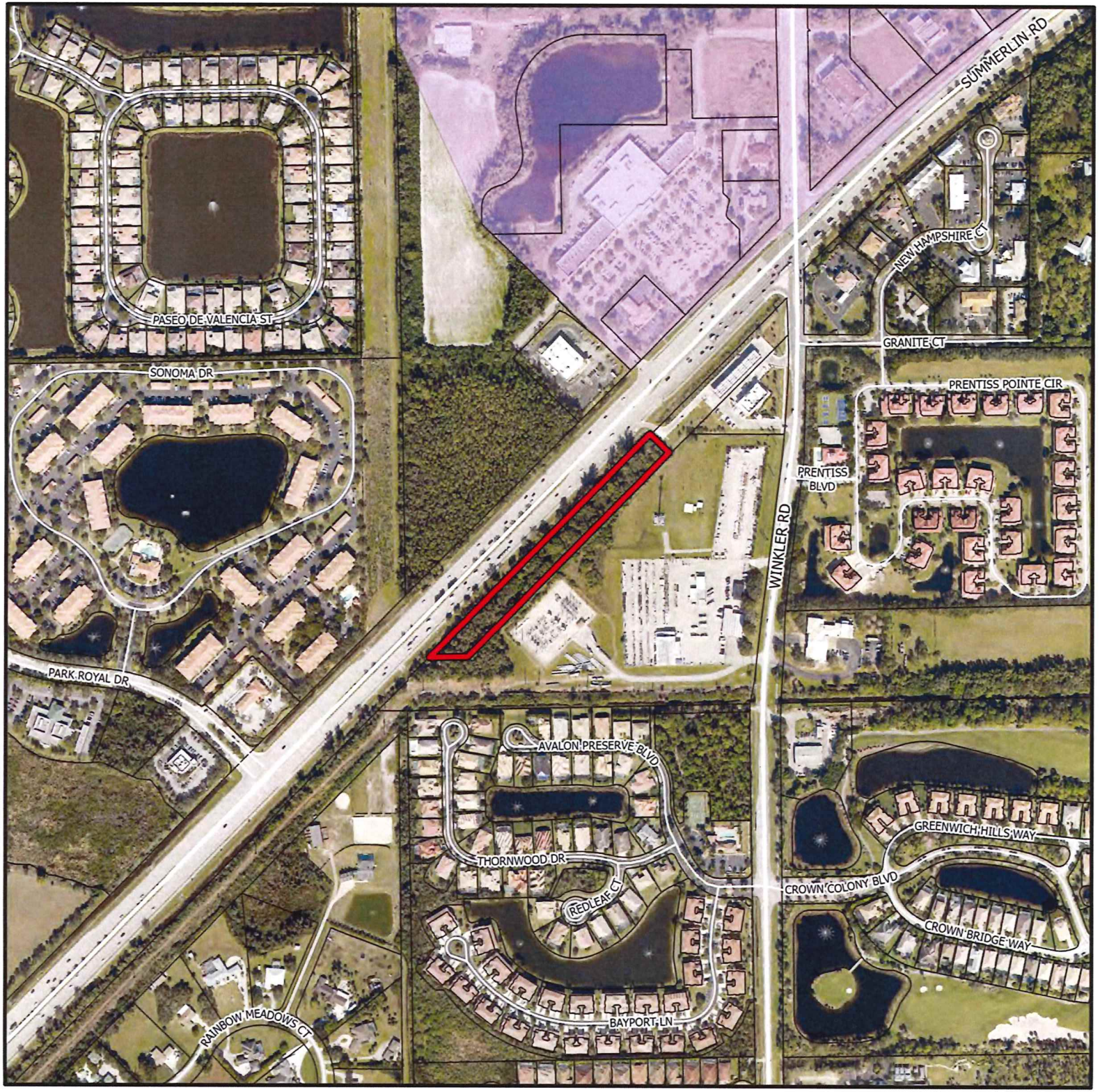
Future Land Use

- Subject Property
- Urban Community
- Suburban
- Public Facilities
- Wetlands

N
W E
S

0 500 1,000
Feet

Lee County
Southwest Florida



DCI2023-00004

Mixed Use Overlay

Subject Property

Mixed Use Overlay

N

W E

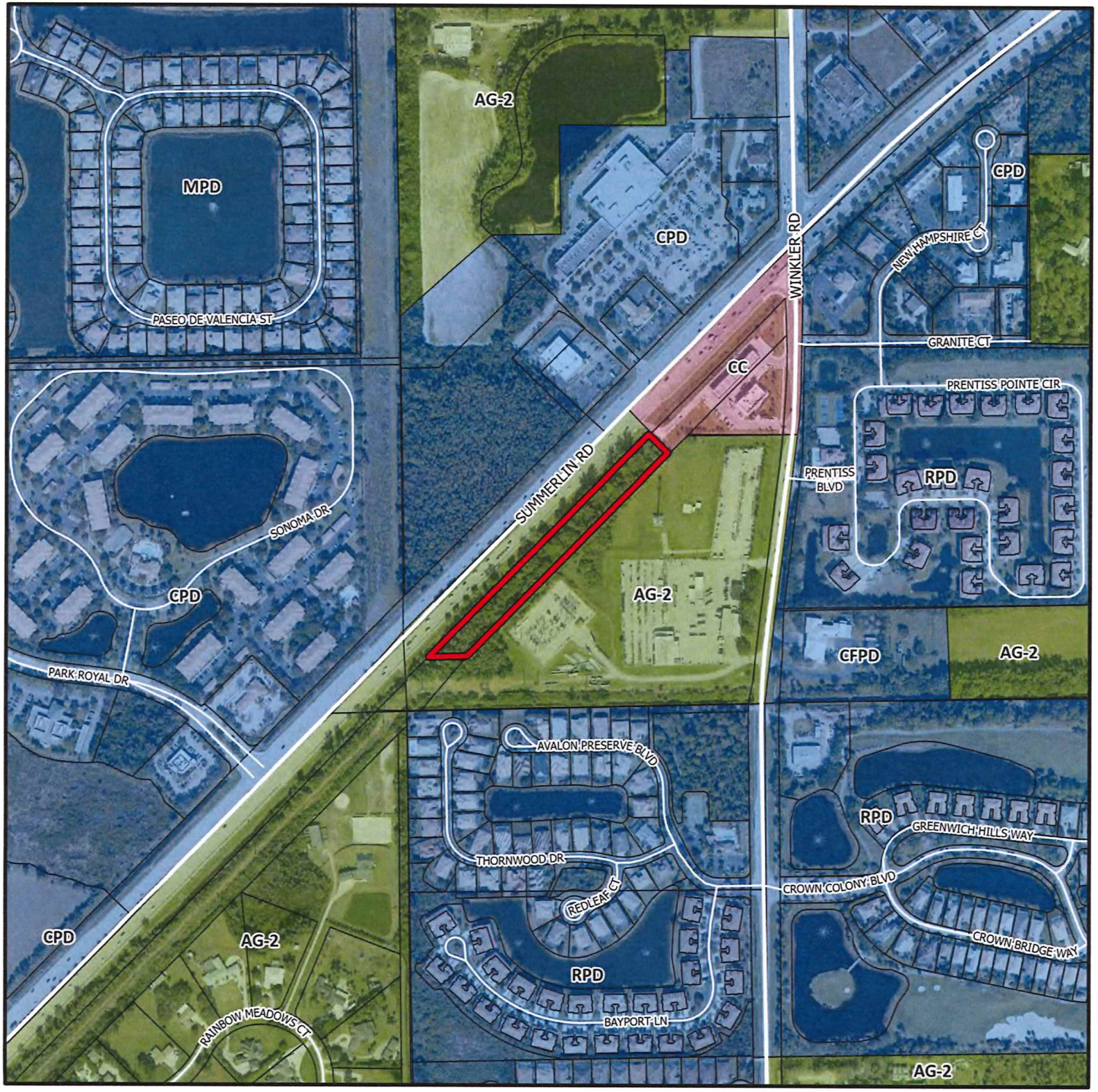
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0 500 1,000

Feet

Lee County

Southwest Florida



DCI2023-00004

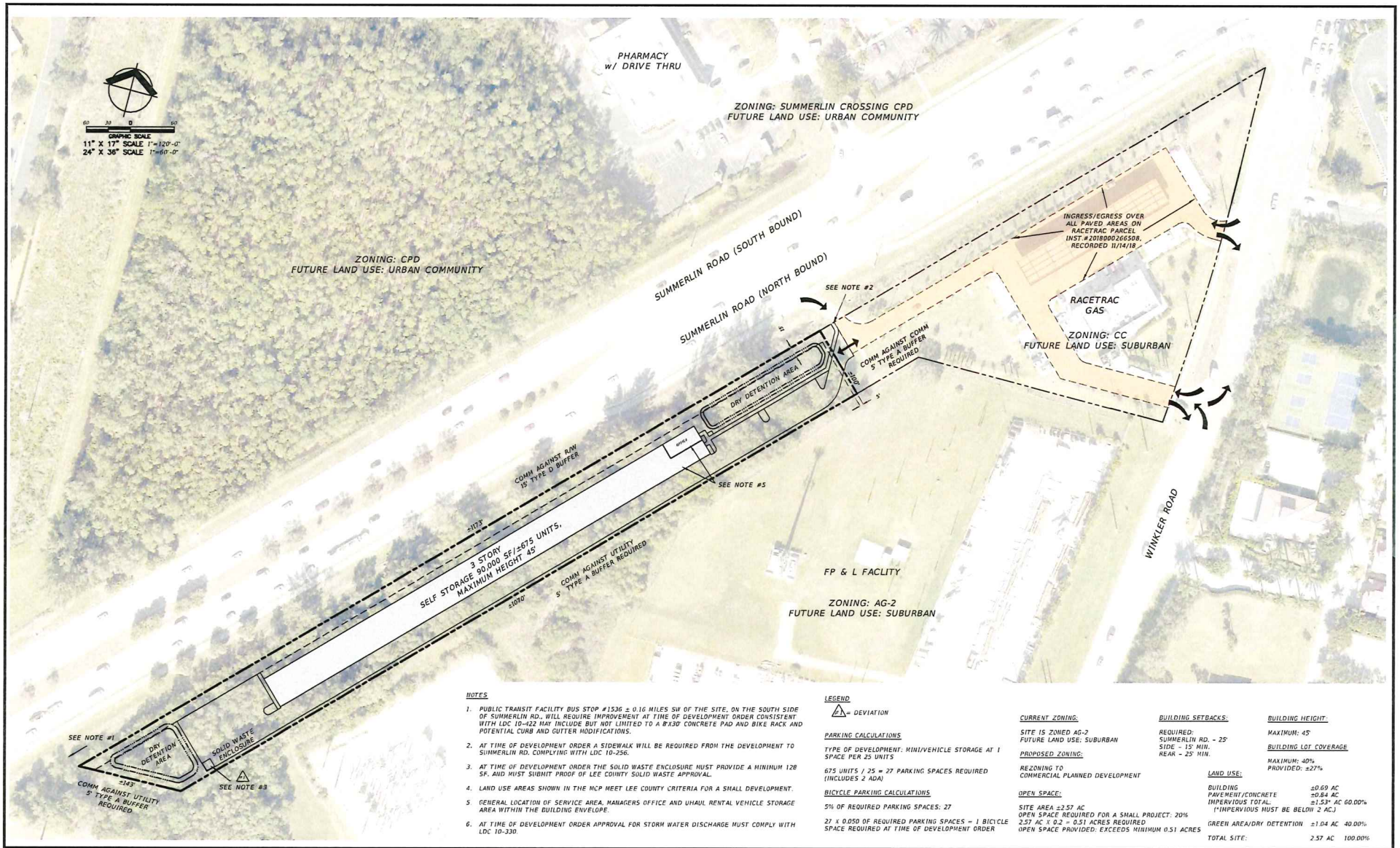
Zoning

Subject Property

N
W E
S

0 500 1,000
Feet

Lee County
Southwest Florida



NOTES

1. PUBLIC TRANSIT FACILITY BUS STOP #1536 ± 0.16 MILES SW OF THE SITE, ON THE SOUTH SIDE OF SUMMERLIN RD., WILL REQUIRE IMPROVEMENT AT TIME OF DEVELOPMENT ORDER CONSISTENT WITH LDC 10-422 MAY INCLUDE BUT NOT LIMITED TO A 8'X30' CONCRETE PAD AND BIKE RACK AND POTENTIAL CURB AND GUTTER MODIFICATIONS.
2. AT TIME OF DEVELOPMENT ORDER A SIDEWALK WILL BE REQUIRED FROM THE DEVELOPMENT TO SUMMERLIN RD. COMPLYING WITH LDC 10-256.
3. AT TIME OF DEVELOPMENT ORDER THE SOLID WASTE ENCLOSURE MUST PROVIDE A MINIMUM 128 SF. AND MUST SUBMIT PROOF OF LEE COUNTY SOLID WASTE APPROVAL.
4. LAND USE AREAS SHOWN IN THE MCP MEET LEE COUNTY CRITERIA FOR A SMALL DEVELOPMENT.
5. GENERAL LOCATION OF SERVICE AREA, MANAGERS OFFICE AND UHAUL RENTAL VEHICLE STORAGE AREA WITHIN THE BUILDING ENVELOPE.
6. AT TIME OF DEVELOPMENT ORDER APPROVAL FOR STORM WATER DISCHARGE MUST COMPLY WITH LDC 10-330.

LEGEND

⚠ = DEVIATION

PARKING CALCULATIONS

TYPE OF DEVELOPMENT: MINI/VEHICLE STORAGE AT 1 SPACE PER 25 UNITS

675 UNITS / 25 = 27 PARKING SPACES REQUIRED (INCLUDES 2 ADA)

BICYCLE PARKING CALCULATIONS

5% OF REQUIRED PARKING SPACES: 27

27 X 0.050 OF REQUIRED PARKING SPACES = 1 BICYCLE SPACE REQUIRED AT TIME OF DEVELOPMENT ORDER

CURRENT ZONING:

SITE IS ZONED AG-2
FUTURE LAND USE: SUBURBAN

PROPOSED ZONING:

REZONING TO
COMMERCIAL PLANNED DEVELOPMENT

OPEN SPACE:

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

BUILDING SETBACKS:

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

LAND USE:

BUILDING	±0.69 AC
PAVEMENT/CONCRETE	±0.84 AC
IMPERVIOUS TOTAL: (*IMPERVIOUS MUST BE BELOW 2 AC.)	±1.53* AC 60.00%
GREEN AREA/DRY DETENTION	±1.04 AC 40.00%
TOTAL SITE:	2.57 AC 100.00%

BUILDING HEIGHT:

MAXIMUM: 45'

BUILDING LOT COVERAGE

MAXIMUM: 40%
PROVIDED: ±27%

REVISIONS

DATE	DESCRIPTION	DATE	DESCRIPTION
4-3-23	CHANGES PER FIRST ROUND OF LEE COUNTY COMMENTS		

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

PROJECT: WINKLER JUNCTION LLC

COUNTY	DATE
LEE	11/23/2022

MASTER CONCEPT SITE PLAN

SHEET NO. 1

ATTACHMENT D

Winkler Junction Minor CPD – DCI2023-00004

Attachment E – Conditions

Section A. - Conditions

1. The development of this project must be consistent with one-page Master Concept Plan (MCP) entitled "Winkler Junction LLC" last revised 4/3/2023, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at the time of local development order, except as may be granted by deviation as part of this planned development. If changes to the MCP or conditions or deviations are subsequently pursued, appropriate approvals will be necessary.

   This project is limited to 90,000 square feet/675 units of self-storage and associated uses with a maximum height of 45 feet.

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

   a. Schedule of Uses

   Accessory uses, buildings, and structures
   Administrative Offices
   Essential Services
   Essential Services, Group I
   Excavation, Water Retention
   Fences and Walls
   Parking Lot, accessory, temporary
   Rental or Leasing Establishment, Group III, limited to small vans and trucks, and utility trailers
   (no outdoor display, sale, rental or storage) all vehicles for rent must be stored under the building with carport openings shown on Master Concept Plan
   Retail and wholesale sales –
   when clearly incidental and subordinate to a permitted principal use on the same premises
   Signs
   Storage, indoor only
   Temporary Uses
   Warehouse, Mini or Public

   b. Site Development Regulations

   Minimum lot size: 43,560 square feet
   Minimum lot width: 440 feet
   Minimum lot depth: 100 feet

   Minimum Setbacks:
   Street: 25 feet (Summerlin Road)
   Side: 15 feet or ½ building height

Rear: 25 feet
Perimeter (Principal): 15 feet or ½ building height

Minimum Building Separation: 20 feet
Maximum Building Height: 45 feet
Maximum lot coverage: 45 percent
Open Space: 20 percent

3. Open Space.
   Prior to the issuance of the first development order, the development order plans must depict 20 percent open space.

4. Transportation.
   The development order is allowed a maximum calculated development density/intensity with respect to new trip generation utilizing the following development scenario or 90,000 square feet/675 mini-storage units based upon the Institute of Transportation Engineers (ITE) *Trip Generation Manual* in effect at time of local development order.

   Solid Waste.
5. Prior to local development order approval, the developer must submit written approval from Lee County Solid Waste allowing 128 square feet of on-site garbage and recycling materials collection containers.

Section B. - Deviations

1. Deviation #1 is a request from LDC Section 10-261(a), which requires all new commercial developments to provide sufficient on-site space for garbage and recyclable materials collection containers at a rate of 216 square feet (120 + 96) for first 25,000 square feet plus 8 square feet for each additional 1,000 square feet (216 + 520) for a total of 736 square feet required for garbage and recyclable collection containers (Attachment G), to allow 128 square feet of on-site space.

   Staff has recommended **APPROVAL** of deviation #1, subject to condition 5.

ATTACHMENT F

NOTICE OF TYPE E LIMITED DEVELOPMENT ORDER APPROVAL

Lee County hereby gives notice of approval of a Type E Limited Development order pursuant to Section 10-174 of the Lee County Land Development Code, upon the following property:

STRAP # 34-45-24-00-00011.0000

INSTR # 2017000142292, Pages 17
Doc Type NOT, Recorded 06/29/2017 at 02:46 PM,
Linda Doggett, Lee County Clerk of Circuit Court
Rec. Fee $146.00
Deputy Clerk TBAER
#2

(Clerk of Court Use Only)

The property owner of above property is Winkler Junction, LLC

Reduced copies of the approved site plans are attached to this notice as "**Exhibit A**". For further details on this matter, any interested person should refer to file **#LDO2016-00591**, located in the offices of the Lee County Development Services Division.

Jessica Sulzer, P.E.
Manager
Lee County Development Services

State of Florida
County of Lee

The foregoing instrument was acknowledged before me this 28th day of June, 2017 by Jessica Sulzer, who is personally known to me, and who did not take an oath.

CHERYL L. SIMPSON
MY COMMISSION # GG 089931
EXPIRES: August 1, 2021
Bonded Thru Notary Public Underwriters

Notary Public, State of Florida

Printed Name

This instrument prepared by and to be returned to:

Lee County
Development Services Section
1500 Monroe Street
Fort Myers, FL 33901

LDO2016-00591 Lee County ePlan

GULF SHORE SURVEYING, INC.

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

Parcel 1B

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

DESCRIPTION

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

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

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

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

REFER TO 8/12"X11" SKETCH

Tim J. Pufahl 10/20/16

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

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

Exhibit A
Page 6 of 6

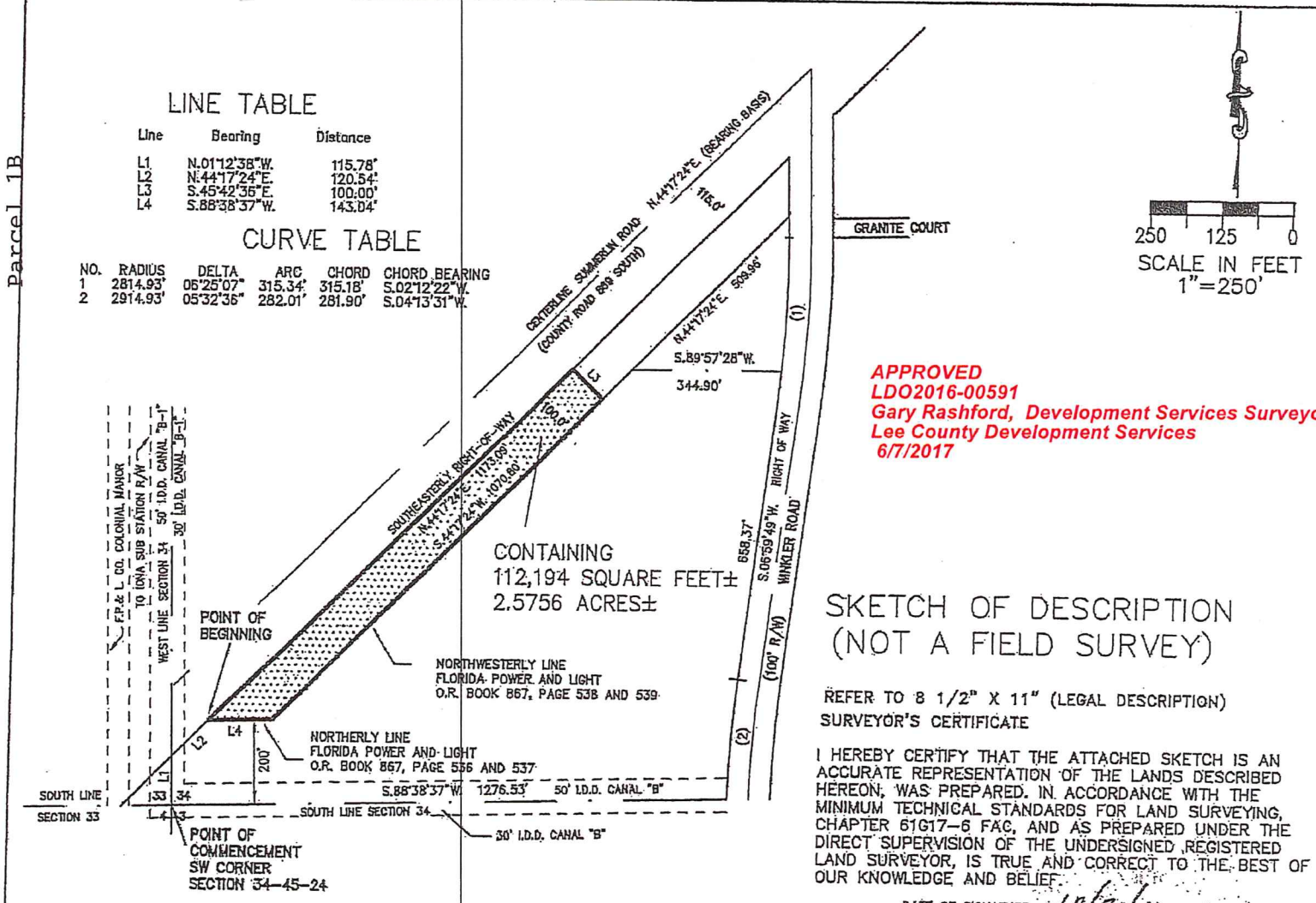
Parcel 1B

LINE TABLE

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

CURVE TABLE

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



250 125 0
SCALE IN FEET
1"=250'

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

SKETCH OF DESCRIPTION
(NOT A FIELD SURVEY)

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

SURVEYOR'S CERTIFICATE

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

DATE OF SIGNATURE: 10/20/16

TIM J. PUCHAL
PROFESSIONAL SURVEYOR AND MAPPER
FLA. CERTIFICATE No. 4666

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

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

GULF SHORE SURVEYING, INC.
LICENSED BUSINESS NO. 6729
CHARLOTTE COUNTY:
33930 OIL WELL ROAD
PUNTA GORDA, FL. 33955
(941) 639-7800

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

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

JOB
1324
L08

GULF SHORE SURVEYING, INC.

