

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

TYPE OF CASE: PLANNED DEVELOPMENT/DCI
CASE NUMBER: DCI2022-00061
HEARING EXAMINER DATE: September 27, 2023

APPLICATION SUMMARY

Applicant: Quattrone and Associates, Inc. in reference to Alico Oriole West MPD.

Request: Request to rezone 30.65± acres from Agricultural (AG-2) to Mixed Use Planned Development (MPD) to allow for up to 350,000 square feet of commercial retail, office and industrial uses and 150 hotel rooms.

Location: The subject property is located on the northwest corner of the Alico Road and Oriole Road intersection, in the Gateway/Airport Planning Community, Lee County, FL. (District #2). The applicant indicates the property's STRAP number is 04-46-25-L3-00003.0020.

SUMMARY:

Staff recommends approval of the applicant's request to rezone the subject property with the conditions and deviations found in Attachment C.

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

The applicant's request includes twelve (12) deviations from the requirements of the Land Development Code. Staff recommends approval of eleven (10) with conditions, denial of one, and withdrawal of one.

CHARACTER OF THE AREA

The area is partially to mostly developed with industrial and commercial uses along Alico Road and Oriole Road respectively. Due to its proximity to the Airport, the properties in the area are being rezoned to Commercial, Industrial and Mixed Use Planned Developments allowing industrial and commercial uses. The area is partially within Airport Noise Zone "C" making it more appropriate for industrial and heavy commercial type uses. Properties to the north and west of the subject site is within the Industrial Development Future Land Use designation. Properties to the south of this site have the Urban Community Future Land Use designation, and properties to the east are located in the Industrial Commercial Interchange Future Land Use category.

To the north, this property abuts a Mixed Use Planned Development, partially developed with offices and warehousing (Three Oaks Distribution Center MPD, approved by Resolution Z-20-002).

To the east, across Oriole Road, there is a Mixed Use Planned Development under construction (Three Oaks Market Place, approved by Resolution Z-16-037). At the northeast corner of the subject site, there is a 1.8-acre property zoned AG-2 and is developed with a Fire station.

To the south, across Alico Road, there are vacant and developed properties, zoned C-1A, CN-1 and CPD.

To the west, this property abuts a partially developed Industrial Planned Development (Formosa Commerce Center, approved by Resolution Z-05-066, as most recently amended by Resolution Z-20-001).

ANALYSIS

The subject property is located in Gateway/Airport Planning Community. The site consists of 30.65± acres and is currently vacant. The property fronts on Alico and Oriole Roads. The request is to rezone the site to Mixed Use Planned Development to allow for up to 350,000 square feet of industrial, office, retail and 150 hotel rooms.

The Traffic Impact Statement (TIS) provided by the applicant indicates 175,000 square feet of retail and 175,000 square feet of industrial uses. The hotel use is not included in the trip generation of the site. The hotel, if developed, will reduce the square footage of commercial and/or industrial uses based on the number of trips generated by the hotel.

Environmental

Environmental Staff has reviewed this project and recommends approval subject to conditions (See Attachment E).

Transportation

Lee County Infrastructure Planning staff reviewed this request and recommended approval subject to conditions (Attachment F). This project will generate 8,663 daily 2-way trips. Alico Road, east and west of this project will function at a Level of Service “C” with or without this project, and Oriole Road north of Alico Road will function at a Level of Service “E” and at a Level of Service “C” south of Alico Road with or without this project.

Master Concept Plan

The Master Concept Plan depicts two entrances to the development from Oriole Road and one from Alico Road. The Master Concept Plan also depicts a total of 8 development tracts. Six of the tracts front directly on Alico Road, one fronts on Oriole Road, while one tract is a corner lot and fronts on both roads. The largest tract is only accessible from the internal road network. The MCP depicts an active bald eagle nest.

Bald Eagle Nest

There is an active bald eagle nest on this site, located on the western portion of the site. This request and the said Eagle Management Plan (BEMP) for this site were presented to ETAC on July 11, 2023 and ETAC recommended approval of the Bald Eagle Management Plan, and conditions requiring the implementation of the BEMP are listed in Attachment C of this staff report (Attachment H).

Airport Noise Zones

This property is partially located within Airport Noise Zone “C”. In compliance with the Land Development Code Section 34-1104, a condition was added to the list of conditions of approval for this project to provide notification to future property owners within this development.

Availability of Urban Services

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

Public sewer and water: County potable water and sanitary sewer services are available to the site and the site will connect to those services.

Paved streets and roads: The subject property fronts on Alico Road which is an arterial road, and Oriole Road, a local road, and will have direct access to those roads.

Public transit: Lee Tran Route 60, with stops on Alico Road, connects this site to Tamiami Trail, Florida Gulf Coast University and Miromar Outlet Mall.

Urban levels of police, fire, and emergency services: The subject property will be provided urban levels of police, fire and emergency services. Fire protection is provided by San Carlos Fire Protection District (Station #54), located at the northeast corner of this site (16900 Oriole Road). This fire station also contains an EMS substation. A Sheriff's substation is located 8350 Hospital Drive in Bonita Springs about 9 miles from this site.

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

Schools: The subject property is served by the School District of Lee County and is located in South Choice (S-2) Zone. This request does not contain residential uses and therefore, will have no impact on classroom needs.

Employment, industrial, and commercial centers: The subject property will provide employment opportunities in the area.

LEE PLAN

The site is located in the Gateway/Airport Planning District and within the Industrial Development Future Land Use category established by the Lee Plan.

This property is located in the Industrial Development Future Land Use category established by the Lee Plan. This Future Land Use category is reserved mainly for industrial activities and selective land use mixtures. According to the Lee Plan, appropriate land use mixtures include industrial, manufacturing, research, recreational uses and office complexes. Retail and recreational uses may not exceed 20% of the total acreage within the Industrial Development Future Land Use categories of each Planning Community. Staff finds the proposed development, as conditioned, consistent with Policy 1.1.7 of the Lee Plan.

This property mostly falls within Airport Noise Zone “C”. This Overlay requires formal notifications to all tenants and purchasers consistent with LDC Section 34-1104(b). Staff finds the proposed development, as conditioned, consistent with Policy 1.6.1 of the Lee Plan.

This property fronts on two roads, one of which is an arterial road (Alico Road). Water and sewer services are available to the site. All urban services are available to this site, and the area is planned and is being rezoned to be developed with uses similar to this development project. Staff finds the proposed development, as conditioned, consistent with Policy 2.2.1 of the Lee Plan.

Water and sewer lines are within the vicinity of this parcel, and they will be extended to provide services to this site. Staff finds the proposed development consistent with Standards 4.1.1 and 4.1.2 of the Lee Plan.

This development meets the threshold for Development of County Impact and is being reviewed as an Industrial Planned Development (IPD). This project is being reviewed for traffic impact, neighborhood compatibility, availability and adequacy of urban services and landscaping and buffer requirements.

The area, due to its location and Future Land Use designation, is appropriate for industrial and commercial uses. It fronts on an arterial road and is not not adjacent to any residential developments. Staff finds the proposed development, as conditioned, consistent with Objective 6.1 and Policies 7.1.1, 7.1.2, 7.1.3, 7.1.4, 7.1.7, and 7.1.8 of the Lee Plan.

This rezoning request is for a mixed-use development. The area contains sufficient infrastructure for an industrial and commercial development. This site is within close proximity to Interstate 75 and Florida Southwest International Airport. Staff finds the proposed development, as conditioned, consistent with Objective 11.1 of the Lee Plan.

PLANNING DISTRICT MAP AND ALLOCATION TABLE

POLICY 1.6.5: The Planning Communities Map and Acreage Allocation Table (see Map 1-B and Table 1(b) and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses for the year 2045.

The subject property is located in the Gateway/Airport Planning District. The Lee Plan has allocated 1,216 acres of commercial and 2,134 acres of industrial development within this planning district by the year 2045. Currently there are approximately 168 acres of commercial uses and 687 acres of industrial developed. There are approximately 1,048 acres of additional land allocated to commercial uses and 1,451 acres of additional land allocated to industrial uses within this area of Lee County remaining. Staff finds the request consistent with the allocations for the Gateway/Airport Planning District. This finding is not a guarantee that there will be sufficient allocations for development in the future. Such a determination will be made at time of local development order.

Deviations

The applicant is requesting the following 12 deviations in conjunction with this rezoning action.

DEVIATION 2A: Setbacks for Water Retention or Detention Excavations.

Deviation from Land Development Code Section 10-329(d)(1) a.2, which requires that no excavation be allowed within 50 feet of any existing or proposed right-of-way line or easement for a collector or arterial street, to allow a 25-foot setback.

Staff recommends withdrawal of this deviation. The Master Concept Plan does not depict any lakes adjacent to any collector or arterial road.

DEVIATION 2B: Setbacks for Water Retention or Detention Excavations.

Deviation from Land Development Code Section 10-329(d)(1)a.3, which requires that no excavation is allowed within 50 feet of any private property line under separate ownership; to allow a 25-foot setback and/or to allow a zero-foot setback when the lake is combined with a lake on abutting property. This deviation is approved.

The adjacent properties are part of a master storm water management system permitted by the South Florida Water Management District in Permit #36-05268-P, which provides for existing drainage easements that extend beyond the north property line.

DEVIATION 2C: Relief from Bank Slopes.

Deviation from Land Development Code Section 10-329(d)(4), which requires that the banks of excavations to be sloped at a ratio not greater than six horizontal feet to one vertical feet from the top of bank to a water depth of two feet below the control elevation; to allow the existing lake (lake Tract A) to be sloped at a ratio of four horizontal to one vertical. This deviation is approved subject to the following condition:

Prior to the issuance of the first development order, cross-sections of the littoral shelves and existing vegetation of the preexisting lakes must be submitted and signed/sealed from a civil engineer.

DEVIATION 2D: Fencing.

Deviation from Land Development Code Section 10-329(d)(6), which requires that a four-foot fence may be required, at the discretion of the Director, to be placed around excavations for water retention when located less than 100 feet from any property under separate ownership; to not require fencing around any existing or proposed lakes. This deviation is approved.

The lakes are existing and, in some cases, straddle the property lines. Additionally, the property is surrounded by other industrial and commercial uses that are part of the same master drainage system limiting public access.

DEVIATION 3A: Open Space.

Deviation from Land Development Code Section 10-415(a), which requires that all Large Industrial Developments to provide a minimum of 20% open space and all Large Commercial Developments to provide a minimum of 30% open space to allow the $\pm$ 5-acre Conservation Easement and Lake Tract parcels to be credited toward the open space as a whole and reduce the requirement to 20% for commercial uses and 10% industrial uses on individual parcels. This deviation is approved subject to the following condition:

Prior to the issuance of the first development order, the development order plans must demonstrate substantial compliance with the submitted open space chart and Master Concept Plan.

DEVIATION 3B: Buffers

Deviation from Land Development Code Section 10-416(d)(4), which requires that the Type D Right-of-Way buffers must be a minimum of 15 feet wide to allow the Type D buffer on Oriole Road to be 10 feet wide for Tracts B and C-1. This deviation is denied.

Projects along Oriole Road were approved with the required 15-foot-wide buffer. Granting this deviation will not be in keeping with the development trends in the area.

DEVIATION 3C: Littoral Shelf (Proposed Lakes Only).

Deviation from Land Development Code Sections 10-418(2)(a), and 10-418(2)(d)3, which requires all surface water management systems to provide a planted littoral shelf that mimics the function of a natural marsh, to allow 4:1 littoral shelf. In addition, deviate from subsection 10-418(2)(d)3, which allows native wetland trees to be substituted for up to 25% of the total number of herbaceous plants required, to allow native wetland trees to be substituted for 100% of the total number of herbaceous plants required. This deviation is approved subject to the following conditions:

Prior to the issuance of the first development order, the development order plans must demonstrate a 4:1 littoral shelf on newly constructed lakes.

Prior to the issuance of the first development order, the landscape plans must demonstrate a 100% substitution of herbaceous plants to native wetland trees for both the existing lakes and new lakes, to comply with FAA guidelines.

DEVIATION 4A: Street Trees.

Deviation from Land Development Code Section 10-296(e)(2)d. which requires that Street Trees must be planted on both sides of the road, that palm trees may only be substituted for a maximum of 50 percent of the required small trees, and that the trees must be spaced evenly along the frontage and not clustered, to allow the trees required per this section of the code to be planted on one side of the road, to allow 100 percent of the trees to be palm trees, and to allow the palm trees to be clustered. As an enhancement to the code, the palms must be staggered in height from 10 feet to 14 feet. This deviation is approved subject to the following condition:

Prior to the first development order, landscape plans must depict tree and palm spacing in roadway planting areas as 100% cabbage palms. Cabbage palms may be clustered and must be staggered in height from a minimum of 10-feet to 14-feet.

DEVIATION 4B: Culs-de-Sac.

Deviation from Land Development Code Section 10-296(k)(1), which requires dead-end streets to be closed at one end by a circular turnaround for vehicles; to allow the internal roads and/or accessways to be designed constructed with a hammerhead turnaround, as depicted on the Master Concept Plan. This deviation is approved subject to the following condition:

At time of development order, the applicant must demonstrate that the hammerhead turnaround is of sufficient length to allow emergency vehicles, as specified by the San Carlos Park Fire & Rescue, to turn around.

DEVIATIONS 5A and 5B: Nonresidential Identification Signs

Deviation from Land Development Code Sections 30-153(2)a. and 30-153(2)a.1.ii. which requires the development be permitted to have one identification sign equal to one square foot of sign area per face for every one linear foot of frontage to allow:

- a) One additional sign on the project's Oriole Road frontage, for a total of two ground-mounted developer signs on Oriole Road; and
- b) Two signs on Oriole Road with 200 square feet per sign area per face. This is a deviation of an additional 100 square feet of sign area on Oriole Road.

This Deviation is approved. This project contains almost 700 feet of road frontage on Oriole Road with two access points to the site from that road. This deviation will allow each entrance to have an identification sign.

DEVIATION 6: Parking Lot Interconnection.

Deviation from Land Development Code Sections 10-610(e) and 34-2015(2)(f), which requires projects to provide parking lot interconnections for automobile, bicycle and pedestrian traffic, to allow the proposed local roadway as shown on the Master Concept Plan to serve as the required interconnection for Lots of C-1 through C-6. This deviation is approved.

During development of the parcel the applicant will be required to plat the proposed development and provide internal roadway access to the development parcels. This internal roadway will perform the required interconnection between the proposed lots and allow traffic circulation between the development parcels without the need to use the adjacent roadway.

Deviation 7: Connection Separation.

Deviation from Land Development Code Section 10-285(a), which requires that motor vehicle connection(s) to a road from privately maintained streets, access roads or accessways onto local roads in future suburban areas must be a minimum of 125 feet apart, to allow a connection separation of 60 feet on proposed access roads from anticipated entrances on Tracts "A", C-5, C-6" (proposed commercial"), and to allow 102 feet on "Sweeney Way" from anticipated entrances on Tracts "B", (proposed commercial") as depicted on the Master Concept Plan.

The deviation request for Tracts "A", C-5, and C-6 are located at the end of the roadway and will be subject to a minimal amount of low-speed traffic. The access points to the tracts are located to line up access points on each side of the right-of-way and provide sufficient access to each individual tract.

The deviation from Tract B will align with the existing access to the Fire Station to the north. Typically, alignment of accessways would not require an additional deviation request, however, staff could not locate an approved deviation for reduced connection separation for the existing Fire Department access to the north. This request will bring the existing access point into compliance with the Land Development Code requirement in Section 10-285.

Findings and Conclusions

Based upon an analysis of the application and the standards for approval of planned development rezonings, staff finds that the request:

- a) Complies with Lee Plan as discussed in the Lee Plan analysis section of this report, specifically Lee Plan Policies 1.1.7, 1.6.1, 2.2.1, 7.1.1, 7.1.2, 7.1.3, 7.1.4, 7.1.7, 7.1.8, Lee Plan Standards 4.1.1 and 4.1.2, and Objectives 1.5 and 11.1 and Goal 6 of the Lee Plan, Land Development Code, and other applicable codes and regulations;
- 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 and the expected impacts on existing or planned transportation facilities will be mitigated through existing County regulations or conditions of approval;
- e) Will not adversely affect environmentally critical or sensitive areas and natural resources;
- f) Will be served by urban services, defined in Lee Plan Standards 4.1.1 and 4.1.2 and other applicable Lee Plan Policies;
- g) The proposed mix of uses is appropriate at the proposed location;
- h) 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.
- i) The approved deviations, as conditioned:
 - 1) Enhance the achievement of the objectives of the planned development; and
 - 2) Preserve and promote the general intent of this Code to protect the public health, safety and welfare.

ATTACHMENTS:

- A. Expert Witness Information
- B. Maps: surrounding zoning, future land use and aerial photograph
- C. Conditions and Deviations
- D. Master Concept Plan
- E. Zoning Section's Environmental Staff Report
- F. Memorandum from Infrastructure Planning
- G. Memorandum from Division of Natural Resources
- H. Bald Eagle Management Plan
- I. Utilities Letter of availability for water and sewer
- J. Memorandum from Section of Development Services
- K. TIS
- L. Application and Narrative
- M. Legal Description

LEE COUNTY STAFF EXPERT WITNESS INFORMATION

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

Case Number: DCI2022-00061

Project Name: Alico Oriole West MPD

Hearing Examiner Date: September 27, 2023

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

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

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

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

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

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

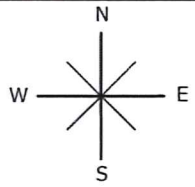
BRANDON DUNN, Planner, Principal, Planning Section, 1500 Monroe Street, Fort Myers, FL. 33901

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

NICOLAS DeFILIPPO, Planner, Planning Section, 1500 Monroe Street, Fort Myers, FL. 33901

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DCI2022-00061



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Feet - Map Scale

0 200 400 600
Feet - Inset Scale

MICHAEL G
RIPPE PKWY

S-TAMIAMI TR



ALICO RD

BRIARCLIFF RD

PHLOX DR

WINGED FOOT DR

LEE RD

PITTSBURGH BLVD

SANIBEL BLVD

SAN CARLOS BLVD

ALICO RD

ORIOLE RD

MIAMI
BLVD

THREE OAKS PKWY-EXT

CYPRESS DR-N

THREE OAKS
PKWY

I-75

TERMINAL-ACCESS RD

TREELINE AVE S

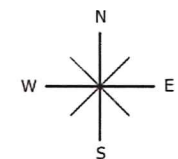
BEN HILL-GRIFFIN PKWY

ATTACHMENT B

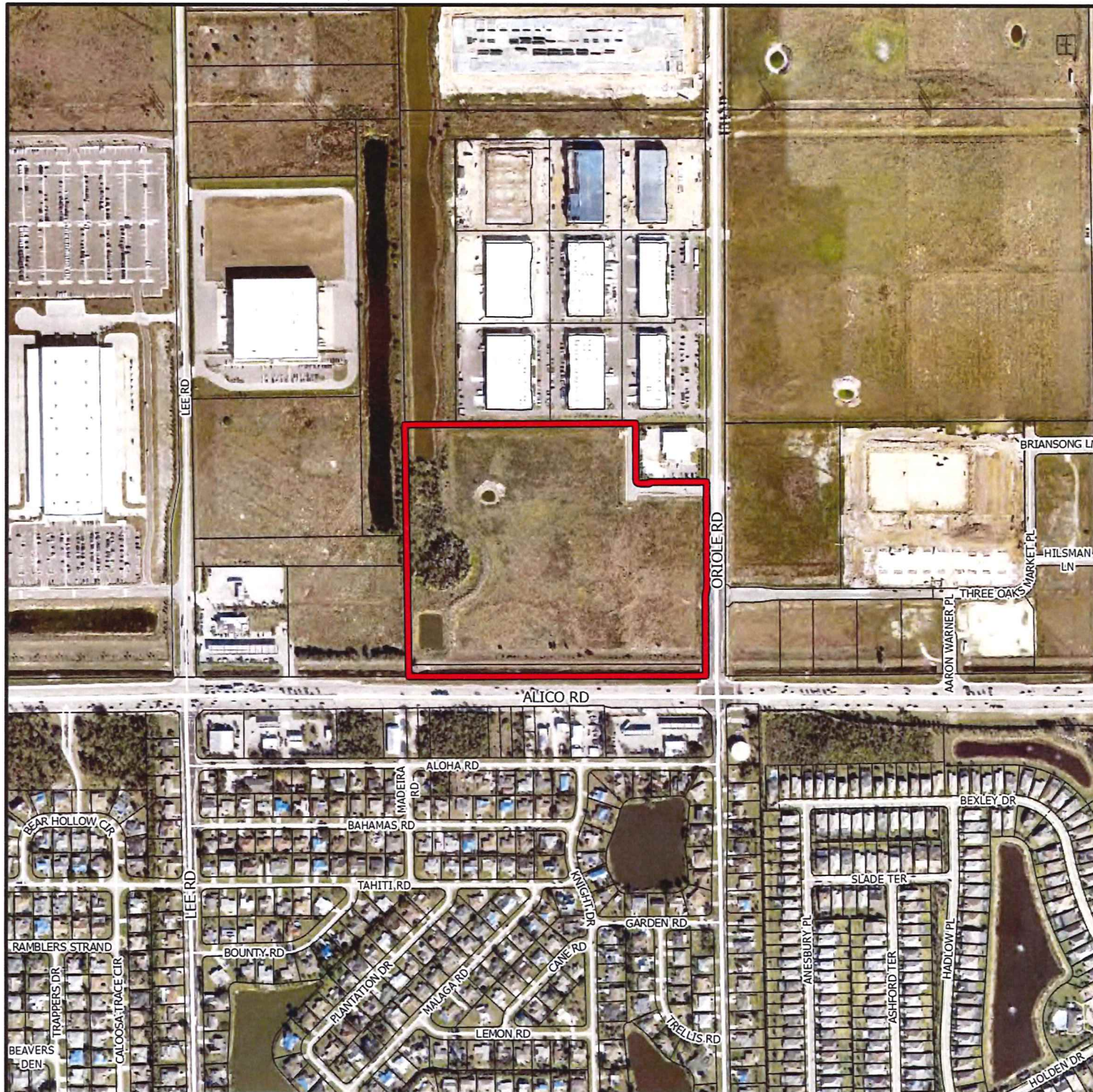
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Aerial

 Subject Property

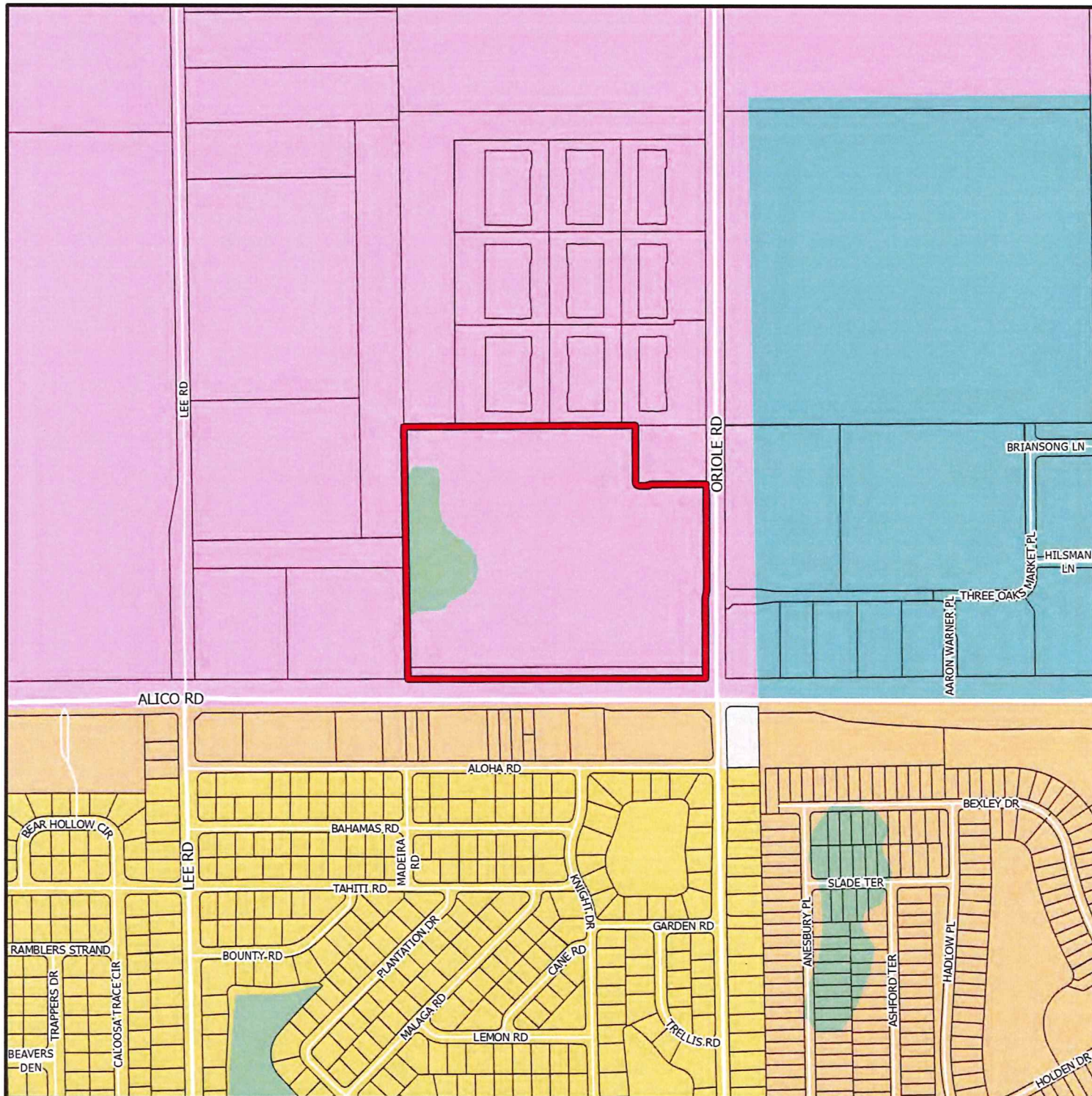


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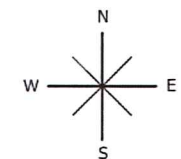


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Future Land Use



- Subject Property
- Urban Community
- Suburban
- Industrial
- Public Facilities
- Industrial Commercial Interchange
- Wetlands



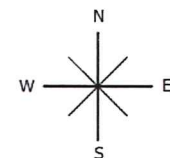
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DCI2022-00061

Zoning

 Subject Property



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DCI2022-00061, Alico Oriole West MPD
Conditions and Deviations

A. Conditions

1. MASTER CONCEPT PLAN/DEVELOPMENT PARAMETERS

The development of this project must be consistent with the one-page Master Concept Plan entitled "Alico Oriole West", except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local Development Order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

This planned development will allow a maximum of 175,000 square feet of industrial uses, 175,000 square feet of commercial uses, and 150 hotel rooms.

2. USES AND SITE DEVELOPMENT REGULATIONS

a. Schedule of Uses

All uses with an asterisk (*) are not permitted on Tract A, Tract C-6, C-5, and C-4 (within 660' of the Nest).