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

Parcel 1A

OCTOBER 20, 2016
JOB NO. 1324
FILE: 1324L09.DOC

DESCRIPTION

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

FROM THE POINT OF COMMENCEMENT BEING THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N.01°12'38"W. ALONG THE WEST LINE OF SAID SECTION 33 FOR 115.78 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY RIGHT-OF-WAY (115.00 FEET FROM CENTERLINE) OF SUMMERLIN ROAD (COUNTY ROAD 869 SOUTH); THENCE N.44°17'24"E. ALONG SAID RIGHT-OF-WAY FOR 1293.63 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.44°17'24"E. FOR 706.41 FEET ALONG SAID RIGHT-OF-WAY TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY OF WINKLER ROAD (100.00 FEET WIDE); THENCE S.01°04'10"E. ALONG SAID RIGHT-OF-WAY FOR 140.54 FEET; THENCE S.44°17'24"W. FOR 607.66 FEET BEING 100.0 FEET SOUTHEASTERLY OF THE SOUTHEASTERLY RIGHT-OF-WAY OF SUMMERLIN ROAD; THENCE N.45°42'36"W. FOR 100.00 FEET TO THE POINT OF BEGINNING.

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

CONTAINING 65,703 SQUARE FEET OR 1.5083 ACRES, MORE OR LESS.

REFER TO 8/12"X11" SKETCH

10/20/16

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

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

Exhibit A
Page 4 of 6

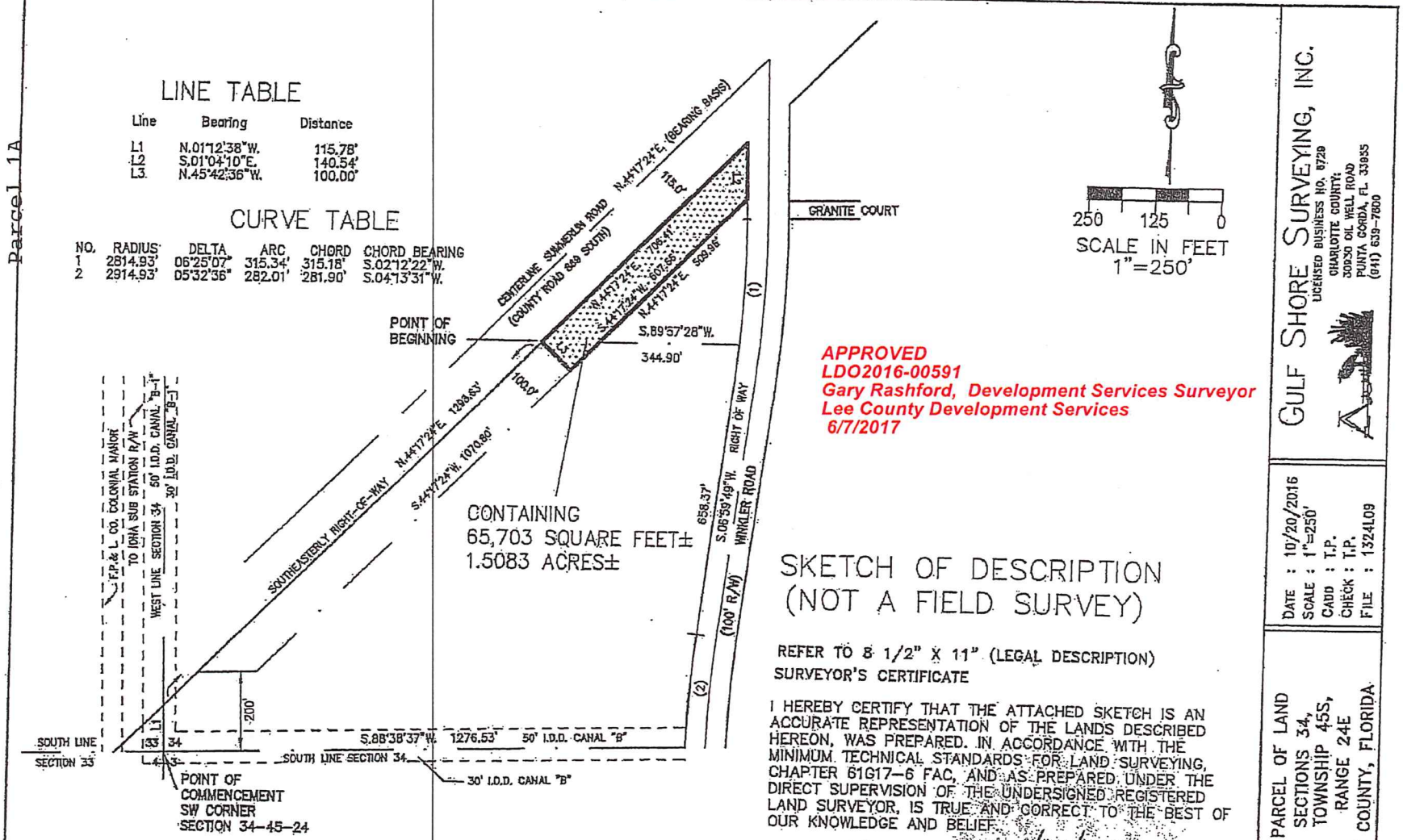
Parcel 1A

LINE TABLE

Line	Bearing	Distance
L1	N.01°12'38"W.	115.78'
L2	S.01°04'10"E.	140.54'
L3	N.45°42'36"W.	100.00'

CURVE TABLE

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



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

SKETCH OF DESCRIPTION
(NOT A FIELD SURVEY)

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

SURVEYOR'S CERTIFICATE

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

DATE OF SIGNATURE: 10/20/16

TIM J. PUHALL
PROFESSIONAL SURVEYOR AND MAPPER
FLA. CERTIFICATE NO. 4566

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

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

GULF SHORE SURVEYING, INC.
LICENSED BUSINESS NO. 8729
CHARLOTTE COUNTY:
30030 OIL WELL ROAD
PUNTA GORDA, FL 33955
(941) 639-7600

DATE : 10/20/2016
SCALE : 1"=250'
CADD : T.P.
CHECK : T.P.
FILE : 1324L09

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

JOB
1324
L09

GULF SHORE SURVEYING, INC.

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

OCTOBER 20, 2016
JOB NO. 1324
FILE: 1324L07.DOC

DESCRIPTION

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

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

CONTAINING 177,897 SQUARE FEET OR 4.0840 ACRES, MORE OR LESS.

REFER TO 8/12"X11" SKETCH

10/20/16

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

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

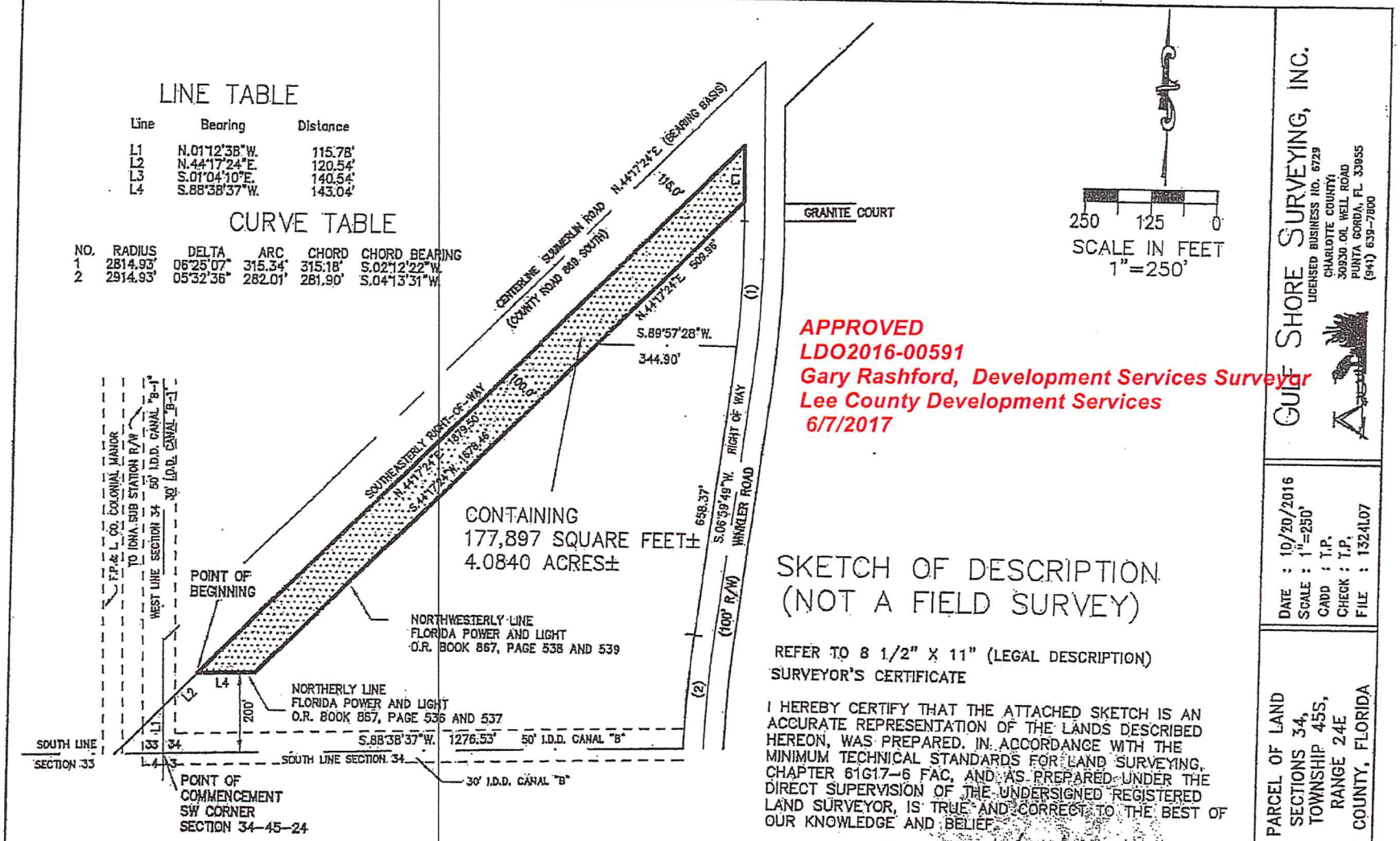
Exhibit A
Page 2 of 6

LINE TABLE

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CURVE TABLE

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2	2914.93'	05°32'36"	282.01'	281.90'	S.04°13'31"W.



CONTAINING
177,897 SQUARE FEET±
4.0840 ACRES±

250 125 0
SCALE IN FEET
1"=250'

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

SKETCH OF DESCRIPTION
(NOT A FIELD SURVEY)

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

SURVEYOR'S CERTIFICATE

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

DATE OF SIGNATURE: 10/20/16

JIM J. BUCAHL
PROFESSIONAL SURVEYOR AND MAPPER
FLA. CERTIFICATE NO. 4666

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

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

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

DATE : 10/20/2016
SCALE : 1"=250'
CADD : T.P.
CHECK : T.P.
FILE : 1324L07

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

JOB
1324
L07

APPROVED
LDO2016-00591
Gary Rashford, Development Services Surveyor
Lee County Development Services
6/21/2017

THIS INSTRUMENT PREPARED BY:

David Douglas, P.E.
David Douglas and Associates
1821 Victoria Avenue, Suite 1
Fort Myers, Florida 33901

INSTR # 2017000136112, Pages 10
Doc Type RES, Recorded 06/21/2017 at 03:35 PM,
Linda Doggett, Lee County Clerk of Circuit Court
Rec. Fee $86.50
Deputy Clerk MCOSSAIRT
#1

STRAP#: 34-45-24-00-00011.0000 &
34-45-24-00-00010.0050

This space for Recording

COVENANT TO PROVIDE FOR SHARED ACCESS

This Covenant to Provide for Shared Access ("*Covenant*") is given this 20TH day of JUNE, 2017, by **Winkler Junction, LLC**, a Florida Limited Liability Company, whose address is 9101 West College Pointe Drive, Fort Myers, Florida 33919, the Grantor herein ("*Grantor*"), for the benefit of **Lee County**, a political subdivision of the State of Florida, whose address is P.O. Box 398, Fort Myers, Florida 33902-0398 ("*County*" or "*Grantee*"). Grantors and Grantee, together known as the "*Parties*," intend this Covenant to require the Grantor herein to execute and record a cross access easement to provide access for ingress and egress over the lands described below, as follows:

Recitals

WHEREAS, the Grantor herein is the owner of the following real property in Section 34, Township 45 South, Range 24 East, in Lee County, Florida:

1. The real property described in the Special Warranty Deed of Gordon M. Biggar, Individually and as Trustee of the Gordon M. Biggar Trust U/T/D October 28, 1982, to the Grantor herein, dated October 29, 2015, and recorded in the Public Records of Lee County, Florida, on October 29, 2015, in Instrument Number 2015000234529, the legal description for which is fully incorporated herein by reference ("*Parcel 1*");

2. The real property described in the Special Warranty Deed of Florida Power & Light Company to the Grantor herein, dated January 13, 2015, and recorded in the Public Records of Lee County, Florida, on January 15, 2015, in Instrument Number 201500000972, the legal description for which is fully incorporated herein fully by reference ("*Parcel 2*");

Collectively, the foregoing is referred to as the "*Property*."

WHEREAS, on September 6, 2016, the Board of County Commissioners of Lee County, Florida, adopted Lee County Resolution No. 16-09-13 ("*Resolution*"), for the purposed of creating an access on the east side of Summerlin Road, a designated controlled access road facility, to permit the right-in directional movement from Summerlin Road to the Property herein; and

WHEREAS, the Resolution was conditioned on the Grantor herein creating a cross access easement over the Property to facilitate ingress from Summerlin Road and ingress and/or egress to/from Winkler Road the use and benefit of the Property; and

WHEREAS, Lee County has duly adopted its Land Development Code ("*LDC*"), which, in §10-174, provides provisions to facilitate the splitting of a single parcel or lot into two separate parcels or lots; and

WHEREAS, LDC §10-610, establishes regulations to supplement and enhance existing regulations and to encourage the design of developments that will provide safe, convenient, and efficient access for vehicles and safe, convenient and efficient passage for pedestrians between commercially developed sites; and

WHEREAS, on November 1, 2016, the Grantor herein, applied to the County for a Type E limited review local development order, LDO2016-00591 ("*Development Order*"), to split Parcel 1 into two parcels, creating Parcels 1A and 1B ("*Parcel 1A*" and "*Parcel 1B*", respectively), in the approximate configuration as contained in the Development Order, the terms and conditions of which are incorporated herein by reference; and

WHEREAS, prior to the issuance of any subsequent local development order approval or building permit, LDC Chapter 10 and the Development Order requires the Grantor to establish access to be used jointly by Parcels 1A, 1B and 2 to allow use of the right-in from Summerlin Road as a result of the approval of the Resolution, and ingress and/or egress, as may be approved by Lee County, to/from Winkler Road

WHEREAS, as consideration for the County approving the Development Order, the Grantor herein has agreed to the establishment, execution and recording of this Covenant, requiring the subsequent creation, execution and recording of a cross access easement to facilitate ingress from Summerlin Road and ingress and/or egress to/from Winkler Road to the Property to satisfy the requirements contained in both the Resolution and Development Order.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration paid, the sufficiency of which is hereby acknowledged, the Grantor provides as follows:

1. The above recitals are accepted as true and correct and are hereby incorporated into this Covenant as though fully set forth below.

2. The Grantor herein hereby covenants with the County that:

   a. Prior to any subsequent lease, conveyance or transfer of ownership in the Property, for development other than as a single-site comprised fully of Parcels 1A, 1B and 2, the Grantor will execute and record an easement, in the form substantially consistent with the cross access easement as set forth in Exhibit "A" ("*Cross Access Easement*"), attached hereto and incorporated herein by referenced.

   b. The resulting Easement will be for the use and benefit of the Grantor herein, as well as any successors and/or assigns in the ownership of Property, as well as for the use and benefit of any resulting employees, customers, guests and/or invitees of any present or subsequent owner(s) of the Property herein.

   c. The resulting Easement must also be in perpetuity, non-exclusive, for use by both pedestrians and vehicles, and must facilitate ingress from Summerlin Road and ingress and/or egress to/from Winkler Road to the Property, for the purpose of creating interconnection pursuant to the terms and conditions of the Resolution and the Development Order.

   d. The resulting easement must be of a size, shape and configuration approved by the County pursuant to the requirements of LDC Chapter 10, the provisions of which are incorporated herein, and as they may be amended.

3. The Grantor covenants to and with the County that they are lawfully seized and possessed of the above-described Property and have good and lawful title thereof with the right to sell or convey interests therein such that Grantor will forever warrant and defend the title and terms of this Covenant against any and all claims. If a Grantor conveys either this Covenant, or the subsequent Easement, subject to any mortgage, lien, or other encumbrance, then a properly executed Subordination of Encumbrance for each such matter is attached to this instrument or the subsequent easement.

4. This Covenant is intended to run with the land and, as such, will be recorded in the Public Records of Lee County, Florida.

[End of provisions.]

IN WITNESS WHEREOF, the Grantor herein has caused the foregoing to be executed, intending to be bound as of the date and year first above written.

Winkler Junction, LLC
A Florida Limited Liability Company

[1st Witness' Signature]

KRISTIN K. FOELL
[Type or print name]

[2nd Witness' Signature]

KAILAH M. TINER
[Type or print name]

[Signature]

Brandon Kinsey
[Type or print name]

Manager
Manager/Managing Member

STATE OF Florida
COUNTY OF Lee

The foregoing was acknowledged before me this 13th day of June, 2017, by Brandon Kinsey, a Manager/Managing Member, of Winkler Junction, LLC, on behalf of the company. He/she is personally known to me or he/she has produced N/A as identification.

MICHELLE N. GOBLE
MY COMMISSION # FF 000000
EXPIRES: June 30, 2020
Bonded Thru Notary Public Underwriters

Notary Public
[Affix stamp/seal] MICHELLE N. GOBLE

Approved and accepted for and on behalf of Lee County, Florida, this 20th day of JUNE, 2017.