Accessory Uses and Structures

~~Accessory apartment and accessory dwelling unit~~

Administrative Offices

Agricultural Uses and Agricultural Accessory Uses, Subject to condition 4

Agricultural Services Office/Base Operations

Aircraft Food Services and Catering

Airport Operations Facilities

Amateur Radio Antennae and Satellite Earth Stations

Animals, Clinic or Kennel

~~Assisted Living Facility~~

ATM (automatic teller machines)

Auto Parts Store, with or without installations

Auto Repair and Service, Groups I and *II

*Automobile Service Station

-Limited to 1 for the entire MPD

Bait and Tackle Shop

Banks and Financial Establishments, Groups I and II

Bar or Cocktail Lounge – limited to 1 for the entire MPD

Boats: Boat Parts Store; [Boat Repair and Service]*

Boat Sales

Broadcast Studio, Commercial Radio and Television

Building Materials Sales
 Business Services, Groups I and II
 *Bus Station/Depot
 Caretaker's Residence
 Car wash
 Cleaning & Maintenance Services
 Clothing Stores, General
 Clubs: Commercial, Fraternal, Membership Organization
 Cold Storage, Precooking, Warehouse & Processing Plant
 Computer and Data Processing Services
 Consumption on Premises
 - In conjunction with a restaurant use, bar, cocktail lounge,
 hotel/motel, nightclub only
 Contractors and Builders, Groups I, *II, and *III
 *Convenience Food and Beverage Stores
 - Limited to 1 for the entire MPD
 Cultural Facilities
 Day Care Center, Child, Adult
 Department Store
 Drive through for any permitted use
 Drugstore, Pharmacy
 Emergency Operations Center
 EMS, Fire, or Sheriff's Office
 Entrance Gates and Gatehouse
 Essential Services
 Essential Service Facilities, Group I
 - Group *II (by amendment through the public hearing process only)
 Excavation: Water Retention
 Excess Spoil Removal
 Factory Outlets, Point of Manufacture Only
 Fences, Walls
 Food and Beverage Service, Limited
 Food Stores, All Groups
 *Freight or Cargo Handling Establishments
 Funeral Home and Mortuary, with or without crematorium
 *Gasoline Dispensing Systems, Special
 Gift and Souvenir Shop
 *Golf Driving Range
 Hardware Store
 Health Care Facilities, Groups I, II, and III
 *Heliport or Helistop
 Hobby Toy and Game Shop
 Hospice
 Hotel/Motel – 150 Rooms Maximum
 Household and Office Furnishings, All Groups
 Insurance Companies

Laundromat

Laundry and Dry Cleaning, Groups I and II

*Lawn and Garden Supply Store

Library

*Manufacturing of:

- Apparel Products
- Boats
- Chemical and Allied Products, Groups I and II
- Electrical Machinery and Equipment
- Fabricated Metal Products, Groups I, II and III
- Food and Kindred Products, Group III
- Furniture and Fixtures
- Leather and Leather Products, Group II
- Lumber and Wood Products, All Groups
- Machinery, Groups I, II, and III
- Measuring, Analyzing and Controlling Instruments
- Novelties, Jewelry, Toys and Signs, All Groups
- Paper and Allied Products, All Groups
- Rubber and Plastic Products, Group II
- Stone, Clay, Glass and Concrete Products, Groups I-IV
- Textile Mill Products, Groups I, II, and III
- Transportation Equipment, Groups I, II, and III

Maintenance Facility (Government)

Medical Office

Motion Picture Production Studio

Nightclub – limited to 1 for the entire MPD

Nonstore Retailer, All Groups

Package Store – limited to 1 for the entire MPD

Paint, Glass and Wallpaper

Parks, Groups I and II

Parcel and Express Services

Parking Lot

Accessory, Commercial, Garage, Public Parking, Temporary
Personal Services, Groups I, II, III, IV (Excluding Massage Parlors, Steam or
Turkish Baths, Escort Services, Palm Readers Fortunetellers or Card
readers)

Pet Services

Pet Shop

Pharmacy

Photofinishing Laboratory

Post Office

Printing and Publishing

*Processing and Warehousing

Real Estate Sales Office

Recreational Facilities, Commercial, Groups I, * III and IV (Excluding
Outdoor Gun Ranges)

Rental or Leasing Establishment: Group I, II, III
 Repair Shops: Groups I, II, III and IV
 Restaurant, Fast Food
 Restaurants: All Groups
 Retail and Wholesale Sales, Ancillary to an Approved Use
 *Self Service Fuel Pumps
 In conjunction with convenience food and beverage use, or auto
 service station, maximum 20 pumps for the entire MPD. Additional
 fuel pumps are permissible as an accessory use to individual
 businesses to provide fuel for their fleet of vehicles and equipment—
 Maximum 4 per business
 Signs
 Social Services: Group I-IV
 Specialty Retail Shops: All Groups
 Supermarket
 Storage: Indoor, Open
 Studios
 Temporary Uses
 Theater, Indoor
 *Transportation Services, Groups I – IV (*applies to Groups III & IV only)
 *Truck Stop, Trucking Terminal
 Used Merchandise Stores: Groups I, II and III
 Variety Store
 Vehicle & Equipment Dealers: Groups I, II & III
 Warehouse, Mini warehouse, Private, Public, Cold Storage, Hybrid
 Wholesale Establishments: Groups I, II, III and IV

b. Site Development Regulations

Minimum Lot Area and Dimensions:

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

Minimum Setbacks:

Street (Public):	25 feet
Street (Private)	15 feet
Side:	10 feet
Rear:	15 feet
Water Body:	25 feet

Development Perimeter Building Setback: ~~45 feet~~ 25 feet

Maximum Building Height:

65 feet (Height in excess of 35 feet must maintain additional setbacks of one-half foot for every foot over 35 feet)

Minimum Building Separation:

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

Maximum Lot Coverage:

Commercial: 55%

Industrial: 75%

Minimum Open Space: (See Deviation 3A)

Commercial: 20%

Industrial: 10%

3. Building Design

All industrial or commercial buildings and structures fronting on Alico and Oriole Roads must comply with Chapter 10, Article IV, Design Standards and Guidelines for Commercial Buildings and Development, of the Lee County LDC.

4. AGRICULTURAL USES

Existing bona fide agricultural uses (PASTURE/GRAZING) may continue on this site SUBJECT TO the following:

- A) Termination of Agriculture Use. Agricultural uses must terminate on project areas receiving development order approval for vertical development and prior to county issuance of a vegetation removal permit. Development order approvals for plats, infrastructure improvements, landscaping, surface water management, or other non-vertical development do not trigger termination.
- B) Additional Clearing Prohibited. Additional clearing of trees or vegetation in an agricultural area is prohibited. Existing areas of bona fide agricultural use may be maintained, (i.e. mowed). But not cleared or expanded. This prohibition does not preclude County approval of requests to remove invasive exotic vegetation.
- C) Proof of Termination, upon approval of local development order for vertical development and prior to the issuance of vegetation removal permit, the property owner must provide written proof of the following, SUBJECT TO review/approval by the County Attorney's Office:
 - i. Affidavit. Sworn affidavit from the property owner confirming:
 - (1) Date agricultural uses ceased.
 - (2) Legal description of the property SUBJECT TO development order approval for vertical development.

- (3) Affirmative statement acknowledging and agreeing agricultural uses are illegal and prohibited on the property. Further that the property owner covenants with the County not to resume agricultural uses until the property is rezoned to permit agricultural.

The affidavit constitutes a covenant between the property owner and Lee County binding on the owner and its successors. The covenant must properly recorded in public record of Lee County at the owner's expense.

- ii. Termination of Tax Exemption. Termination of the agricultural tax exemption for portions of the property SUBJECT TO a development order for vertical development. Proof of termination must include a copy of the request to terminate the tax exemption submitted to the Lee County Property Appraiser.

5. Unified Sign Plan

The developer must submit a unified signage plan with the application for local development order.

6. Natural Resources

- a) Prior to local development order approval, the developer must adhere to the attached a Bald Eagle Management Plan dated May 11, 2023, for all proposed impacts within 660 feet of the bald eagle nest. The 660-foot buffer zone and the activities and restrictions outlined in the bald eagle management plan must be shown on the development order plans.
- b) The following uses are not permitted on Tract A, Tract C-6, Tract C-5, and Tract C-4: Transportation Services Groups III and IV.

7. Environmental

- a. Prior to the issuance of the first development order, plans must demonstrate compliance with the open space chart, attached as Exhibit D.
- b. Prior to the issuance of the first development order, development order plans must demonstrate a total of 3.12 acres of indigenous preserve, in substantial compliance with the Master Concept Plan.
- c. Prior to the issuance of a vegetation removal permit, the developer must include a map depicting where mechanical and hand-removal methods of exotic vegetation removal will be located. Mechanical clearing must be limited to non-indigenous areas and native vegetation must be protected by the tree barricades.

- d. Prior to the issuance of the first development order, the applicant must provide an indigenous management plan in accordance with the Land Development Code. This plan must be approved by Lee County Development Services staff.
- e. Prior to the issuance of the first development order, the development plans must depict a 20-foot Type D right-of-way buffer along Alico Road.
- f. Prior to the issuance of the first development order, the development plans must depict a 10-foot Type D buffer along Oriole Road (along Tract C-1 and B only).

8. Airport Noise Zone

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

9. Development Services

Regardless of any land use density/intensity conversion allowed per the Land Development Code or zoning condition specific to this development, the development is allowed a maximum calculated development intensity with respect to new trip generation utilizing the following development scenario based upon the Institute of Transportation Engineers (ITE) Trip Generation Manual in effect at the time of local development order:

- 175,000 SF commercial retail use; and
- 175,000 SF industrial use.

B. DEVIATIONS:

DEVIATION 2A: Setbacks for Water Retention or Detention Excavations.

Deviation from Land Development Code Section 10-329(d)(1) a.2, which requires that no excavation be allowed within 50 feet of any existing or proposed right-of-way line or easement for a collector or arterial street, to allow a 25-foot setback.

Staff recommends withdrawal of this deviation. The Master Concept Plan does not depict any lakes adjacent to any collector or arterial road.

DEVIATION 2B: Setbacks for Water Retention or Detention Excavations.

Deviation from Land Development Code Section 10-329(d)(1)a.3, which requires that no excavation is allowed within 50 feet of any private property line under separate ownership; to allow a 25-foot setback and/or to allow a zero-foot setback when the lake is combined with a lake on abutting property. This deviation is approved.

The adjacent properties are part of a master storm water management system permitted by the South Florida Water Management District in Permit #36-05268-P, which provides for existing drainage easements that extend beyond the north property line.

DEVIATION 2C: Relief from Bank Slopes.

Deviation from Land Development Code Section 10-329(d)(4), which requires that the banks of excavations to be sloped at a ratio not greater than six horizontal feet to one vertical feet from the top of bank to a water depth of two feet below the control elevation; to allow the existing lake (lake Tract A) to be sloped at a ratio of four horizontal to one vertical. This deviation is approved subject to the following condition:

Prior to the issuance of the first development order, cross-sections of the littoral shelves and existing vegetation of the preexisting lakes must be submitted and signed/sealed from a civil engineer.

DEVIATION 2D: Fencing.

Deviation from Land Development Code Section 10-329(d)(6), which requires that a four-foot fence may be required, at the discretion of the Director, to be placed around excavations for water retention when located less than 100 feet from any property under separate ownership; to not require fencing around any existing or proposed lakes. This deviation is approved.

The lakes are existing and, in some cases, straddle the property lines. Additionally, the property is surrounded by other industrial and commercial uses that are part of the same master drainage system limiting public access.

DEVIATION 3A: Open Space.

Deviation from Land Development Code Section 10-415(a), which requires that all Large Industrial Developments to provide a minimum of 20% open space and all Large Commercial Developments to provide a minimum of 30% open space to allow the $\pm$ 5-acre Conservation Easement and Lake Tract parcels to be credited toward the open space as a whole and reduce the requirement to 20% for commercial uses and 10% industrial uses on individual parcels. This deviation is approved subject to the following condition:

Prior to the issuance of the first development order, the development order plans must demonstrate substantial compliance with the submitted open space chart and Master Concept Plan.

DEVIATION 3B: Buffers

Deviation from Land Development Code Section 10-416(d)(4), which requires that the Type D Right-of-Way buffers must be a minimum of 15 feet wide to allow the Type D buffer on Oriole Road to be 10 feet wide for Tracts B and C-1. This deviation is denied.

Projects along Oriole Road were approved with the required 15-foot-wide buffer. Granting this deviation will not be in keeping with the development trends in the area.

DEVIATION 3C: Littoral Shelf (Proposed Lakes Only).

Deviation from Land Development Code Sections 10-418(2)(a), and 10-418(2)(d)3, which requires all surface water management systems to provide a planted littoral shelf that mimics the function

of a natural marsh, to allow 4:1 littoral shelf. In addition, deviate from subsection 10-418(2)(d)3, which allows native wetland trees to be substituted for up to 25% of the total number of herbaceous plants required, to allow native wetland trees to be substituted for 100% of the total number of herbaceous plants required. This deviation is approved subject to the following conditions:

Prior to the issuance of the first development order, the development order plans must demonstrate a 4:1 littoral shelf on newly constructed lakes.

Prior to the issuance of the first development order, the landscape plans must demonstrate a 100% substitution of herbaceous plants to native wetland trees for both the existing lakes and new lakes, to comply with FAA guidelines.

DEVIATION 4A: Street Trees.

Deviation from Land Development Code Section 10-296(e)(2)d. which requires that Street Trees must be planted on both sides of the road, that palm trees may only be substituted for a maximum of 50 percent of the required small trees, and that the trees must be spaced evenly along the frontage and not clustered, to allow the trees required per this section of the code to be planted on one side of the road, to allow 100 percent of the trees to be palm trees, and to allow the palm trees to be clustered. As an enhancement to the code, the palms must be staggered in height from 10 feet to 14 feet. This deviation is approved subject to the following condition:

Prior to the first development order, landscape plans must depict tree and palm spacing in roadway planting areas as 100% cabbage palms. Cabbage palms may be clustered and must be staggered in height from a minimum of 10-feet to 14-feet.

DEVIATION 4B: Culs-de-Sac.

Deviation from Land Development Code Section 10-296(k)(1), which requires dead-end streets to be closed at one end by a circular turnaround for vehicles; to allow the internal roads and/or accessways to be designed constructed with a hammerhead turnaround, as depicted on the Master Concept Plan. This deviation is approved subject to the following condition:

At time of development order, the applicant must demonstrate that the hammerhead turnaround is of sufficient length to allow emergency vehicles, as specified by the San Carlos Park Fire & Rescue, to turn around.

DEVIATIONS 5A and 5B: Nonresidential Identification Signs

Deviation from Land Development Code Sections 30-153(2)a. and 30-153(2)a.1.ii. which requires the development be permitted to have one identification sign equal to one square foot of sign area per face for every one linear foot of frontage to allow:

- a) One additional sign on the project's Oriol Road frontage, for a total of two ground-mounted developer signs on Oriole Road; and
- b) Two signs on Oriole Road with 200 square feet per sign area per face. This is a deviation of an additional 100 square feet of sign area on Oriole Road.

This Deviation is approved. This project contains almost 700 feet of road frontage on Oriole Road with two access points to the site from that road. This deviation will allow each entrance to have an identification sign.

DEVIATION 6: Parking Lot Interconnection.

Deviation from Land Development Code Sections 10-610(e) and 34-2015(2)(f), which requires projects to provide parking lot interconnections for automobile, bicycle and pedestrian traffic, to allow the proposed local roadway as shown on the Master Concept Plan to serve as the required interconnection for Lots of C-1 through C-6. This deviation is approved.

During development of the parcel the applicant will be required to plat the proposed development and provide internal roadway access to the development parcels. This internal roadway will perform the required interconnection between the proposed lots and allow traffic circulation between the development parcels without the need to use the adjacent roadway.

Deviation 7: Connection Separation.

Deviation from Land Development Code Section 10-285(a), which requires that motor vehicle connection(s) to a road from privately maintained streets, access roads or accessways onto local roads in future suburban areas must be a minimum of 125 feet apart, to allow a connection separation of 60 feet on proposed access roads from anticipated entrances on Tracts "A", C-5, C-6" (proposed commercial), and to allow 102 feet on "Sweeney Way" from anticipated entrances on Tracts "B", (proposed commercial") as depicted on the Master Concept Plan.

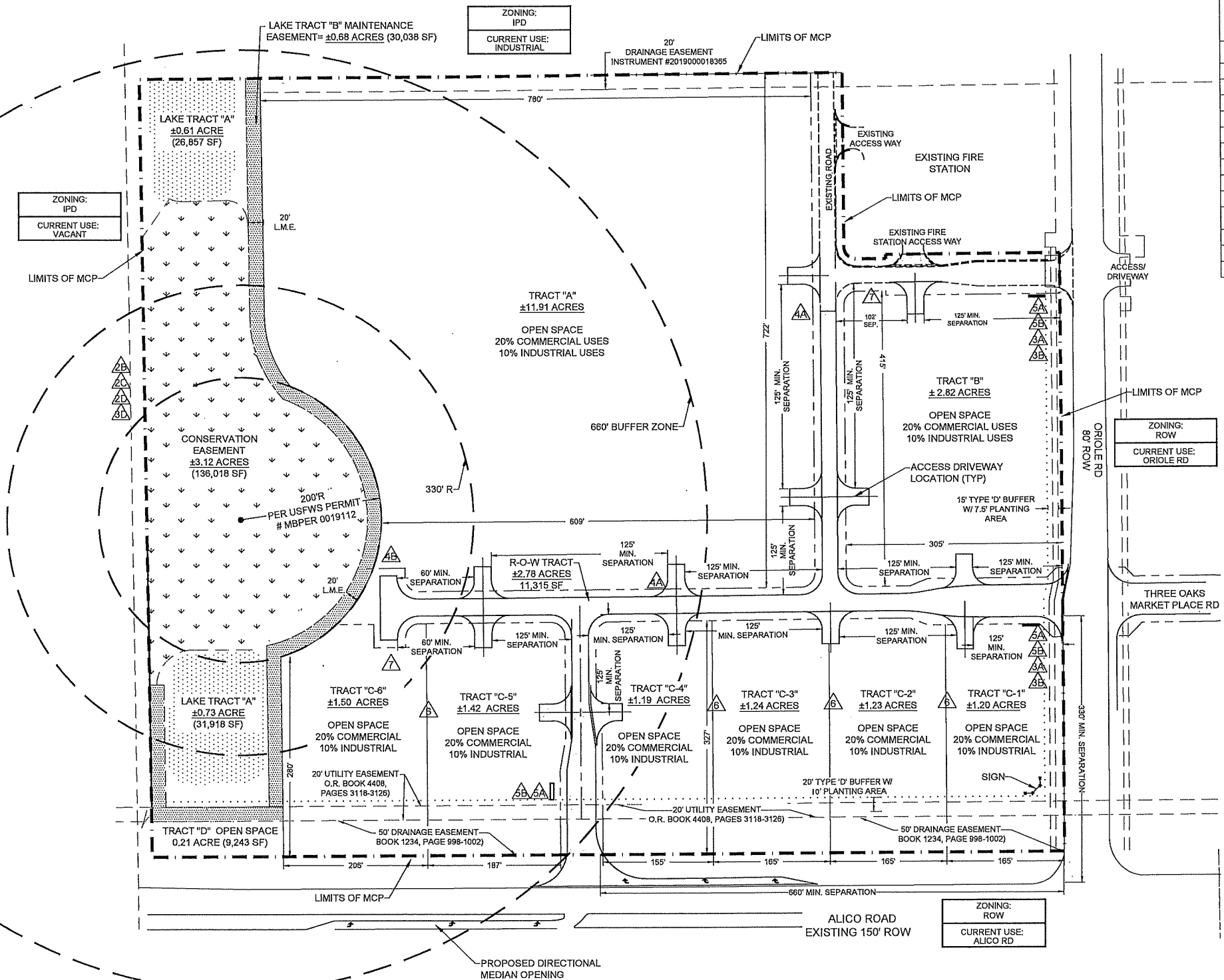
The deviation request for Tracts "A", C-5, and C-6 are located at the end of the roadway and will be subject to a minimal amount of low-speed traffic. The access points to the tracts are located to line up access points on each side of the right-of-way and provide sufficient access to each individual tract.

The deviation from Tract B will align with the existing access to the Fire Station to the north. Typically, alignment of accessways would not require an additional deviation request, however, staff could not locate an approved deviation for reduced connection separation for the existing Fire Department access to the north. This request will bring the existing access point into compliance with the Land Development Code requirement in Section 10-285.

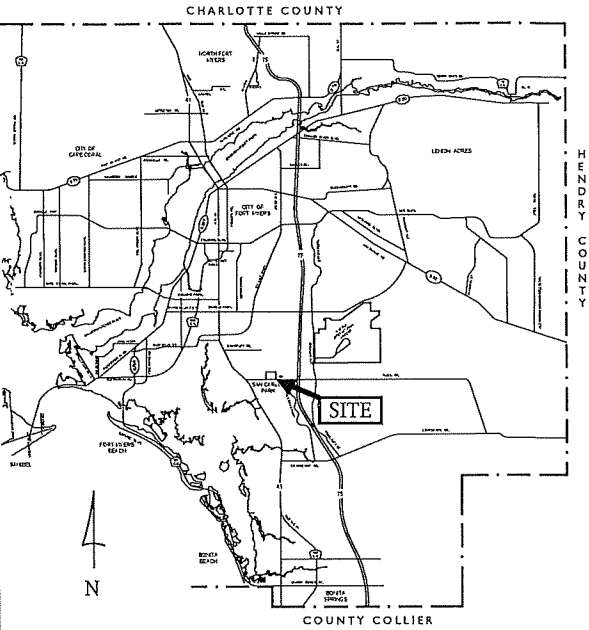
ALICO ORIOLE WEST

LOCATED IN SECTION 04, TOWNSHIP 46-S, RANGE 25-E, LEE COUNTY, FLORIDA

MASTER CONCEPT PLAN



ALICO ORIOLE WEST MCP AREAS	
DESCRIPTION	ACREAGE
TRACT A	11.91
TRACT B	2.82
TRACT C-1	1.20
TRACT C-2	1.23
TRACT C-3	1.24
TRACT C-4	1.19
TRACT C-5	1.42
TRACT C-6	1.50
ROW TRACT	2.78
CONSERVATION EASEMENT & LAKE TRACT	4.46
LAKE MAINTENANCE EASEMENT	0.68
TRACT D OPEN SPACE	0.21
TOTAL ACREAGE	30.64



LOCATION MAP

(NOT TO SCALE)

PROJECT SUMMARY:

ZONING
AG-2 to MPD

STRAP #'s
04-46-25-L3-00003-0020

PROJECT ACREAGE
30.64 ACRES (1,334,896 SF)

PROJECT INTENSITY
MAX BUILDING FLOOR AREA = 350,000 SF
MINIMUM 30,000 SF COMMERCIAL
MINIMUM 30,000 SF INDUSTRIAL

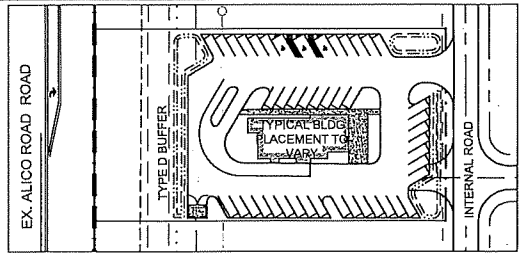
OPEN SPACE
COMMERCIAL USES: 20%
INDUSTRIAL USES: 10%

CONSERVATION AN LAKE AREA
4.46 ACRES

DEVIATIONS



TYPICAL LOT LAYOUT:



Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
4301 Veronica Shoemaker Blvd. | Fort Myers, FL 33916 | 239.936.5222 | QAInc.net

Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ENVIRONMENTAL STAFF REPORT

CASE NUMBER: DCI2022-00061
TYPE OF CASE: Mixed Use Planned Development
CASE NAME: Oriole Alico West
TOTAL ACREAGE: 30.65 Acres
SUFFICIENCY DATE: July 25, 2023
HEARING EXAMINER DATE: September 27, 2023

Request

The applicant is requesting to rezone the subject property from Agricultural (AG-2) to Mixed Use Planned Development (MPD). The applicant is proposing to develop 350,000 square feet of office, retail, commercial, and industrial uses as well as 150 hotel rooms. The property is located in Fort Myers, north of Alico Road and west of Oriole Road. According to the Lee Plan, the parcel is located in the Industrial and Wetlands Future Land Use Categories.

Existing Conditions

As mentioned, the site is located north of Alico Road, and west of Oriole Road. The site is currently vacant and contains a wetland area that has been permitted through the South Florida Water Management as a conservation easement (ERP #36-05268-P)(see Exhibit A). The applicant has submitted a Protected Species Survey that includes the Florida Land Use Cover and Classification System (FLUCCS) map depicting the meandering transects methodology used to survey the project and a detailed FLUCCS for the project area (see Exhibit B). Synecological Analysts Incorporated did not observe any protected species onsite. Eagles were present onsite; however, the applicant has prepared an eagle management plan and presented the plan to the Eagle Technical Advisory Committee (ETAC), where it has been recommended for approval with conditions (see Exhibit C).

Open Space

The applicant is requesting 350,000 square feet of office, retail, commercial, and industrial uses as well as 150 hotel rooms. The mixed-use planned development contains both commercial and industrial parcels, varying in acreages and amounts of impervious surfaces. The applicant has provided a Master Concept Plan (MCP) and an open space chart depicting the amount of open space required per Tract (see Exhibit D).

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

Prior to the issuance of the first development order, plans must demonstrate compliance with the open space chart, attached as Exhibit D.

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)). However, due to the varying sizes and uses of the proposed mixed-use planned development parcels, the applicant has provided an indigenous preserve

area over the existing conservation easement for the wetland area, which is 3.12 acres. The 3.12 acres consist of Cypress and sloughs, and is the only indigenous areas onsite. Staff conducted a site inspection and found that the environmental report was consistent with site conditions and vegetation habitats. The applicant has provided an MCP that depicts a total of 3.12 acres of indigenous preserve area.

Staff recommends the following condition to ensure protection of indigenous preserve:

Prior to the issuance of the first development order, development order plans must demonstrate a total of 3.12 acres of indigenous preserve, in substantial compliance with the Master Concept Plan.

Indigenous Habitat Management Plan

The applicant has not provided an Indigenous Management Plan (IMP). However, the applicant has provided a Bald Eagle Management Plan, which includes details of monitoring, methods of construction activities, schedule of uses compatible for the nesting of Eagles, etc.

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

Prior to the issuance of the first development order, the development order plans must be in substantial compliance with the Bald Eagle Management Plan, subject to the conditions from ETAC (See Exhibit C).

Prior to the issuance of a vegetation removal permit, the developer must include a map depicting where mechanical and hand-removal methods of exotic vegetation removal will be located. Mechanical clearing must be limited to non-indigenous areas and native vegetation must be protected by the tree barricades.

Prior to the issuance of the first development order, the applicant must provide an indigenous management plan in accordance with the Land Development Code and be approved by Lee County Development Services staff.

Buffers

The proposed project is surrounded by a mixed-use development to the north, Oriole Road right-of way to the east, Alico Road right-of-way to the south, and an industrial planned development to the west. To the northeast of the project, a fire station is present on Agricultural zoned property. The required buffers are as follows:

North – LDC section 10-416(d) does not require new industrial or commercial developments to provide landscaped buffers when abutting industrial uses. The applicant is meeting LDC codes.