MANAGER, DEVELOPMENT SERVICES
DEPARTMENT OF COMMUNITY DEVELOPMENT
ON BEHALF OF THE BOARD OF
COUNTY COMMISSIONERS OF
LEE COUNTY, FLORIDA

By: _____
Jessica Sulzer, P.E.
Manager, Development Services
Department of Community Development

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

By: _____
Lee County Attorney's Office

Attachments: Exhibit "A" – Cross Access Easement

EXHIBIT "A"

THIS INSTRUMENT PREPARED BY:

David Douglas, P.E.
David Douglas and Associates
1821 Victoria Avenue, Suite 1
Fort Myers, Florida 33901

STRAP#: 34-45-24-00-00011.0000 &
34-45-24-00-00010.0050

This space for Recording

CROSS ACCESS EASEMENT

This Cross Access Easement ("*Easement*") is given this _____ day of _____, 2017, by **Winkler Junction, LLC**, a Florida Limited Liability Company, whose address is 9101 West College Pointe Drive, Fort Myers, Florida 33919, the Grantor herein ("*Grantor*"), for the benefit of **Lee County**, a political subdivision of the State of Florida, whose address is P.O. Box 398, Fort Myers, Florida 33902-0398 ("*County*" or "*Grantee*"). Grantors and Grantee, together known as the "*Parties*," intend this Easement to provide for public access for ingress and egress over the lands described below, as follows:

Recitals

WHEREAS, the Grantor herein is the owner of the following real property in Section 34, Township 45 South, Range 24 East, in Lee County, Florida:

1. The real property described in the Special Warranty Deed of Gordon M. Biggar, Individually and as Trustee of the Gordon M. Biggar Trust U/T/D October 28, 1982, to the Grantor herein, dated October 29, 2015, and recorded in the Public Records of Lee County, Florida, on October 29, 2015, in Instrument Number 2015000234529, the legal description for which is fully incorporated herein by reference ("*Parcel 1*");

2. The real property described in the Special Warranty Deed of Florida Power & Light Company to the Grantor herein, dated January 13, 2015, and recorded in the Public Records of Lee County, Florida, on January 15, 2015, in Instrument Number 201500000972, the legal description for which is fully incorporated herein fully by reference ("*Parcel 2*");

Collectively, the foregoing is referred to as the "*Property.*"

WHEREAS, on September 6, 2016, the Board of County Commissioners of Lee County, Florida, adopted Lee County Resolution No. 16-09-13 ("*Resolution*"), for the purposed of creating an access on the east side of Summerlin Road, a designated controlled access road facility, to permit the right-in directional movement from Summerlin Road to the Property, both owned by the Grantor herein; and

WHEREAS, the Resolution was conditioned on the Grantor herein creating a cross access easement over the Property to facilitate ingress from Summerlin Road and ingress and/or egress to/from Winkler Road the use and benefit of the Property; and

WHEREAS, Lee County has duly adopted its Land Development Code ("*LDC*"), which, in §10-174, provides provisions to facilitate the splitting of a single parcel or lot into two separate parcels or lots; and

WHEREAS, LDC §10-610, establishes regulations to supplement and enhance existing regulations and to encourage the design of developments that will provide safe, convenient, and efficient access for vehicles and safe, convenient and efficient passage for pedestrians between commercially developed sites; and

WHEREAS, on November 1, 2016, the Grantor herein, applied to the County for a Type E limited review local development order, LDO2016-00591 ("*Development Order*"), to split Parcel 1 into two parcels, creating Parcels 1A and 1B ("*Parcel 1A*" and "*Parcel 1B*", respectively), in the approximate configuration shown on attached Exhibit "A", the terms and conditions of the Development Order are incorporated herein by reference; and

WHEREAS, the Development Order requires, prior to the issuance of any subsequent local development order approval or building permit, the Grantor to establish access to be used jointly by Parcels 1A, 1B and 2 to allow use of the right-in from Summerlin Road as a result of the approval of the Resolution, and ingress and/or egress, as may be approved by Lee County, to/from Winkler Road

WHEREAS, the establishment, execution and recording of this Easement will satisfy the requirements contained in the Resolution and Development Order.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration paid, the sufficiency of which is hereby acknowledged, the Grantor provides as follows:

1. The above recitals are accepted as true and correct and are hereby incorporated into this Easement as though fully set forth below.

2. The Grantor herein, as its respective interests may appear, hereby grants and conveys to the County, an irrevocable, non-exclusive easement, in perpetuity, for pedestrian and vehicle interconnection by the public, over the Property herein, which Easement is more particularly described and depicted in Exhibit "B," attached hereto and incorporated herein by reference.

3. The Grantor covenants to and with the County that they are lawfully seized and possessed of the above-described Property and have good and lawful title thereof with the right to sell or convey interests therein such that Grantor will forever warrant and defend the title and terms of this Easement against any and all claims. If a Grantor conveys this Easement subject to any mortgage, lien, or other encumbrance, then a properly executed Subordination of Encumbrance for each such matter is attached to this instrument.

4. The Grantor, for itself, its successors and assigns, hereby agrees to remain responsible for maintenance of the Easement create herein and as described and depicted in attached Exhibit "B."

5. The Grantor retains the right to enjoy use of the area of the Easement described and depicted in attached Exhibit "B" for any and all purposes which do not interfere with or prevent the County's full use and enjoyment of the Easement.

6. The Easement created herein is intended to run with the land and, as such, will be recorded in the Public Records of Lee County, Florida.

[End of provisions.]

IN WITNESS WHEREOF, the Grantor herein has caused the foregoing to be executed, intending to be bound as of the date and year first above written.

Winkler Junction, LLC
A Florida Limited Liability Company

_____
[1st Witness' Signature]

_____
[Type or print name]

_____
[2nd Witness' Signature]

_____
[Type or print name]

_____
[Signature]

_____
[Type or print name]

_____
Manager/Managing Member

STATE OF _____
COUNTY OF _____

The foregoing was acknowledged before me this ____ day of _____, 2017, by _____, a Manager/Managing Member, of Winkler Junction, LLC, on behalf of the company. He/she is personally known to me or he/she has produced _____ as identification.

_____
Notary Public
[Affix stamp/seal]

Approved and accepted for and on behalf of Lee County, Florida, this ____ day of _____, 2017.

MANAGER, DEVELOPMENT SERVICES
DEPARTMENT OF COMMUNITY DEVELOPMENT
ON BEHALF OF THE BOARD OF
COUNTY COMMISSIONERS OF
LEE COUNTY, FLORIDA

By: _____
Jessica Sulzer, P.E.
Manager, Development Services
Department of Community Development

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

By: _____
Lee County Attorney's Office

Attachments: Exhibit "A" – Legal Description and Sketch of Parcels 1A and 1B
Exhibit "B" – Legal Description and Sketch of the Easement

Linda Doggett, Lee County Clerk of Circuit Court
INSTR. # 2018000266508, Doc Type AGR, Pages 11, Recorded 11/14/2018 at 8:21 AM, Deputy Clerk LFAHRNER ERECORD
Rec Fees: $95.00

ATTACHMENT F

Prepared By:

Joseph M. Madden Jr.
Madden Law Firm, LLC
2277 Main Street
Fort Myers, FL 33901
(239) 332-2100

RECIPROCAL EASEMENT AND RESTRICTION AGREEMENT

THIS RECIPROCAL EASEMENT AND RESTRICTION AGREEMENT ("REA") is executed this 13th day of November, 2018, by WINKLER JUNCTION, LLC ("WJL") and RACETRAC PETROLEUM, INC. ("RACETRAC") for the express purpose of facilitating orderly and planned development of the properties described on Exhibits "A" and "B" attached hereto and incorporated herein by reference.

RECITALS

WHEREAS, WJL has conveyed to RaceTrac that certain real property described on Exhibit "A" ("Parcel 1") for development of a convenience store with fuel pumps; and

WHEREAS, WJL intends to develop that certain real property described on Exhibit "B" ("Retained Parcel" or "Parcel 2") for other commercial purposes (Parcel 1 and Parcel 2 are each sometimes referred to herein as a "Parcel," and collectively as the "Parcels"); and

WHEREAS, the parties hereto desire to create certain access easements and utility easements, as well as delineate certain duties and obligations of each party.

For and in consideration of Ten and No/100's Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Reciprocal Perpetual Non-Exclusive Ingress Egress Easement. WJL does hereby grant to RACETRAC, its successors and/or assigns, a reciprocal, perpetual, non-exclusive easement for pedestrian and/or vehicular ingress and egress over and across all paved areas of Parcel 2. RACETRAC does hereby grant to WJL, its successors and/or assigns, a reciprocal, perpetual, non-exclusive easement for pedestrian and/or vehicular ingress and egress over and across all paved areas of Parcel 1. Such easements shall be known collectively as the "Reciprocal Easements". Nothing contained herein shall be deemed to create any right in the public or any public dedication. The Reciprocal Easements shall be for the purpose of vehicular and pedestrian access, and egress to and from the Parcels. The Reciprocal Easements are intended to provide a permanent area of shared access located within each Parcel. The Reciprocal Easements shall be kept free of permanent obstructions to such vehicular and pedestrian traffic, and each part thereof shall be maintained by the owner of the Parcel on which that part is located. The owner of each Parcel shall be free from time to time to modify the design of their respective Parcels with respect to the location and the configuration of the internal drives, lanes and entrances. The grant of the Reciprocal Easements shall not limit the design and the use of the Parcels, but shall only provide for shared use rights in such drives, lanes and entrances as from time to time may exist, subject, however, to the minimum provisions of subparagraph (c). Nothing herein shall obligate a party to construct, or prevent a party from modifying, relocating and/or closing, any drives, lanes or entrances on such party's Parcel from time to time, and (b) in no event shall the easements granted

by RaceTrac herein include any areas above the underground storage tanks or below any motor fuel canopy located or to be constructed on Parcel 1.

2. Perpetual Non-Exclusive Utility Easement. RACETRAC does hereby grant to WJL, its successors and/or assigns a perpetual, non-exclusive easement for utilities over and across the area generally depicted on Exhibit "C" attached hereto and incorporated herein by reference, not exceeding twenty (20) feet in width, (the "Utility Easement"). Nothing contained herein shall be deemed to create any right in the public or any public dedication; however, in the event any public authority having jurisdiction requires such easement to become a public utility easement in order for WJL to utilize such easement to their satisfaction, RACETRAC shall cooperate with the dedication of such public easement as reasonably necessary and shall execute any authorizations necessary to amend development permits on Parcel 1, at no cost or expense to RACETRAC and so long as such permit amendments do not negatively affect the improvements or inhibit the business activities on Parcel 1. In the event such dedication requires the removal, relocation or compensation for landscaping within the easement area, WJL shall bear the entire burden of such costs. Prior to any entry onto Parcel 1 by WJL or its agent, contractor or employee, WJL and any such contractor shall at their sole cost and expense maintain in full force and effect (a) workers' compensation insurance in accordance with applicable law; (b) commercial general liability insurance with limits of at least One Million Dollars ($1,000,000.00) for bodily or personal injury or death, (c) property damage insurance in the amount of at least Two Million Dollars ($2,000,000.00), (d) contractual liability insurance, (e) pollution liability insurance covering any death, bodily injury, environmental or natural resources damage, or property damage arising from or related to the activities conducted by the Indemnitor Parties on the Property in an amount not less than One Million and No/100 Dollars ($1,000,000.00) per occurrence and Two Million and No/100 Dollars ($2,000,000) in the aggregate with coverage extended to include third party liability for death, bodily injury, diminution of value of property, property damage, or environmental or natural resources damage; and (f) such other insurance as may be required pursuant to applicable law. Each insurance policy must be issued by a reputable insurance company licensed to do business in the state of Florida and having a rating of at least "A:IX" by the current edition of Best's Rating Guide. Such insurance policies shall name as additional insureds RaceTrac and such other parties as RaceTrac may designate. Such policies shall also contain an appropriate cross liability endorsement in favor of RaceTrac, shall contain a waiver of subrogation, and shall specify that such insurance policies shall not be cancelable on less than thirty (30) days' prior written notice to RaceTrac. WJL and its contractors, as applicable, shall submit valid certificates and endorsements in form and substance satisfactory to RaceTrac evidencing the effectiveness of the foregoing insurance prior to the entry onto Parcel 1. The insurance coverage afforded under these policies shall be primary and not create any contribution obligations to any insurance carried independently by RaceTrac.

3. Maintenance for Improvements. Each party shall maintain the portion of the Reciprocal Easements located on its respective Parcel in such a manner as to allow the intended use thereof without any unreasonable disrepair. WJL shall be solely responsible, at its sole cost and expense, for the construction, maintenance, repair and replacement of any utility facilities within the Utility Easement. Upon completion of any such construction, maintenance, repair and replacement of such facilities, WJL shall restore Parcel 1 to as good or better a condition as existed prior to the performance of such construction, maintenance, repair and replacement. If maintenance, repair or replacement of the utility facilities in the Utility Easement becomes necessary and WJL has not performed the same within ten (10) business days after written notice from RaceTrac, or in the event that it cannot be completed within ten (10) business days of such notice and it has not been initiated and thereafter diligently pursued to completion, RaceTrac shall have the right to perform such work on WJL's behalf and at WJL's cost and expense. In such event, WJL shall reimburse RaceTrac the cost of such maintenance, repair or replacement within thirty (30) days from receipt of the invoice. If WJL fails to timely reimburse RaceTrac, RaceTrac shall have the right to record a lien against Parcel 2 as security for such amounts until repaid in full. Notwithstanding any contrary

provision contained herein, in the event any improvements contemplated in this REA are damaged by a party hereto (or any agent thereof), such party shall be responsible for all costs of repairing such damage.

4. Restrictive Covenants. WJL hereby agrees that the following shall be prohibited: (1) the erection of any sign or structure within the "Visibility Area" (as hereinafter defined), except for a single monument sign with dimensions no greater than five (5) feet in height and ten (10) feet in width (so long as the advertising on such monument sign does not breach the restriction set forth in item (2) below); and (2) a retail outlet for motor fuels or a convenience store or the advertising thereof on all or any portion of Parcel 2. As used herein, "Visibility Area" shall mean and refer to any property located within both (i) one hundred fifty (150) feet from any boundary of Parcel 1 and (ii) forty (40) feet of the right-of-way of any road, alley or street. As used herein, the term "retail outlet for motor fuels" shall include by way of illustration, but not by way of limitation, a mobile dispensary or delivery service, even if only temporarily located at the property restricted thereby. The above restrictions and covenants shall be deemed to be covenants and restrictions running with the land for the benefit of Parcel 1, as a burden upon Parcel 2, and shall be in full force and effect for the longest period allowed by applicable law, and shall be enforceable by RaceTrac, its successors, assigns, successors-in-title and tenants. In case of any violation or attempted violation of any of the covenants or restrictions contained herein, RaceTrac, its successors, assigns, successors-in-title and tenants may enforce these covenants and restrictions by injunction or other appropriate proceedings and shall be entitled to recover its damages, costs and reasonable attorneys' fees.

5. Tree Clearing Easement. WJL hereby grants to RaceTrac and its successors and assigns a perpetual, non-exclusive easement for ingress, egress and access and the right to clear cut all trees and other vegetation on that portion of Parcel 2 which is within 150 feet of the western boundary line of Parcel 1 and within 100 feet of the right-of-way line of Summerlin Road (the "Removal Area"). The foregoing easement shall include, without limitation, the right, prior to development of any improvements in the Removal Area, to maintain clear visibility, including the right to cut, clear and/or remove any brush or trees located in the Removal Area which impair clear visibility of Parcel 1 across the Removal Area as long as such cutting, clearing and removal is in compliance with all applicable local, state and federal regulations.

6. Indemnity. Each party hereto (in this context, the "Indemnitor"), on behalf of itself and its successors and assigns, hereby agrees to indemnify, defend and to hold harmless the other (and its partners, shareholders, officers, directors, agents, employees, predecessors, successors and assigns) (in this context, the "Indemnitees") from any and all claims, causes of action, damages, liabilities and expenses which may be claimed or asserted against, or suffered by, the Indemnitees arising out of or relating to, whether directly or indirectly, the use or enjoyment of the easements created herein by Indemnitor, its invitees, visitors, licensees, contractors, subcontractors, employees, agents and representatives. Claims indemnified hereunder include, without limitation, personal injury, loss of life, mechanics' or materialmen's liens or claims of lien, and/or any other claims directly or indirectly related to the enjoyment of the rights and easement granted hereunder, or the obligations hereunder. The foregoing indemnification shall include all costs and reasonable attorneys' fees of the indemnified party (whether or not suit is instituted), including those incurred in appellate proceedings.

7. Notices. Any notice required or permitted to be given under this REA shall be in writing and shall be deemed to have been given when delivered: (i) by a national recognized overnight commercial courier evidenced by signed receipt; or (ii) via United States Mail as Certified Mail, Return Receipt Requested, postage prepaid, evidenced by signed receipt, and addressed to the parties as herein provided (or such other address which any party may designate in writing for itself from time to time hereafter by written notice to the other party):

To WJL:	Winkler Junction LLC 9101 W College Point Drive, Suite 1 Fort Myers, Florida 33919 Attn: Brandon Kinsey
To RaceTrac:	RaceTrac Petroleum, Inc. 200 Galleria Parkway Suite 900 Atlanta, Georgia 30339 Attn: VP of Real Estate, Engineering and Construction
With a copy to:	RaceTrac Petroleum, Inc. 200 Galleria Parkway Suite 900 Atlanta, Georgia 30339 Attn: Corporate Counsel – Real Estate

8. Miscellaneous. This REA constitutes the entire agreement of the parties with respect to the subject matter hereof and supersedes all prior agreements, representations, warranties and understandings of the parties with respect thereto. This REA may not be modified, except in writing, signed by both parties. No such amendment shall be effective until it is recorded in the Public Records of Lee County, FL. The singular shall include the plural, and the plural the singular, and any one gender shall include all genders as the context may require. This REA shall be construed under the laws of Florida. The extent to which any party participated in the drafting of this document shall not determine how any provision hereof is to be construed. This REA is not intended and shall not be construed to dedicate any of the easements described herein to the general public nor shall this instrument be construed to restrict the use and development of the Parcels except as expressly provided herein. With respect thereto, each party reserves the right to close off driveway areas on its Parcel for one day each calendar year to prevent acquisition of prescriptive rights, and such closing shall occur only on Christmas Day unless ten (10) days written notice is given to the other owners specifying the closing date other than Christmas Day. This REA shall be deemed to be the covenants running with the land, and be binding upon the benefits hereof inure to, and be binding upon, the respective heirs, personal representatives, successors and assigns of the parties, and shall remain in full force and effect and shall be unaffected by any change in ownership of the Parcels. References to RaceTrac, WJL, Parcel 1 and Parcel 2 shall include their respective successors in title. Nothing contained in this REA shall be deemed to be a gift or dedication to any governmental authority or the general public for any public purpose whatsoever. The parties are not conveying any land or title herein, but are merely granting the rights, privileges and easements herein set forth, subject to the conditions set forth herein. This REA is not and shall not be construed, interpreted or enforced as a dedication of all or any portion of Parcel 1 or Parcel 2 to public use or to the private use of any party other than RaceTrac and WJL, and their respective invitees, customers, licensees, employees, agents, successors and assigns. No easements except to those expressly set forth herein, shall be implied by this REA. Nothing in this REA shall be deemed or construed by either party or by any third person to create the relationship of principal and agent or of limited or general partners or of joint venturers, or of any other such association. In the event any provision or portion of this REA is held by any court of competent jurisdiction to be invalid or unenforceable, such holding will not affect the remainder hereof, and the remaining provisions shall continue in full force and effect to the same extent as would have been the case had such invalid or unenforceable provision or portion never been a part hereof. No waiver of any default of any obligation of either party shall be implied by any omission of the other party to take

any action with respect to such default. No breach, whether material or not material, of the provisions of this REA shall entitle either party to cancel, rescind or otherwise terminate this REA, but such limitation shall not affect, in any manner, any other rights or remedies which any party may have hereunder by reason of any breach of the provisions of this REA.

[Signatures on following pages]

IN WITNESS WHEREOF, the parties have set their hand and seal on the date first written above.

Signed, sealed and delivered in the presence of:
TWO SEPARATE WITNESSES REQUIRED

(Sign) _____
(Print) _____

(Sign) _____
(Print) _____

WINKLER JUNCTION, LLC, a Florida limited liability company

_____

BY: Brandon Kinsey
ITS: Manager

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 5 day of November, 2018, by Brandon Kinsey, as Manager of Winkler Junction, LLC, a Florida limited liability company, who ☐ is/are personally known to me or ☐ who has/have produced _____ as identification.

JOSEPH M. MADDEN JR.
Notary Public - State of Florida
Commission #FF182225
My Comm. Exp. December 9, 2018
Bonded Thru National Notary Association

(Notary Seal)

_____
NOTARY PUBLIC
Print Name: _____
Commission No:
Commission Expires:

Signed, sealed and delivered in the presence of:
TWO SEPARATE WITNESSES REQUIRED

(Sign) _____
(Print) Robin Allen

(Sign) _____
(Print) _____

ACKNOWLEDGED BY:

RACETRAC PETROLEUM, INC.

BY: Brian Thornton
ITS: Vice President of Real Estate, Engineering and Construction

RACETRAC PETROLEUM, INC. CORPORATE SEAL 1986 GEORGIA

STATE OF GEORGIA
COUNTY OF COBB

The foregoing instrument was acknowledged before me this 5th day of November, 2018, by Brian Thornton, as Vice President of Real Estate, Engineering and Construction of RaceTrac Petroleum, Inc., a Georgia corporation, who ☒ is/are personally known to me or ☐ who has/have produced as identification.

(Notary Seal) KRISTINA M LONGFELLOW NOTARY PUBLIC FULTON COUNTY, GEORGIA MY COMMISSION EXPIRES FEBRUARY 26, 2022

NOTARY PUBLIC
Print Name: Kristina M. Longfellow
Commission No: N/A
Commission Expires: 2-26-2022

EXHIBIT "A"

LEGAL DESCRIPTION
OF A PARCEL LYING IN SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, BEING THE 2ND PARCEL DESCRIBED IN THE APPROVED LOT SPLIT AS SHOWN ON PAGES 4 & 5 OF INSTRUMENT #2014000200926 TOGETHER WITH THE 2ND PARCEL DESCRIBED IN THE APPROVED LOT SPLIT ON PAGES 4 & 5 OF INSTRUMENT #2017000142292 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY FLORIDA; THENCE N.01°12'38"W., ALONG THE WEST LINE OF SAID SECTION 34, FOR A DISTANCE OF 115.78 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY RIGHT OF WAY (115.00 FEET FROM CENTERLINE) OF SUMMERLIN ROAD (COUNTY ROAD 869); THENCE N.44°17'24"E., ALONG SAID RIGHT OF WAY, FOR A DISTANCE OF 1293.63 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE N.44°17'24"E., ALONG SAID RIGHT OF WAY, FOR A DISTANCE OF 706.41 FEET; THENCE S.01°04'10"E., ALONG THE WEST RIGHT OF WAY LINE OF WINKLER ROAD, A 100.0 FOOT RIGHT OF WAY, FOR A DISTANCE OF 190.39 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2814.93 FEET; THENCE CONTINUE ALONG SAID RIGHT OF WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 06°25'07", A CHORD BEARING OF S.02°12'22"W., A CHORD LENGTH OF 315.18 FEET AND AN ARC LENGTH OF 315.34 FEET; THENCE S.89°57'28"W. FOR A DISTANCE OF 344.90 FEET; THENCE S.44°17'24"W. FOR A DISTANCE OF 97.69 FEET; THENCE N.45°42'36"W. FOR A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 129,987 SQUARE FEET, OR 2.984 ACRES, MORE OR LESS

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

DATE SIGNED: 11/16/17

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

* THIS IS NOT A SURVEY *

SUMMERLIN ROAD & WINKLER AVE

NOTES:

1. BEARINGS ARE BASED ON THE SOUTHEAST RIGHT OF WAY LINE OF SUMMERLIN ROAD, AS BEARING N44°17'24"E.
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

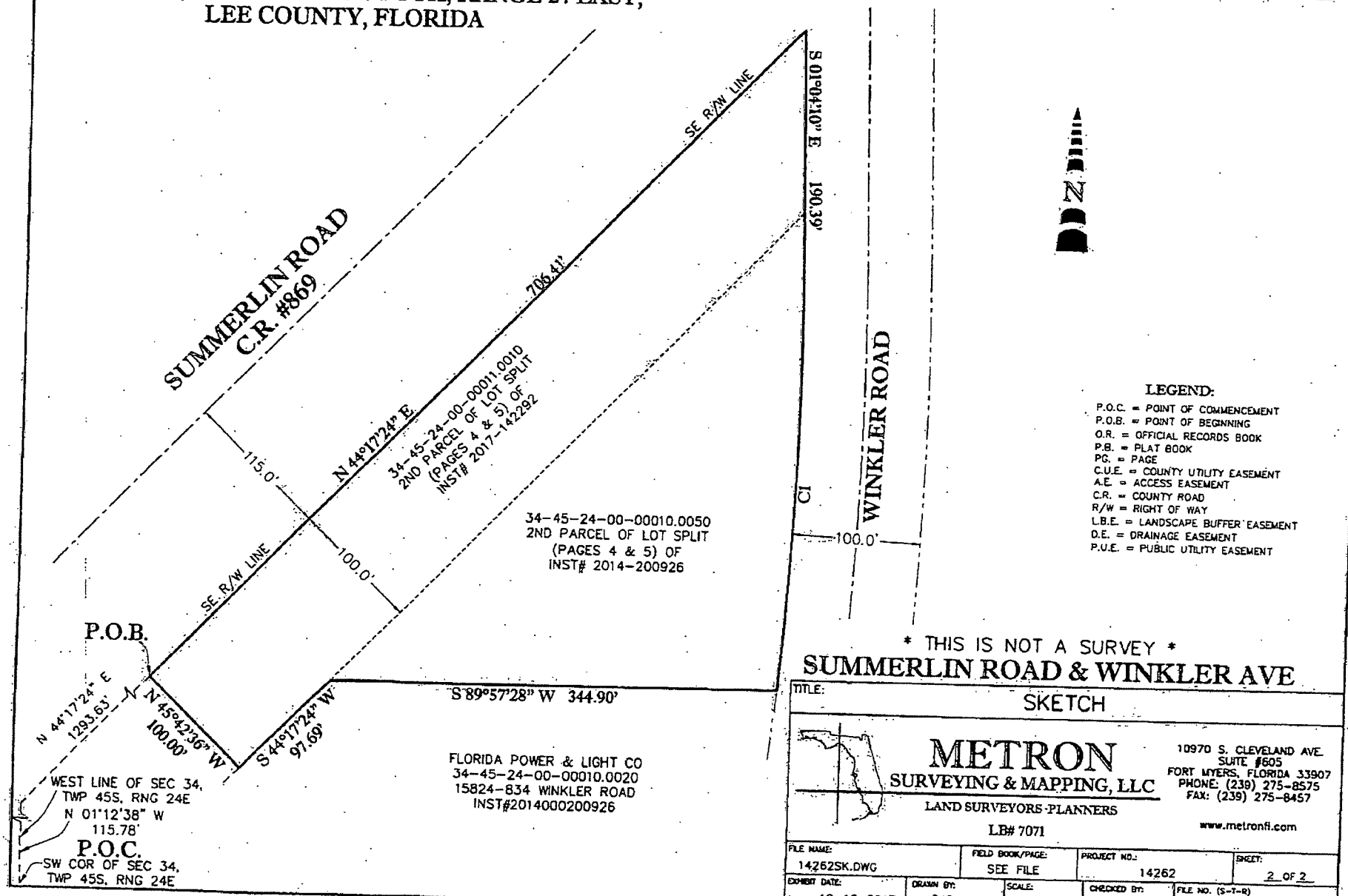
TITLE: LEGAL DESCRIPTION				
METRON SURVEYING & MAPPING, LLC LAND SURVEYORS·PLANNERS LB# 7071				10970 S. CLEVELAND AVE. SUITE #605 FORT MYERS, FLORIDA 33907 PHONE: (239) 275-8575 FAX: (239) 275-8457 www.metronfl.com
FILE NAME: 14262SK.DWG	FIELD BOOK/PAGE: SEE FILE	PROJECT NO.: 14262		SHEET: 1 OF 2
EXHIBIT DATE: 11-16-2017	DRAWN BY: DJO	SCALE: 1"= 100'	CHECKED BY: TLM	FILE NO. (S-T-R) 34-45-24

SKETCH OF DESCRIPTION

OF A PARCEL LYING IN SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2814.93'	315.34'	315.18'	S 02°12'22" W	6°25'07"



LEGEND:

- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING
- O.R. = OFFICIAL RECORDS BOOK
- P.B. = PLAT BOOK
- PG. = PAGE
- C.U.E. = COUNTY UTILITY EASEMENT
- A.E. = ACCESS EASEMENT
- C.R. = COUNTY ROAD
- R/W = RIGHT OF WAY
- L.B.E. = LANDSCAPE BUFFER EASEMENT
- D.E. = DRAINAGE EASEMENT
- P.U.E. = PUBLIC UTILITY EASEMENT

* THIS IS NOT A SURVEY *

SUMMERLIN ROAD & WINKLER AVE

TITLE: SKETCH

METRON SURVEYING & MAPPING, LLC
LAND SURVEYORS-PLANNERS
LB# 7071

10970 S. CLEVELAND AVE.
SUITE #605
FORT MYERS, FLORIDA 33907
PHONE: (239) 275-8575
FAX: (239) 275-8457
www.metronfl.com

FILE NAME:	FIELD BOOK/PAGE:	PROJECT NO.:	SHEET:
14262SK.DWG	SEE FILE	14262	2 OF 2

EXHIBIT DATE:	DRAWN BY:	SCALE:	CHECKED BY:	FILE NO. (S-T-R)
12-16-2017	DJO	1"= 100'	TLM	34-45-24

INSTR. # 2018000266508 Page Number: 9 of 11

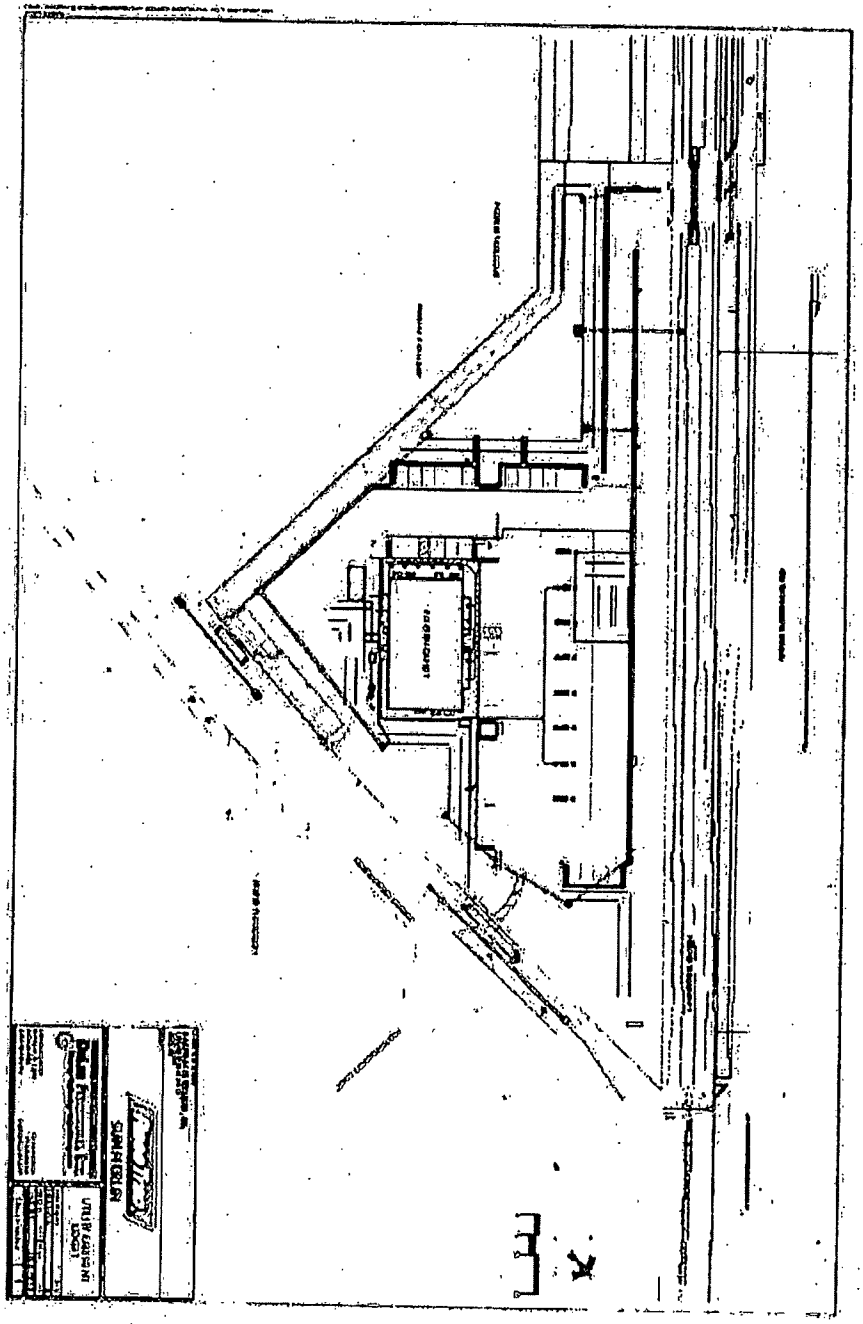
EXHIBIT "B"

Parcel 2 Legal Description

Property described within Property Tax Identification No. 34-45-24-00-00011.0000

EXHIBIT "C"

Utility Easement Depiction



ATTACHMENT F

RESOLUTION NUMBER Z-15-023

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

WHEREAS, an application was filed by the property owner, Winkler Junction, LLC , to rezone 2.99± acres from Agricultural Districts (AG-2) to Community Commercial District (CC), in reference to the Winkler Junction Rezoning, Case #REZ2015-00005 (Request); and,

WHEREAS, a public hearing before the Lee County Hearing Examiner was advertised and held on August 13, 2015; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #REZ2015-00005 and recommended approval of the Request; and

WHEREAS, a second public hearing was advertised and held on September 16, 2015, before the Lee County Board of County Commissioners; and,

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

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

SECTION A. REQUEST

The applicant filed a request to rezone 2.99± acres from AG-2 to CC on property legally described in Exhibit A. The current zoning and general location of the property, at the intersection of Summerlin and Winkler Roads, is shown in the attached Exhibit B. The property is located in the Suburban Future Land Use Category.

SECTION B. EXHIBITS:

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

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)

SECTION C. FINDINGS AND CONCLUSIONS:

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

09-16-15 Z

2. The rezoning, as approved:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;

   c. is compatible with existing or planned uses in the surrounding area;

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and

   e. will not adversely affect environmentally critical areas or natural resources.

3. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

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

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

DULY PASSED AND ADOPTED this 16th day of September, 2015.

ATTEST:
LINDA DOGGETT, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Brian Hamman, Chair

BOARD OF COUNTY COMMISSIONERS SEAL LEE COUNTY, FLORIDA

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

_____
Neysa Borkert
Assistant County Attorney
County Attorney's Office

Case No. REZ2015-00005

RECEIVED
MINUTES OFFICE
TK
2015 SEP 21 AM 10:20

GULF SHORE SURVEYING, INC.

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

REZ2015-00005

June 1, 2015
JOB NO. 1324
FILE: 1324L06.DOC

DESCRIPTION

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

FROM THE POINT OF COMMENCEMENT BEING THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N.01°06'11"W. ALONG THE WEST LINE OF SAID SECTION 34 FOR 115.98 FEET TO AN INTERSECTION WITH THE SOUTHEASTERLY RIGHT-OF-WAY (115.00 FEET FROM CENTERLINE) OF SUMMERLIN ROAD (COUNTY ROAD 869 SOUTH); THENCE N.44°17'24"E. ALONG SAID RIGHT-OF-WAY FOR 1293.27 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.44°17'24"E. FOR 706.41 FEET ALONG SAID RIGHT-OF-WAY LINE TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY OF WINKLER ROAD (100.00 FEET WIDE); THENCE S.01°04'11"E. ALONG SAID RIGHT-OF-WAY FOR 190.39 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, RADIUS 2814.93 FEET, CENTRAL ANGLE 06°25'07", CHORD 315.18 FEET, CHORD BEARING S.02°12'22"W; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE AND THE WESTERLY RIGHT-OF-WAY OF WINKLER ROAD FOR 315.34 FEET TO THE POINT ON SAID CURVE; THENCE S.89°57'28"W. FOR 344.90 FEET TO A POINT BEING 100 FEET SOUTHEASTERLY (AS MEASURED PERPENDICULAR) OF THE SOUTHEASTERLY RIGHT OF WAY OF SUMMERLIN ROAD; THENCE S.44°17'24"W. FOR 97.70 FEET; THENCE N.45°42'36"W. FOR 100.00 FEET TO THE POINT OF BEGINNING.

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

CONTAINING 129,985 SQUARE FEET OR 2.9840 ACRES, MORE OR LESS.

REFER TO 8/12"X11" SKETCH

06/01/15

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

6/5/15

EXHIBIT A

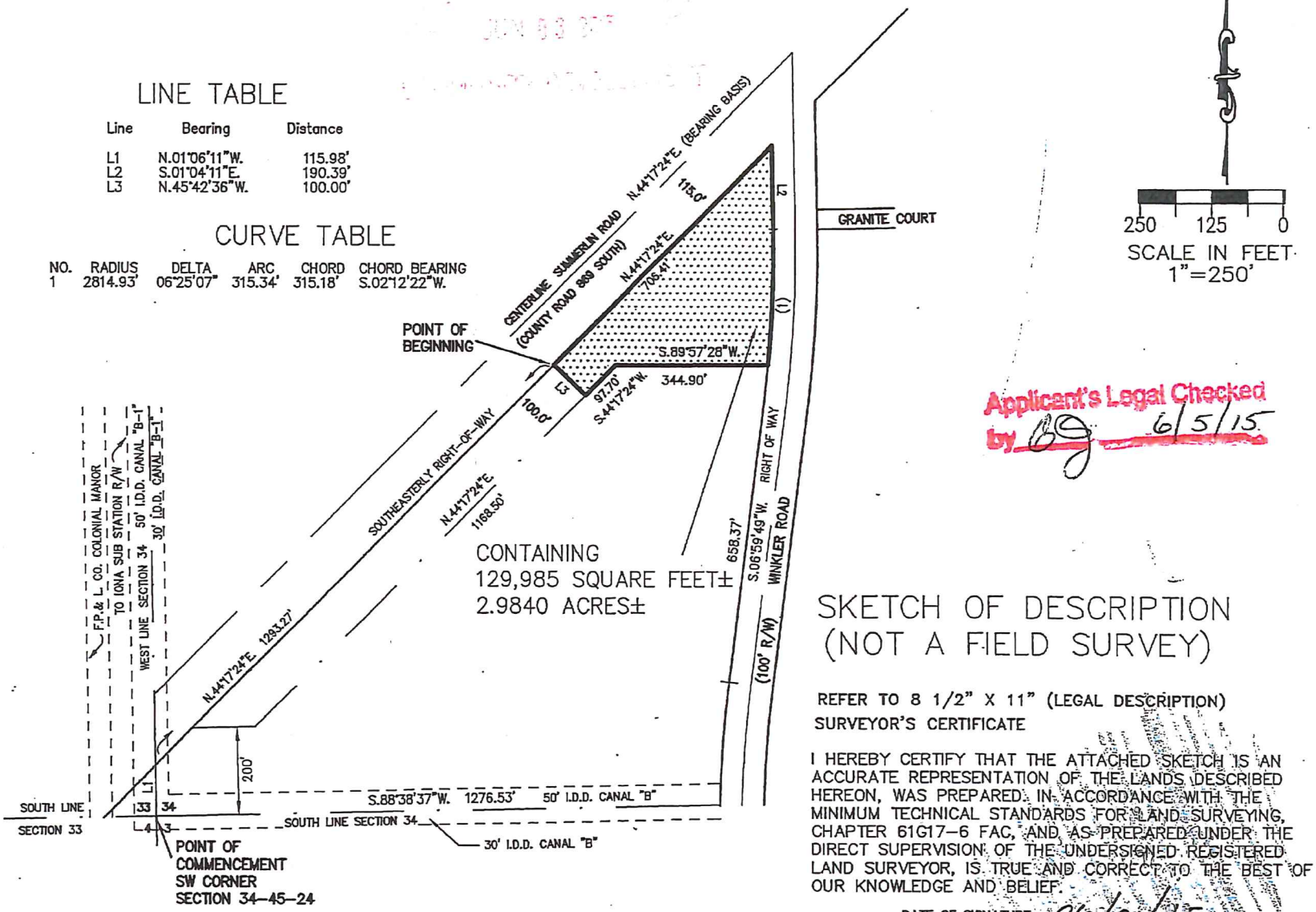
REZ 2015-00005

LINE TABLE

Line	Bearing	Distance
L1	N.01°06'11"W.	115.98'
L2	S.01°04'11"E.	190.39'
L3	N.45°42'36"W.	100.00'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	2814.93'	06°25'07"	315.34'	315.18'	S.02°12'22"W.



250 125 0
SCALE IN FEET
1"=250'

Applicant's Legal Checked
by BG 6/5/15

SKETCH OF DESCRIPTION
(NOT A FIELD SURVEY)

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

SURVEYOR'S CERTIFICATE

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

DATE OF SIGNATURE: 06/01/15

TIM J. PUPAHL
PROFESSIONAL SURVEYOR AND MAPPER
FLA. CERTIFICATE NO. 4668

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

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

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

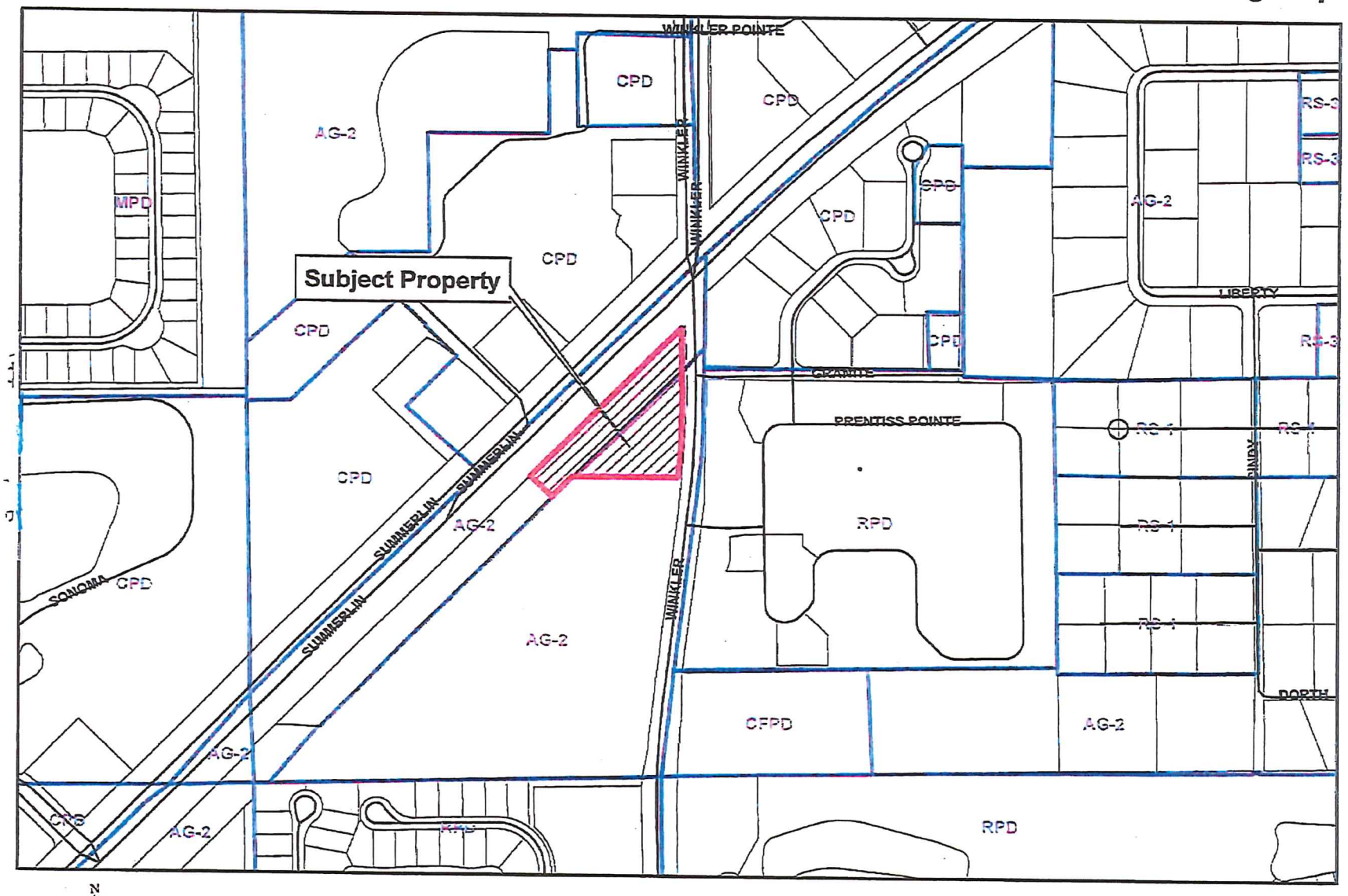
DATE : 05/29/2015
SCALE : 1"=250'
CADD : T.P.
CHECK : T.P.
FILE : 1324L06