East - LDC section 10-416(d) requires commercial and industrial developments to provide landscaped buffers along right-of-ways. The applicant has requested a deviation from LDC 10-416(d) from the 15-foot Type D buffer requirement, to allow a 10-foot Type D buffer along Oriole Road. The applicant is providing the 10-foot Type D buffer (Deviation 3B).

West - LDC section 10-416(d) does not require new industrial or commercial developments to provide landscaped buffers when abutting industrial uses. The applicant is meeting LDC codes.

South - LDC section 10-416(d) requires commercial and industrial developments to provide landscaped buffers along right-of-ways. The applicant is providing the required an enhanced width, 20-foot Type D buffer along Alico Road. The applicant has requested a 10-foot planting area, which complies with section LDC 10-421(2&5).

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

Prior to the issuance of the first development order, the development plans must depict a 20-foot Type D right-of-way buffer.

Prior to the issuance of the first development order, the development plans must depict a 10-foot Type D buffer along Oriole Road (along Tract C-1 and B only).

Deviations

Deviation 2C seeks relief from section 10-329(d)(4) bank slopes, that requires lake banks to be sloped at a ratio not greater than six horizontals to one vertical from the top of bank to a water depth of two feet below the dry season water; to allow the existing lake to be sloped at a ratio of four horizontal to one vertical. The existing lake was constructed in 2009 when the code allowed for lakes to be sloped at a ratio of four horizontal to one vertical and non-sinuuous structure. The north lake has been previously permitted through Z-20-002. The lake banks have established vegetation to prevent erosion, as such, the existing conditions meet the intent of the LDC and will not impact public health, safety and welfare. Furthermore, the 4:1 lake bank slope is necessary to comply with FAA requirements for lakes located within 10,000 feet of airport operations.

Staff recommends approval of Deviation 2C with the following condition:

Prior to the issuance of the first development order, cross-sections of the littoral shelves and existing vegetation of the preexisting lakes must be submitted and signed/sealed from a civil engineer.

Deviation 3A requests relief from LDC 10-415(a) from the requirement that all large industrial developments must provide a minimum of 20% open space and all large commercial developments must provide a minimum of 30% open space to allow the $\pm$ 5 acres conservation easement and lake tract parcels to be credit toward the open space as a whole and reduce the requirement to 20% for commercial uses and 10% industrial uses on individual parcels. The conservation easement and lake tract are privately owned, not eminent domain. The overall parcel is $\pm$ 30.65 acres and the conservation easement and lake tract account for $\pm$ 5 acres which is 16.3% of the overall parcel.

Staff recommends approval of Deviation 3A with the following condition:

Prior to the issuance of the first development order, the development order plans must demonstrate substantial compliance with the submitted open space chart and Master Concept Plan.

Deviation 3B requests relief from LDC 10-416(d)(4) from the requirement that Type D right-of-way buffers must be a minimum of 15' wide to allow the Type D buffer on Oriole Road to be 10' wide for Tracts B and C-1. Lee County required the developer to dedicate 80 feet right-of-way as approved in the original development order for Oriole Rd. Per LDC 34-3206, which in part states that "parcels that have been rendered unable to comply with current regulations as to required landscape buffers, because of a voluntary donation of land to a governmental authority may request relief." The applicant will provide a 10-foot-wide Type D buffer with a minimum planting area of 7.5 feet which will provide the same effective planting area as a 15' Type D buffer, as such, the deviation will not adversely impact the intent of the code. Currently the MCP demonstrates a 15-foot Type D buffer; the applicant must revise the MCP to label the 10-foot Type D buffer deviation.

Staff recommends approval of Deviation 3B with the following condition:

Prior to the issuance of the first development order, the development order plans must demonstrate a 10-foot Type D buffer along Tract B and Tract C-1 of the proposed development.

Deviation 3C seeks relief from LDC 10-418(2)(a) and LDC 10-418(2)(d)3 from the requirement that all surface water management systems must provide a planted littoral shelf that mimics the function of a natural marsh, to allow 4:1 littoral shelf. In addition, deviate from subsection 10-418(2)(d)3, which allows native wetland trees to be substituted for up to 25% of the total number of herbaceous plants required, to allow native wetland trees to be substituted for 100% of the total number of herbaceous plants required. The applicant is requesting the two deviations to demonstrate compliance with the FAA guidelines and to reduce wildlife habitats that would act as an attractant. Staff would like the applicant to split the deviations into 2 separate deviations to keep the Master Concept Plan/ Schedule of Deviations clear and concise.

Staff recommends approval of Deviation 3C with the following condition:

Prior to the issuance of the first development order, the development order plans must demonstrate a 4:1 littoral shelf on newly constructed lakes.

Prior to the issuance of the first development order, the landscape plans must demonstrate a 100% substitution of herbaceous plants to native wetland trees for both the existing lakes and new lakes, to comply with FAA guidelines.

Deviation 4A seeks relief from LDC §10-296(e)(2)(d) from the requirement that street trees must be planted on both sides of the road, that palm trees may only be substituted for a maximum of 50 percent of the required small trees, and that the trees must be spaced evenly along the frontage and not clustered, to allow the trees required per this section of the code to be planted on one side of the road, to allow 100 percent of the trees to be palm trees, and to allow the palm trees to be clustered. As an enhancement to the code, the palms must be staggered in height from 10' to 14'. The applicant states that the proposed deviation will prevent/minimize conflicts between the Street Trees and water mains. The purpose of planting the trees on only one side of

the road is to allow the trees to be placed on the side of the road that does not have the watermain. Allowing only palm trees will further avoid conflicts with utility lines that may be present in the adjacent PUE and/or minimize conflicts when there are other utility lines installed in the right-of-way (i.e. force mains). The purpose of allowing the palm trees to be clustered is avoid potential line-of-sight conflicts that may occur if the trees are evenly spaced.

Staff recommends approval of Deviation 4A with the following condition:

Prior to the first development order, landscape plans must depict tree and palm spacing in roadway planting areas as 100% cabbage palms. Cabbage palms may be clustered and must be staggered in height from a minimum of 10-feet to 14-feet.

Exhibits

- A – Conservation Easement Agreement
- B – Protected Species Survey /FLUCCS Map
- C – Bald Eagle Management Plan
- D – Open Space Chart

INSTR # 2016000164936, Doc Type EAS, Pages 8, Recorded 08/03/2016 at 10:53 AM,
Linda Doggett, Lee County Clerk of Circuit Court, Rec. Fee \$69.50 Deputy
Clerk DMAYS

Permit: 36-05268-P

PARTIAL RELEASE OF CONSERVATION EASEMENT

This Partial Release of Conservation Easement ("Partial Release") is made this 1st day of August, 2016 by North Alico Property Owners Association, Inc., a Florida not for profit corporation, ("North Alico") having an address of 13891 Jetport Loop Road, Suite 9, Ft. Myers, FL 33913.

WITNESSETH:

WHEREAS, on or about April 10, 2007, Harold Horowitz, as Trustee granted to North Alico a Deed of Conservation Easement recorded on April 16, 2007 under Instrument Number 2007000123329 in the Public Records of Lee County, Florida (hereinafter referred to as the "Conservation Easement") encumbering the real property described on Exhibit "A" attached hereto and made a part hereof (hereinafter referred to as the "Original Easement Property"), comprising 5.48 acres, more or less; and

WHEREAS, the Conservation Easement was intended to conform with the requirements of the South Florida Water Management District, an agency of the State of Florida (the "District") pursuant to the terms and conditions of a District Permit, for which North Alico and Harold Horowitz, Trustee were applicants; and

WHEREAS, the District issued an Environmental Resource Permit authorizing construction and operation of a surface water management system on or about July 13, 2005 for various parcels, including the parcel owned by Harold Horowitz, Trustee under District Permit No. 36-05268-P (the "District Permit"); and

WHEREAS, subsequent to the adoption of the District Permit, the District agreed to a permit modification on or about January 13, 2009 which modification removed approximately 2.37 acres (the "Release Parcel") from the Conservation Easement property required by the District, and which Release Parcel was part of the Original Easement Property described in the Conservation Easement; and

WHEREAS, under the current District Permit as modified, the District only requires 3.11 acres (the "Remainder Premises") be included within the Conservation Easement on the Harold Horowitz, Trustee property and the 2.37 acre Release Parcel was to be released from the Conservation Easement, which Release Parcel is particularly described on Exhibit "B" attached hereto; and

WHEREAS, on or about December 30, 2010 North Alico assigned its rights under various conservation easements to the District pursuant to that certain Assignment of Rights Under Conservation Easement, recorded August 30, 2011 under Instrument Number 2011000192265 in the Public Records of Lee County, Florida, (the "Assignment") and under this Assignment the Conservation Easement property assigned to the District included the Remainder

Premises and did not include the Release Parcel as the Release Parcel was not required to meet the conservation requirements of the District Permit; and

WHEREAS, on or about June 14, 2012 Harold Horowitz, Trustee executed a Consent To Assignment of Rights Under Conservation Easement which was recorded on October 10, 2012 under Instrument Number 2012000221535 in the Public Records of Lee County, Florida, (the "Consent") which document consented to the assignment of the Conservation Easement property as modified to the District, in accordance with requirements of the District Permit; and

WHEREAS, North Alico holds the easement rights to the Release Parcel as recorded in the Conservation Easement in the public records, and Harold Horowitz, Trustee has requested North Alico to release the Release Parcel from the Conservation Easement granted to North Alico as it is not necessary to meet the requirements of the District Permit, as currently modified; and

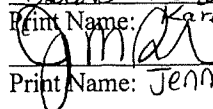
WHEREAS, in order to clear any title matter with regard to the Release Parcel and its non inclusion within the Conservation Easement, North Alico has agreed to execute this Partial Release of Conservation Easement pursuant to the terms and provisions hereof.

NOW, THEREFORE, for good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, the parties hereto agree as follows:

1. The recitals above are true and correct and shall become a part of this Agreement.
2. North Alico hereby releases all rights and interests North Alico may have in and to the Release Parcel from the Original Easement Property subject to the Conservation Easement, which release was previously approved by the District.
3. The Conservation Easement for the Remainder Premises, as assigned and consented to under the terms of the Assignment and the Consent, shall remain in full force and effect with respect to the Remainder Premises. All the other terms and conditions of the Conservation Easement shall remain in effect with regard to the Remainder Premises and all references to "Property" in the Conservation Easement shall hereafter mean and refer only to the Remainder Premises.

IN WITNESS WHEREOF, North Alico Property Owners Association, Inc. has caused this Partial Release of Conservation Easement to be executed on this 1 day of August, 2016.

Signed, sealed and delivered
in our presence as witnesses:


Print Name: Karen S Charette

Print Name: Jennifer N Borch

North Alico Property Owners Association, Inc.
a Florida not for profit corporation

By: 
Alan C. Freeman, President

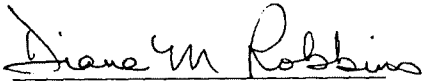
STATE OF FLORIDA

) ss:

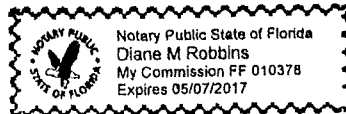
COUNTY OF LEE

EXECUTION of the foregoing instrument was acknowledged before me this 1 day of August, 2016, by Alan C. Freeman, the President of North Alico Property Owners Association, Inc., a Florida not for profit corporation, who is personally known to me or who has produced sufficient evidence of identification (described below) and who did take an oath.

Description of identification produced: _____



NOTARY PUBLIC- SIGNATURE ABOVE

Notary Name: Diane M. Robbins (Affix Notary Seal)Commission No.: FF 010378Commission Exp. Date: 5-7-17

Notary Name/ Commission No./ Exp. Date- type or print

EXHIBIT "A" – ORIGINAL EASEMENT PROPERTY

EXHIBIT "A"

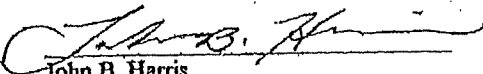
DESCRIPTION: (Conservation Area)

A tract or parcel of land lying in Section 4, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Southeast corner of the aforesaid Section 4; thence run N.00°56'55"W. along the East line of said Section 4 for 100.00 feet to the North right-of-way line of Alico Road; thence run S.89°45'24"W. along the North line of Alico Road for 1506.44 feet; thence run N.00°56'55"W. for 50.00 feet to the point of beginning; thence continue N.00°56'55"W. for 819.12 feet; thence run N.34°55'31"E. for 206.29 feet; thence run S.32°10'25"E. for 216.59 feet; thence run S.32°15'37"E. for 25.38 feet; thence run S.39°09'25"E. for 90.31 feet; thence run S.32°48'47"E. for 95.67 feet; thence run S.08°10'01"E. for 79.05 feet; thence run S.19°14'08"W. for 34.27 feet; thence run S.21°07'07"W. for 26.43 feet; thence run S.65°43'54"E. for 34.06 feet; thence run S.18°24'50"E. for 23.17 feet; thence run S.28°42'07"E. for 27.09 feet; thence run S.19°21'27"E. for 28.36 feet; thence run S.09°39'00"E. for 23.23 feet; thence run S.02°56'19"E. for 25.08 feet; thence run S.04°41'33"W. for 21.84 feet; thence run S.14°53'26"W. for 45.44 feet; thence run S.08°55'53"W. for 24.42 feet; thence run S.26°01'32"W. for 23.50 feet; thence run S.60°44'39"W. for 21.70 feet; thence run S.38°43'42"W. for 22.06 feet; thence run S.63°47'12"W. for 23.15 feet; thence run S.75°02'22"W. for 20.92 feet; thence run S.69°21'31"W. for 29.98 feet; thence run N.89°58'50"W. for 22.09 feet; thence run N.75°39'58"W. for 22.85 feet; thence run N.80°03'33"W. for 75.60 feet; thence run N.86°04'34"W. for 28.85 feet; thence run S.88°35'07"W. for 34.63 feet; thence run S.75°39'20"W. for 32.53 feet to a point of curvature; thence run Southwesterly for 44.12 feet along the arc of a curve concave Southeasterly, with a radius of 33.00 feet, a delta of 76°36'01", a chord bearing of S.37°21'20"W. and a chord distance of 40.91 feet to a point of tangency; thence run S.00°56'55"E. for 177.41; thence run S.89°45'24"W. for 33.82 feet to the point of beginning.

Said tract contains 5.481 acres, more or less.

Bearings are based on the North right-of-way line of the aforesaid Alico Road as bearing S.89°45'24"W.



John B. Harris
P.S.M. #4631
August 10, 2004

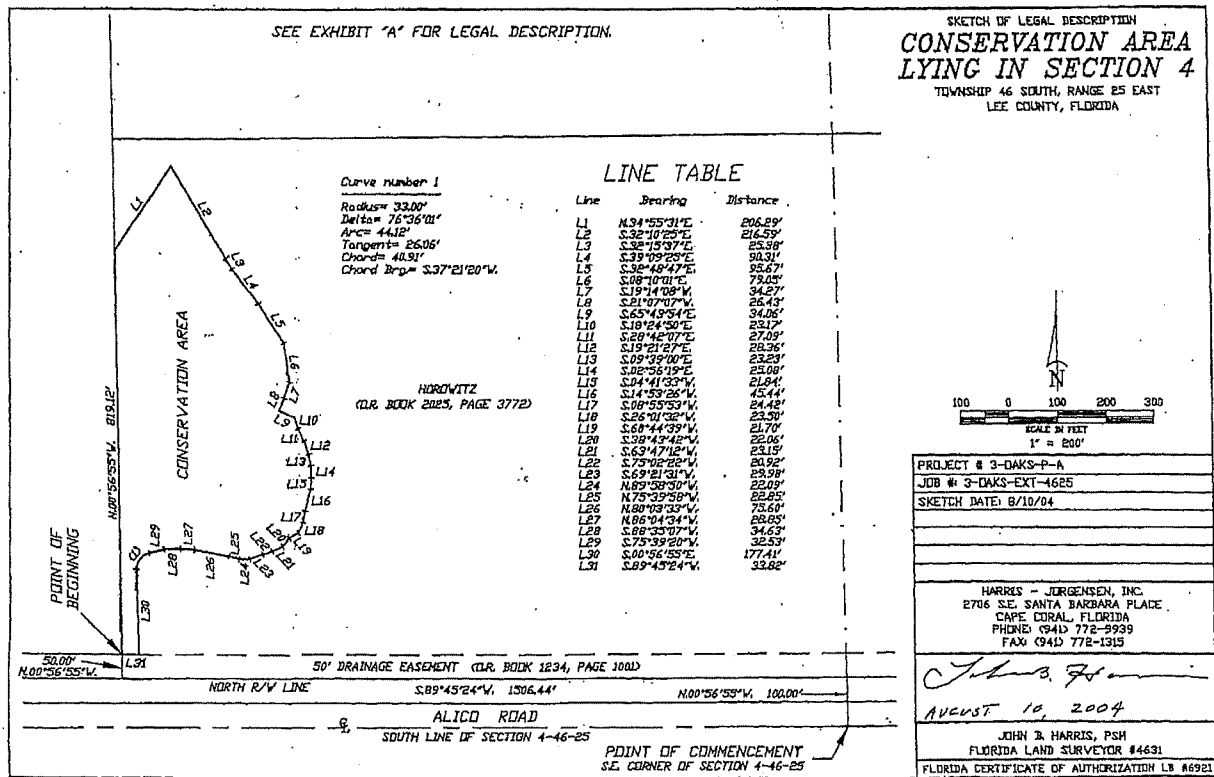


EXHIBIT B – RELEASE PARCEL**DESCRIPTION:** (Release Parcel)

A tract or parcel of land lying in Section 4, Township 46 South, Range 25 East, Lee County, Florida, described as follows:

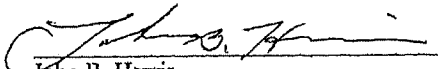
Commencing at the Southeast corner of the aforesaid Section 4; thence run N.00°56'55"W. along the East line of said Section 4 for 100.00 feet to the North right-of-way line of Alico Road; thence run S.89°45'24"W. along the North line of Alico Road for 1506.44 feet; thence run N.00°56'55"W. for 50.00 feet to the point of beginning; thence continue N.00°56'55"W. for 191.16 feet; thence run N.88°59'23"E. for 10.02 feet to a point on a non-tangent curve thence run Northeasterly for 77.29 feet along the arc of a curve concave Southeasterly, with a radius of 50.00 feet, a delta of 88°33'45", a chord bearing of N.45°28'36"E. and a chord distance of 69.82 feet to a point of tangency; thence run N.89°45'28"E. for 84.79 feet to a point of curvature; thence run Northeasterly for 32.41 feet along the arc of a curve concave Northwesterly, with a radius of 28.00 feet, a delta of 66°19'15", a chord bearing of N.56°35'50"E. and a chord distance of 30.63 feet to a point of reverse curvature; thence run Northeasterly for 57.41 feet along the arc of a curve concave Southeasterly, with a radius of 70.00 feet, a delta of 46°59'40", a chord bearing of N.46°56'02"E. and a chord distance of 55.82 feet to a point of reverse curvature; thence run Northeasterly and Northwesterly for 336.12 feet along the arc of a curve concave Westerly, with a radius of 145.00 feet, a delta of 132°48'50", a chord bearing of N.04°01'27"E. and a chord distance of 265.76 feet to a point of reverse curvature; thence run Northwesterly for 200.37 feet along the arc of a curve concave Northeasterly, with a radius of 170.00 feet, a delta of 67°31'50", a chord bearing of N.28°37'02"W. and a chord distance of 188.97 feet to a point of reverse curvature; thence run Northwesterly for 118.70 feet along the arc of a curve concave Westerly, with a radius of 580.00 feet, a delta of 11°43'34", a chord bearing of N.00°42'54"W. and a chord distance of 118.50 feet to a point of common curvature; thence run Northwesterly for 44.52 feet along the arc of a curve concave Southwesterly, with a radius of 30.00 feet, a delta of 85°01'55", a chord bearing of N.49°05'39"W. and a chord distance of 40.55 feet to a point of tangency; thence run S.88°23'24"W. for 57.65 feet to a point of curvature; thence run Northwesterly for 21.83 feet along the arc of a curve concave Northerly, with a radius of 50.00 feet, a delta of 25°00'56", a chord bearing of N.79°06'38"W. and a chord distance of 21.66 feet to a point of non-tangency; thence run N.34°55'31"E. for 206.20 feet; thence run S.32°10'25"E. for 216.59 feet; thence run S.32°15'37"E. for 25.38 feet; thence run S.39°09'25"E. for 90.31 feet; thence run S.32°48'47"E. for 95.67 feet; thence run S.08°10'01"E. for 79.05 feet; thence run S.19°14'08"W. for 34.27 feet; thence run S.21°07'07"W. for 26.43 feet; thence run S.65°43'54"E. for 34.06 feet; thence run S.18°24'50"E. for 23.17 feet; thence run S.28°42'07"E. for 27.09 feet; thence run S.19°21'27"E. for 28.36 feet; thence run S.09°39'00"E. for 23.23 feet; thence run S.02°56'19"E. for 25.08 feet; thence run S.04°41'33"W. for 21.84 feet; thence run S.14°53'26"W. for 45.44 feet; thence run S.08°55'53"W. for 24.42 feet; thence run S.26°01'32"W. for 23.50 feet; thence run S.60°44'39"W. for 21.70 feet; thence run S.38°43'42"W. for 22.06 feet; thence run S.63°47'12"W. for 23.15 feet; thence run S.75°02'22"W. for 20.92 feet; thence run S.69°21'31"W. for 29.98 feet; thence run N.89°58'50"W. for 22.09 feet; thence run N.75°39'58"W. for 22.85 feet; thence run N.80°03'33"W. for 75.60 feet; thence run N.86°04'34"W. for 28.85 feet; thence run S.88°35'07"W. for 34.63 feet; thence run S.75°39'20"W. for 32.53 feet to a point of curvature; thence run Southwesterly for 44.12 feet along the arc of a curve concave Southeasterly, with a radius of 33.00 feet, a delta of 76°36'01", a chord bearing of S.37°21'20"W. and a chord

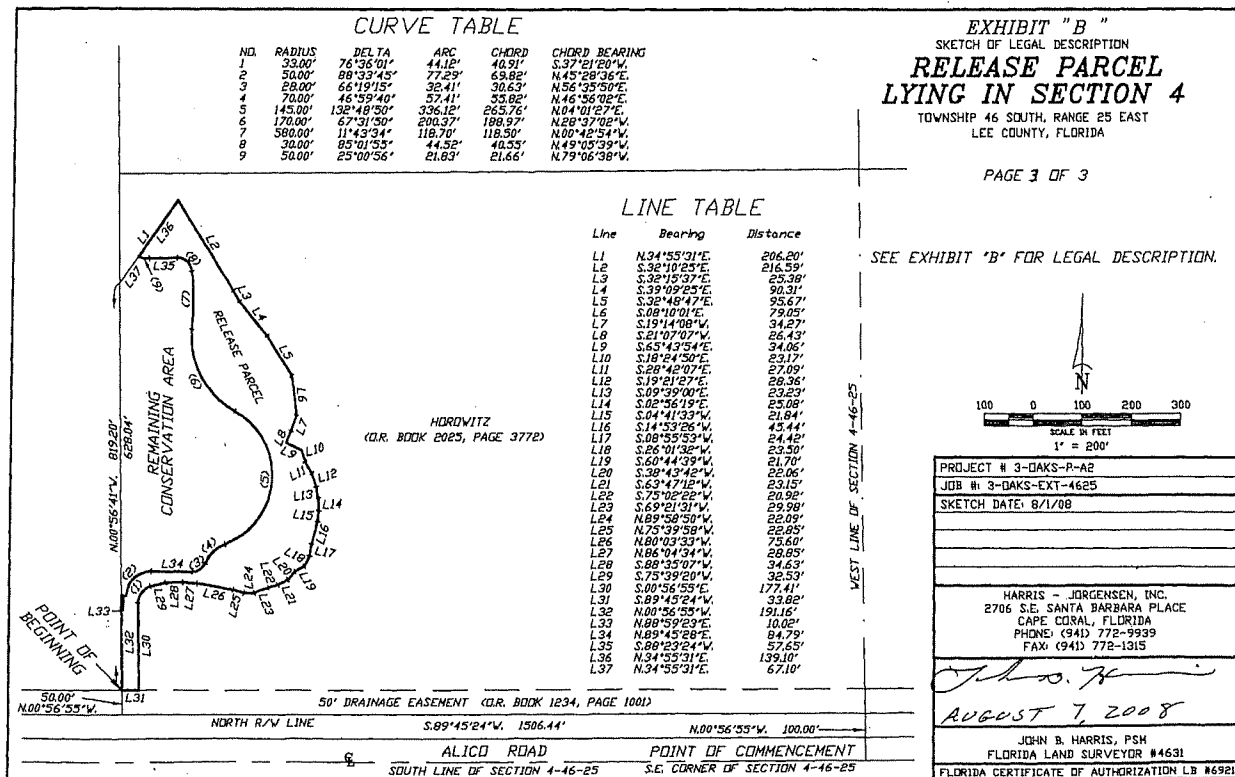
INSTR # 2016000164936 Page Number: 7 of 8

distance of 40.91 feet to a point of tangency; thence run S.00°56'55"E. for 177.41; thence run S.89°45'24"W. for 33.82 feet to the point of beginning.

Said tract contains 2.366 acres, more or less.

Bearings are based on the North right-of-way line of the aforesaid Alico Road as bearing S.89°45'24"W.


John B. Harris
P.S.M. #4631
August 7, 2008



Protected Species Survey
West Oriole Marketplace
Ft Myers, Lee County, FL

Prepared for

Horowitz Sandford I TR
For Land Trust
Suite 5
28120 Hunters Ridge Blvd
Bonita Springs, FL 34135

Synecological Analysts® Inc.
2159 Morning Sun Ln
Naples, FL 34119

17 May 2023

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1.0 INTRODUCTION

A protected species survey was conducted on the referenced property on 10 and 11 March, 2022. This site is located in Section 4, Township 46 S, Range 25 E in Lee County, FL and is in the NW quadrant of the Alico Rd. - Oriole Rd intersection. The summary property data sheet for this parcel is included in the Appendix of this report. The West Oriole Marketplace site is bounded by a fire station, industrial park and vacant land on the north. Oriole Rd. borders this project site to the east. Alico Road ROW is the southern border of this site. The latitude/longitude information for the center of this site is 26 degrees, 29', 44.18" N and 81 degrees 48', 25.01" W. The purpose of this survey was to inspect the property for potential listed species that could inhabit the site. These listed species are regulated by the US Fish & Wildlife Service (FWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC). The most likely to occur on this site are burrowing owl (*Athene cunicularia*) burrows and gopher tortoise (*Gopherus polyphemus*). Both of these species burrow and particular attention was paid toward locating any burrows, especially along the slope areas adjacent to Oriole Rd and Alico Rd .

The developer of this project is:

Horowitz Sandford I TR
For Land Trust
Suite 5
28120 Hunters Ridge Blvd
Bonita Springs, FL 34135

The project engineer is:

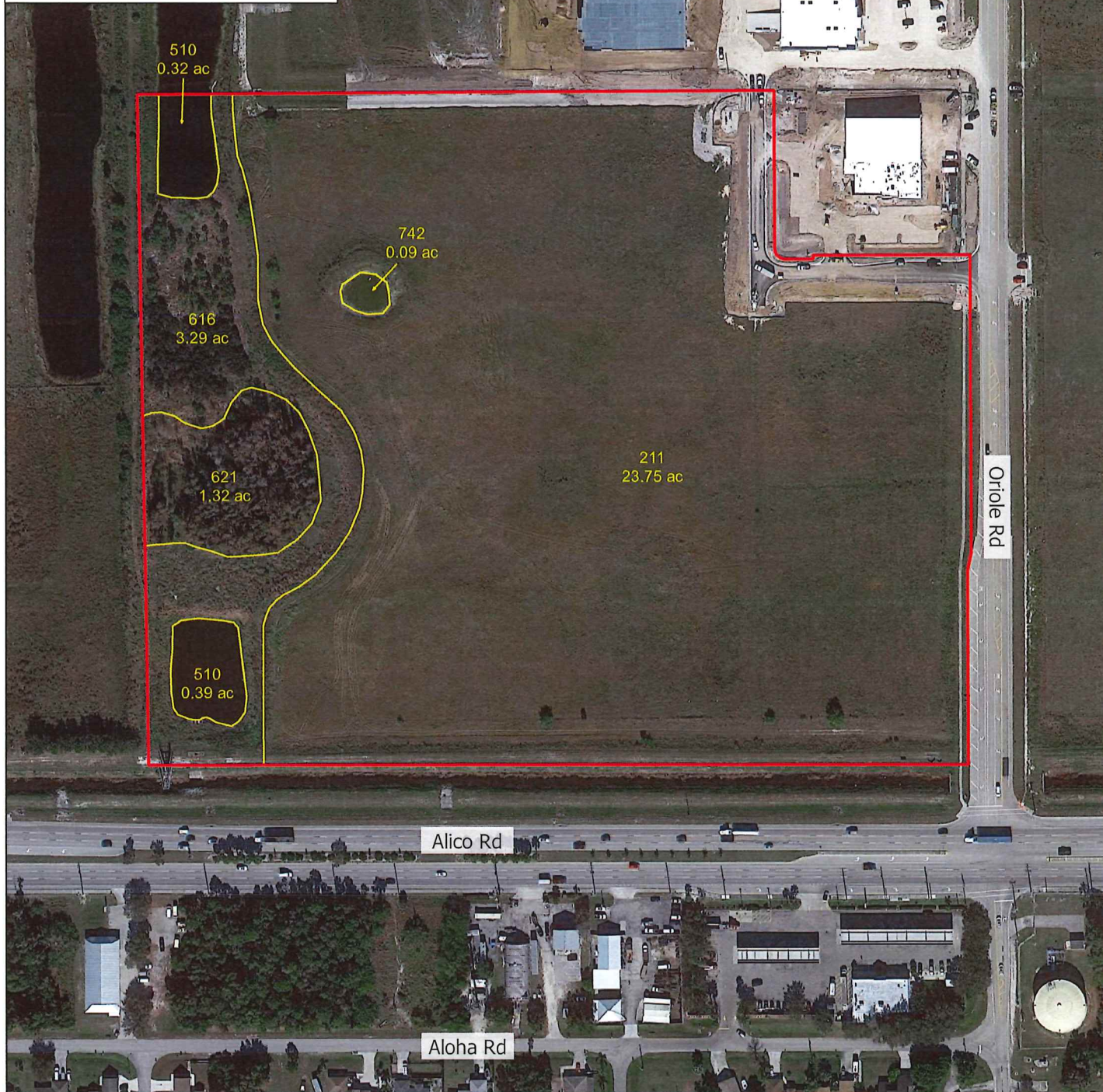
Quattrone & Associates, Inc.
Attn: Al Quattrone, P.E.
4301 Veronica Shoemaker Blvd
Ft Myers, FL 33916

This survey and report are conducted and submitted to support development of this project as proposed.

The project environmental consultant is:

Brown Collins
Synecological Analysts® Inc.
2159 Morning Sun Ln
Naples, FL 34119
brown@synecol.com

Fluccs	Description	Area (ac)
211	Improved Pastures	23.75
510	Streams and waterways	0.71
616	Inland Ponds and Sloughs	3.29
621	Cypress	1.32
742	Borrow Areas	0.09
Total		29.16



Property boundary
Fluccs area

Oriole Rd

Alico Rd

Aloha Rd



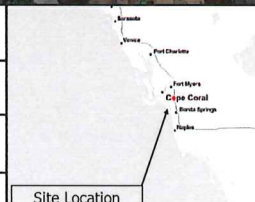
ENVIRONMENTAL EVALUATION AND ADVOCACY

2159 Morning Sun Lane
NAPLES, FLORIDA 34119
PHONE: (239) 514-3998
www.synecol.com

PROJECT: West Oriole Marketplace - Fluccs Map

DATE: May 17, 2023

DRAWN BY: NW



0 100 200 ft



Synecological Analysts® (SAI) conducted an Environmental Protected Species Survey on this site. This document responds to the Lee County requirement of a protected species survey. SAI evaluated this property to determine distribution, extent and character of vegetational communities. Habitat types, jurisdictional wetland status, potential or presence of listed species and suitability of the on site habitat for listed species habitat were also evaluated. Soil types, distribution and extent were determined to assist in the other evaluations. Findings and conclusions are presented in subsequent portions of this document.

2.0 EXISTING SITE CONDITIONS

The proposed development consists of one 29.16 ac. parcel. This parcel summary data sheet is included in the Appendix to this report. All native communities except the Cypress head (FLUCCS 621) have been disturbed over an extended of time as a result of AG management practices and drainage/road networks. This disturbance influenced the considerable majority of this site and occurred in progressive fashion. The West Oriole Marketplace site is a is not a pristine area that approximates the pre-development character of this general area. Plant communities and habitat have been severely impacted over time by ongoing AG activity. Most of the non-Cypress canopy and much of the Saw palmetto upland shrub strata are largely absent. Regional and area drainage has been massively disrupted. Cycles of fire and renewal have been absent from this site for decades. Plant communities and land uses were identified according to the Florida Department of Transportation (FDOT¹⁹⁹¹) Florida Land Use, cover and Forms Classification system (FLUCCS) protocol. The Exhibit on the following page identifies and delineates extant communities and land use. These are presented as Habitat Types and a description of their character on this site is presented in the following sections.

This site has been permitted through the State and Federal Wetlands Program. It is covered by SFWMD Permit 36-05268-P and U.S. Army Corps of Engineers No Permit Required Verification SAJ-2006-888. All wetland areas have been previously identified and mitigated as part of these permit processes.

2.1 Soils

This site is not edaphically complex. The Pompano fine sand, 0 - 2% slopes and Copeland loamy sand, depressional phase combine to cover approximately 90% of the site. Originally these soils occurred on drainage ways on marine terraces in dip landform position on hydric or mesic lowlands. Rock is usually found within 36" of the surface. The combination of regional drainage impacts, road drainage both east and west and drainage plans for the nearby developments alter the original hydrologic nature of these soils to make an in depth discussion moot. These soils are not unique or critical soils. They are compatible with the proposed uses for this site.

3.0 VEGETATION AND HABITAT POTENTIAL

3.1 Uplands

Vegetation and land uses are generally classified in accordance with the *Florida Land Use, Cover and Forms Classification System* (FLUCFCS) (FDOT 1999). There are three upland land use types identified on this site. They are shown on the FLUCCS map that follows this page. They will be discussed in numerical order.

3.1 Uplands

There is only one upland land use type identified on this site outside the conservation area.

211 - Improved/Tame Pasture - The entire upland portion of this site is monodominant Bahiagrass. This pasture was planted years ago and is managed to optimize forage production.

3.2 Wetlands

This site has been permitted through the State and Federal Wetlands Program. It is covered by SFWMD Permit 36-05268-P and U.S. Army Corps of Engineers No Permit Required Verification SAJ-2006-888. All wetland areas have been previously identified and mitigated as part of these permit processes.

The only wetland areas on this site are within a Conservation and Water Management area.

FLUCCS 510 - Streams and Waterways - Complements the 616 FLUCCS by providing open water favored as foraging habitat for the resident eagles.

FLUCCS 616 - Inland Ponds and Sloughs - This area is a human constructed conservation area and water management system and mimics closely these Inland Ponds and Sloughs systems occurring naturally. The dominant shrubs are Waxmyrtle and Willow. Herbaceous components include Maidencane, Sawgrass and a wide variety of sedges and rushes. This area is excluded from cattle grazing.

621 - Cypress -This community occurs as isolated heads in the central portion of the site. Along the southeast and northeast site boundary, larger areas occur. Bald Cypress (*Taxodium distichum*) and Pond Cypress dominate the canopy. Scattered Slash pine occur within this cypress matrix. Swamp bay and Dahoon characterize the shrub stratum along the margins. The shrub component Representative herbaceous components include Swamp Fern and Laurel greenbrier.

742 - Borrow Area - Borrow areas cover approximately 0.1 acres of this site and are essentially devoid of emergent vegetation.

3.3 Habitat Potential

The large majority of this site has significantly degraded habitat potential as a result of long term AG impacts. The less disturbed Cypress head and associated Pond and Slough areas are not proposed for any significant impacts by the proposed development. The impact areas we propose have an essentially absent canopy, sparse and parsimonious shrub strata and herbaceous vegetation that is to a large degree forage grasses.

4.0 PROTECTED/LISTED SPECIES

SAI conducted a species surveys on this parcel on 12 Jan, 14 Feb, 10 March, 9 April and 15 May 2023. The Jan, March and May surveys were from 7:00 AM to 11:00 AM. The Feb and April surveys were from 4:00 PM until dark. The entire site was field surveyed for protected species in compliance with Lee County Endangered Species Ordinance No. 89-34 using the Southern Biomes wandering transect method. The table of FLUCCS +Species/Classification is in the Appendix. There is a documented American Eagle nest (LE-93) in the conservation area of this site. Beyond a nesting pair of eagles and their fledgling, and possibly because of them no other listed species were observed on this site.

Results

3.1 Wildlife

No sign, calls, tracks or other indication of other listed animal species beyond the previously discussed eagles were encountered on this site. Protected wildlife species lists by FLUCCS list are included in the Appendix for reference.

3.2 Vegetation - No listed vegetation or suitable habitat for them was observed on this site.

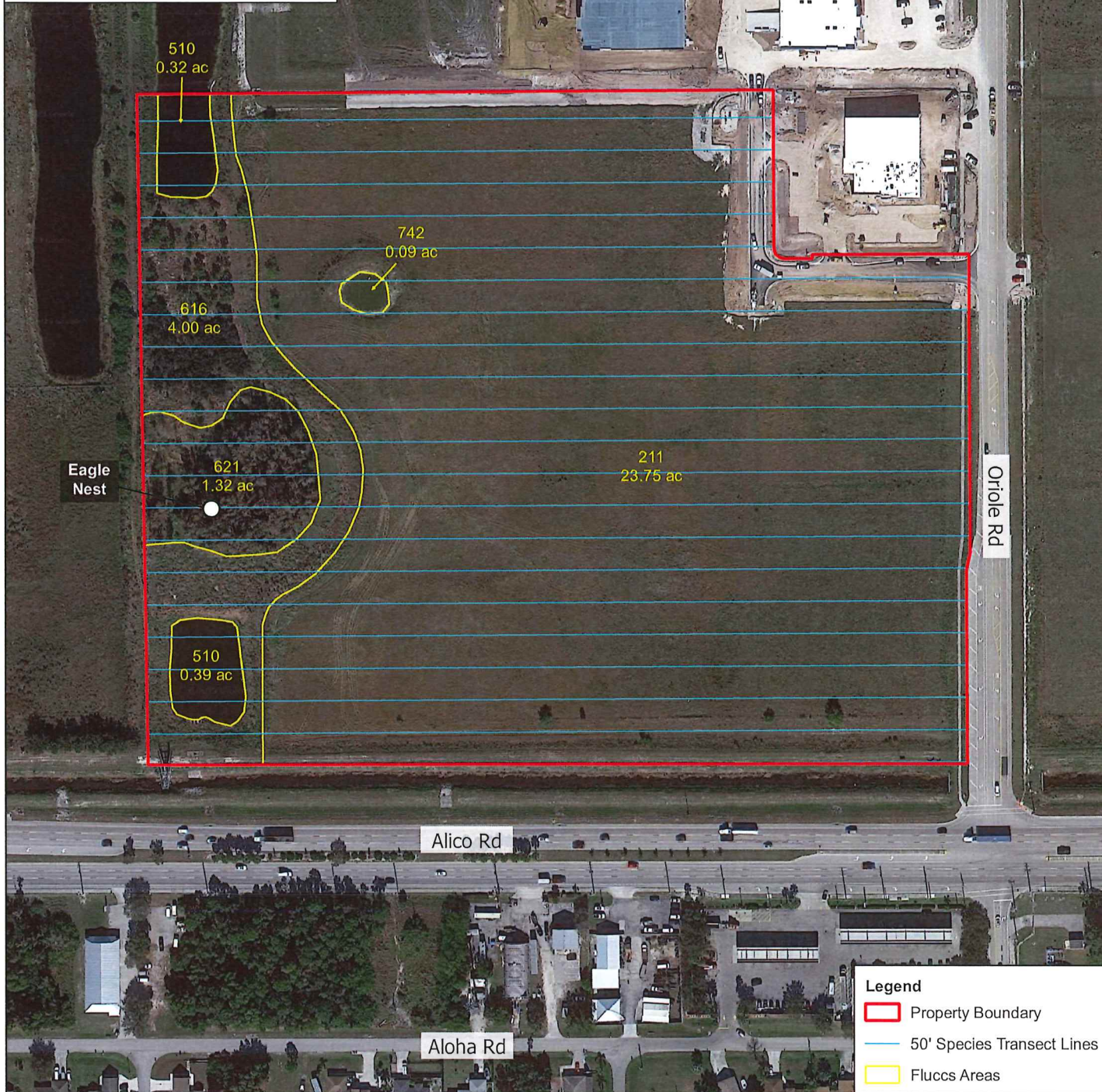
4.0 NATIVE VEGETATION PRESERVATION

There is no native vegetation in more than one strata found on site. This parcel is a small part of a larger area previously permitted. The mitigation and conservation area creation were covered in and implemented subsequent to issues of approvals for the larger overall area.

5.0 SUMMARY

There is one documented American eagle nest located in a conservation area near the SW corner of this parcel. Beyond the eagles, no other listed species or their sign were observed calls heard during our survey.

Flucss	Description	Area (ac)
211	Improved Pastures	23.75
510	Streams and waterways	0.71
616	Inland Ponds and Sloughs	3.29
621	Cypress	1.32
742	Borrow Areas	0.09
Total		29.16



APPENDIX

WEST ORIOLE MARKETPLACE
LISTED SPECIES

FLUCCS	Common Name	Scientific Name	Status	Observed
211 - Tame Pasture	Florida panther	<i>Felis concolor coryi</i>	FE, SE	N
	Sandhill crane	<i>Grus canadensis</i>	FE	N
510 - Streams + Waterways	American alligator	<i>Alligator mississippiensis</i>	FE (S)	N
	American alligator	<i>Alligator mississippiensis</i>	FE (S)	N
	Everglades mink	<i>Mustela vison evergladensis</i>	fe	N
	Little blue heron	<i>Egretta caerulea</i>	SSC	N
	Snowy egret	<i>Egretta Thula</i>	SSC	N
	Tricolored heron	<i>Egretta tricolor</i>	SSC	N
	Reddish egret	<i>Egretta rufescens</i>	SSC	N
	Limpkin	<i>Aramus guarauna</i>	SSC	N
	Roseate	<i>Ajaia ajaja</i>	FT	N
621 - Cypress	American alligator	<i>Alligator mississippiensis</i>	FE (S)	N
	Limpkin	<i>Aramus guarauna</i>	SSC	N
	Florida panther	<i>Felis concolor</i>	FE	N
	Little blue heron	<i>Egretta caerulea</i>	SSC	N
	Reddish egret	<i>Egretta rufescens</i>	SSC	N
	Snowy egret	<i>Egretta thula</i>	SSC	N
	Tricolored heron	<i>Egretta tricolor</i>	SSC	N

	American crocodile	<i>Crocodylus acutus</i>		N
	Roseate	<i>Akaoa akaka</i>	FT	N
	Wood Stork	<i>Mycteria americana</i>	FE	N
	Florida bonneted bat	<i>Eumops floridanus</i>	FE	N
624 - Cypress-Pine Cabbage Palm	Limpkin	<i>Aramus guarauna</i>	SSC	N
	Florida panther	<i>Felis concolor</i>	FE	N
	Little blue heron	<i>Egretta caerulea</i>	SSC	N
	Snowy egret	<i>Egretta thula</i>	SSC	N
	Tricolored heron	<i>Egretta tricolor</i>	SSC	N
	American crocodile	<i>Crocodylus acutus</i>	FE	N
	Roseate	<i>Akaoa akaka</i>	FT	N
	Wood Stork	<i>Mycteria americana</i>	FE	N
	Florida bonneted bat	<i>Eumops floridanus</i>	FE	N
	Little blue heron	<i>Egretta caerulea</i>	SSC	N
	Snowy egret	<i>Egretta thula</i>	SSC	N
	Tricolored heron	<i>Egretta tricolor</i>	SSC	N
742 - Borrow area	N/A	N/A	N/A	N



Property Data

STRAP: 04-46-25-L3-00003.0020 Folio ID: 10599151

Owner Of Record - Sole Owner

[\[Change Address\]](#)

HOROWITZ SANDFORD I TR
FOR LAND TRUST
28120 HUNTERS RIDGE BLVD #5
BONITA SPRINGS FL 34135

Site Address

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

ACCESS UNDETERMINED
FORT MYERS FL 33912

ALTERNATE ADDRESS INFORMATION:

16902 HRABAK DR

Property Description

Do not use for legal documents!

PARL IN SE 1/4 AS DESC OR 2025 PG 3772 LESS S 100 FT
AS DESC IN 2909/2305 LESS PORTION DESC IN INST
2018000241402 LESS ROW TAKING DEC IN 2020000118220

[\[Tax Map Viewer\]](#) [\[View Comparables\]](#)[\[Pictometry Aerial Viewer\]](#)

Current Working Values



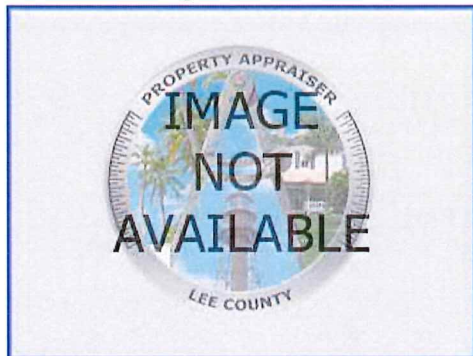
Just

3,036,357

Attributes

Land Units Of Measure	AC
Units	29.16
Total Number of Buildings	0
Total Bedrooms / Bathrooms	0
Total Living Area	0
Gross Building Area	0
1st Year Building on Tax Roll	N/A
Historic Designation	No

Image of Structure



Exemptions



Values (2020 Tax Roll)



ALICO ORIOLE WEST, MPD
DCI2022-00061 -Major PD

Bald Eagle Management Plan
Eagle Nest LE093
11 May 2023

Owner
Horowitz Sanford I, TR FOR Land Trust
d.b.a. Three Oaks Horowitz LLC
Alan Freeman, Trustee
28120 Hunters Ridge Blvd, Suite 5
Bonita Springs, FL 34135

Preparer
Synecological Analysts® Inc.
2159 Morning Sun Ln
Naples, FL 34119

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3.	Management Plan	Page 7
4.	Minimization Measures to Limit Incidental Take	Page 10
5.	Monitoring and Reporting Requirements	Page 11

Attachments

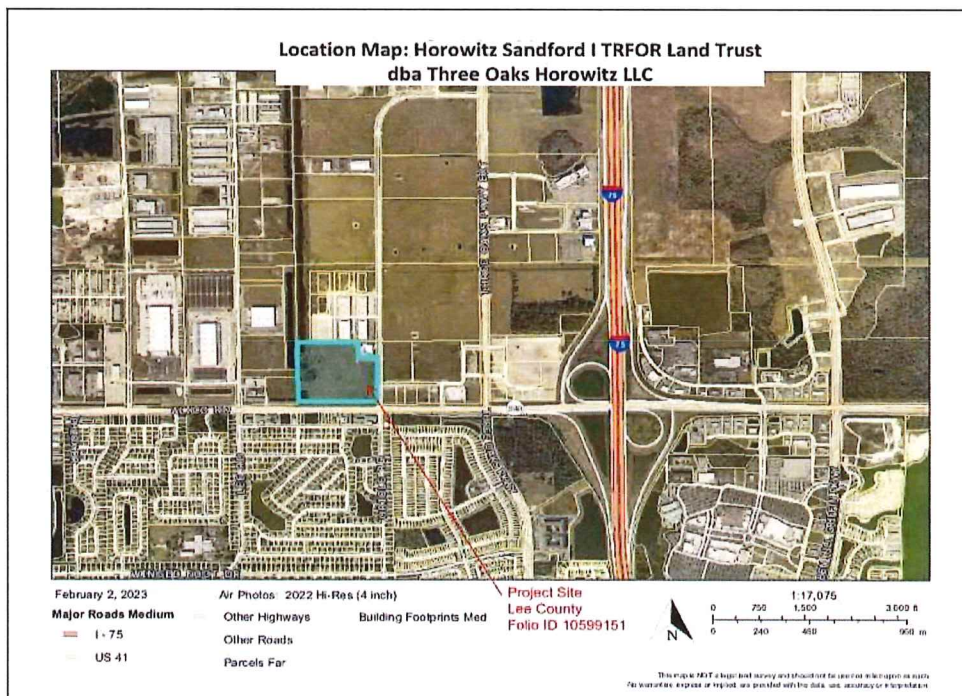
1	Eagle Buffer Planting Exhibit
2	Short-Term Eagle Incidental Take Permit No. MBPER0019112
3	LE093 Nesting History
4	Alternate Eagle Nest/Perch Trees Exhibit
5	Eagle Flight Pattern Exhibits
6	MCP

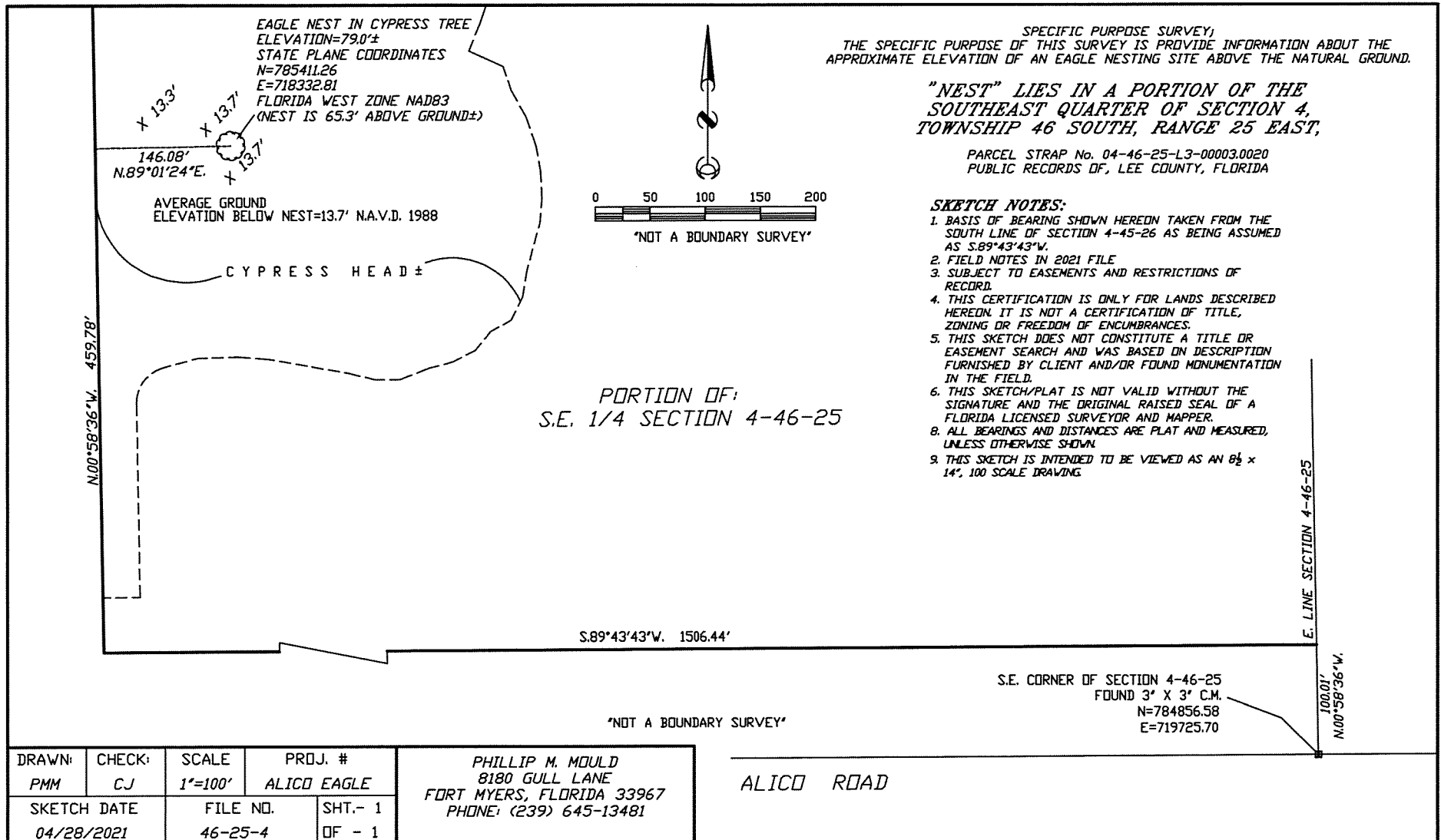
Background and Introduction

Three Oaks Horowitz LLC is seeking approval to develop the Alico Oriole West MPD project on this approximately 29.16 ac parcel (STRAP 04-46-25-L3-00003.0020). This parcel is bordered by a fire station, industrial park and vacant land to the north, Oriole Rd to the east, Alico Rd to the south, and water management areas and vacant land to the west. This site has both State (SFMWD Permit No. 36-0568-P) and Federal (No Permit Required SAJ-2006888) wetland approvals. All wetland impacts have been mitigated consistent with these approvals.

Nest LE-093 has been active since the 2012-13 nesting season. This nest occurs in a recorded Conservation Easement that was created by the previously referenced SFMWD ERP permit. The nest is located in a large cypress tree at elevation 79'+-, State Plane Coordinates N= 785411.26 E= 718332.81. The nest is located 65.3' above ground. The nest has been destroyed by storms and rebuilt multiple times over the years. Most recently, Hurricane Ian damaged but did not destroy this nest. The nesting pair repaired the damage soon thereafter and the nest is observed to be active.