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

JOB
1324
L06

REZ2015-00005

Zoning Map



ATTACHMENT G

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

Winkler Junction Minor CPD

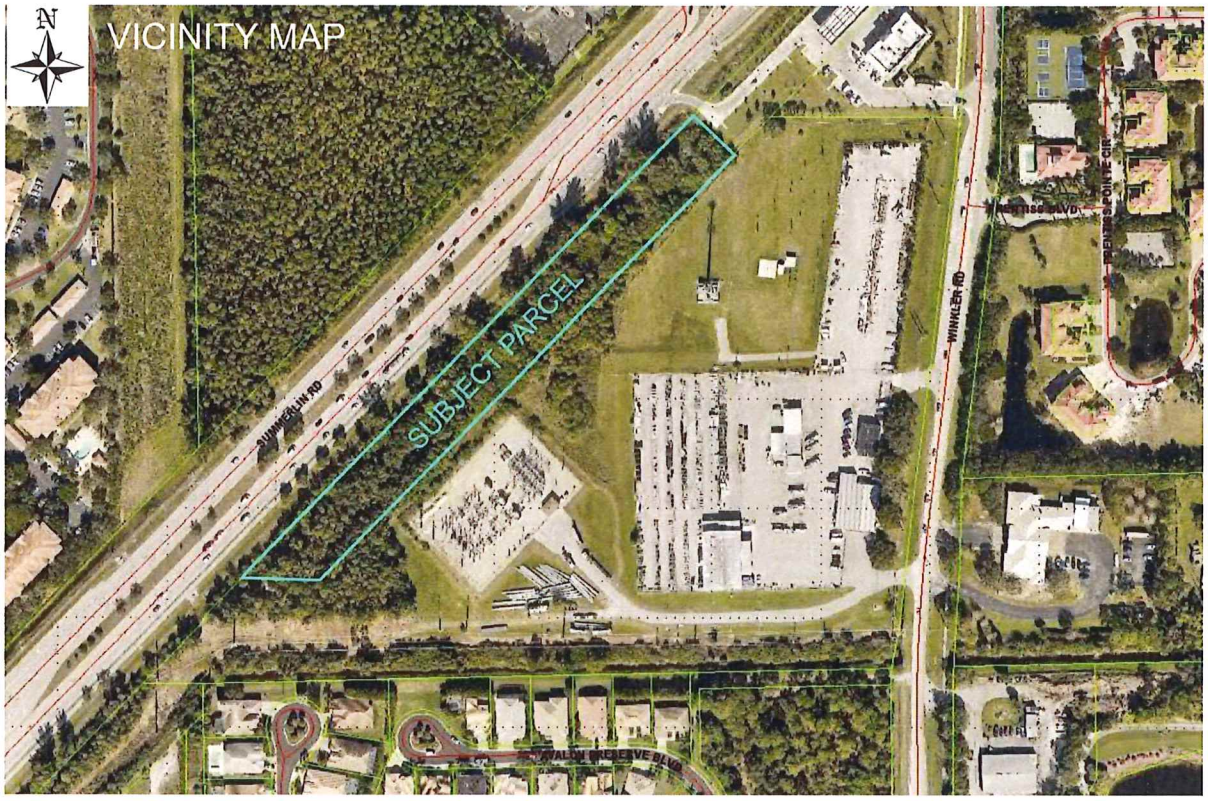
Narrative of Request

DCI2023-00004 – Revised April 2023

Introduction/Request

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

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



SERVING SOUTHWEST FLORIDA FOR OVER 30 YEARS
Engineering License CA 6469
Surveying License LB 6690

10511 Six Mile Cypress Parkway, Fort Myers, Florida 33966
Phone: 239-939-5490 | Fax: 239-939-2523
www.banksengfla.com

Background

The site was previously an abandoned railroad grade and the entire site remains in its previous disturbed condition.

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

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

At the present time, the subject property remains undeveloped.

Land Development Code Analysis

The property qualifies for the rezoning to minor CPD and meets the applicable required findings/review criteria set forth in Land Development Code section 34-145(d)(4)a.1. as follows:

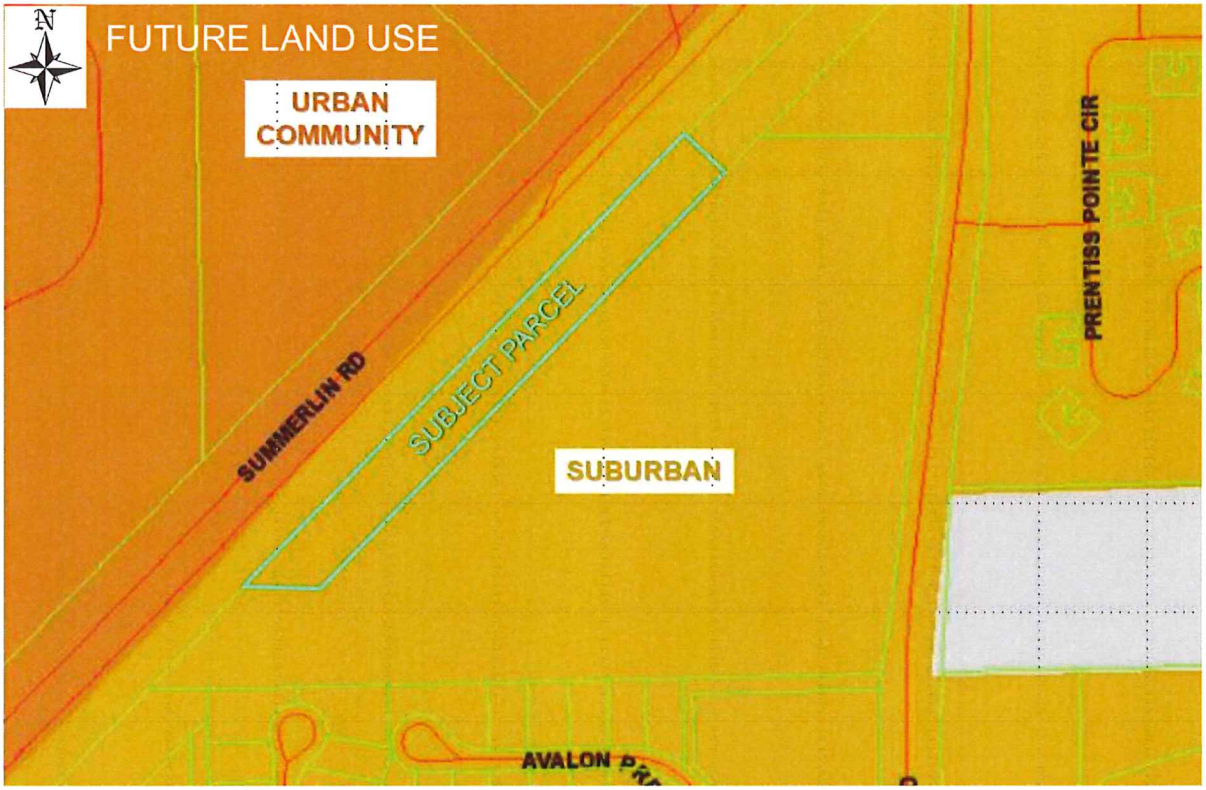
(a) Complies with the Lee Plan

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

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

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

Approval of the requested rezoning will allow development of the subject property consistent with the intent of the Suburban Future Land Use category at a location identified as a commercial development. The subject property is surrounded by property also located within the Suburban Future Land Use Category including a transition to Urban Community on the north side of Summerlin Road. The Suburban Development areas are appropriate for relatively low intensity commercial zoning categories as demonstrated by the existing and surrounding zoning districts.



Development of self-storage use such as the multi-story public warehouse use with associated rental of U-Haul type vehicles (no outdoor display, sale, rental or storage) is appropriate for the ite and will allow the subject property to provide services necessary to serve the surrounding residential areas. The U-Haul type rental is proposed under the building with carport opening to the east facing the FP&L facility. The intersection of Winkler Road and Summerlin Road has developed as a commercial node. Approval of the rezoning will provide appropriate infill development opportunities by expanding the development potential of the applicant's property adjacent to existing commercial lands along Summerlin Road. The proposed uses are consistent with Policy 1.1.5.

> *POLICY 1.6.5: The Planning Districts Map and Acreage Allocation Table (Map 1-B and Table 1(b)) depict the proposed distribution, extent, and location of generalized land uses through the Plan's horizon. Acreage totals are provided for land in each Planning District in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential,*

commercial or industrial uses contained in Table 1(b) to be exceeded. This policy will be implemented as follows:

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

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

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

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

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

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

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

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

The subject property consists of one parcel split from the adjacent RaceTrac parent parcel which was recently rezoned from AG-2 to CC. Both RaceTrac and the subject parcel have frontage along Summerlin Rd. and have access to the hard southwest corner of Winkler Road and Summerlin Road. Water and Wastewater facilities are provided by Lee County, which has existing potable water and sanitary sewer service available to the property with adequate capacity to service the site. Fire and EMS services will be provided from Iona McGregor Fire Department, located less than 1 mile from the site on Winkler Road. The Lee County Sheriff's Office is located at 14750 Six Mile Cypress Pkwy, approximately 4 miles from the site. The rezoning is consistent with Objective 2.2 and Policy 2.2.1.

STANDARD 4.1.1: WATER.

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

2. If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 6), then the development must be connected to that utility.

3. The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.

STANDARD 4.1.2: SEWER.

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

2. If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 7), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within l/4 mile from any part of the development.

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

The subject property is located within the Lee County Utilities service area and existing facilities are available for connection. A Letter of Availability (submitted with the zoning application) demonstrates there is sufficient capacity to serve development of the property. Further, the Applicant will be required to provide water and sewer service in accordance with the Lee County Land Development Code at the time of local development order approval. The requested rezoning is consistent with Standards 4.1.1 and 4.1.2.

GOAL 6: COMMERCIAL LAND USES. To permit orderly and well-planned commercial development at appropriate locations within the county.

OBJECTIVE 6.1: Development approvals for commercial land uses must be consistent with the following policies, the general standards under Goal 4 and other provisions of this plan.

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

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

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

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

POLICY 6.1.6: The land development regulations will require that commercial development provide adequate and appropriate landscaping, open space, and buffering. Such development is encouraged to be

architecturally designed so as to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses.

POLICY 6.1.7: Prohibit commercial developments from locating in such a way as to open new areas to premature, scattered, or strip development; but permit commercial development to infill on small parcels in areas where existing commercial development would make a residential use clearly unreasonable.

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

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 site does not contain any existing natural features such as wetlands or flow-ways. The entire site was previously disturbed as it was an abandoned railroad grade. The proposed drainage system will preserve existing drainage patterns and not block any runoff overflow to or from adjacent properties. The aforementioned railroad grading above created man-made swales on both sides of the old railroad berm (identified in our environmental report as "other surface waters"). These man-made swales have been historically filled to the north by the RaceTrac development and to the south by FPL for their transmission power lines. No drainage is imported or exported by these landlocked man-made swales to or from offsite adjacent lands. The subject parcel's proposed drainage system will provide an onsite dry detention system comprised of pavement inlets and flumes conveying runoff to a system of storm pipes and grassed swales, ultimately directed to the dry detention system. After meeting water quality and attenuation, in accordance with South Florida Water Management District (SFWMD) requirements, runoff will be regulated offsite through a control structure discharging into the Summerlin Road south roadside conveyance ditch. The Summerlin Road roadside conveyance ditch is an established outfall for the roadway drainage. In this area, it also receives natural drainage runoff from adjacent lands abutting to the south and is consistent with historical topographic contours. The adjacent and contiguous RaceTrac was originally part of the subject parcel and was recently rezoned from AG-2 to CC. The RaceTrac drainage system was permitted and constructed as a dry detention system with their outfall directly

into the Summerlin Road roadside ditch system along their frontage and is consistent with the existing natural drainage flow pattern and runoff direction. The applicant will demonstrate compliance with LDC Section 10-330 at the time of development order application. The request is consistent with Policy 60.4.1.

> *GOAL 101: COASTAL AREAS. Protect human life along with current and future development from the impacts of coastal flooding. Coastal flooding includes, but is not limited to, high tide events, storm surge, flash floods, stormwater runoff, and impacts of sea level rise.*
>
> > *POLICY 101.1.1: Require that development within the Coastal High Hazard Area be compatible with natural systems, such as, water retention and purification, wildlife habitat, primary productivity, and defense against coastal flooding.*
> >
> > *POLICY 101.3.2: Restrict development in the Coastal High Hazard Area to uplands except as needed for the provision of public facilities.*
> >
> > *POLICY 101.3.5: An applicant of a development order for any permanent or temporary places of residence including, but not limited to, caretakers residence, dormitories, hotels or motels, and dwelling units within the Hurricane Vulnerability Zone or on islands, must provide appropriate mitigation as determined by Lee County Department of Public Safety, which may include, but is not limited to, the payment of a fee, or construction of hurricane shelters and transportation facilities.*
> >
> > *POLICY 126.1.4: Development designs must provide for maintaining or improving surface water flows, groundwater levels, and lake levels at or above existing conditions.*

The site is located within the Coastal High Hazard Area. The site does not contain any existing natural drainage features. The entire site was previously disturbed as it was an abandoned railroad grade. The aforementioned railroad grading above created man-made swales on both sides of the old railroad berm (identified in our environmental report as "other surface waters"). These man-made swales have been historically filled to the north by the RaceTrac development and to the south by FPL for their transmission power lines. No drainage is imported or exported by these landlocked man-made swales to or from offsite adjacent lands. The proposed drainage system will preserve existing drainage patterns and not block any runoff overflow to or from adjacent properties. The subject parcel's proposed drainage system will provide an onsite dry detention system comprised of pavement inlets and flumes conveying runoff to a system of storm pipes and grassed swales, ultimately directed to the dry detention system. After meeting water quality and attenuation, in accordance with South Florida Water Management District (SFWMD) requirements, runoff will be regulated offsite through a control structure discharging into the Summerlin Road south roadside conveyance ditch. The Summerlin Road roadside conveyance ditch is an established outfall for the roadway drainage. In this area, it also receives natural drainage runoff from adjacent lands abutting to the south and is consistent with historical topographic contours.

The adjacent and contiguous RaceTrac was originally part of the subject parcel and was recently rezoned from AG-2 to CC. The RaceTrac drainage system was permitted and constructed as a dry detention system with their outfall directly into the Summerlin Road roadside ditch system along their frontage and is consistent with the existing natural drainage flow pattern and runoff direction. The request is consistent with Goal 101, Policy 101.1.1 and Policy 126.1.4. The man-made swales are considered uplands, so the request is consistent with Policy 101.3.2. If a caretakers residence is included at the time of development order application, appropriate mitigation will be determined and provided if required, consistent with Policy 101.3.5.

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

The site will be developed in compliance with the Comprehensive Plan and the Land Development Code. The proposed Minor CPD qualifies for the requested deviation as outlined in the submitted Schedule of Deviations and Justifications. The requested deviation enhances the achievement of the objectives of the planned development and protects the public health, safety, and welfare. Compliance with design-related provisions of the Land Development Code will be demonstrated at the time of Local Development Order.

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

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



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

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

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

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

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

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

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

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

The proposed amendment complies with the findings provided in the Land Development Code Section 34-145(d)(4)a.2 as follows:

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

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

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

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

c) *If the application includes deviations pursuant to section 34-373(a)(9), that each requested deviation:*

1)Enhances the achievement of the objectives of the planned development; and

2)Preserves and promotes the general intent of this Code to protect the public health, safety, and welfare.

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

In conclusion, the proposed rezoning to minor CPD allows for appropriate infill development. The request is in compliance with the Lee County Comprehensive Plan, the Land Development Code, together with approval of the requested deviation, and other applicable codes and regulations; is compatible with existing and planned uses in the surrounding area; will provide access sufficient to support the proposed development intensity; the expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval; will not adversely affect environmentally critical or sensitive areas and natural resources; and will be served by urban services, defined in the Lee Plan. The proposed use is appropriate at the proposed location; conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development. The requested deviation

enhances the achievement of the objectives of the planned development and protects the public health, safety and welfare. For these reasons, the applicant respectfully submits that the rezoning request from AG-2 to minor CPD should be approved.

ATTACHMENT G

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

Winkler Junction CPD
Schedule of Uses
DCI2023-00004
Revised April 2023

Accessory Uses, Buildings and Structures
Administrative Offices
Caretaker's Residence
Essential Services
Essential Services Facilities – Group I
Excavation, Water Retention
Fences, Walls
Parking lot: Accessory, Temporary
Rental or Leasing Establishment, Group III (no outdoor display, sale, rental or storage) may be provided under building with carport openings where shown on Master Concept Plan
Retail and wholesale sales, when clearly incidental and subordinate to a permitted principal use on the same premises
Signs in Compliance with Chapter 30
Storage, Indoor only
Temporary Uses, construction trailers and equipment storage sheds
Warehouse, private, public

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ATTACHMENT G

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Professional Engineers, Planners & Land Surveyors

Winkler Junction CPD
Property Development Regulations

Minimum Lot Area and Dimensions:

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

Minimum Building Setbacks:

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

Accessory Structures: In compliance with LDC

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

ATTACHMENT G

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

Winkler Junction CPD

Description of Surface Water Management Plan

DCI2023-00004 – Revised April 2023

LDC Sec. 34-373(b)(1) A written description of the surface water management plan that includes:

a. The runoff characteristics of the property in its existing state;

The 2.58-acre site is bordered on the northwest by Summerlin Road, to the south and southeast by the 19.3 ac. FPL maintenance facility zoned AG-2 and the RaceTrac gas/convenience store to the northeast zoned CC. The entire site was disturbed as it was previously an abandoned railroad grade. The removed tracks were constructed on a mounded up berm through the grading of the swales creating the embankment material necessary for the elevated track section and the entire site remains in its previous disturbed condition. The existing stormwater runoff sheet flows generally to the southwest towards Summerlin Road.

b. In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies including how drainage flow from adjacent properties will be maintained;

The proposed drainage system will preserve existing drainage patterns and not block any runoff overflow to or from adjacent properties. The aforementioned railroad grading above created swales on both sides of the berm (identified in our environmental report as "other surface waters"). These swales have been historically filled to the north by the RaceTrac development and to the south by FPL for their transmission power lines. No drainage is imported or exported by these landlocked man-made swales to or from offsite adjacent lands.

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

c. The retention features (including existing natural features) that will be incorporated into the drainage system and the legal mechanism which will guarantee their maintenance;

The site has been disturbed from its natural state when the railroad grade was constructed and there are no existing natural drainage features on the site. The water management system will consist of a proposed on-site dry detention system meeting the SFWMD requirements of the Hendry Creek watershed. If the property remains under single ownership, that owner will maintain the drainage system consistent with the South Florida Water Management District permit that will be required. If the property ownership does not remain under a single owner, then an association would be formed to maintain the drainage system.

d. How existing natural features will be preserved. Include an estimate of the ranges of existing and post development water table elevations, where appropriate;

The subject parcel is comprised of disturbed uplands with an abandoned isolated man-made swale system from the old railroad grade and the underlying soils are non-hydric. The man-made swale is noted as OSW on the FLUCCS map. The site has been disturbed from the railroad grading and there are no existing natural drainage features on the site to be preserved. The water table elevations will be maintained by appropriately setting the dry detention outfall structure at the established water control elevation.

e. If the property is subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expectable flooding.

The property is within a FEMA flood zone, AE- el. 10.00' NAVD. This will be mitigated by placing fill such that the finished floor elevation is above the FEMA base flood elevation.

ATTACHMENT G

BANKS ENGINEERING

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Winkler Junction Minor CPD

Schedule of Deviations and Justifications

DCI2023-00004 - April 2023

Deviation 1: LDC Section 10-261(a) requirement for all new commercial developments to provide sufficient on-site space for garbage and recyclable materials collection containers for 25,000+ square feet at a rate of 216 sq. ft. (120 + 96) for first 25,000 sq. ft. plus 8 sq. ft. for each additional 1,000 sq. ft. (216+520 = 736 square feet area required), to allow a minimum 128 SF.

Justification: The requested deviation is included in LDC Section 10-104(a)(1) list of provisions where the Development Services Director is authorized to grant administrative deviations. The proposed self-storage use is a very low trash generator. The solid waste will be used for the office personnel (1,000 sf) only unless special permission is authorized for a tenant departure or special circumstances when there is space available. When evaluating the frequency of normal solid waste utilization for commercial use, the occupancy of the intensity (square footage) is generally at 90-100 %. Comparing the commercial to self storage occupancy there is a vast difference in tenants actually on premises with any frequency. Most units are never visited by their tenants on any kind of a regular basis. This fact is recognized by the County by their dramatic reduction in parking requirements for self storage use as well as the reduction in trips generated in the current ITE edition. When using the accepted Lee County parking requirements for both commercial and self storage as a comparison to relate to actual tenant visitation, the storage facility would scale down to 8,100± sf of commercial area equivalency. This would equate to 80 sf for garbage and 48 sf for recyclables for a total of 128 sf, see table on following page. This calculation would far exceed the requirements of just providing solid waste for the office space alone which would only require 84 sf.

First 25,000 SF =	216 SF
90,000 – 25,000 = 65,000 SF/1,000 SF = 65	
65 x 8 SF =	520 SF
Total Required =	736 SF garbage and recyclable area
Provided:	Minimum 128 SF

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Commercial Business Building sq. ft.	Minimum sq. ft. for Garbage Collection	Minimum sq. ft. for Recyclable Collection
	120	96
	216 sq. ft. (120 + 96) for first 25 units plus 8 square feet for each additional dwelling unit	
0—5,000	60	24
5,001—10,000	80	48
10,001—25,000	120	96
25,000+	216 sq. ft. (120 + 96) for first 25,000 sq. ft. plus 8 sq. ft. for each additional 1,000 sq. ft.	

Written approval from Lee County Solid Waste will be provided prior to development order approval. The requested deviation is internal to the site and enhances the achievement of the objectives of the planned development and will protect public health, safety and welfare. The provided collection area has been situated off the internal parking lot aisle. The solid waste collection area enclosure meets setbacks, consistent with LDC Section 10-261(e) requirement that enclosures may not be located within or encroach into the required perimeter landscape buffer width. The request is also consistent with the applicable criteria for administrative deviations contained in LDC Section 10-104(b): (1) The alternative proposed to the standards contained herein is based on sound engineering practices (2) The alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested; (3) not applicable; (4) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; and (5) not applicable; and (6) not applicable.

Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ENVIRONMENTAL STAFF REPORT

CASE NUMBER: DCI2023-00004
TYPE OF CASE: Commercial Planned Development
CASE NAME: Winkler Junction Minor CPD
TOTAL ACREAGE: 2.57± Acres
SUFFICIENCY DATE: May 24, 2023
HEARING EXAMINER DATE: July 12, 2023

Request
The applicant is requesting to rezone the subject property from Agricultural (AG-2) to a Commercial Planned Development to allow a maximum of 90,000 square feet/675 units of self-storage and associated uses with a maximum height of 45 feet. The property is in Fort Myers, southeast of Summerlin Road, and west of Winkler Road. According to the Lee Plan, the parcel is located within the Suburban Future Land Use Category. The proposed development is not in a Community Planning area.

Existing Conditions
As mentioned, the site is located southeast of Summerlin Road, and west of Winkler Road. The applicant has submitted a FLUCCS map (Exhibit A), Soil map (Exhibit B), and Environmental Assessment (Exhibits C). The site is currently vacant.

Open Space
The project meets the small commercial development definition (Land Development Code 10-1). LDC 10-415(a) requires the applicant to provide 20% open space. The applicant has provided a Master Concept Plan (MCP) that depicts 20% open space and complies with the 20% open space requirement.

Staff recommends the following open space condition to ensure that 20% open space is provided:

> ***Prior to the issuance of the first development order, the development order plans must depict 20% open space.***

Indigenous Open Space Preservation
The Land Development Code requires that large projects must provide 50 percent of the open space percentage requirement through onsite preservation of existing native vegetation communities (LDC 10-415(b)). As previously stated, the project parcel is considered a small development, which does not require an indigenous preserve area.

Buffers
The proposed development abuts a commercial development along the south, Summerlin right-of-way is located along the north property boundary, a utility easement to the west, and a RaceTrac along the east property boundary. The required buffers are as follows:

West - LDC section 10-416(d) requires commercial developments abutting (public facilities classifies as commercial) commercial, to provide a 5-foot Type A buffer. The applicant is demonstrating compliance with a 5-foot Type A buffer.

North – LDC Section 10-416(d) requires developments abutting a right-of-way, to provide a 15-foot Type D buffer. The applicant is demonstrating compliance with a 15-foot Type D buffer along Summerlin Road.

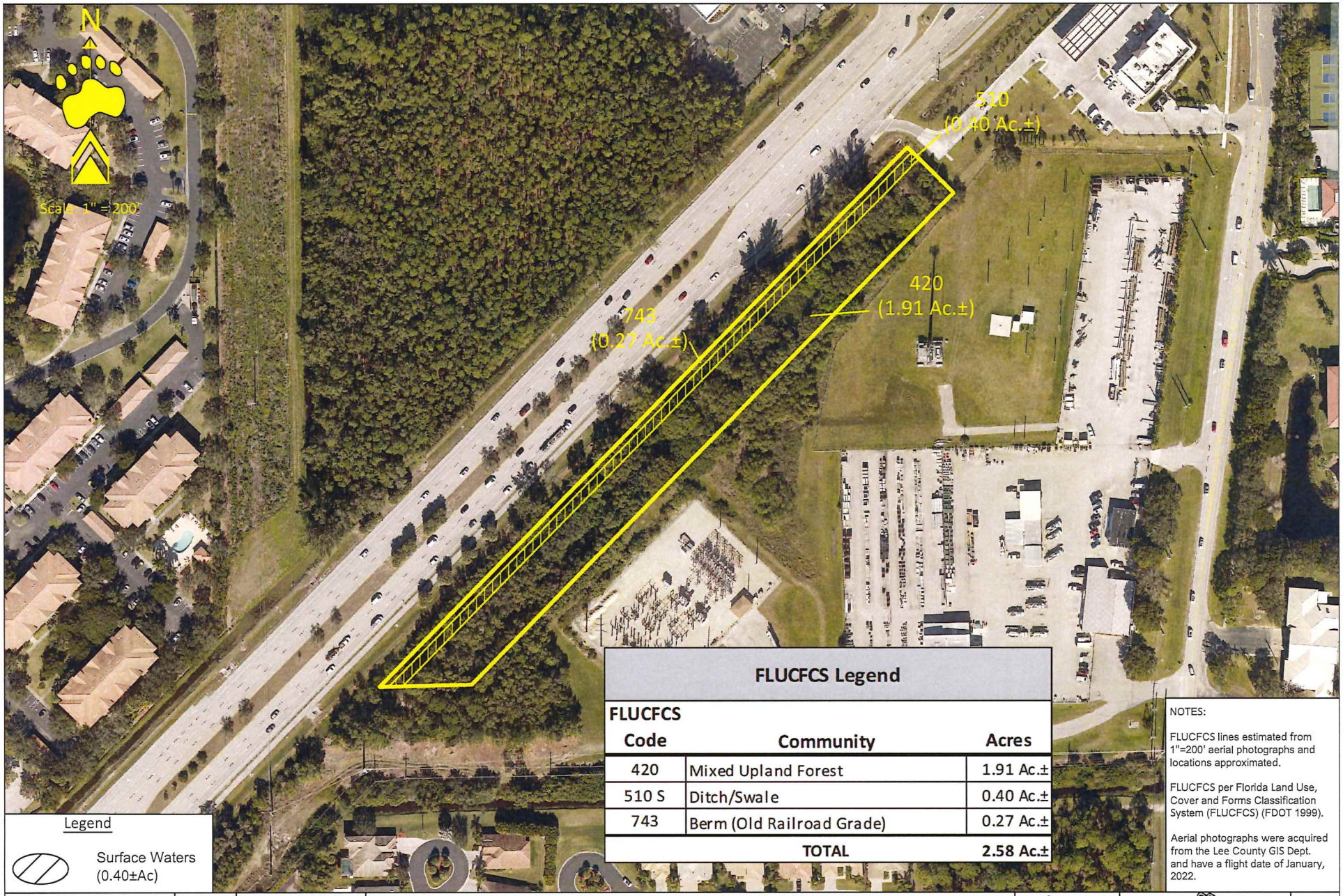
South – LDC section 10-416(d) requires (public facilities classifies as commercial) commercial developments abutting commercial developments, to provide a 5-foot Type A buffer. The applicant is demonstrating compliance with a 5-foot Type A buffer.

East - LDC section 10-416(d) required commercial developments abutting commercial developments, to provide a 5-foot Type A buffer. The applicant is demonstrating compliance with a 5-foot Type A buffer.

Exhibits

A – FLUCCS map
B – Soils map
C – Environmental Assessment

EXHIBIT A



Legend

Surface Waters (0.40±Ac)

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

NOTES:

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

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

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

Revisions	Date:

Drawn By: BWS Date: 12/4/22

Job Number

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

Winkler Junction

Aerial FLUCFCS Map

Category: FLUCFCS

Scale: 1" = 200'

County: Lee

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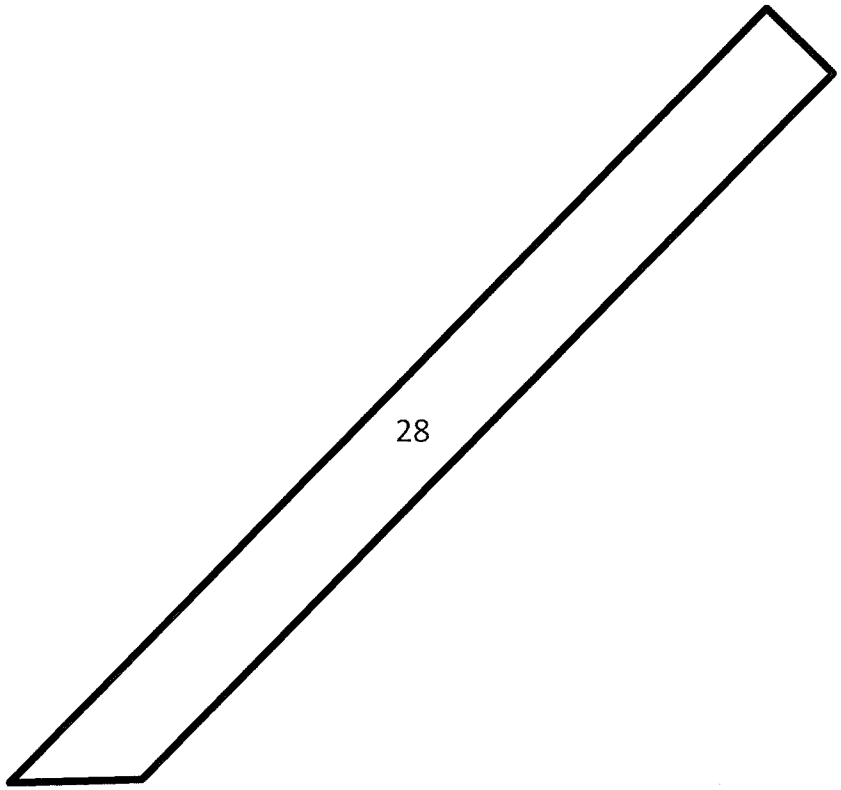
Page -

Exhibit -

EXHIBIT B

N

Scale: 1" = 200'



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

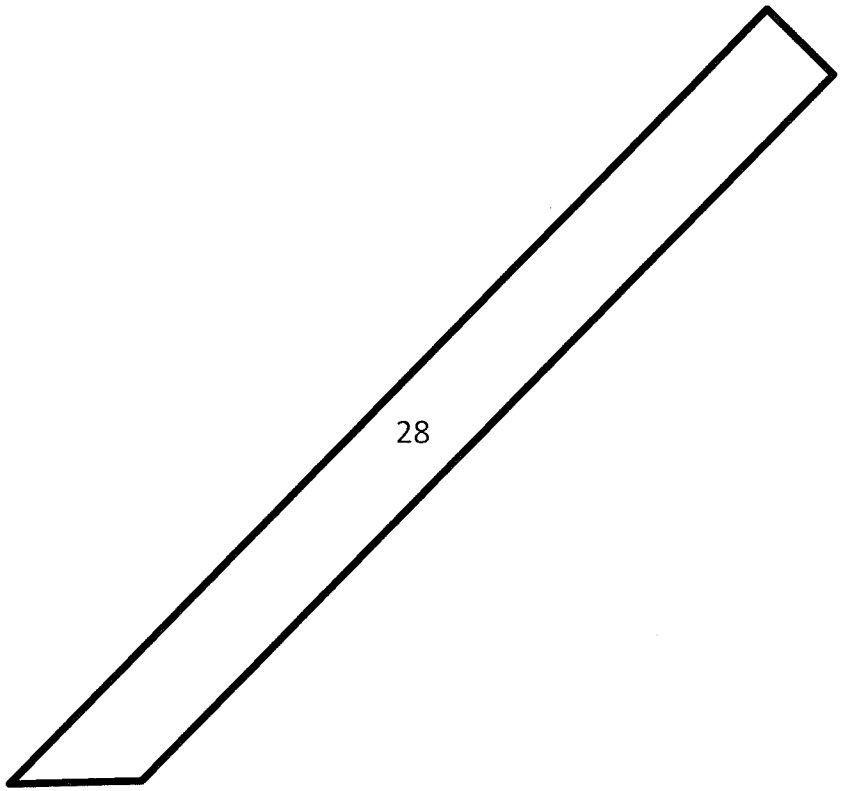
NOTES

Soils were acquired from LABINS and are from the NRCS.

Revisions	Date:	Drawn By: BWS	Date: 12/4/22	Winkler Junction	Category: Soils	BEARPAWS ENVIRONMENTAL CONSULTING	Page: -
		Job Number		Soils Map	Scale: 1" = 200'	1599 Covington Circle East, Fort Myers, FL 33919 (239) 340-0678 bearpaws.env.consulting@gmail.com	Exhibit: -
		S/T/R: 35/45S/24E			County: Lee		

N

Scale: 1" = 200'



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

NOTES

Soils were acquired from LABINS and are from the NRCS.

Revisions	Date:	Drawn By:	Date:
		BWS	12/4/22
		Job Number	
		S/T/R	
		35/45S/24E	

Winkler Junction

Soils Map

Category	Scale:	County
Soils	1" = 200'	Lee

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Page	Exhibit
-	-

EXHIBIT C

WINKLER JUNCTION

ENVIRONMENTAL ASSESSMENT

December 2022

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

Prepared By:

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

Introduction

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

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

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

Existing Site Conditions

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

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

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

FLUCFCS Codes & Community Descriptions

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

FLUCFCS 420 Mixed Upland Forest – 0.44± Ac.

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

FLUCFCS 743 Berm (Old Railroad Grade) – 0.27± Ac.

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

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

FLUCFCS 510 S Swale – 0.40± Ac.

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

Table 1. FLUCFCS Community Table

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

Potential Listed Species

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

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

Summary

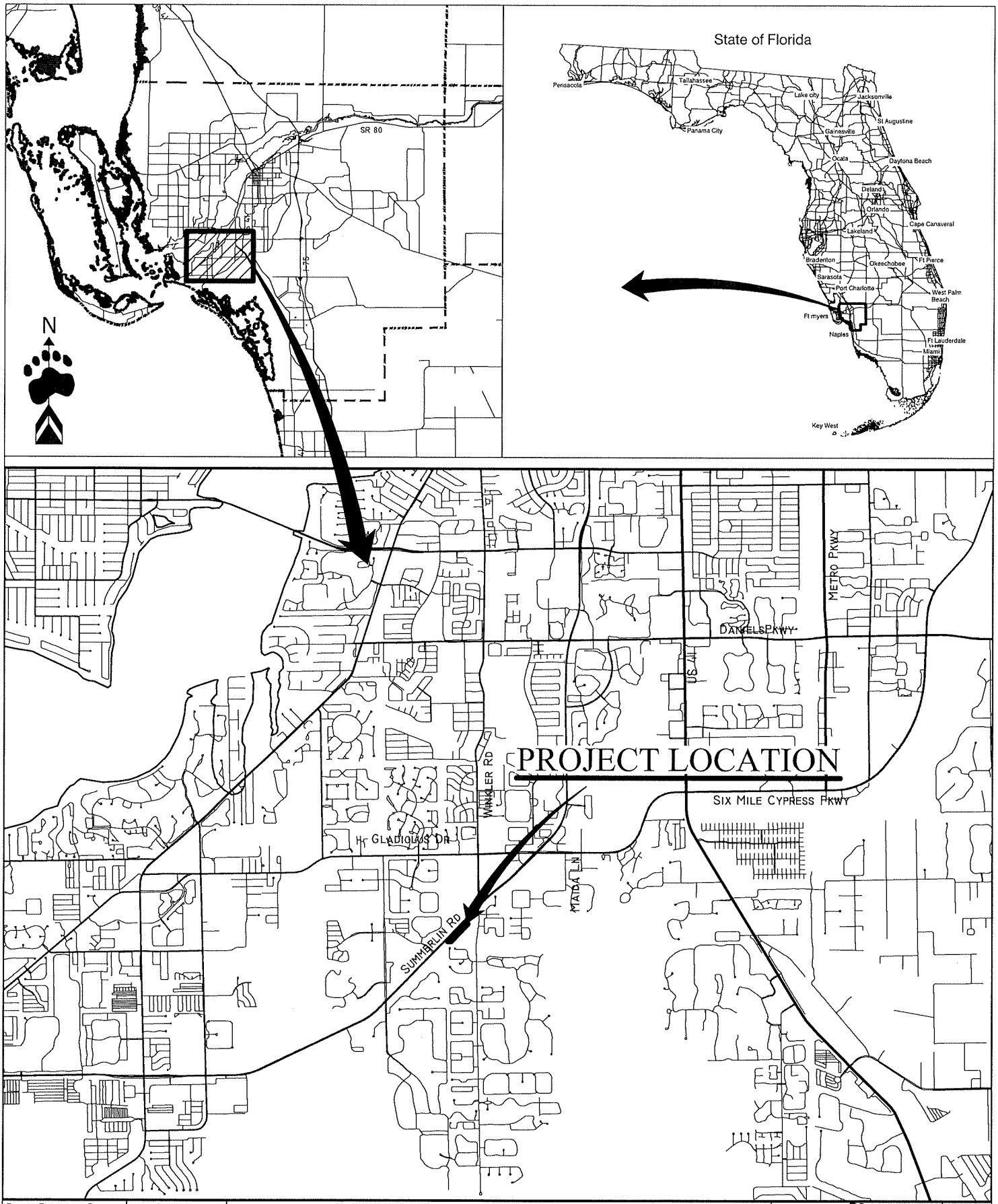
In general, this site does not contain much native, undisturbed community types in which protected species would typically inhabit. Due to the disturbed nature of the site, the surrounding land uses, and busy roadways, it is unlikely that this site supports or would provide habitat for protected species.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

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

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

EXHIBIT A

Project Location Map



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

Winkler Junction

Location Map

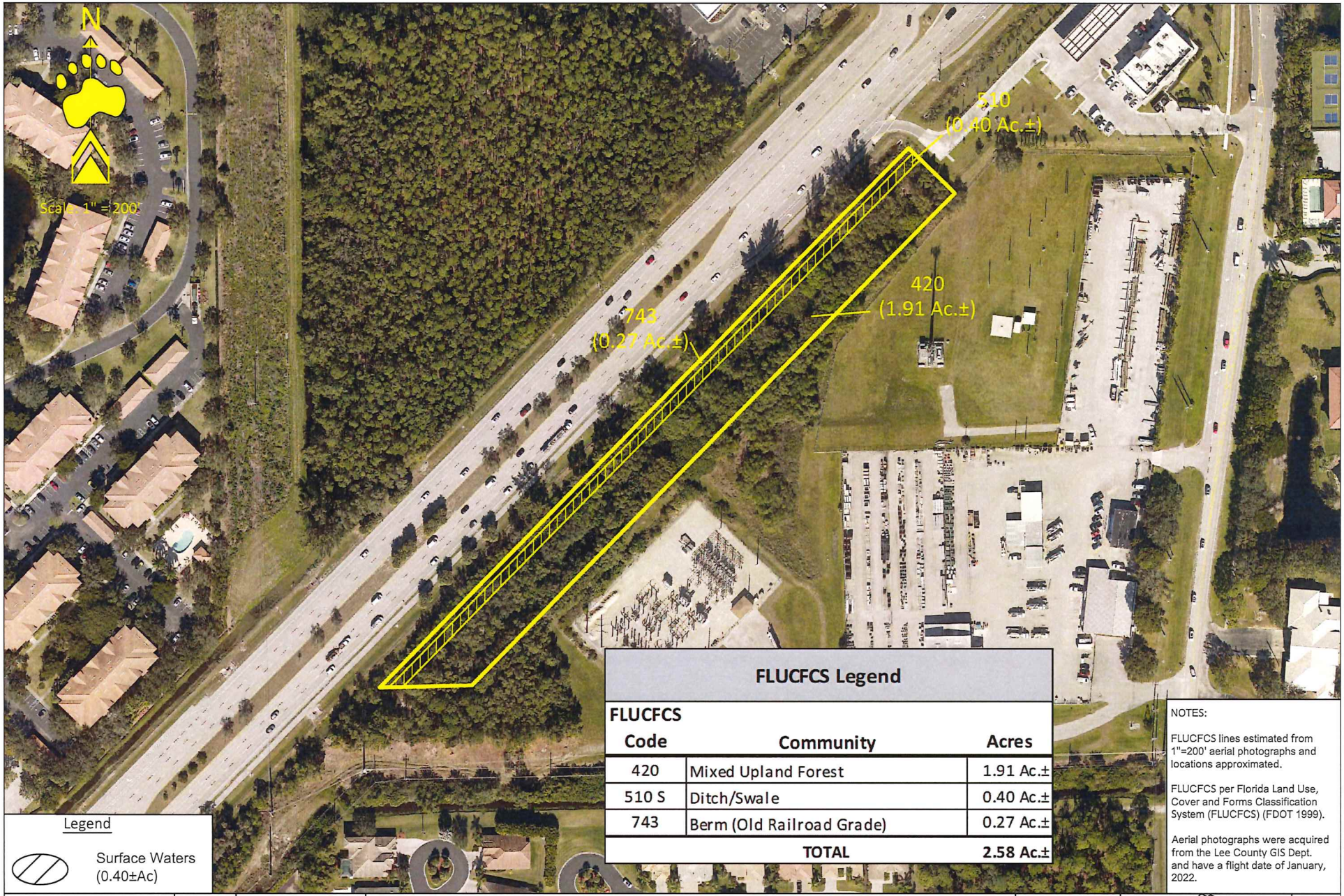
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Page