This Eagle Management Plan is intended to facilitate both the long term habitat quality for this pair of nesting eagles and responsible development of the parcel as proposed. The applicant has been granted a Short Term Eagle Take Permit No. MBPER00119112. This permit allows for development of this project within portions of the buffer zones, consistent with Permit Conditions/guidelines and minimization protocols. The conditions of this permit will be discussed in more detail in subsequent sections.





Existing Conditions

Synecological Analysts® (SAI) conducted an Environmental Assessment on this site. SAI evaluated this property to determine distribution, extent, and character of vegetational communities. Habitat types, jurisdictional wetland status, potential or presence of listed species, and suitability of the on-site habitat for listed species habitat were also evaluated. Soil types, distribution and extent were determined to assist in other evaluations.

All native communities except the Cypress head (FLUCCS 621) have been disturbed over an extended period of time as a result of agricultural activities and creation of drainage/road networks. This disturbance influenced the majority of this site and occurred in progressive fashion.

The Alico Oriole West site is not a pristine area that approximates the pre-development character of this general area. Plant communities and habitat have been severely impacted over time by ongoing AG activity. Most of the non-Cypress canopy and much of the Saw palmetto upland shrub strata are largely absent. Regional and area drainage has been massively disrupted by construction of I-75 and the Airport canal. Cycles of fire and renewal have been absent from this site for decades.

Plant communities and land uses were identified according to the Florida Department of Transportation (FDOT1999) Florida Land Use, Cover, and Forms Classification system (FLUCCS) protocol.

FLUCCS 211 - Improved Pasture

This upland habitat type is found in both the primary and secondary buffers of the bald eagle nest tree and contains several shallow ditches/swales that were part of the historic agricultural use. The canopy is mostly open with scattered live oak (*Quercus virginiana*), laurel oak (*Quercus laurifolia*), and slash pine along the edges. The subcanopy is mostly open with scattered Brazilian pepper (*Schinus terebinthifolius*) and cabbage palm (*Sabal palmetto*). The groundcover is dominated by Bahia grass (*Paspalum notatum*), with scattered Spanish needles (*Bidens alba*), false buttonweed (*Spermacoce verticillata*), ragweed (*Ambrosia artemisiifolia*), broomsedge (*Andropogon virginicus*), caesarweed (*Urena lobata*), dog fennel (*Eupatorium capillifolium*), smutgrass (*Sporobolus* spp.), and other various opportunistic weedy species. Commonly observed vines include greenbrier (*Smilax* spp.), and grapevine (*Vitis rotundifolia*).

FLUCCS 616 - Inland Ponds and Sloughs

This area is a human constructed conservation area and water management system and mimics closely these Inland Ponds and Sloughs systems occurring naturally. The dominant shrubs are Wax myrtle and Willow. Herbaceous components include Maiden cane, Sawgrass, and a wide variety of sedges and rushes. This area is excluded from cattle grazing.

FLUCCS 621 - Cypress

This community occurs as isolated heads in the central portion of the western conservation area site. (The Eagle nest is located in this area)

FlucCs	Description	Area (ac)
211	Improved Pastures	23.75
621	Cypress	1.32
742	Borrow Areas	0.09
616	Inland Ponds and Sloughs	4.00





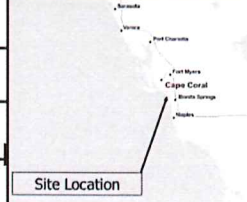
SYNECOLOGICAL
ANALYSTS
ENVIRONMENTAL EVALUATION AND ADVOCACY

2159 Morning Sun Lane
NAPLES, FLORIDA 34119
PHONE: (239) 514-3998
www.synecol.com

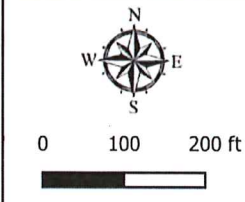
PROJECT: West Oriole Marketplace - FlucCs Map

DATE: March 29, 2022

DRAWN BY: NW



Site Location



0 100 200 ft

Along the southeast and northeast boundary of the 621 area, larger areas occur. Bald Cypress (*Taxodium distichum*) and Pond Cypress dominate the canopy. Scattered Slash pine occur within this cypress matrix. Swamp bay and Dahoon characterize the shrub stratum along the margins. Representative herbaceous components include Swamp Fern and Laurel greenbrier. The canopy in this community is mature Pond Cypress varying between 65' to 75' in height. There are two primary perch trees at the north and south sides of this head. These perch trees are 68' and 75' tall, respectively. Their location is shown on the following pages. There are 5-8 trees in this head that could be considered as adequate as nest trees. If this pair relocates the nest there are several trees that would be adequate for this use.

The shrub canopy is largely Cabbage palm, with considerable composition of Dahoon holly, Pond apple, Buttonbush and Willow. These trees are on the order of 10-20' in height. Because this area is a preserve, exotic control has been ongoing and the exotic component limited. The herbaceous strata includes Maidencane, *Spartina Bakerii*, Bushybeard bluestem and swamp fern.

FLUCCS 742 - Borrow Area

Borrow areas for cattle watering cover approximately 0.1 acres of this site and are essentially devoid of emergent vegetation.

Management Plan

Regulatory basis of activities have resulted in the issuance of an Incidental Take Permit for bald eagles through the USFWS Eagle Permit (Eagle Permit) process under 50 C.F.R. 22.26. The 2007 FWS National Bald Eagle Management Guidelines ("Guidelines") provide guidance regarding options to minimize disturbance (impacts) to bald eagles. The Bald and Golden Eagle Protection Act discourages eagle disturbance. The Federal Take Permit and County Eagle Management Plan provide guidance to minimize such disturbance. On April 20, 2017, the Florida FWC approved revisions to the state's bald eagle rule (68A16.002, F.A.C.). That became effective on June 22, 2017. The result of this revision is that only a Federal permit is required for activities with the potential to take or disturb bald eagles or their nests. This Bald Eagle Management Plan reflects necessary minimization and Special Conditions set forth in the Short-Term Eagle Incidental Take Permit obtained for the project. Two zones have been created, 330' and 660' feet from nest LE093, each of which has differing levels of restrictions as to the proposed development and timing of constructions.

Proposed Conservation Measures Within 660'

What conservation measures are proposed within 660' during nesting season?

1. If exterior construction work or project activities outlined in Condition D of the USFWS Take Permit are conducted when the nest is in use: (Note: nest in-use generally refers to the bald eagle nesting season (October 1 - May 15) but use may occur earlier if nesting is initiated prior to October 1 and may end earlier or later than May 15, dependent upon date of successful fledging of young or documented nest failure)

a. Initiate a noise abatement program for construction personnel within 660' of the eagle nest to include:

aa. No excessive and/or sudden loud noise including engine braking, tailgate banging, loud radios, shouting/singing, etc.

ab. All motorized equipment, including saws or other handheld power tools, must be moved indoors if possible or placed to minimize noise at and reflect noise away from the direction of the eagle nest, i.e. behind a temporary structure that reflects noise away from the direction of the eagle nesting area.

ac. Minimize the need for reverse indicator horns and utilize ground flag crews or guides to the degree practicable to avoid using reverse indicator horns.

ad. Provide signage in English and Spanish indicating the need for quiet to the extent practicable.

2. A proposed vegetational visual screen (See Eagle Buffer Planting Exhibit attached) will be installed when the nest is not in use.

3. The previously described landscape/visual buffer.

4. The nesting tree is located in a conservation area, behind a large berm. Based on many hours of nest observation over multiple nesting seasons, these birds are most sensitive to human activity. Planes, buildings, people in association with buildings or equipment do not typically focus the birds attention. Based on this extensive period of observation, it seems likely proposed buildings present no consequential restraint on the birds normal activity and flight patterns so long as the proposed vegetational planted buffer is installed/maintained. Please refer to the wind row base figures showing primary flight sectors to and from this nest.

5. No active external construction within 330' of the nest when the nest is active (nesting season historically Oct 1 through May 15).

6. On-site signage regarding the urgency of being quiet during the nesting season.

Proposed Activities Between the 330' - 660' Buffer of LE093

The onsite development and associated utilities needed to support the onsite development, located between 330' and 660' of the eagle nest, are presented below.

If any exterior construction or project activities within this zone need to occur when the nest is in-use during nesting season (October 1- May 15), the following restrictions/ management practices will be utilized:

1. A traffic/noise abatement program will be initiated for construction personnel, which includes:
 - a. no excessive and/or sudden loud noise, including engine braking, tailgate banging, loud radios, shouting, singing, etc.
 - b. All motorized equipment, including saws or other handheld power tools must be moved indoors if possible or placed to minimize noise at and reflect noise away from the direction of the eagle nest tree
 - c. Minimize the need for "reverse" indicator horns and utilize ground flag crews to the degree practicable to avoid using reverse indicator horns.
 - d. Provide signage in English and Spanish emphasizing the need for quiet to the extent practicable.
 - e. A staging area for equipment and parking/ car pool location for construction or project personnel will be established outside of 330' of the eagle nest tree.
2. This nest will be censused twice weekly as nesting season approaches to document arrival of the nesting pair. Once an eagle is observed, monitoring will be conducted up to three times a week for a minimum of 90 minutes each to document nest status and eagles reactions to any ongoing work. Monitoring will occur on days that construction is ongoing and in process to the extent possible. Monitoring may be reduced to one day per week five weeks post hatching, with concurrence from County staff.

Activities Between the 200' - 330' Buffer of LE093

Exterior construction, heavy landscaping, and associated activities are prohibited within 330' of the nest tree when the nest is in-use during nesting season. The developers will comply with this restriction, resulting in the need for the proposed outdoor work between 200' - 330' of the nest tree to occur only when the nest is not in-use.

Between the 0' - 200' (No Development) Buffer of LE093

No development is proposed on the Alico Oriole West site within 200' of LE093. The Eagle Buffer Planting Exhibit attached shows ±1.3 acres of undeveloped land to remain around the nest tree within the Alico Oriole West site. Per Lee County Development Code requirements, invasive vegetation will be removed within the entire development area, including this buffer zone. This exotic control is also mandated by the existing SFWMD permit for this site. Such invasive removal will only occur outside of the bald eagle nesting season and when the nest is not in-use.

Minimization Measures to Limit Incidental Take

In accordance with Eagle Incidental Take Permit MBPER0019112, the following measures will be implemented by the developer to help minimize disturbance to eagle nest LE093:

1. Prior to construction of the proposed work within 660' of the eagle nest tree, educational materials that outline how to minimize disturbance to eagles, along with contact information for the local eagle rehabilitator, will be prepared and provided to project personnel, tenants occupying any building located within 660'

of the nest tree, and maintenance personnel responsible for the post-project maintenance of the project area within 660' of the nest tree.

2. All project related exterior or temporary construction lighting, if used, will be shielded/directional in nature so that lights do not shine directly onto the eagle nest.
3. If using pesticides, herbicides, or other chemicals onsite, State and federal BMP's, laws and label instructions will be followed at all times.
4. Overhead utility lines will be coordinated to be in compliance with the Avian Power Line Interaction Committee (APLIC) Guidelines found at www.aplic.org to reduce the potential for any electrocution, collision, and/or nesting of avian species.
5. The proposed Eagle Buffer Planting between the wetland area where the eagle nest is located and the proposed development extends over 549 linear feet along the existing berm (Attachment 1). The applicant proposes to install fifteen (15) Pines ("Densa") 12 feet on center [in five groups of 3], thirty (30) Sabal Palms [in six groups of 5], and in addition forty-six (46) Walter's Viburnum #3 under the Sabal Palms as shown on the attached Eagle Buffer Planting Exhibit. The goal is to create a visual buffer between LE093 and the proposed development. These plants will have an irrigation system installed to support their vigor and growth. The location and extent of this buffer is shown in Attachment 1. The purpose of the plantings is to shield both the perch trees and nest to the human activity located in the development to the east of the nest. Based on our observations of this nesting pair they are not influenced by equipment, traffic or noise. Human presence/activity focuses their attention. Plant materials selection for this visual screen/buffer were based on several factors. These included a selection of native trees and plants, canopy density and extent, evergreen/deciduous comparisons, growth form of mature trees, sustainability with regard to extreme weather events and the location on the top of an existing berm. We implemented the recommendation in the US FWS Eagle Take Permit to "enhance and expand the visual vegetation buffer between construction activities and the eagle nest tree by planting native pines and/ or hardwoods". It is worth noting that our observations included periods when the cypress trees surrounding the nest tree had foliage as well as periods when the leaves had

dropped. We also have experience with eagle nests in areas dominated by slash pine. Based on the available plant materials of a size needed for the buffer along canopy density and sustainability, we considered a short list of cypress, oak (both laurel and live oak), slash pine and palms. Our selection of pines and sabal palms was based on the following factors:

- a. Appropriate and available native trees and shrubs,
- b. The lack of canopy density during a good part of the nesting season,
- c. Severe weather event survivability, and
- d. Lack of an extensive root systems to support the trees, particularly in severe weather events,

We selected the Pines and Sabal Palms after consultation with the Lee County Eagle Technical Advisory Committee as they have a stable canopy density, good sustainability through extreme weather events, a compact and dense root system, and sufficient density based on the available native species with a single row of plants. We believe we understand the unusual nature of doing an eagle buffer planting plan and we also understand the sole purpose of this planting effort is to improve the quality of life for this nesting pair of eagles or others that might occupy this nest over time. This is not a landscape requirement and is being installed on top of a berm. We think the benefit to occupants of LE 093 makes this Eagle Buffer Planting Plan the optimal, available native planting solution to creating a dense, sustainable visual screen/buffer that maintains or improves quality of life for these eagles, complies with the policies of the Eagle Take Permit and the Lee County eagle buffer policies, and allows responsible development of the nearby parcel at the NW corner of Alico Rd. and Oriole Rd.

Monitoring and Reporting Requirements

The Federal Take Permit relative to this nest requires a qualified biologist to monitor eagle use of the nesting territory defined as up to a 1.5-mile radius of eagle nest LE093, onsite that is legally accessible by the developer and where the activities occur. The monitor will be experienced in recognizing specific patterns and changes of eagle behavior and employed by or contracted by the permittee, landowner, company, or entity responsible for having the activity monitored. The monitor will be as inconspicuous as possible, so not to cause a disturbance with his/her presence, and when applicable, a wildlife blind or viewing location out of direct sight of the eagle will be utilized.

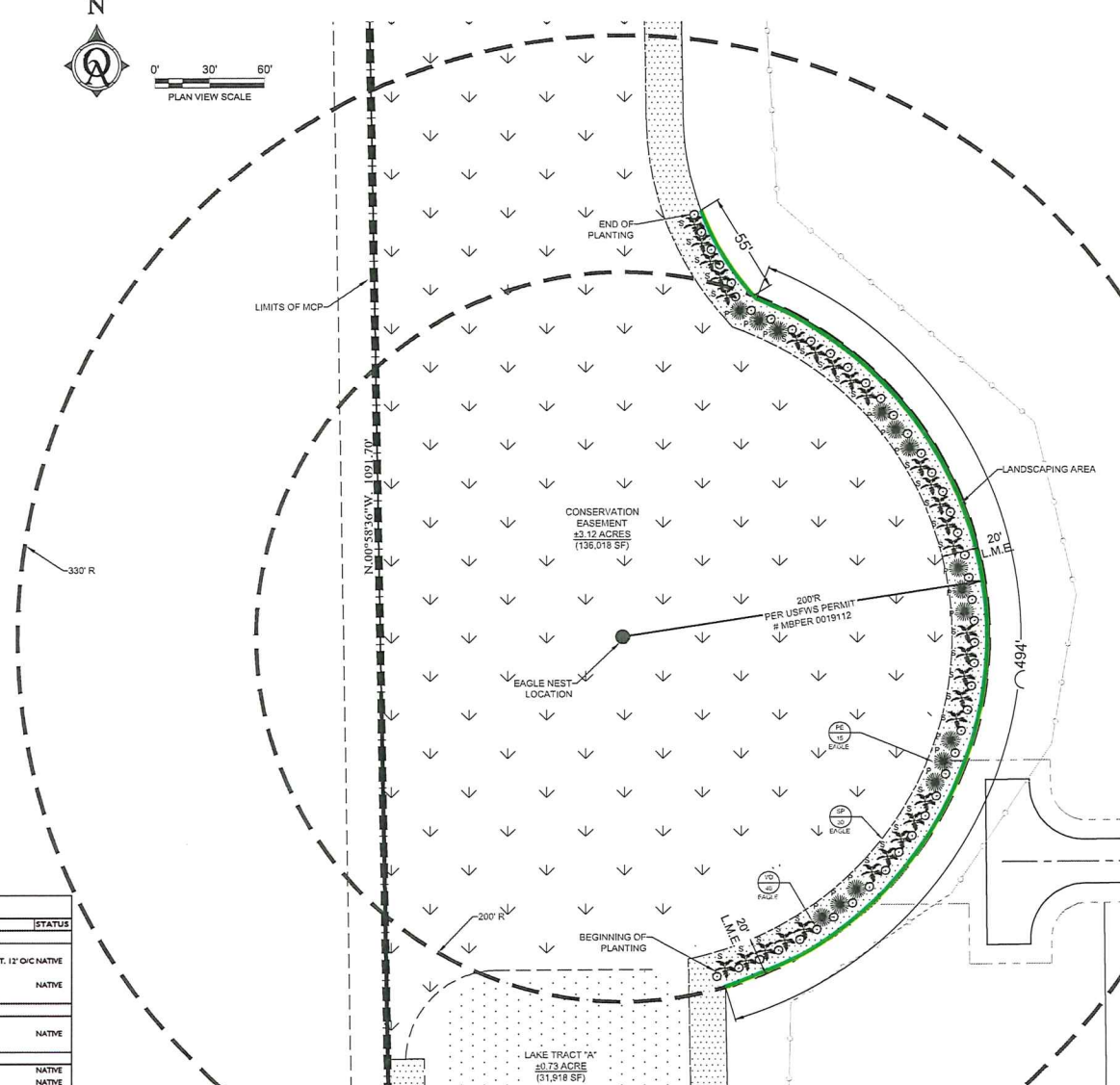
Monitoring will be conducted at a distance that allows for observation without an interruption in the eagle's normal breeding behavior. If the eagles do not return to the known nest location (LE093), the site will be monitored to assess whether or not the eagles nest, roost, and/or forage at a new location.

If a new eagle nest is built on the site or within the nesting territory, the monitor will report the new eagle nest location within 10 days to the FWS Southeast Region Eagle Biologist and ETAC through the assigned Lee County personnel.

Monitoring will be conducted in the methodology previously described under the monitoring requirements for work within the 330'-660' buffer zone of the eagle nest, with the monitor using the FWS Bald Eagle Monitoring Data Report to record ongoing construction activities and eagle behaviors observed during each monitoring event. This information will be compiled onto the Eagle Take Annual Report Form (found online at www.fws.gov/forms/3,202-15.pdf) and submitted annually to the FWS (submitted electronically to FW4eaglemonitoring@fws.gov and mailed to the migratory bird permit issuing office) and ETAC through the designated Lee County personnel.

The FWS Eagle Incidental Take Permit remains valid through September 30, 2025. However, if full construction on the subject site is complete prior to expiration of the federal permit, the FWS may be notified to have the permit closed accordingly. Lee County will be copied on all related Federal correspondence. Monitoring and reporting will continue in accordance with this Bald Eagle Management Plan contained herein, including Condition # 2 for monitoring between 330' and 660' contained above, and the referenced federal permit through completion of construction within 660' of the nest tree and close-out of the federal permit. The applicant understands that these compliance commitments at both the Federal, State and Local levels will transfer to any and all owners and users going forward. Regarding requirements of the approved eagle management plan and the state and federal eagle protection laws.

ATTACHMENTS



LIST OF PLANT AND SPECIFICATIONS					
SYMBOL	QUANTITY	COMMON NAME	SCIENTIFIC NAME	SPECIFICATION	STATUS
BUFFER TREES					
SP	30	SABAL PALMS	SABAL PALMETTO	10' / 12" CLEAR TRUNK MIN; 16" MIN. HT. 12" O/C	NATIVE
FE	15	SLASH PINE, SOUTH FLORIDA	PINUS ELLIOTTI = densa	6' / 8" HT.; 3" CAL.; #25 12" O/C	NATIVE
SHRUBS / LANDSCAPING					
VO	46	WALTERS VIBURNUM	VIBURNUM OBOVATUM	24" HT. #3 CONTAINER 12O.C.	NATIVE
MISC					
SOD		BANJA SOD	PASPALUM NOTATUM	SAND GROWN	NATIVE
MULCH		ELMSTRAW MULCH		3" DEPTH, THROUGHOUT	NATIVE

ALICO ORIOLE WEST
EAGLE BUFFER PLANTING EXHIBIT
FORT MYERS
LEE COUNTY, FLORIDA

Q **Quattrone & Associates, Inc.**
Engineers, Planners, & Development Consultants
4301 Veronica Shoemaker Blvd. • Fort Myers, Florida 33916 • 239-936-5222
Certificate of Authorization Number: 9163

SHEET
LS-01
01 OF 01



SHORT-TERM EAGLE INCIDENTAL TAKE

Permit Number: MBPER0019112

Version Number: 0

Effective: 2021-11-23 **Expires:** 2025-09-30

Issuing Office:

Department of the Interior
U.S. FISH AND WILDLIFE SERVICE

MB Atlanta Permit Office
1875 Century Boulevard, NE
Atlanta, Georgia 30345
permitsR4MB@fws.gov
Tel: 404-679-7070
Fax: 404-679-4180

**Carmen
Simonton**

Digitally signed by

Carmen Simonton
2021-11-23 12:53:56

Chief, Migratory Bird Permit
Office, Atlanta, Georgia

Permittee:

Horowitz Sandford I TRFOR Land Trust
dba Three Oaks Horowitz LLC
Alan Freeman
28120 Hunters Ridge Boulevard Suite 5
Bonita Springs, Florida 34135

Authority: Statutes and Regulations: 16 U.S.C. 668-668(d), 16 U.S.C 703-712 50 CFR Part 13, 50 CFR 22.26

Location where authorized activity may be conducted:

See Condition D.

Reporting requirements:

Monitoring requirements are outlined in Condition I Monitoring Requirements.

Reporting requirements are outlined in Condition D, E, F, I, and in Condition J Reporting Requirements.

Condition J Reporting Requirements outlines the required schedule of monitoring reports (Condition I3) and the content of the annual summary monitoring report.

Authorizations and Conditions:

Southeast Region Eagle Biologist Ulgonda Kirkpatrick, Ulgonda_Kirkpatrick@fws.gov, (352) 406-6780

Southeast Region Eagle Permit Coordinator Resee Collins, Resee_Collins@fws.gov, (404) 679-4163



SHORT-TERM EAGLE INCIDENTAL TAKE

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Link to federal permit regulations: <https://www.fws.gov/birds/policies-and-regulations/permits/permit-policies-and-regulations.php>

Eagle nest means any assemblage of materials built, maintained, or used by Bald Eagles or Golden Eagles for the purpose of reproduction.

In-use nest means a bald or golden eagle nest characterized by the presence of one or more eggs, dependent young, or adult eagles on the nest in the past 10 consecutive days during the breeding season.

Alternate nest means one of potentially several nests within a nesting territory that is not an in-use nest at the current time. When there is no in-use nest, all nests in the territory are alternate nests.

Disturb/disturbance means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.

A. General conditions set out in Subpart B of 50 CFR 13, and specific conditions contained in Federal regulations cited above, are hereby made a part of this permit. All activities authorized herein must be carried out in accordance with and for the purposes described in the application submitted. Continued validity, or renewal of this permit is subject to complete and timely compliance with all applicable conditions, including the filing of all required information and reports.

B. You are responsible for ensuring that the permitted activity is in compliance with all federal, tribal, state, and local laws and regulations applicable to eagles.

C. Valid for use by permittee named and any subpermittees (See Condition H).

D. Due to all construction activities associated with the development of West Oriole Market Place located north of Alico Road and west of Oriole Road in Fort Myers, Lee County, Florida, you are authorized to:

Take by means of disturbance incidental to your activities (1) pair of nesting Bald Eagles including the loss of productivity of eggs or young due to potential abandonment of the Bald Eagle nest identified as LE093

Eagle Nest LE093 location: 26.494333N, -81.809833W, Fort Myers, Lee County, Florida

Reporting Required: Annual Summary by June 30 of 2022, 2023, 2024, 2025, 2026

Construction activities will be phased over a multi-year period and will include adding fill dirt to property; building a foundation, multiple warehouse and commercial buildings, and associated infrastructure.

The project impacts are occurring within the 660-foot buffer zone around eagle nest LE093. The closest construction is occurring no closer than 200 feet from the eagle nest tree at any time of the year.

The authorizations granted by this permit apply only to take that results from activities conducted in accordance with the description contained in the permit application and the terms of the permit. If the permitted activity changes, you must immediately contact the Eagle Biologist to determine whether a permit amendment is required in order to retain take authorization.

E. This permit does not authorize intentional take or injury of any live eagles, excluding take of eggs or young by nest abandonment as described in Condition D, nor does it authorize take of any eagle nest.



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You must immediately notify the Southeast Region Eagle Permit Coordinator by phone and email upon discovery of any unanticipated take or regarding any apparent injury or death occurring to any eagle, including viable eggs or young, for any reason during project activities. You must immediately contact the Conservancy of Southwest Florida von Arx Wildlife Hospital, 1495 Smith Preserve Way, Naples, Florida. 34102, (239) 262-0304, to coordinate transportation of any injured eagle.

F. You are authorized to salvage eagle feathers found on the ground in the vicinity of the Bald Eagle nest located in Condition D. Any salvaged items found at the site must be shipped within 30 days to the National Eagle Repository, Contact: U.S. Fish and Wildlife Service, National Eagle and Wildlife Repository, RMA, Bldg. 128, 6550 Gateway Road, Commerce City, Colorado, 80022, (303) 287-2110.

You must immediately notify the Southeast Region Eagle Permit Coordinator by phone and email upon discovery of any eagle carcass(es) at the location listed in Condition D.

G. You must comply with the following avoidance or minimization measures prescribed by this permit for take of eagle(s) identified in Condition D. All minimization measures, unless noted otherwise, are applicable when any eagles are present at the nest site and the nest meets the definition of an in-use nest during the Bald Eagle nesting season (October 1 – May 15); or when the nest is in-use before October 1 or after May 15:

1. Eagle Nest Buffer. You will erect a temporary protective barrier to delineate the 200-foot buffer around the eagle nest tree to prevent construction personnel and heavy equipment from entering into this buffer while any construction or associated project activities outlined in Condition D are occurring. All exterior development and heavy equipment access is strictly prohibited in this area. Exclude human access by foot or vehicle within 200 feet of the eagle nest tree when the nest is in-use.

2. FOR ACTIVITIES WITHIN 660 FEET OF THE EAGLE NEST TREE:

a. If exterior construction work or project activities outlined in Condition D are conducted when the nest is in-use:

(1) Initiate a noise abatement program for construction personnel within 660 feet of an eagle nest, to include:

- (a) No excessive and/or sudden loud noise, including engine braking, tailgate banging, loud radios, shouting, singing, etc.;
- (b) All motorized equipment, including saws or other handheld power tools, must be moved indoors if possible or placed to minimize noise at and reflect noise away from the direction of the eagle nest, i.e. behind a temporary structure that reflects noise away from the direction of the eagle nesting area;
- (c) Minimize the need for "reverse" indicator horns and utilize ground flag crews to the degree practicable to avoid using reverse indicator horns; and
- (d) Provide signage in English and Spanish (if applicable) indicating the need for quiet to the extent practicable; and

3. FOR ACTIVITIES BETWEEN 660 AND 330 FEET OF THE EAGLE NEST TREE:

a. If any construction work or project activities outlined in Condition D are conducted when the nest is in-use, you must initiate a traffic abatement program which includes that you establish equipment staging and offsite parking/carpool locations for construction personnel outside of 330 feet from the eagle nest tree.