Exhibit

EXHIBIT B

FLUCFCS Map with Aerial



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

Legend

Surface Waters (0.40±Ac)

NOTES:

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

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

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

Revisions	Date:

Drawn By: BWS Date: 12/4/22

Job Number

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

Winkler Junction

Aerial FLUCFCS Map

Category: FLUCFCS

Scale: 1" = 200'

County: Lee

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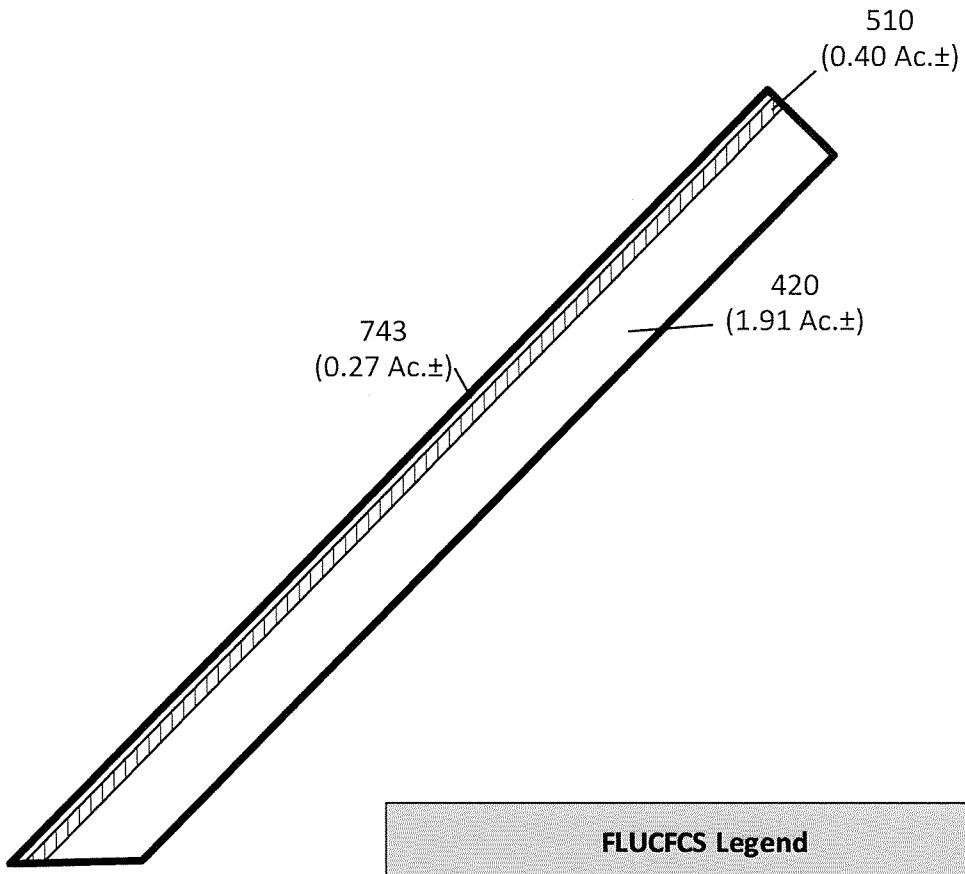
Exhibit -

EXHIBIT C

FLUCFCS Map

N

Scale: 1" = 200'



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

Legend

Surface Waters (0.40±Ac)

NOTES:

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

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

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

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EXHIBIT D

NRCS Soils Map

ATTACHMENT H

WINKLER JUNCTION

ENVIRONMENTAL ASSESSMENT

December 2022

Prepared For:
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Phone: 239-277-0722
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Prepared By:

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Email: BearPaws.Env.Consulting@GMail.com

Introduction

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

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

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

Existing Site Conditions

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

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

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

FLUCFCS Codes & Community Descriptions

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

FLUCFCS 420 Mixed Upland Forest – 0.44± Ac.

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

FLUCFCS 743 Berm (Old Railroad Grade) – 0.27± Ac.

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

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

FLUCFCS 510 S Swale – 0.40± Ac.

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

Table 1. FLUCFCS Community Table

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

Potential Listed Species

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

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

Summary

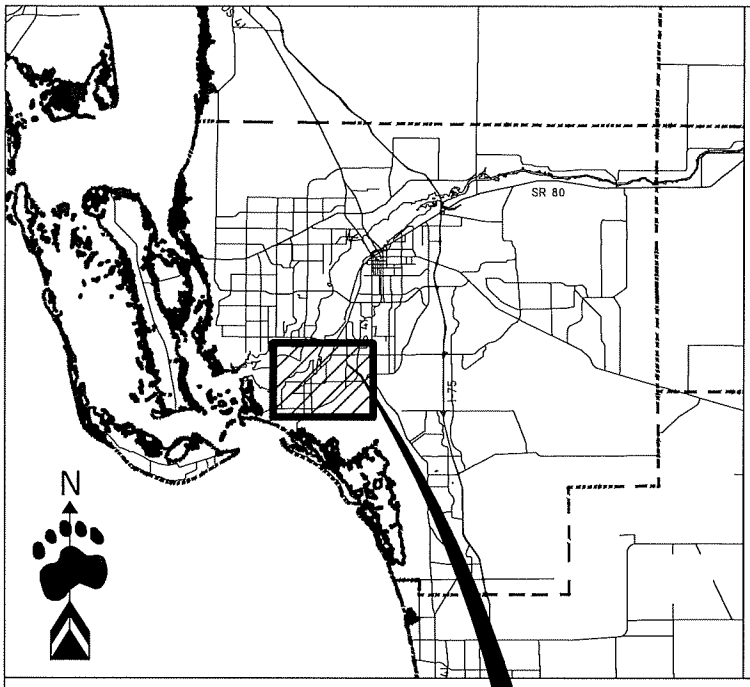
In general, this site does not contain much native, undisturbed community types in which protected species would typically inhabit. Due to the disturbed nature of the site, the surrounding land uses, and busy roadways, it is unlikely that this site supports or would provide habitat for protected species.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

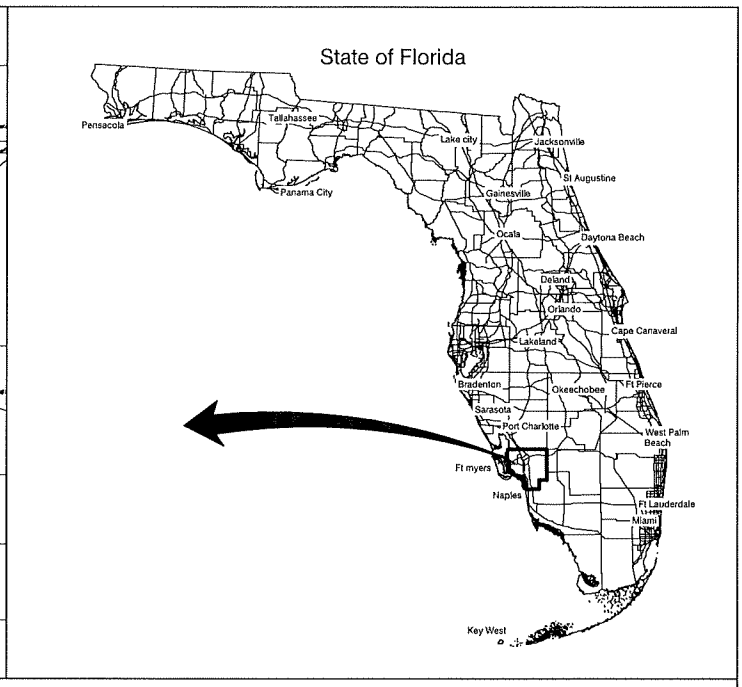
The determination of ecological system classifications, functions, values, and boundaries is an inexact science, and different individuals and agencies may reach different conclusions. It is not possible for BearPaws Environmental Consulting to guarantee the outcome of such determinations. Therefore,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

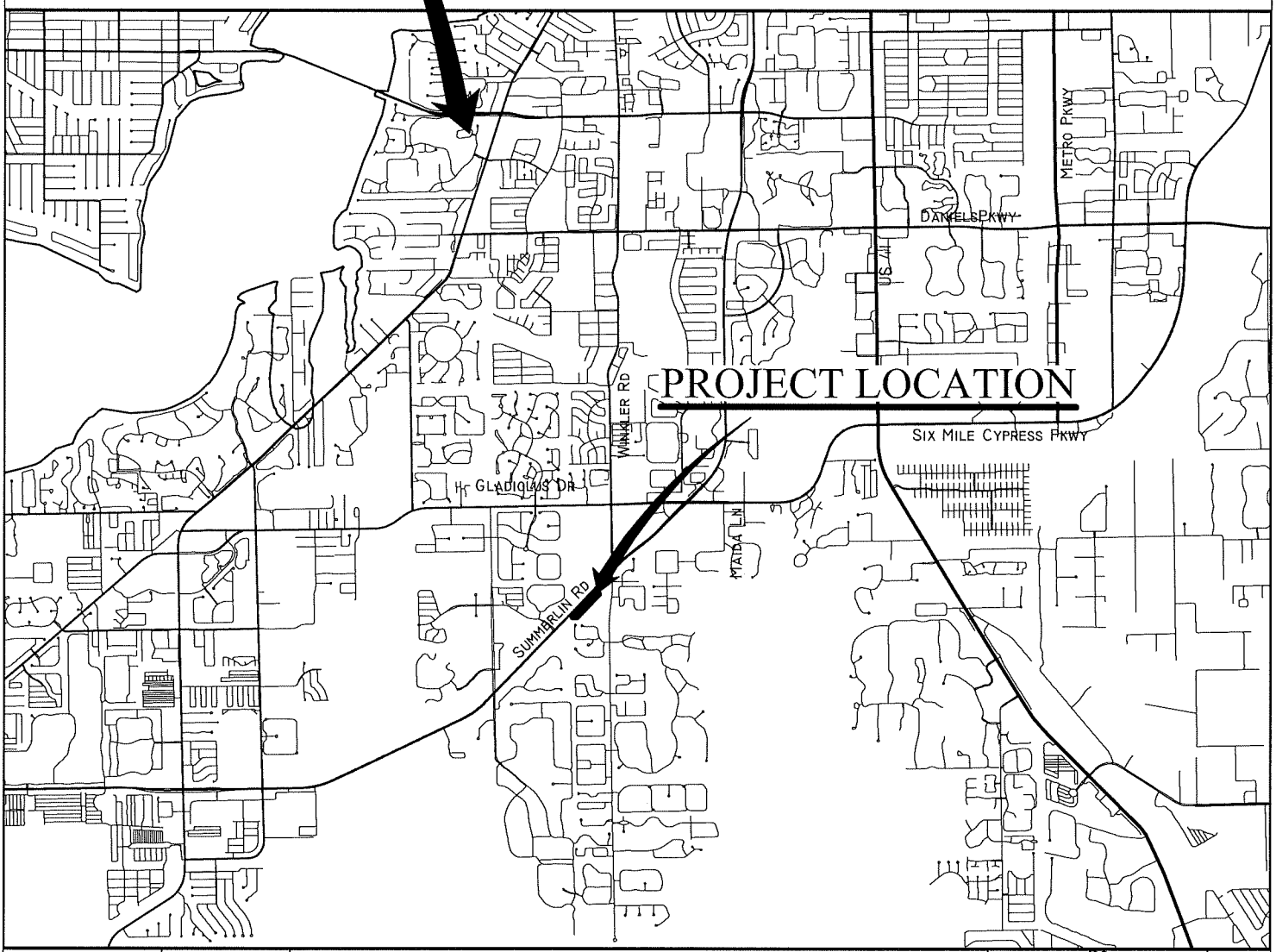
The information contained and the work performed as part of this initial assessment, conforms to the standards and generally accepted practices in the environmental field, and was prepared substantially in accordance with then-current technical guidelines and criteria. The conclusions of this report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

EXHIBIT A

Project Location Map







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

Winkler Junction

Location Map

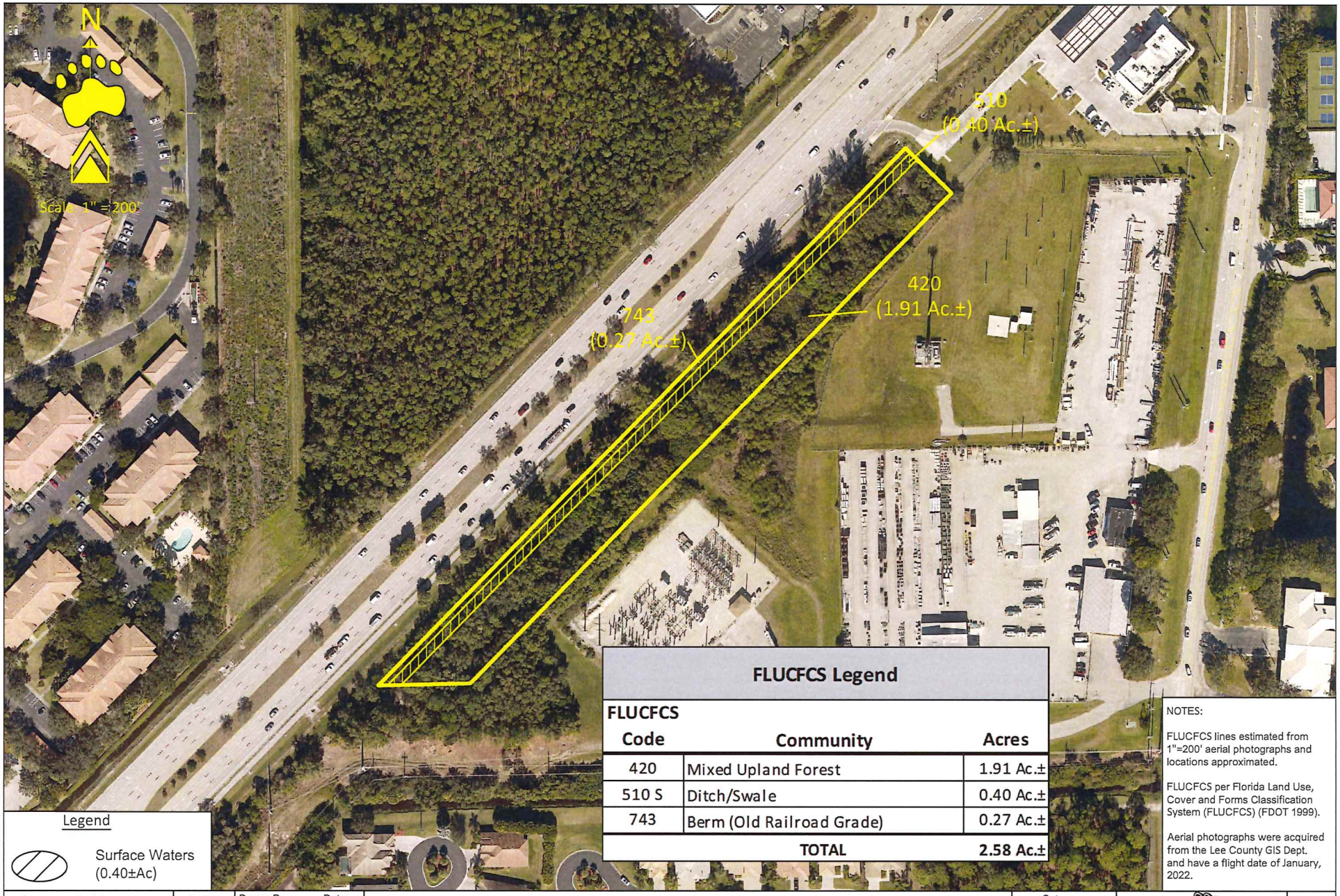
BEARPAWS ENVIRONMENTAL CONSULTING
1599 Covington Circle East, Fort Myers, FL 33919
(239) 340-0678 bearpaws.env.consulting@gmail.com

Page

Exhibit

EXHIBIT B

FLUCFCS Map with Aerial



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

Legend

Surface Waters (0.40±Ac)

NOTES:

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

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

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

Revisions	Date:

Drawn By: BWS Date: 12/4/22

Job Number

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

Winkler Junction

Aerial FLUCFCS Map

Category: FLUCFCS

Scale: 1" = 200'

County: Lee

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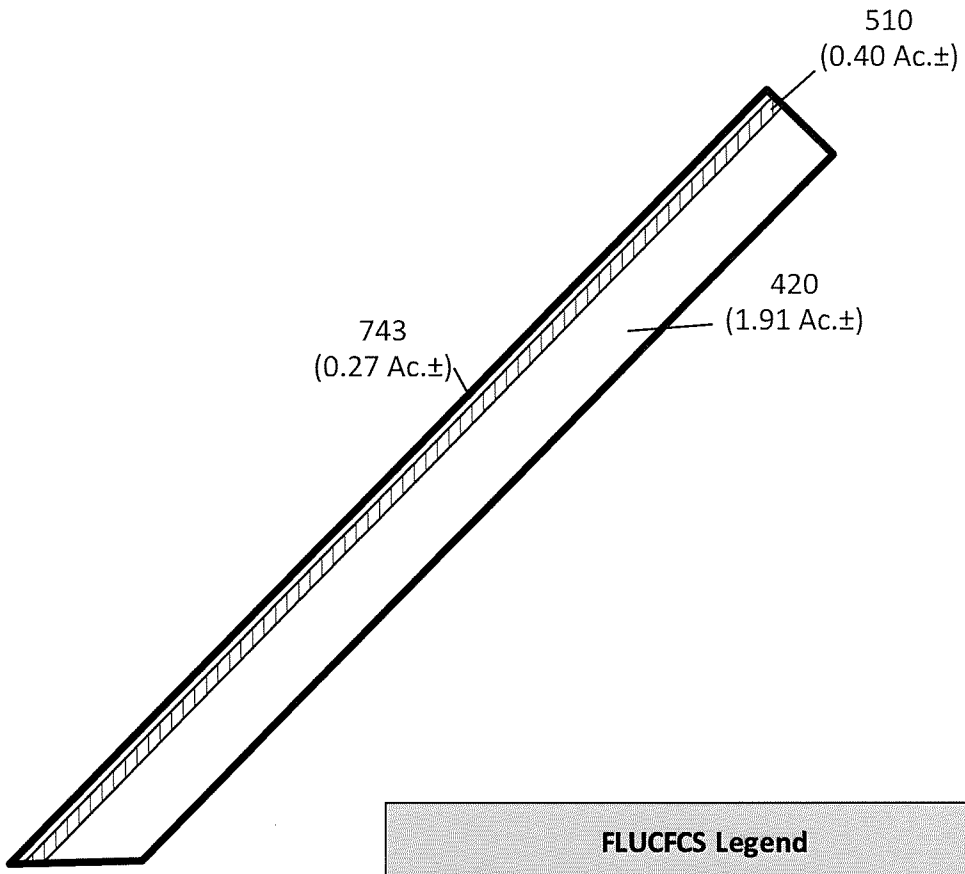
Exhibit -

EXHIBIT C

FLUCFCS Map

N

Scale: 1" = 200'



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

Legend

Surface Waters (0.40±Ac)

NOTES:

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

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

Revisions	Date:	Drawn By:	Date:
		BWS	12/4/22
		Job Number	
		S/T/R	
		35/45S/24E	

Winkler Junction

FLUCFCS Map

Category	Page
FLUCFCS	-
Scale: 1" = 200'	Exhibit
County: Lee	-

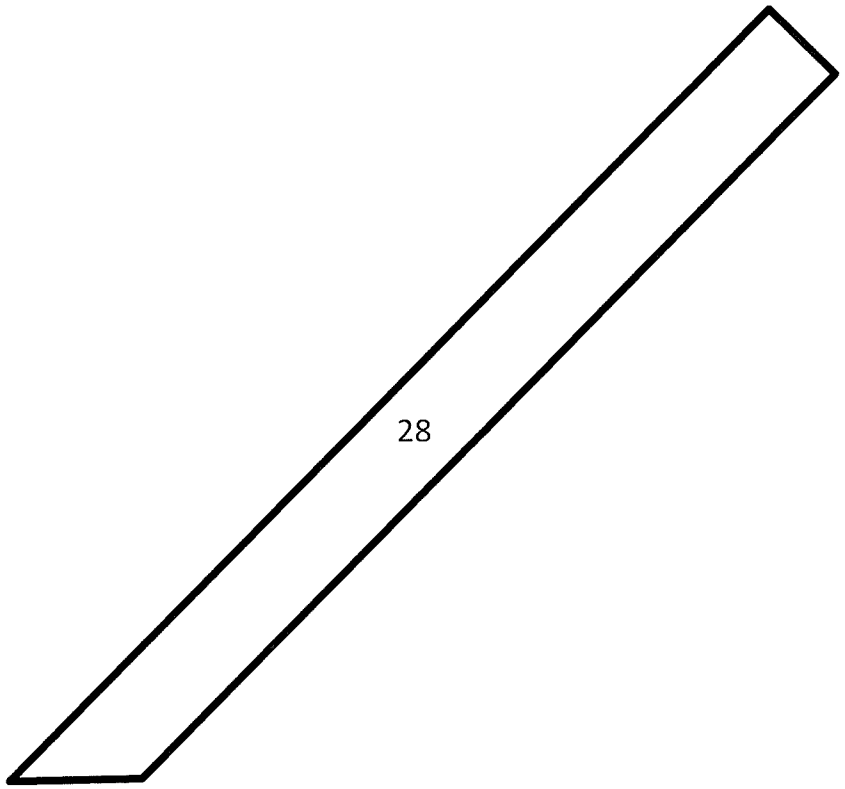
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EXHIBIT D

NRCS Soils Map

N

Scale: 1" = 200'



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

NOTES

Soils were acquired from LABINS and are from the NRCS.

Revisions	Date:	Drawn By: BWS	Date: 12/4/22
		Job Number	
		S/T/R	35/45S/24E

Winkler Junction

Soils Map

Category	Soils
Scale:	1" = 200'
County	Lee

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Page -

Exhibit -

ATTACHMENT I

Lee County
Southwest Florida

BOARD OF COUNTY COMMISSIONERS

Kevin Ruane
District One

Cecil L Pendergrass
District Two

Raymond Sandelli
District Three

Brian Hamman
District Four

Michael Greenwell
District Five

Roger Desjarlais
County Manager

Richard Wm Wesch
County Attorney

Donna Marie Collins
County Chief Hearing Examiner

November 14, 2022 Via E-Mail

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

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

Dear Ms. Hewitt:

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

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

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

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

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

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

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

approval of all State and local regulatory agencies.

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

Sincerely,

LEE COUNTY UTILITIES



Mary McCormic
Technician Senior
239-533-8532
UTILITIES ENGINEERING

ATTACHMENT J

Cardno

TRAFFIC IMPACT STATEMENT

FOR

Winkler Junction LLC Mini-Storage

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

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

November 2022

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

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

TABLE OF CONTENTS

I. Project Report and Analysis

Appendix A – Location Map & Project Traffic Distribution Diagrams

Appendix B - OTISS Software Output for Project Entrances

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

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

Project Identification and Location

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

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

Abutting Roadway Information

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

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

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

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

Comprehensive Assessment on Surrounding Road System

Required Study Threshold

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

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

Concurrency/LOS Analysis with Project Trips

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

Roadway LOS Analysis

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

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

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

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

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

Turn Lane Analysis at Project Entrance

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

LEFT Turn Lanes at project entrance

Table 1

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

Table 2

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

N/A

Table 3

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

Table 4

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

RIGHT Turn Lanes at project entrance

Table 5

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

Table 6

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

Table 7

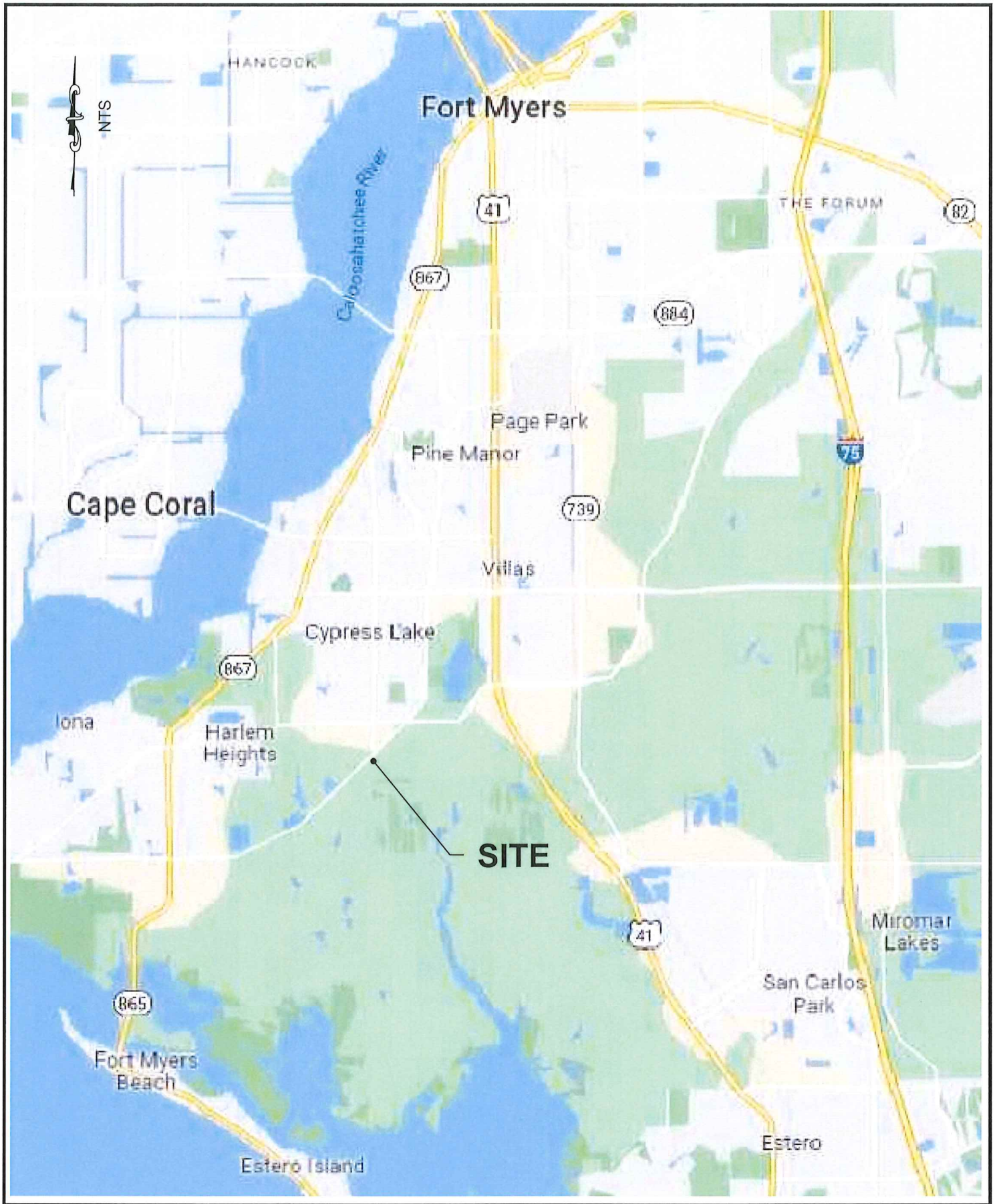
Deceleration & RIGHT Turn Lanes (Turn Lane Req'd When 2 or More of Following Warrants are Satisfied)			
AC11-4 Section	**Warrant**	**Meet Warrant?**	
LOCAL – N/A		**Yes**	**No**
C.1	Posted speed limit of the local street is equal to or greater than thirty (30) mph.	N/A	N/A
C.2	Number of right turning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

Table 8

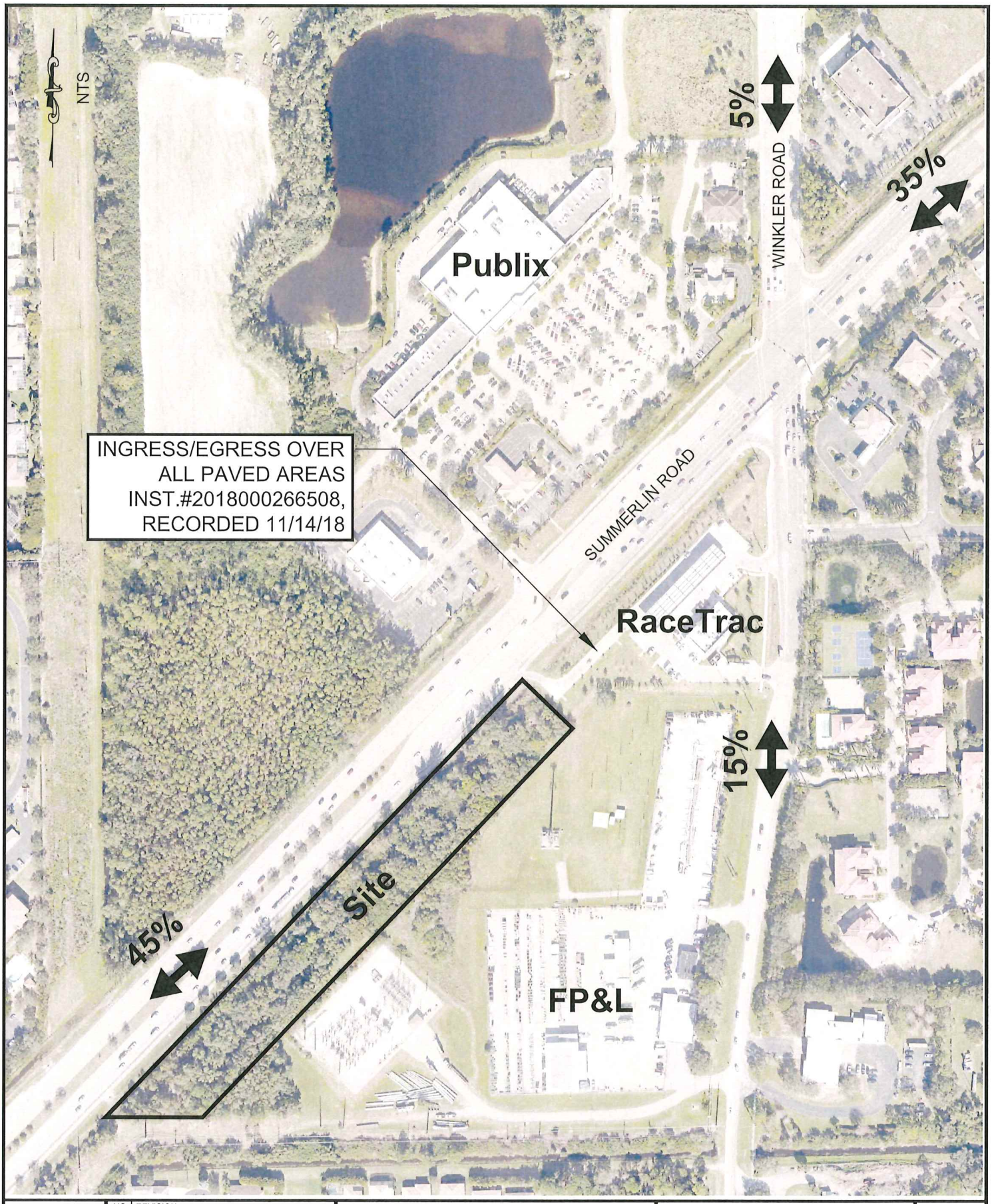
Deceleration & RIGHT Turn Lanes (Turn Lane Req'd When 2 or More of Following Warrants are Satisfied)			
AC11-4 Section	**Warrant**	**Meet Warrant?**	
SEPARATE RIGHT TURN LANES (ON SITE)		**Yes**	**No**
	Intersection/Connection to **ARTERIAL STREETS**		
D.1a	Posted Speed Limit of the intersecting street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

Appendix A

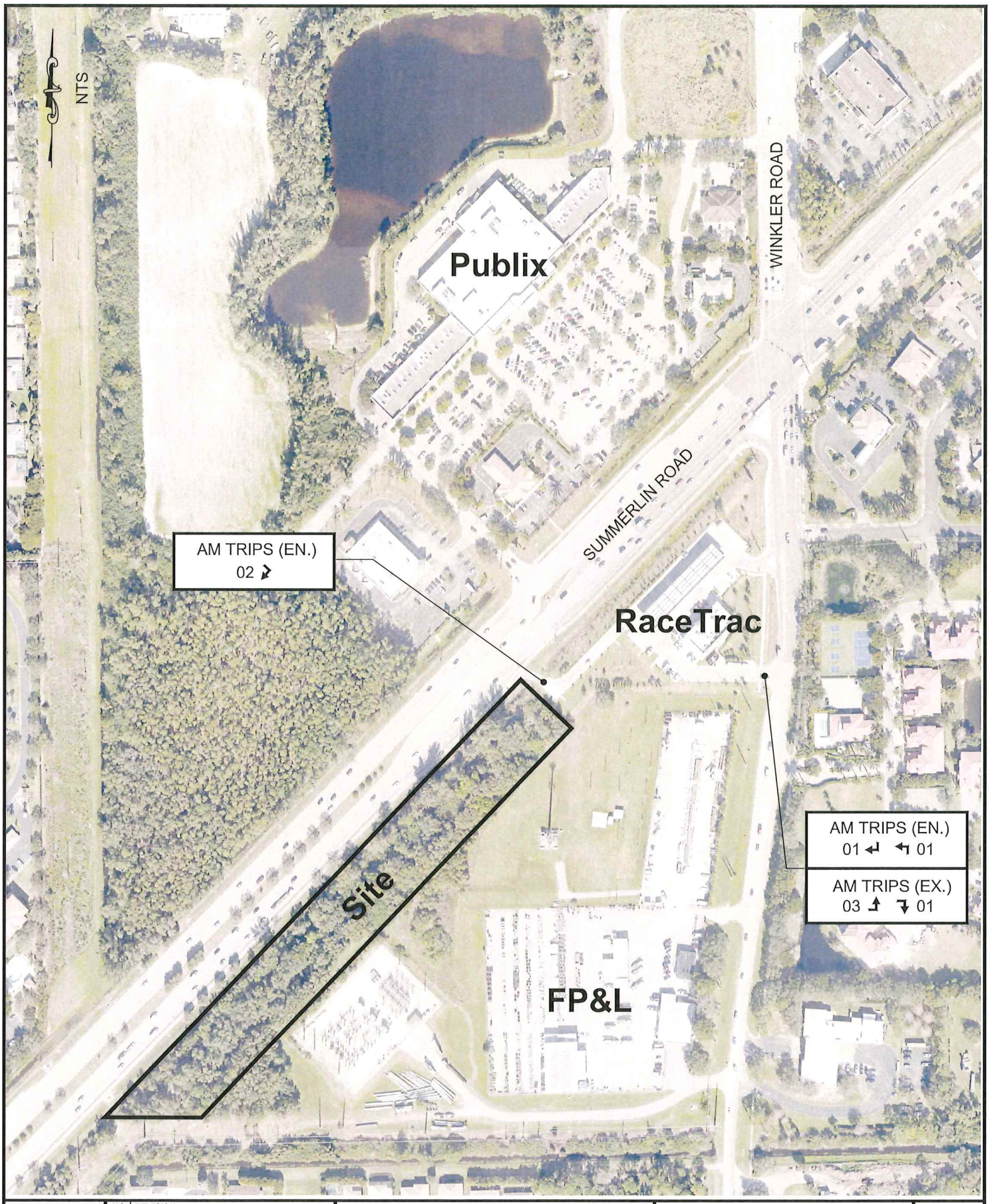
- Project Location Map
- Project Traffic Distribution Diagrams



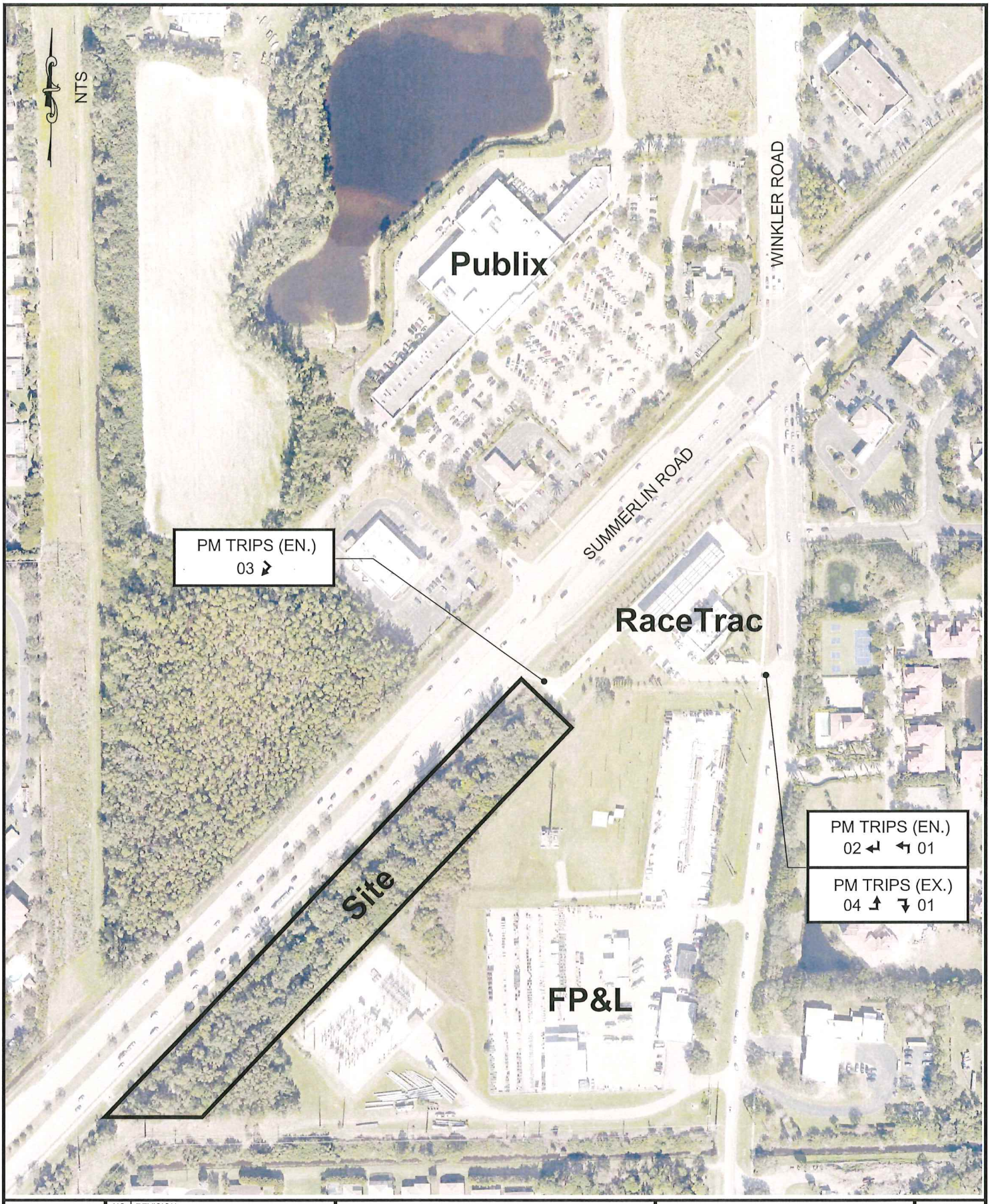
DATE : SCALE : DESIGN: CAD : CHECK : FILE :	NO. REVISION	WINKLER JUNCTION LLC MINI-WAREHOUSE 16881 SUMMERLIN ROAD FORT MYERS, FLORIDA	SITE LOCATION MAP	EXHIBIT 1



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



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



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

Appendix B

At project entrances:

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

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

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

PERIOD SETTING

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

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
151 - Mini-Warehouse (General Urban/Suburban)	Storage Units (100s)	6.75	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.	Average 1.21	4 50%	4 50%	8

TRAFFIC REDUCTIONS

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

EXTERNAL TRIPS

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
151 - Mini-Warehouse	8	0	0	8

ITE DEVIATION DETAILS

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

Landuse — No deviations from ITE.

Methods — No deviations from ITE.

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

SUMMARY

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

PERIOD SETTING

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

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

TRAFFIC REDUCTIONS

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

EXTERNAL TRIPS

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

ITE DEVIATION DETAILS

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

Landuse — No deviations from ITE.

Methods — No deviations from ITE.

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

SUMMARY

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

PERIOD SETTING

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

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

TRAFFIC REDUCTIONS

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

EXTERNAL TRIPS

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

ITE DEVIATION DETAILS

Weekday

Landuse — No deviations from ITE.

Methods — No deviations from ITE.

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

SUMMARY

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

Lee County Southwest Florida

DEPARTMENT OF COMMUNITY DEVELOPMENT

Memo

To: Elizabeth Workman, Planner, Principal

From: Md Rakibul Alam, Senior Transportation Planner

Date: June 8, 2023

Subject: Winkler Junction Minor CPD (DCI2023-00004) Transportation-Related Analysis

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Proposed Development

This application requests approval to rezone approximately 2.57 acres from Agricultural (AG-2) to Commercial Plan Development (CPD) to allow a maximum of 90,000/ ±675 units of self-storage and associated uses.

Site Location

The subject site is situated on Summerlin Road towards the southwest, right beside the RaceTrac gas station at the intersection of Winkler Road and Summerlin Road in Lee County, Florida. The address is 15881 Summerlin Road.

Site Access

The access points of the subject property will be located at the northeast end of the parcel. Trips will enter through a right-in entrance from Summerlin Road (County-maintained Limited Access Arterial) and use a recorded ingress/egress easement inst. #2018000266508 over the RaceTrac property to access the site from Winkler Road (County-maintained Major Collector).

Trip Generation Review

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

Table 1: Trip Generation

Land Use	Weekday A.M Peak Hour			Weekday P.M Peak Hour			Daily
	In	Out	Total	In	Out	Total	(2-Way)
LUC 151: Mini-Warehouse (675 units)	4	4	8	6	5	11	123

As the proposed development is projected to generate less than 100 trip ends, the zoning traffic study is not required to provide the following additional information according to Administrative Code 13-17:

- Roadway Section Traffic Operation Level of Service Analysis
- Roadway Intersection Traffic Operation Level of Service Analysis

Conclusion

The proposed project will not have a detrimental impact on the surrounding roadway system as per LDC 34-145(d)(4)(a)(1)(d) & (e). However, please consider recommending the following condition be added to the zoning resolution:

- The development is allowed a maximum of 675 storage units and a single caretaker's residence. If development including a private warehouse use is proposed, the development is allowed a maximum calculated development density/intensity with respect to new trip generation utilizing a development scenario involving mini-warehouse (covering 73,300 sq. ft.) based upon the Institute of Transportation Engineers (ITE) Trip Generation Manual in effect at the time of local development order.