SHORT-TERM EAGLE INCIDENTAL TAKE

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4. To the extent practicable, construction or associated project activities farthest from an eagle nest should occur prior to construction or associated project activities closest to the nest.
5. Prior to conducting or while activities in Condition D are occurring, in the event any eagle is injured or is found on the ground, you must provide educational materials that outline how to minimize disturbance to eagles, along with contact information for an eagle rehabilitator to the following:
 - a. All project personnel; and
 - b. Maintenance personnel responsible for the post-project maintenance of the project area described in Condition D.
6. Preserve the largest native pines and hardwoods outside of the project footprint for use as potential eagle roost or nest sites.
7. Maintain and/or create, enhance or expand the visual vegetation buffer between construction activities and the eagle nest tree by planting **native** pines and/or hardwoods.
8. Down-shield all new permanent exterior lighting so that lights do not shine directly onto the eagle nest.
9. Follow state and federal guidelines, laws and label instructions at all times if using pesticides, herbicides, or other chemicals on property identified in Condition D.
10. If applicable, coordinate the design and construction or retrofitting of new and existing utility lines to be in compliance with the Avian PowerLine Interaction Committee (APLIC) Guidelines found at www.aplic.org to reduce the potential for any electrocution, collision and/or nesting of avian species.

H. Subpermittees.

1. Any person who is employed by or under contract to you for the activities specified in this permit, or otherwise designated a subpermittee by you in writing, may exercise the authority of this permit.
2. A subpermittee is an individual to whom you have provided written authorization to conduct some or all of the permitted activities in your absence. Subpermittees must be a least 18 years of age.
3. Any subpermittee who has been delegated this authority may not re-delegate to another individual/business.
4. You are responsible for ensuring that your subpermittees are qualified to perform the work and adhere to the terms of your permit. You are also responsible for maintaining current records of designated subpermittees. As the permittee, you are ultimately legally responsible for compliance with the terms and conditions of this permit and that responsibility may not be delegated.
5. You and any subpermittees must carry a legible copy of this permit and display it upon request whenever exercising its authority.

I. Monitoring Requirements.



SHORT-TERM EAGLE INCIDENTAL TAKE

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1. A qualified monitor is required to monitor eagle use of the nesting territory, which is defined as up to a 1.5 mile radius of the eagle nest identified in Condition D, on property that is legally accessible by you and where the activities outlined in Condition D. occur. The monitor must be experienced in recognizing specific patterns and changes of eagle behavior, and employed by or contracted by the permittee, landowner, company or entity responsible for having the activity monitored. The monitor must also be as inconspicuous as possible, so not to cause a disturbance with their presence, and when applicable, a wildlife blind or viewing location out of direct sight of the eagles is recommended.

Monitoring must be conducted at a distance that allows for observation without an interruption in the eagle's normal breeding behavior. If eagles do not return to the nest at the location described in Condition D, you are required to monitor on adjacent property that is accessible by you to assess whether or not eagles nest, roost and/or forage at a new location.

If a new eagle nest is built on the property described in Condition D. or within the nesting territory, you must report that new eagle nest location within 10 days to the Southeast Region Eagle Biologist. Additional monitoring and authorization may be required based on the new eagle nest location in relation to activities described in Condition D.

2. Monitoring must occur at a time of day when eagles are most likely to be in the area, (early morning, beginning ½ hour before sunrise, or late afternoon, beginning ½ hour before sunset). You must assess whether or not eagles return to the nesting territory as identified in Monitoring Requirements No.1 and continue to nest, roost and/or forage there, and/or if the eagles attempt to build or occupy another nest. Monitoring must be conducted for a minimum of 60-90 minutes.

3. Once project activities have begun, including if construction activities have begun but are not occurring, monitoring is required annually to determine eagle nesting activity and/or nest failure. During each nesting season, no additional monitoring is required once eaglets have fledged from the nest or nest failure is documented.

The required monitoring period is:

- During each eagle nesting season, defined as October 1 through May 15, or when eagles are present at the nest and
- For an additional (1) nesting season after project has been completed.

Monitoring must be conducted according to the following Eagle Monitoring Schedule:

Frequency	Eagle Monitoring Schedule	Time	Time of Day
Once	November	60 – 90 minutes	Begin ½ hour before sunrise or before sunset
Once	Between December 15 and January 15	60 – 90 minutes	Begin ½ hour before sunrise or before sunset
Once	Between February 15 and March 15	60 – 90 minutes	Begin ½ hour before sunrise or before sunset
Once	April	60 – 90 minutes	Begin ½ hour before sunrise or before sunset
Once	May	60 - 90 minutes	Begin ½ hour before sunrise or before sunset
Once	Every month after until fledging or nest failure is documented	60 – 90 minutes	Begin ½ hour before sunrise or before sunset

4. Monitoring reports must include the following information:



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- a. Date and length of time Bald Eagles were observed;
- b. Time of day;
- c. Number and age of Bald Eagles observed (i.e. juvenile, immature, subadult, adult); if age is not known provide description;
- d. Observed behavior (e.g. perching, feeding, sitting on or attending nest, in flight);
- e. If a new eagle nest is built on or adjacent to your property, the new location and whether the eagles produced young at that site;
- f. If any eagle nesting attempt was successful, failed or the eagles abandoned the area; and
- g. A description of any human activity at the time eagles are observed during each month of the monitoring period (e.g. construction, road building, use of machinery, etc.).

J. Reporting Requirements.

1. You may use Form 3-202-15 (Eagle Take Annual Report) found online at www.fws.gov/forms/3-202-15.pdf to report monthly and annual Bald Eagle monitoring activities. Use of this form is not mandatory, but the same information must be submitted.
2. You must annually submit your monitoring reports, including your summary Eagle Take Annual Report (Form 3-202-15), by June 30 of each calendar year a report is required as follows:
 - a. Electronically to FW4eaglemonitoring@fws.gov. The email subject line for each report submitted must reference the permit number, project title or name, and month/year of report, and
 - b. Mailed to the migratory bird permit issuing office at U.S. Fish and Wildlife Service, 1875 Century Boulevard, Atlanta, Georgia 30345.

If no eagle activity is observed, a report indicating "no activity observed" is required.

If project activities were delayed or not conducted, an annual report indicating "no activities occurred" is required.

50 CFR 22.26 STANDARD CONDITIONS EAGLE TAKE (DISTURBANCE) PERMIT

All of the provisions and conditions of the governing regulations at 50 CFR part 13 and 50 CFR part 22.26 are conditions of your permit. Failure to comply with the conditions of your permit could be cause for suspension of the permit and/or citation. The standard conditions below are a continuation of your permit conditions. If you have questions regarding these conditions, refer to the regulations and forms, or to obtain contact information for your issuing office, visit: <https://www.fws.gov/birds/policies-and-regulations/permits.php>

1. This permit does not authorize you to conduct activities on federal, state, tribal or other public or private property without additional prior written permits or permission from the agency/landowner.
2. You remain responsible for all outstanding monitoring requirements and mitigation measures required under the terms of the permit for take that occurs prior to cancellation, expiration, suspension, or revocation of the permit. Provisions for discontinuance of permit activity are outlined in 50 CFR 13.26.



SHORT-TERM EAGLE INCIDENTAL TAKE

Permit Number: MBPER0019112

Version Number: 0

Effective: 2021-11-23 **Expires:** 2025-09-30

3. You must maintain records as required in 50 CFR 13.46. Your records must also include the data gathered for monitoring and reporting purposes. All records relating to the permitted activities must be kept at the location indicated in writing by you to the migratory bird permit issuing office.
4. Acceptance of this permit authorizes the U.S. Fish and Wildlife Service to inspect and audit or copy any permits, books or records required to be kept by the permit and governing regulations (50 CFR 13.47).
5. You must allow Service personnel or other qualified persons designated by the Service, access to the areas where eagles are likely to be affected by your project activities, at any reasonable hour, and with reasonable notice from the Service, for purposes of monitoring eagles at the site(s) while the permit is valid and for up to 3 years after it expires.
6. The Service may amend, suspend, or revoke a permit issued under this section if new information indicates that revised permit conditions are necessary, or that suspension or revocation is necessary, to safeguard local or regional eagle populations. This provision is in addition to the general criteria for amendment, suspensions and revocation of Federal permits set forth in 50 CFR 13.23, 13.27, and 13.28 of this chapter.
7. To renew this permit if the activities described in Condition D have not been completed by the expiration date of this permit, permittee must meet issuance criteria at the time of renewal and must also have been in compliance with permit conditions, including all monitoring and reporting requirements of the original permit.
8. You may request amendment to your permit. The Service will charge a fee for substantive amendments made to permits within the time period that the permit is still valid. The fee is \$500 for commercial permittees and \$150 for non-commercial permittees (50 CFR 13.11(d)(4)). Substantive amendments are those that pertain to the purpose and conditions of the permits and are not purely administrative. Administrative changes, such as updating name and address information, are required under 13.23(c), and the Service will not charge a fee for such amendments. Requests for substantive amendment must be submitted via Form 3-200-71.

LE093 Nesting History Exhibit

LE-93: Alico Road

Strap Number: 04-46-25-00-00003.0020

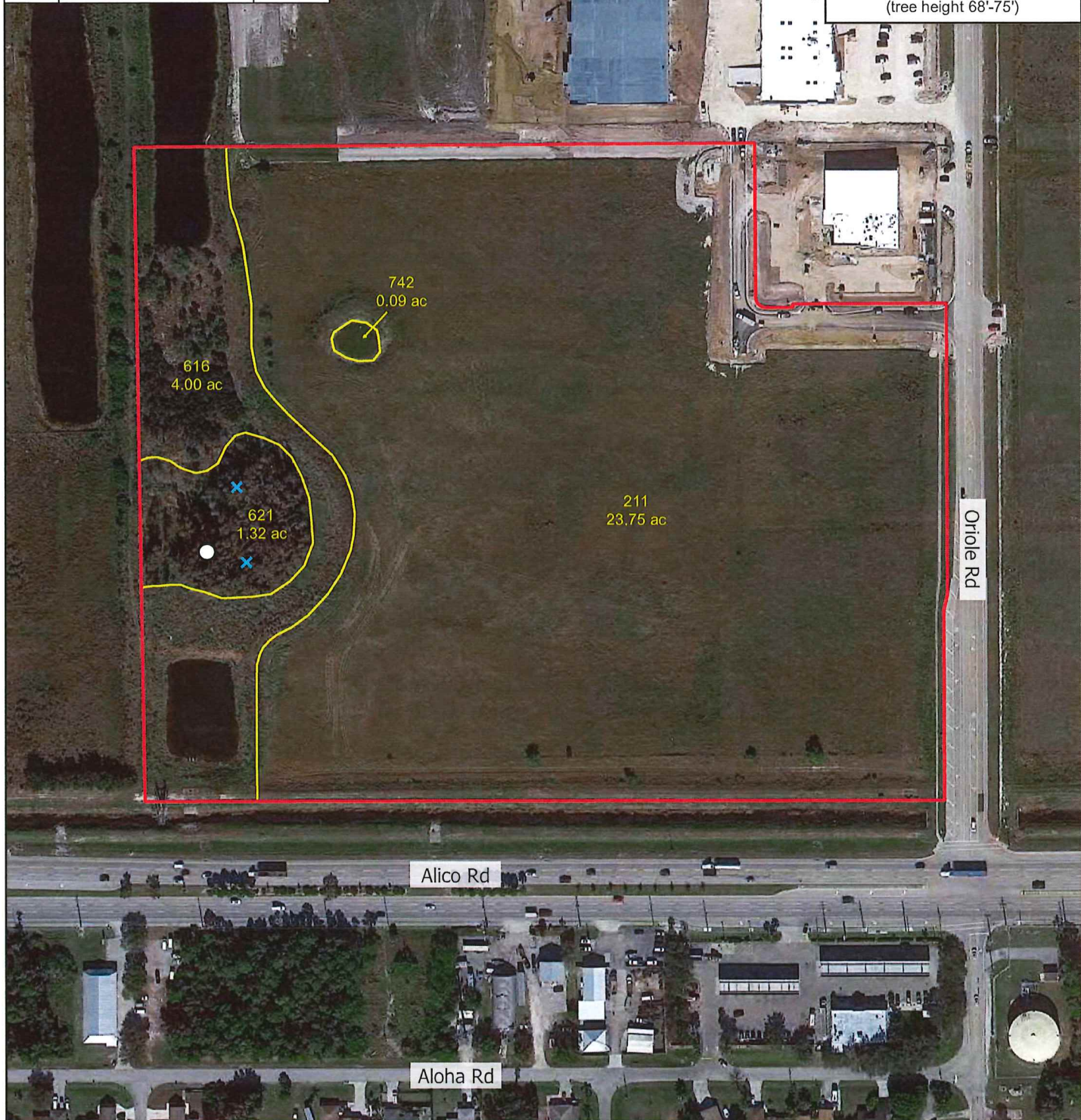
Year	History
2012-2013	Active, 1 Fledgling. Nest in Cypress Tree
2013-2014	Active, Nest Failed. Great Horned owl in nest.
2014-2015	Inactive, Eagles observed in the area but no activity at the nest
2015-2016	Active, 1 Fledgling. Nest was down at the end of the season.
2016-2017	Active, adults constructed nest but no incubation observed.
2017-2018	Active, nest failed. Incubation observed Dec 2017 and adult appeared to be feeding young in Jan 2018. No activity was observed after Jan 2018.
2018-2019	Active, 2 Fledglings confirmed
2019-2020	Active, 1 Fledgling confirmed
2020-2021	Active, 2 Fledglings confirmed

2021 - 2022 Active, fledglings

2022 - 2023 Active, fledglings not observed, but feeding behavior exhibited

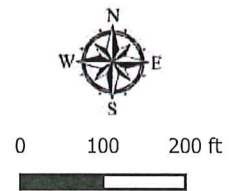
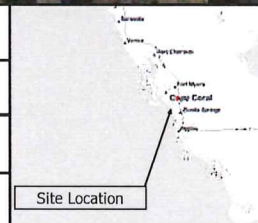
Fluccs	Description	Area (ac)
211	Improved Pastures	23.75
621	Cypress	1.32
742	Borrow Areas	0.09
616	Inland Ponds and Sloughs	4.00

- Property boundary
- Fluccs area
- Eagle nest
- x Commonly used perch tree (tree height 68'-75')



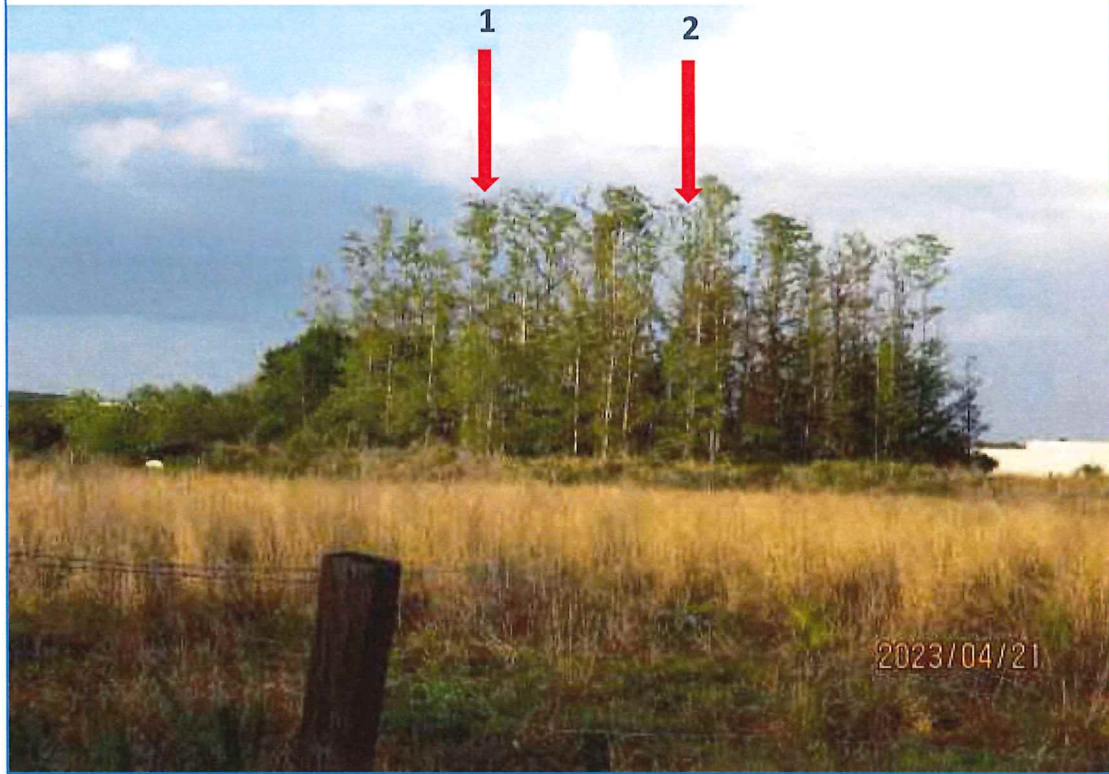
SYNECOLOGICAL
ANALYSTS
 ENVIRONMENTAL EVALUATION AND ADVOCACY
 2159 Morning Sun Lane
 NAPLES, FLORIDA 34119
 PHONE: (239) 514-3888
 www.synecol.com

PROJECT: West Oriole Marketplace - Fluccs Map
 DATE: Feb 27, 2023
 DRAWN BY: NW



Alternate Eagle Nest / Perch trees

The arrows indicate the perch trees



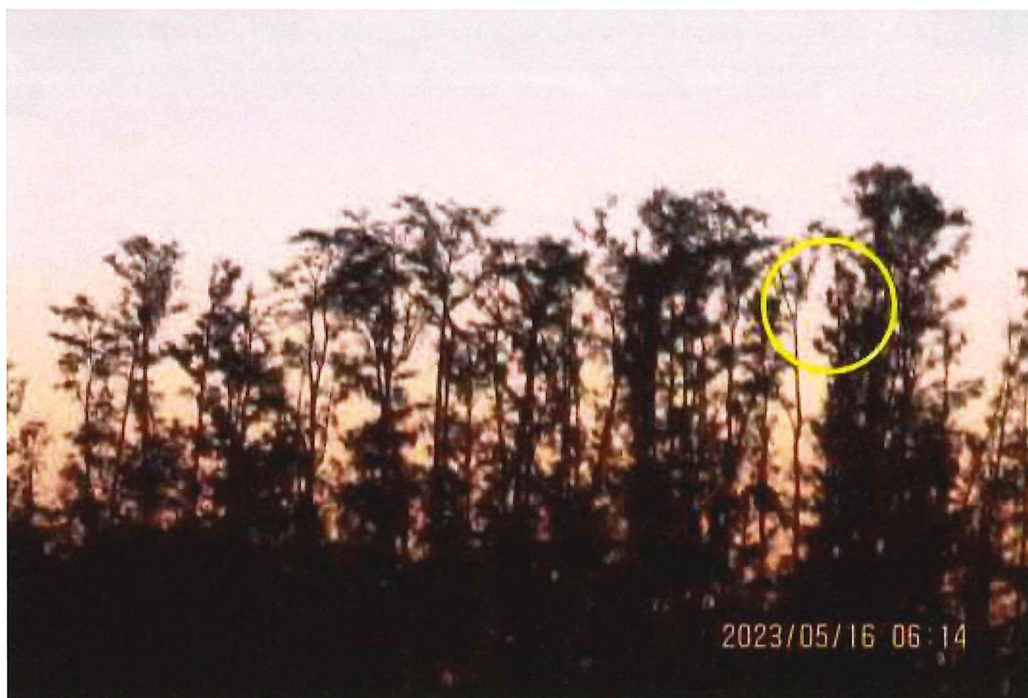
Tree 1: Height

Tree 2: Height



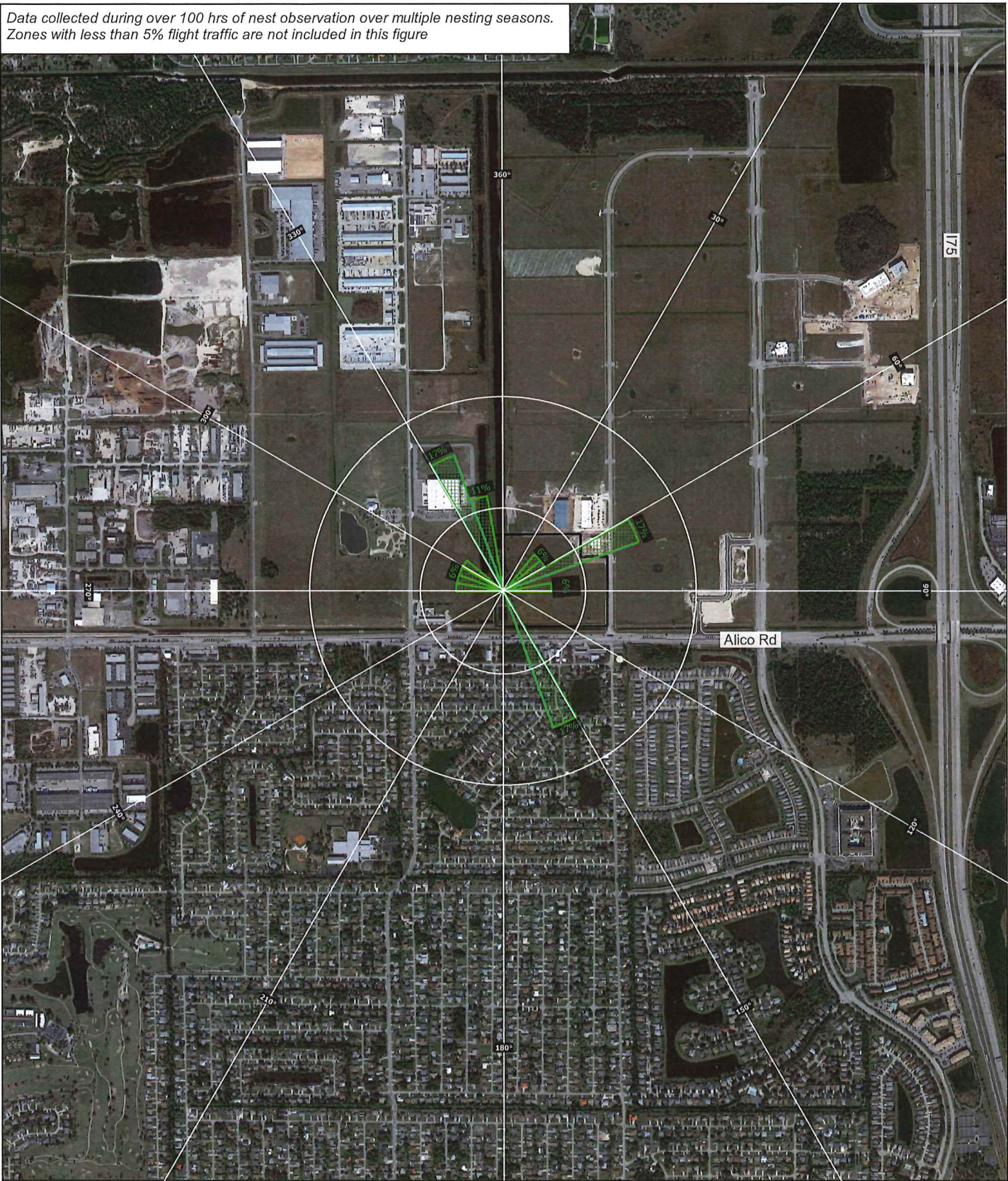
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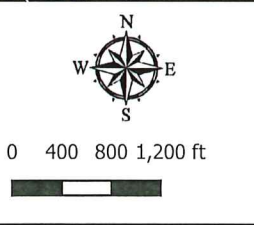
Tree 2



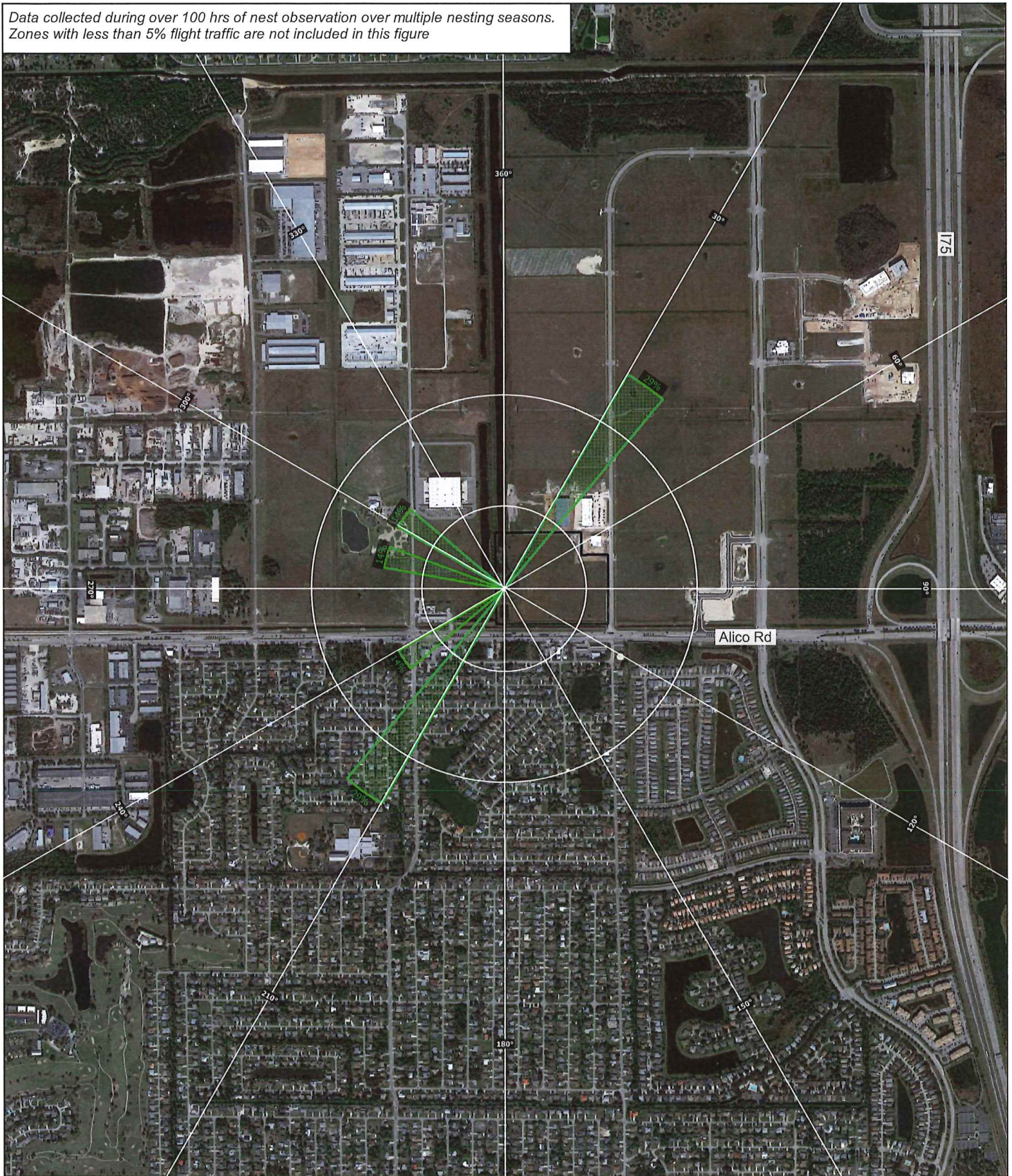
Eagle Flight Patterns

Data collected during over 100 hrs of nest observation over multiple nesting seasons.
Zones with less than 5% flight traffic are not included in this figure



 ENVIRONMENTAL EVALUATION AND ADVOCACY 2159 Morning Sun Lane NAPLES, FLORIDA 34119 PHONE: (239) 514-3998 www.synecol.com	PROJECT:	Oriole Alico West Eagle Foraging Area - Flights To Nest	 Site Location	 0 400 800 1,200 ft
	DATE:	May 9, 2023		
	DRAWN BY:	NW		

Data collected during over 100 hrs of nest observation over multiple nesting seasons.
Zones with less than 5% flight traffic are not included in this figure



2159 Morning Sun Lane
NAPLES, FLORIDA 34119
PHONE: (239) 514-3998
www.synecol.com

PROJECT: Oriole Alico West Eagle Foraging Area
- Flights From Nest

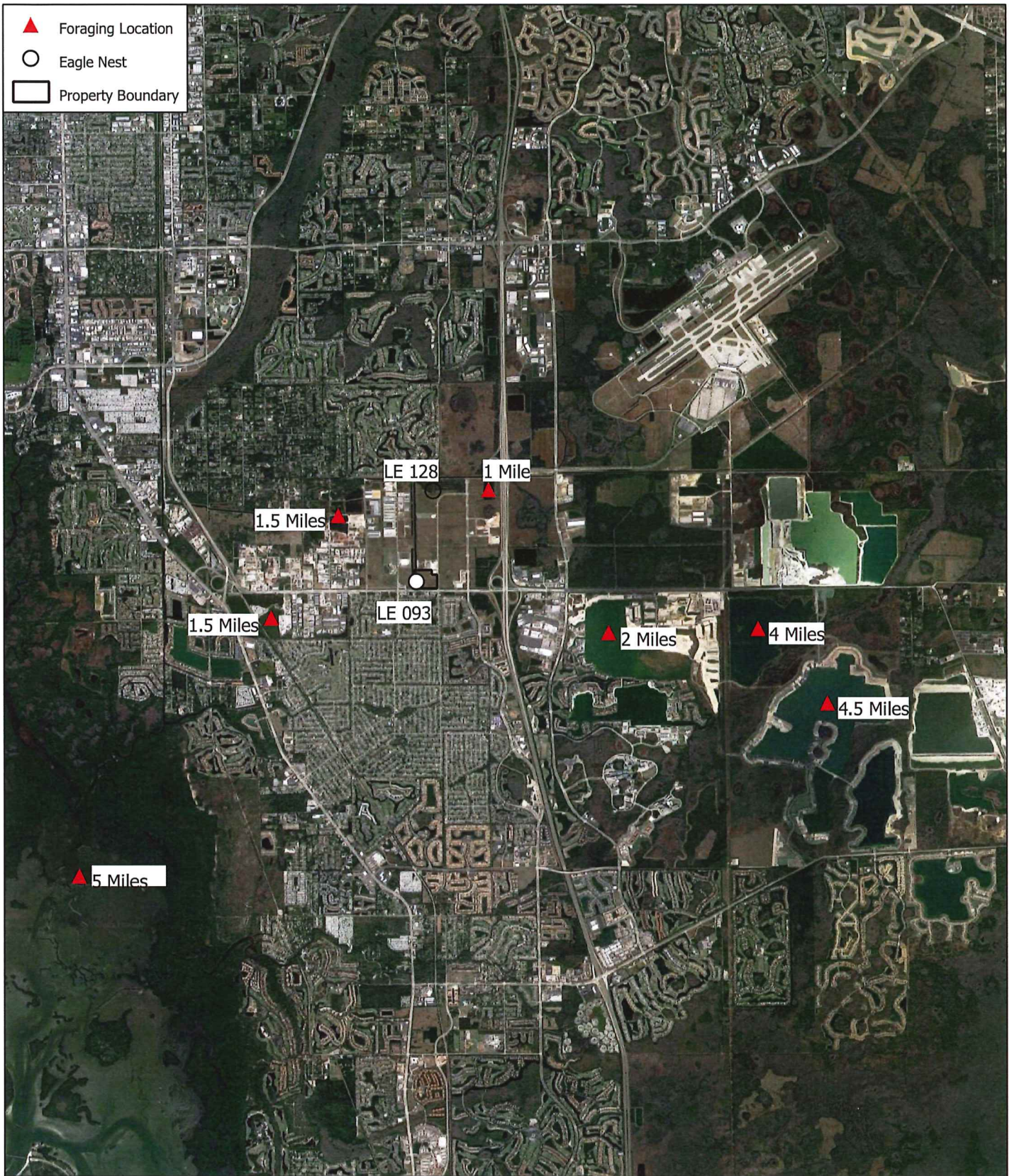
DATE: May 9, 2023

DRAWN BY: NW



0 400 800 1,200 ft





ENVIRONMENTAL EVALUATION AND ADVOCACY

2159 Morning Sun Lane
 NAPLES, FLORIDA 34119
 PHONE: (239) 514-3998
 www.synecol.com

PROJECT: LE 093 Nest Foraging Area Figure

DATE: May 9, 2023

DRAWN BY: NW



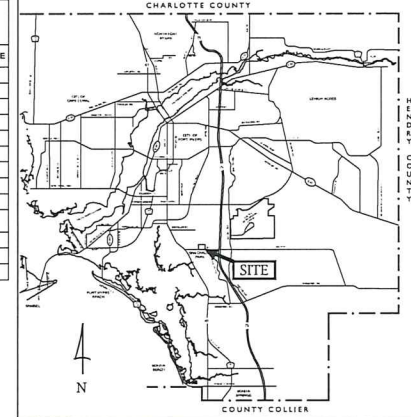
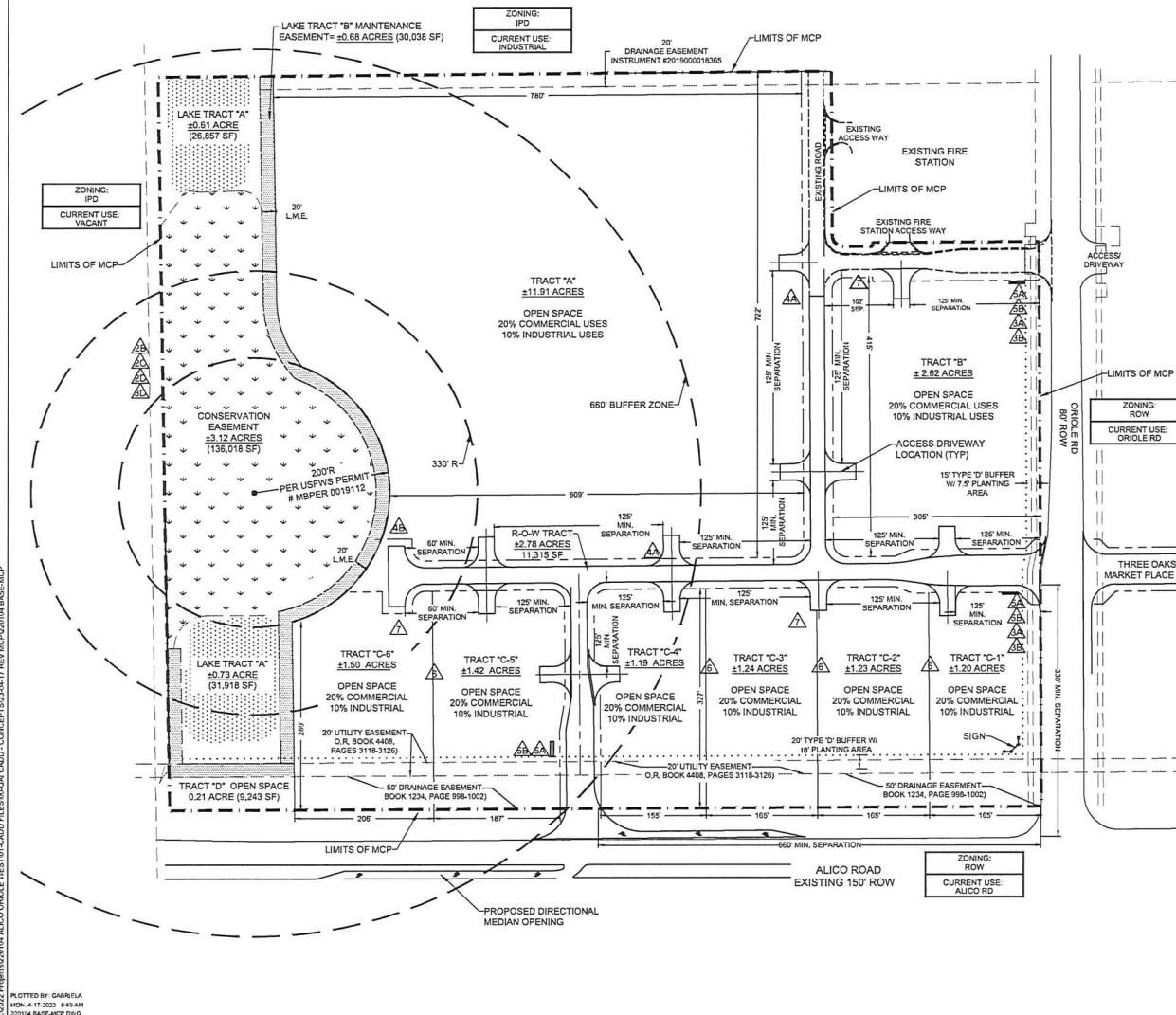
0 0.5 1 1.5 mi



ALICO ORIOLE WEST

LOCATED IN SECTION 04, TOWNSHIP 46-S, RANGE 25-E, LEE COUNTY, FLORIDA

MASTER CONCEPT PLAN



LOCATION MAP

PROJECT SUMMARY:

ZONING AG-2 to MPD **STRAP #'s** 04-46-25-L3-00003-0020

PROJECT ACREAGE 30.64 ACRES (1,334,896 SF)

PROJECT INTENSITY
MAX BUILDING FLOOR AREA = 350,000 SF
MINIMUM 30,000 SF COMMERCIAL
MINIMUM 30,000 SF INDUSTRIAL

OPEN SPACE
COMMERCIAL USES: 20%
INDUSTRIAL USES: 10%

CONSERVATION AN LAKE AREA 4.46 ACRES

DEVIATIONS

TYPICAL LOT LAYOUT:

PLAN VIEW SCALE 0' 80' 160'

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

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PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

PLOTTED BY: GABRIELA MOH, 4-17-2023, 4:43 AM, 220104 BASE.MCP 016

ALICO ORIOLE WEST MCP AREA			
DESCRIPTION	AREA (AC)	INDUSTRIAL (AC) 10% OPEN SPACE REQUIRED	COMMERCIAL (AC) 20% OPEN SPACE REQUIRED
TRACT A	11.91	1.19	2.38
TRACT B	2.82	0.28	0.56
TRACT C-1	1.20	0.12	0.24
TRACT C-2	1.23	0.12	0.25
TRACT C-3	1.24	0.12	0.25
TRACT C-4	1.19	0.12	0.24
TRACT C-5	1.42	0.14	0.28
TRACT C-6	1.50	0.15	0.30
ROW TRACT	2.78	0	0
CONSERVATION EASEMENT & LAKE TRACT OPEN SPACE	4.46	4.46	4.46
LAKE MAINTENANCE EASEMENT OPEN SPACE	0.68	0.68	0.68
TRACT D OPEN SPACE	0.21	0.21	0.21
TOTAL ACERAGE	30.64	7.60	9.85
PERCENTAGE PROVIDED		24.81%	32.15%
Large Project Open Space Required		20% = 6.13 AC	30% = 9.19AC



DEPARTMENT OF COMMUNITY DEVELOPMENT

Memo

To: Chahram Badamtcian, Planner, Senior

From: Md Rakibul Alam, Senior Transportation Planner

Date: Aug 22, 2023

Subject: Oriole Alico West, MPD (DCI2022-00061) Transportation-Related Analysis

Proposed Development

This application requests approval to rezone approximately 30.65 acres from Agriculture (AG-2) to Mixed Use Planned Development (MPD) to allow a maximum of 62 multi-family residential units, a maximum of 350,000 square feet of office, retail, commercial, and/or industrial uses as well as 150 hotel rooms.

Site Location

The Subject Property is located at the northwest corner of Alico Road and Oriole Road in Lee County, Florida.

Site Access

Access to the subject site will be provided to Oriole Road via two (2) connections and to Alico Road via a single left-in/right-in/right-out-only connection. The northern connection on Oriole Road will be a shared access connection with the existing San Carlos Park Fire Station No. 54.

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 (2-Way)
	In	Out	Total	In	Out	Total	
Shopping Center (175,000 SF)	147	90	237	405	439	844	10,433
Less Pass-by (less 29% AM, PM, and ADT)	-34	-34	-68	-122	-122	-244	-3,026
Industrial Park (175,000 SF)	48	12	60	13	47	60	1,256
Total New Trip	161	68	229	296	364	660	8,663

Roadway Section Traffic Operation Level of Service Analysis

The proposed development was assumed to be completed by 2027 (build-out year). So, the roadway significantly impacted by the proposed development was analyzed for the horizon year 2027 without and with the proposed development (Table 2).

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

Roadway	Segment	Significant Impact Expected	Level of Service		
			Existing	Future 2027	Future 2027 + Project
Alico Rd.	W. of Oriole Rd.	No	C	C	C
	W. of Three Oaks Pkwy	No	C	C	C
Oriole Rd.	N. of Alico Rd.	Yes	N/A	E	E
	S. of Alico Rd.	Yes	C	C	C

Roadway Intersection Traffic Operation Level of Service Analysis

New trips have been allocated to the surrounding road network to assess the necessary Level of Service (LOS) impact at site access points and intersections that are expected to be most affected by the proposed development. Table 3 describes the site access points and intersections that are anticipated to experience the greatest impact due to the proposed zoning, along with their corresponding pre- and post-project built-out levels of service.

Table 3: Roadway Intersection(s) Immediately Adjacent to Subject Site Expected to be Significantly Impacted by Proposed Development

Intersection		Traffic Control	Level of Service (2027)		
Roadway A	Roadway B		Existing (PM)	Future 2027 (PM)	Future 2027 + Project (PM)
Alico Rd.	Oriole Rd.	Signalized	--	E	E
Alico Rd.	Site Access	Two-way stop controlled	--	--	F
Oriole Rd.	South Site Access	Two-way stop controlled	--	--	B
Oriole Rd.	North Site Access	Two-way stop controlled	--	--	A

Conclusion

The proposed project will not have a detrimental impact on the surrounding roadway system. However, please consider a recommendation adding the following conditions:

"Regardless of any land use density/intensity conversion allowed per the Land Development Code or zoning condition specific to this development, the development is allowed a maximum calculated development intensity with respect to new trip generation utilizing the following development scenario based upon the Institute of Transportation Engineers (ITE) Trip Generation Manual in effect at the time of local development order:

- ✓ 175,000 SF commercial retail use
- ✓ 175,000 SF industrial use."

Date: August 17, 2022

To: Chahram Badamtchian, Senior Planner

From: Nic DeFilippo, Senior Environmental Planner
239.533.8983
ndefilippo@leegov.com

Subject: DCI2022-00061
Bald Eagle Staff Report and Conditions for Oriole Alico West MPD
STRAP# 04-46-25-L3-00003.0020

The request is to rezone 30.65± acres from Agricultural (AG-2) to Mixed Use Planned Development (MPD) to allow for up to 350,000 square feet of commercial, retail, and industrial uses. Portions of the proposed MPD are located within the 660 foot-radius of bald eagle nest LE-093. As a result, any improvements within the 660 foot-radius must obtain a Board of County Commissioners approved Bald Eagle Management Plan per Land Development Code 14-119(c). The Eagle Technical Advisory Committee recommended approval of the attached Bald Eagle Management Plan dated May 2023 on July 11, 2023. LDC section 14-119(c) requires development projects located within the 660-foot buffer zone of a bald eagle nest, excluding single family and agricultural activities, to obtain a BOCC approved Bald Eagle Management Plan. To ensure that the project is consistent with LDC section 14-119(c) staff recommends the following condition:

Prior to local development order approval, the developer must adhere to the attached a Bald Eagle Management Plan dated May 11, 2023 for all proposed impacts within 660 feet of the bald eagle nest. The 660-foot buffer zone and the activities and restrictions outlined in the bald eagle management plan must be shown on the development order plans.

Tract A, Tract C-6, Tract C-5, and Tract C-4 are located within 660 feet of bald eagle nest LE-093. The applicant has provided a Schedule of Uses with several uses denoted with an asterisk to identify which uses are permitted on these Tracts. This additional conservation measure is intended to prevent abandonment of the nesting territory. The proposed Schedule of Uses includes Transportation Services, Groups I-IV but Groups III and IV are not denoted with an asterisk. Transportation Services, Group III allows "Bus stations/depots", "Bus terminals", as well as "Charter buses", "Interstate buses", "Sightseeing buses", and "Local or other buses". Transportation Group IV allows "Interstate trucking, without storage", "Local trucking, without storage facilities", and "Truck driving school". Several of these uses or similar uses are marked with an asterisk elsewhere within the Schedule of Uses. In addition, these proposed uses are intensive in nature and will result in frequent use of heavy equipment, loud noises, vehicular traffic, and lighting. Staff recommends the following condition for consistency and to preserve the nesting territory.

The following uses are not permitted on Tract A, Tract C-6, Tract C-5, and Tract C-4.

1. **Transportation Services Groups III and IV.**

Attachments:

- I. **Bald Eagle Management Plan dated May 11, 2023**

ALICO ORIOLE WEST, MPD
DCI2022-00061 -Major PD

Bald Eagle Management Plan
Eagle Nest LE093
11 May 2023

Owner
Horowitz Sanford I, TR FOR Land Trust
d.b.a. Three Oaks Horowitz LLC
Alan Freeman, Trustee
28120 Hunters Ridge Blvd, Suite 5
Bonita Springs, FL 34135

Preparer
Synecological Analysts® Inc.
2159 Morning Sun Ln
Naples, FL 34119

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2.	Existing Conditions	Page 5
3.	Management Plan	Page 7
4.	Minimization Measures to Limit Incidental Take	Page 10
5.	Monitoring and Reporting Requirements	Page 11

Attachments

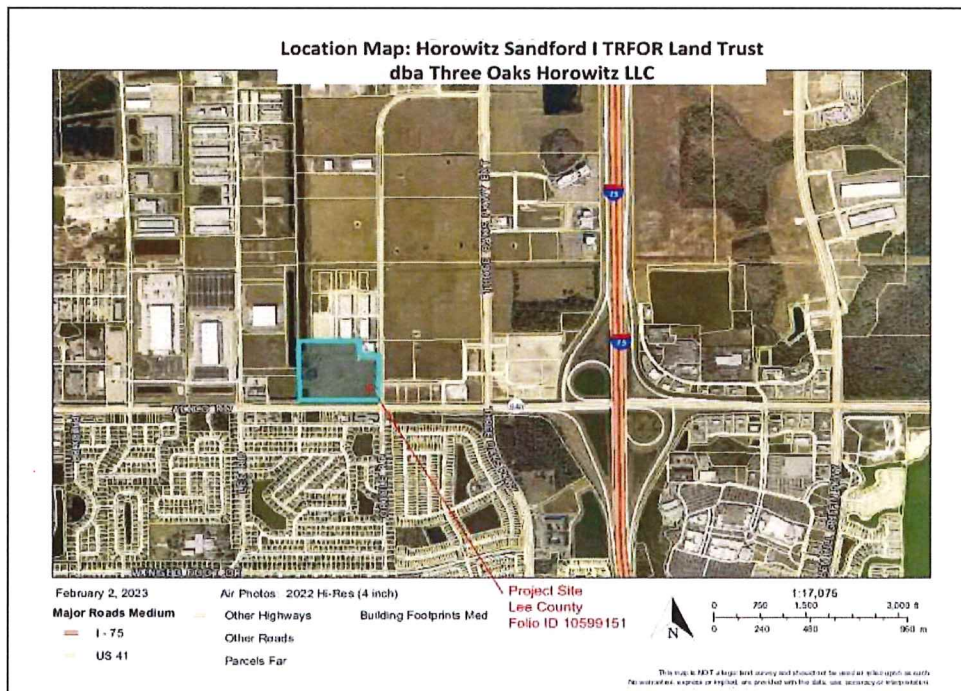
- 1 Eagle Buffer Planting Exhibit
- 2 Short-Term Eagle Incidental Take Permit No. MBPER0019112
- 3 LE093 Nesting History
- 4 Alternate Eagle Nest/Perch Trees Exhibit
- 5 Eagle Flight Pattern Exhibits
- 6 MCP

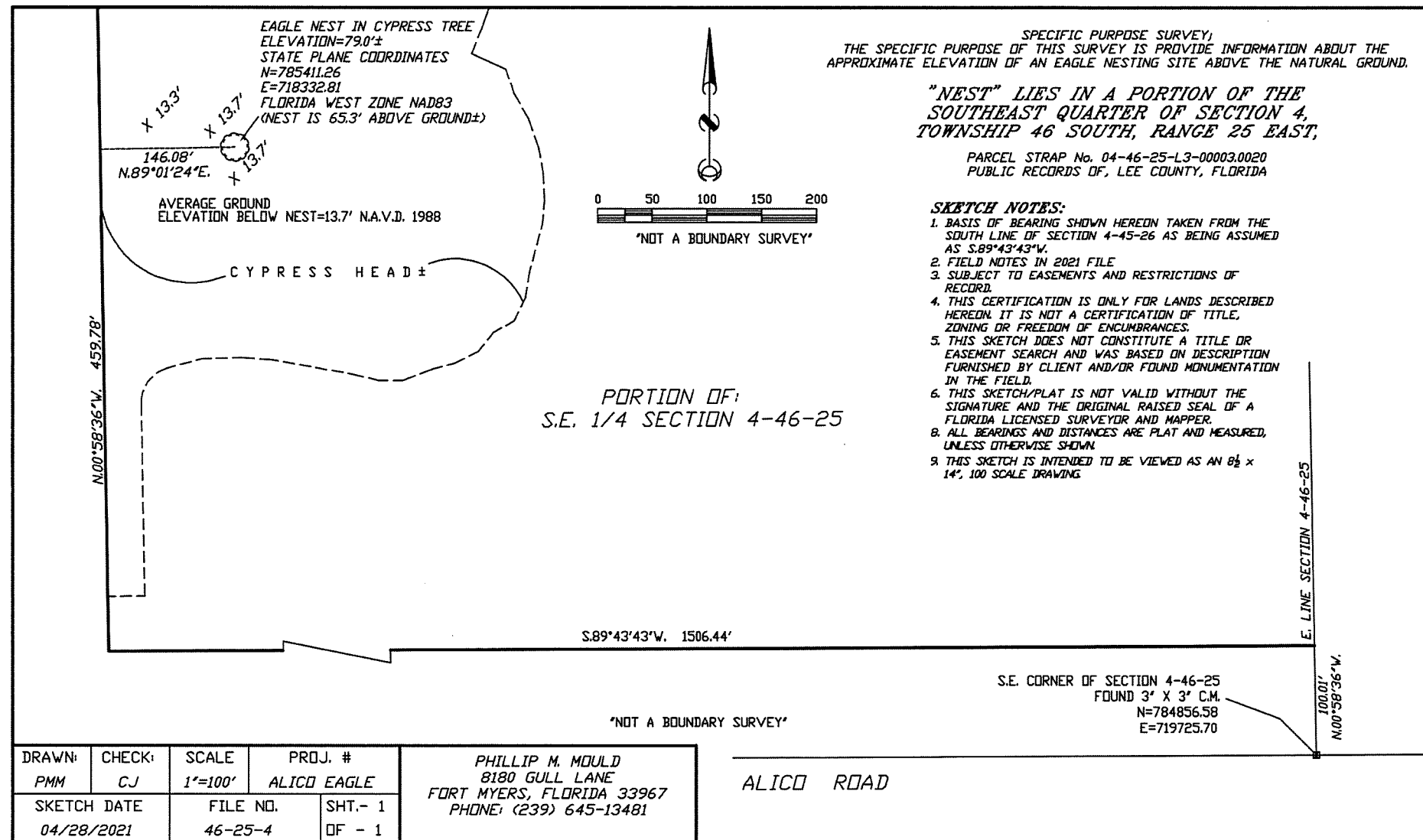
Background and Introduction

Three Oaks Horowitz LLC is seeking approval to develop the Alico Oriole West MPD project on this approximately 29.16 ac parcel (STRAP 04-46-25-L3-00003.0020). This parcel is bordered by a fire station, industrial park and vacant land to the north, Oriole Rd to the east, Alico Rd to the south, and water management areas and vacant land to the west. This site has both State (SFMWD Permit No. 36-0568-P) and Federal (No Permit Required SAJ-2006888) wetland approvals. All wetland impacts have been mitigated consistent with these approvals.

Nest LE-093 has been active since the 2012-13 nesting season. This nest occurs in a recorded Conservation Easement that was created by the previously referenced SFMWD ERP permit. The nest is located in a large cypress tree at elevation 79'+-, State Plane Coordinates N= 785411.26 E= 718332.81. The nest is located 65.3' above ground. The nest has been destroyed by storms and rebuilt multiple times over the years. Most recently, Hurricane Ian damaged but did not destroy this nest. The nesting pair repaired the damage soon thereafter and the nest is observed to be active.

This Eagle Management Plan is intended to facilitate both the long term habitat quality for this pair of nesting eagles and responsible development of the parcel as proposed. The applicant has been granted a Short Term Eagle Take Permit No. MBPER00119112. This permit allows for development of this project within portions of the buffer zones, consistent with Permit Conditions/guidelines and minimization protocols. The conditions of this permit will be discussed in more detail in subsequent sections.





Existing Conditions

Synecological Analysts® (SAI) conducted an Environmental Assessment on this site. SAI evaluated this property to determine distribution, extent, and character of vegetational communities. Habitat types, jurisdictional wetland status, potential or presence of listed species, and suitability of the on-site habitat for listed species habitat were also evaluated. Soil types, distribution and extent were determined to assist in other evaluations.

All native communities except the Cypress head (FLUCCS 621) have been disturbed over an extended period of time as a result of agricultural activities and creation of drainage/road networks. This disturbance influenced the majority of this site and occurred in progressive fashion.

The Alico Oriole West site is not a pristine area that approximates the pre-development character of this general area. Plant communities and habitat have been severely impacted over time by ongoing AG activity. Most of the non-Cypress canopy and much of the Saw palmetto upland shrub strata are largely absent. Regional and area drainage has been massively disrupted by construction of I-75 and the Airport canal. Cycles of fire and renewal have been absent from this site for decades.

Plant communities and land uses were identified according to the Florida Department of Transportation (FDOT1999) Florida Land Use, Cover, and Forms Classification system (FLUCCS) protocol.

FLUCCS 211 - Improved Pasture

This upland habitat type is found in both the primary and secondary buffers of the bald eagle nest tree and contains several shallow ditches/swales that were part of the historic agricultural use. The canopy is mostly open with scattered live oak (*Quercus virginiana*), laurel oak (*Quercus laurifolia*), and slash pine along the edges. The subcanopy is mostly open with scattered Brazilian pepper (*Schinus terebinthifolius*) and cabbage palm (*Sabal palmetto*). The groundcover is dominated by Bahia grass (*Paspalum notatum*), with scattered Spanish needles (*Bidens alba*), false buttonweed (*Spermacoce verticillata*), ragweed (*Ambrosia artemisiifolia*), broomsedge (*Andropogon virginicus*), caesarweed (*Urena lobata*), dog fennel (*Eupatorium capillifolium*), smutgrass (*Sporobolus* spp.), and other various opportunistic weedy species. Commonly observed vines include greenbrier (*Smilax* spp.), and grapevine (*Vitis rotundifolia*).

FLUCCS 616 - Inland Ponds and Sloughs

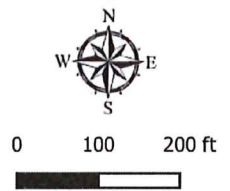
This area is a human constructed conservation area and water management system and mimics closely these Inland Ponds and Sloughs systems occurring naturally. The dominant shrubs are Wax myrtle and Willow. Herbaceous components include Maiden cane, Sawgrass, and a wide variety of sedges and rushes. This area is excluded from cattle grazing.

FLUCCS 621 - Cypress

This community occurs as isolated heads in the central portion of the western conservation area site. (The Eagle nest is located in this area)

Flucss	Description	Area (ac)
211	Improved Pastures	23.75
621	Cypress	1.32
742	Borrow Areas	0.09
616	Inland Ponds and Sloughs	4.00



 SYNECOLOGICAL ANALYSTS ENVIRONMENTAL EVALUATION AND ADVOCACY 2159 Morning Sun Lane NAPLES, FLORIDA 34119 PHONE: (239) 514-3998 www.synecol.com	PROJECT: West Oriole Marketplace - Flucss Map	 Site Location	
	DATE: March 29, 2022		
	DRAWN BY: NW		

Along the southeast and northeast boundary of the 621 area, larger areas occur. Bald Cypress (*Taxodium distichum*) and Pond Cypress dominate the canopy. Scattered Slash pine occur within this cypress matrix. Swamp bay and Dahoon characterize the shrub stratum along the margins. Representative herbaceous components include Swamp Fern and Laurel greenbrier. The canopy in this community is mature Pond Cypress varying between 65' to 75' in height. There are two primary perch trees at the north and south sides of this head. These perch trees are 68' and 75' tall, respectively. Their location is shown on the following pages. There are 5-8 trees in this head that could be considered as adequate as nest trees. If this pair relocates the nest there are several trees that would be adequate for this use.

The shrub canopy is largely Cabbage palm, with considerable composition of Dahoon holly, Pond apple, Buttonbush and Willow. These trees are on the order of 10-20' in height. Because this area is a preserve, exotic control has been ongoing and the exotic component limited. The herbaceous strata includes Maidencane, *Spartina Bakerii*, Bushybeard bluestem and swamp fern.

FLUCCS 742 - Borrow Area

Borrow areas for cattle watering cover approximately 0.1 acres of this site and are essentially devoid of emergent vegetation.

Management Plan

Regulatory basis of activities have resulted in the issuance of an Incidental Take Permit for bald eagles through the USFWS Eagle Permit (Eagle Permit) process under 50 C.F.R. 22.26. The 2007 FWS National Bald Eagle Management Guidelines ("Guidelines") provide guidance regarding options to minimize disturbance (impacts) to bald eagles. The Bald and Golden Eagle Protection Act discourages eagle disturbance. The Federal Take Permit and County Eagle Management Plan provide guidance to minimize such disturbance. On April 20, 2017, the Florida FWC approved revisions to the state's bald eagle rule (68A16.002, F.A.C.). That became effective on June 22, 2017. The result of this revision is that only a Federal permit is required for activities with the potential to take or disturb bald eagles or their nests. This Bald Eagle Management Plan reflects necessary minimization and Special Conditions set forth in the Short-Term Eagle Incidental Take Permit obtained for the project. Two zones have been created, 330' and 660' feet from nest LE093, each of which has differing levels of restrictions as to the proposed development and timing of constructions.

Proposed Conservation Measures Within 660'

What conservation measures are proposed within 660' during nesting season?

1. If exterior construction work or project activities outlined in Condition D of the USFWS Take Permit are conducted when the nest is in use: (Note: nest in-use generally refers to the bald eagle nesting season (October 1 - May 15) but use may occur earlier if nesting is initiated prior to October 1 and may end earlier or later than May 15, dependent upon date of successful fledging of young or documented nest failure)

a. Initiate a noise abatement program for construction personnel within 660' of the eagle nest to include:

aa. No excessive and/or sudden loud noise including engine braking, tailgate banging, loud radios, shouting/singing, etc.

ab. All motorized equipment, including saws or other handheld power tools, must be moved indoors if possible or placed to minimize noise at and reflect noise away from the direction of the eagle nest, i.e. behind a temporary structure that reflects noise away from the direction of the eagle nesting area.

ac. Minimize the need for reverse indicator horns and utilize ground flag crews or guides to the degree practicable to avoid using reverse indicator horns.

ad. Provide signage in English and Spanish indicating the need for quiet to the extent practicable.

2. A proposed vegetational visual screen (See Eagle Buffer Planting Exhibit attached) will be installed when the nest is not in use.

3. The previously described landscape/visual buffer.

4. The nesting tree is located in a conservation area, behind a large berm. Based on many hours of nest observation over multiple nesting seasons, these birds are most sensitive to human activity. Planes, buildings, people in association with buildings or equipment do not typically focus the birds attention. Based on this extensive period of observation, it seems likely proposed buildings present no consequential restraint on the birds normal activity and flight patterns so long as the proposed vegetational planted buffer is installed/maintained. Please refer to the wind row base figures showing primary flight sectors to and from this nest.

5. No active external construction within 330' of the nest when the nest is active (nesting season historically Oct 1 through May 15).

6. On-site signage regarding the urgency of being quiet during the nesting season.

Proposed Activities Between the 330' - 660' Buffer of LE093

The onsite development and associated utilities needed to support the onsite development, located between 330' and 660' of the eagle nest, are presented below.

If any exterior construction or project activities within this zone need to occur when the nest is in-use during nesting season (October 1- May 15), the following restrictions/ management practices will be utilized:

1. A traffic/noise abatement program will be initiated for construction personnel, which includes:
 - a. no excessive and/or sudden loud noise, including engine braking, tailgate banging, loud radios, shouting, singing, etc.
 - b. All motorized equipment, including saws or other handheld power tools must be moved indoors if possible or placed to minimize noise at and reflect noise away from the direction of the eagle nest tree
 - c. Minimize the need for "reverse" indicator horns and utilize ground flag crews to the degree practicable to avoid using reverse indicator horns.
 - d. Provide signage in English and Spanish emphasizing the need for quiet to the extent practicable.
 - e. A staging area for equipment and parking/ car pool location for construction or project personnel will be established outside of 330' of the eagle nest tree.
2. This nest will be censused twice weekly as nesting season approaches to document arrival of the nesting pair. Once an eagle is observed, monitoring will be conducted up to three times a week for a minimum of 90 minutes each to document nest status and eagles reactions to any ongoing work. Monitoring will occur on days that construction is ongoing and in process to the extent possible. Monitoring may be reduced to one day per week five weeks post hatching, with concurrence from County staff.

Activities Between the 200' - 330' Buffer of LE093

Exterior construction, heavy landscaping, and associated activities are prohibited within 330' of the nest tree when the nest is in-use during nesting season. The developers will comply with this restriction, resulting in the need for the proposed outdoor work between 200' - 330' of the nest tree to occur only when the nest is not in-use.

Between the 0' - 200' (No Development) Buffer of LE093

No development is proposed on the Alico Oriole West site within 200' of LE093. The Eagle Buffer Planting Exhibit attached shows ±1.3 acres of undeveloped land to remain around the nest tree within the Alico Oriole West site. Per Lee County Development Code requirements, invasive vegetation will be removed within the entire development area, including this buffer zone. This exotic control is also mandated by the existing SFWMD permit for this site. Such invasive removal will only occur outside of the bald eagle nesting season and when the nest is not in-use.

Minimization Measures to Limit Incidental Take

In accordance with Eagle Incidental Take Permit MBPER0019112, the following measures will be implemented by the developer to help minimize disturbance to eagle nest LE093:

1. Prior to construction of the proposed work within 660' of the eagle nest tree, educational materials that outline how to minimize disturbance to eagles, along with contact information for the local eagle rehabilitator, will be prepared and provided to project personnel, tenants occupying any building located within 660'

of the nest tree, and maintenance personnel responsible for the post-project maintenance of the project area within 660' of the nest tree.

2. All project related exterior or temporary construction lighting, if used, will be shielded/directional in nature so that lights do not shine directly onto the eagle nest.
3. If using pesticides, herbicides, or other chemicals onsite, State and federal BMP's, laws and label instructions will be followed at all times.
4. Overhead utility lines will be coordinated to be in compliance with the Avian Power Line Interaction Committee (APLIC) Guidelines found at www.aplic.org to reduce the potential for any electrocution, collision, and/or nesting of avian species.

5. The proposed Eagle Buffer Planting between the wetland area where the eagle nest is located and the proposed development extends over 549 linear feet along the existing berm (Attachment 1). The applicant proposes to install fifteen (15) Pines ("Densa") 12 feet on center [in five groups of 3], thirty (30) Sabal Palms [in six groups of 5], and in addition forty-six (46) Walter's Viburnum #3 under the Sabal Palms as shown on the attached Eagle Buffer Planting Exhibit. The goal is to create a visual buffer between LE093 and the proposed development. These plants will have an irrigation system installed to support their vigor and growth. The location and extent of this buffer is shown in Attachment 1. The purpose of the plantings is to shield both the perch trees and nest to the human activity located in the development to the east of the nest. Based on our observations of this nesting pair they are not influenced by equipment, traffic or noise. Human presence/activity focuses their attention. Plant materials selection for this visual screen/buffer were based on several factors. These included a selection of native trees and plants, canopy density and extent, evergreen/deciduous comparisons, growth form of mature trees, sustainability with regard to extreme weather events and the location on the top of an existing berm. We implemented the recommendation in the US FWS Eagle Take Permit to "enhance and expand the visual vegetation buffer between construction activities and the eagle nest tree by planting native pines and/ or hardwoods". It is worth noting that our observations included periods when the cypress trees surrounding the nest tree had foliage as well as periods when the leaves had

dropped. We also have experience with eagle nests in areas dominated by slash pine. Based on the available plant materials of a size needed for the buffer along canopy density and sustainability, we considered a short list of cypress, oak (both laurel and live oak), slash pine and palms. Our selection of pines and sabal palms was based on the following factors:

- a. Appropriate and available native trees and shrubs,
- b. The lack of canopy density during a good part of the nesting season,
- c. Severe weather event survivability, and
- d. Lack of an extensive root systems to support the trees, particularly in severe weather events,

We selected the Pines and Sabal Palms after consultation with the Lee County Eagle Technical Advisory Committee as they have a stable canopy density, good sustainability through extreme weather events, a compact and dense root system, and sufficient density based on the available native species with a single row of plants. We believe we understand the unusual nature of doing an eagle buffer planting plan and we also understand the sole purpose of this planting effort is to improve the quality of life for this nesting pair of eagles or others that might occupy this nest over time. This is not a landscape requirement and is being installed on top of a berm. We think the benefit to occupants of LE 093 makes this Eagle Buffer Planting Plan the optimal, available native planting solution to creating a dense, sustainable visual screen/buffer that maintains or improves quality of life for these eagles, complies with the policies of the Eagle Take Permit and the Lee County eagle buffer policies, and allows responsible development of the nearby parcel at the NW corner of Alico Rd. and Oriole Rd.

Monitoring and Reporting Requirements

The Federal Take Permit relative to this nest requires a qualified biologist to monitor eagle use of the nesting territory defined as up to a 1.5-mile radius of eagle nest LE093, onsite that is legally accessible by the developer and where the activities occur. The monitor will be experienced in recognizing specific patterns and changes of eagle behavior and employed by or contracted by the permittee, landowner, company, or entity responsible for having the activity monitored. The monitor will be as inconspicuous as possible, so not to cause a disturbance with his/her presence, and when applicable, a wildlife blind or viewing location out of direct sight of the eagle will be utilized.

Monitoring will be conducted at a distance that allows for observation without an interruption in the eagle's normal breeding behavior. If the eagles do not return to the known nest location (LE093), the site will be monitored to assess whether or not the eagles nest, roost, and/or forage at a new location.

If a new eagle nest is built on the site or within the nesting territory, the monitor will report the new eagle nest location within 10 days to the FWS Southeast Region Eagle Biologist and ETAC through the assigned Lee County personnel.

Monitoring will be conducted in the methodology previously described under the monitoring requirements for work within the 330'-660' buffer zone of the eagle nest, with the monitor using the FWS Bald Eagle Monitoring Data Report to record ongoing construction activities and eagle behaviors observed during each monitoring event. This information will be compiled onto the Eagle Take Annual Report Form (found online at www.fws.gov/forms/3,,202-15.pdf) and submitted annually to the FWS (submitted electronically to FW4eaglemonitoring@fws.gov and mailed to the migratory bird permit issuing office) and ETAC through the designated Lee County personnel.

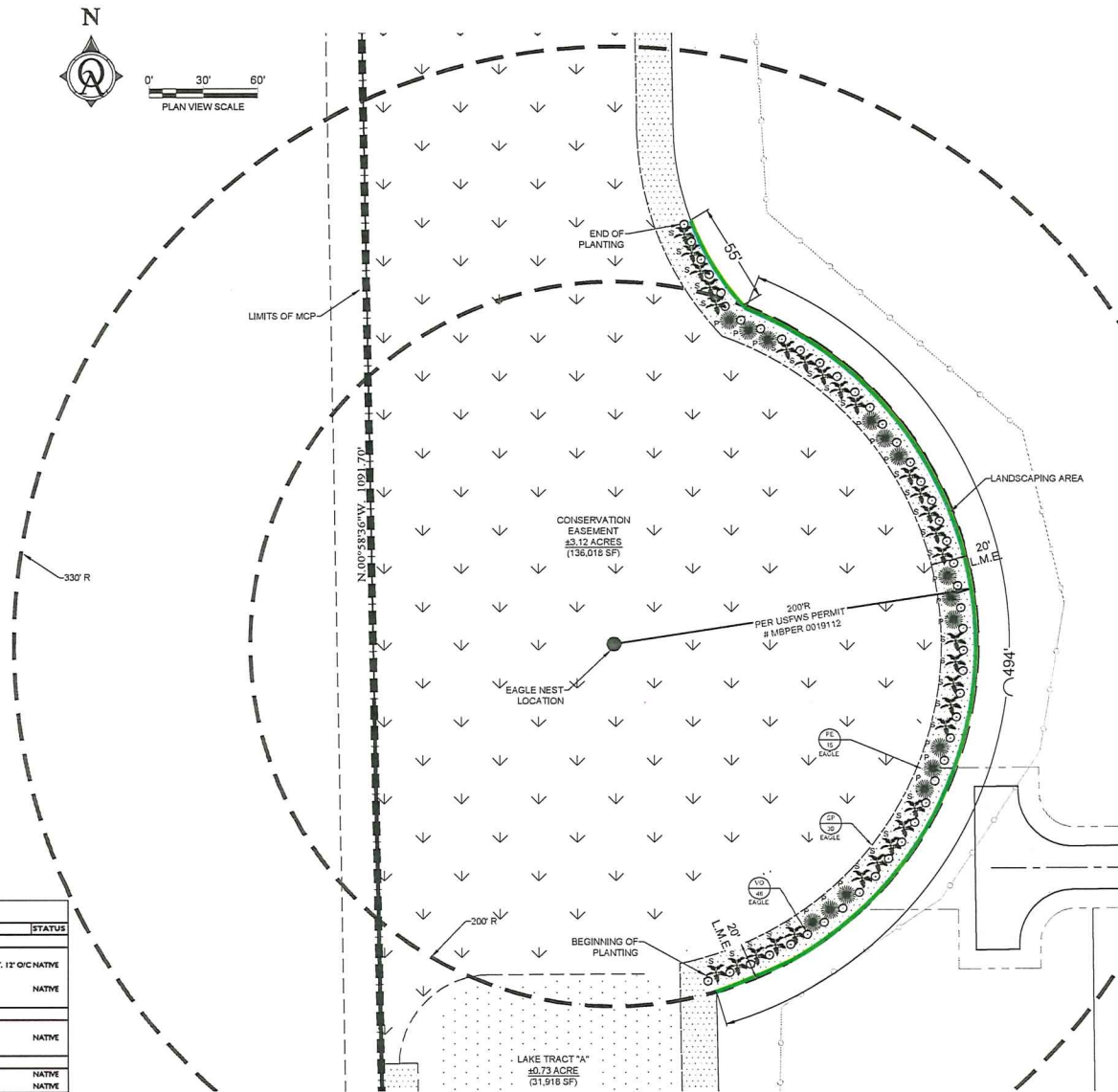
The FWS Eagle Incidental Take Permit remains valid through September 30, 2025. However, if full construction on the subject site is complete prior to expiration of the federal permit, the FWS may be notified to have the permit closed accordingly. Lee County will be copied on all related Federal correspondence. Monitoring and reporting will continue in accordance with this Bald Eagle Management Plan contained herein, including Condition # 2 for monitoring between 330' and 660' contained above, and the referenced federal permit through completion of construction within 660' of the nest tree and close-out of the federal permit. The applicant understands that these compliance commitments at both the Federal, State and Local levels will transfer to any and all owners and users going forward. Regarding requirements of the approved eagle management plan and the state and federal eagle protection laws.

ATTACHMENTS

P:\032 Projects\2014 ALICO WEST\4011 EAGLE BUFFER PLANTING\4011 EAGLE BUFFER PLANTING.dwg



LIST OF PLANT AND SPECIFICATIONS					
SYMBOL	QUANTITY	COMMON NAME	SCIENTIFIC NAME	SPECIFICATION	STATUS
BUFFER TREES					
SP	30	SABAL PALMS	SABAL PALMETTO	10' / 12' CLEAR TRUNK MIN: 14' MIN. HT. 12' O/C NATIVE	
PE	15	SLASH PINE, SOUTH FLORIDA	PINUS ELIOTTI s. densa	8' / 9' HT.; 2" CAL; #15 12' O/C	NATIVE
SHRUBS / LANDSCAPING					
VO	46	WALTERS VIBURNUM	VIBURNUM OBOVATUM	24" HT., #3 CONTAINER 12" O.C.	NATIVE
MISC					
SOD		BAHIA SOD	PASPALUM NOTATUM	SAND GROWN	NATIVE
MULCH		PINE STRAW MULCH		3" DEPTH THROUGHOUT	NATIVE



ALICO ORIOLE WEST
EAGLE BUFFER PLANTING EXHIBIT

FORT MYERS
LEE COUNTY, FLORIDA

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
1401 Veronica Shoemaker Blvd. • Fort Myers, Florida 33916 • 239-936-5322
Certificate of Professional Engineer 1455



SAVED BY: GABRIEL
SAVED ON: 6/27/21

SHEET
LS-01
01 OF 01



SHORT-TERM EAGLE INCIDENTAL TAKE

Permit Number: MBPER0019112

Version Number: 0

Effective: 2021-11-23 **Expires:** 2025-09-30

Issuing Office:

Department of the Interior
U.S. FISH AND WILDLIFE SERVICE

MB Atlanta Permit Office
1875 Century Boulevard, NE
Atlanta, Georgia 30345
permitsR4MB@fws.gov
Tel: 404-679-7070
Fax: 404-679-4180

**Carmen
Simonton**

Chief, Migratory Bird Permit
Office, Atlanta, Georgia

Digitally signed by

Carmen Simonton
2021-11-23 12:53:56

Permittee:

Horowitz Sandford I TRFOR Land Trust
dba Three Oaks Horowitz LLC
Alan Freeman
28120 Hunters Ridge Boulevard Suite 5
Bonita Springs, Florida 34135

Authority: Statutes and Regulations: 16 U.S.C. 668-668(d), 16 U.S.C 703-712 50 CFR Part 13, 50 CFR 22.26

Location where authorized activity may be conducted:

See Condition D.

Reporting requirements:

Monitoring requirements are outlined in Condition I Monitoring Requirements.

Reporting requirements are outlined in Condition D, E, F, I, and in Condition J Reporting Requirements.

Condition J Reporting Requirements outlines the required schedule of monitoring reports (Condition I3) and the content of the annual summary monitoring report.

Authorizations and Conditions:

Southeast Region Eagle Biologist Ulgonde Kirkpatrick, Ulgonde_Kirkpatrick@fws.gov, (352) 406-6780

Southeast Region Eagle Permit Coordinator Resee Collins, Resee_Collins@fws.gov, (404) 679-4163



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Link to federal permit regulations: <https://www.fws.gov/birds/policies-and-regulations/permits/permit-policies-and-regulations.php>

Eagle nest means any assemblage of materials built, maintained, or used by Bald Eagles or Golden Eagles for the purpose of reproduction.

In-use nest means a bald or golden eagle nest characterized by the presence of one or more eggs, dependent young, or adult eagles on the nest in the past 10 consecutive days during the breeding season.

Alternate nest means one of potentially several nests within a nesting territory that is not an in-use nest at the current time. When there is no in-use nest, all nests in the territory are alternate nests.

Disturb/disturbance means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.

A. General conditions set out in Subpart B of 50 CFR 13, and specific conditions contained in Federal regulations cited above, are hereby made a part of this permit. All activities authorized herein must be carried out in accordance with and for the purposes described in the application submitted. Continued validity, or renewal of this permit is subject to complete and timely compliance with all applicable conditions, including the filing of all required information and reports.

B. You are responsible for ensuring that the permitted activity is in compliance with all federal, tribal, state, and local laws and regulations applicable to eagles.

C. Valid for use by permittee named and any subpermittees (See Condition H).

D. Due to all construction activities associated with the development of West Oriole Market Place located north of Alico Road and west of Oriole Road in Fort Myers, Lee County, Florida, you are authorized to:

Take by means of disturbance incidental to your activities (1) pair of nesting Bald Eagles including the loss of productivity of eggs or young due to potential abandonment of the Bald Eagle nest identified as LE093

Eagle Nest LE093 location: 26.494333N, -81.809833W, Fort Myers, Lee County, Florida

Reporting Required: Annual Summary by June 30 of 2022, 2023, 2024, 2025, 2026

Construction activities will be phased over a multi-year period and will include adding fill dirt to property; building a foundation, multiple warehouse and commercial buildings, and associated infrastructure.

The project impacts are occurring within the 660-foot buffer zone around eagle nest LE093. The closest construction is occurring no closer than 200 feet from the eagle nest tree at any time of the year.

The authorizations granted by this permit apply only to take that results from activities conducted in accordance with the description contained in the permit application and the terms of the permit. If the permitted activity changes, you must immediately contact the Eagle Biologist to determine whether a permit amendment is required in order to retain take authorization.

E. This permit does not authorize intentional take or injury of any live eagles, excluding take of eggs or young by nest abandonment as described in Condition D, nor does it authorize take of any eagle nest.



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You must immediately notify the Southeast Region Eagle Permit Coordinator by phone and email upon discovery of any unanticipated take or regarding any apparent injury or death occurring to any eagle, including viable eggs or young, for any reason during project activities. You must immediately contact the Conservancy of Southwest Florida von Arx Wildlife Hospital, 1495 Smith Preserve Way, Naples, Florida. 34102, (239) 262-0304, to coordinate transportation of any injured eagle.

F. You are authorized to salvage eagle feathers found on the ground in the vicinity of the Bald Eagle nest located in Condition D. Any salvaged items found at the site must be shipped within 30 days to the National Eagle Repository, Contact: U.S. Fish and Wildlife Service, National Eagle and Wildlife Repository, RMA, Bldg. 128, 6550 Gateway Road, Commerce City, Colorado, 80022, (303) 287-2110.

You must immediately notify the Southeast Region Eagle Permit Coordinator by phone and email upon discovery of any eagle carcass(es) at the location listed in Condition D.

G. You must comply with the following avoidance or minimization measures prescribed by this permit for take of eagle(s) identified in Condition D. **All minimization measures, unless noted otherwise, are applicable when any eagles are present at the nest site and the nest meets the definition of an in-use nest during the Bald Eagle nesting season (October 1 – May 15); or when the nest is in-use before October 1 or after May 15:**

1. Eagle Nest Buffer. You will erect a temporary protective barrier to delineate the 200-foot buffer around the eagle nest tree to prevent construction personnel and heavy equipment from entering into this buffer while any construction or associated project activities outlined in Condition D are occurring. All exterior development and heavy equipment access is strictly prohibited in this area. Exclude human access by foot or vehicle within 200 feet of the eagle nest tree when the nest is in-use.

2. FOR ACTIVITIES WITHIN 660 FEET OF THE EAGLE NEST TREE:

a. If exterior construction work or project activities outlined in Condition D are conducted when the nest is in-use:

(1) Initiate a noise abatement program for construction personnel within 660 feet of an eagle nest, to include:

- (a) No excessive and/or sudden loud noise, including engine braking, tailgate banging, loud radios, shouting, singing, etc.;
- (b) All motorized equipment, including saws or other handheld power tools, must be moved indoors if possible or placed to minimize noise at and reflect noise away from the direction of the eagle nest, i.e. behind a temporary structure that reflects noise away from the direction of the eagle nesting area;
- (c) Minimize the need for "reverse" indicator horns and utilize ground flag crews to the degree practicable to avoid using reverse indicator horns; and
- (d) Provide signage in English and Spanish (if applicable) indicating the need for quiet to the extent practicable; and

3. FOR ACTIVITIES BETWEEN 660 AND 330 FEET OF THE EAGLE NEST TREE:

a. If any construction work or project activities outlined in Condition D are conducted when the nest is in-use, you must initiate a traffic abatement program which includes that you establish equipment staging and offsite parking/carpool locations for construction personnel outside of 330 feet from the eagle nest tree.



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4. To the extent practicable, construction or associated project activities farthest from an eagle nest should occur prior to construction or associated project activities closest to the nest.
5. Prior to conducting or while activities in Condition D are occurring, in the event any eagle is injured or is found on the ground, you must provide educational materials that outline how to minimize disturbance to eagles, along with contact information for an eagle rehabilitator to the following:
 - a. All project personnel; and
 - b. Maintenance personnel responsible for the post-project maintenance of the project area described in Condition D.
6. Preserve the largest native pines and hardwoods outside of the project footprint for use as potential eagle roost or nest sites.
7. Maintain and/or create, enhance or expand the visual vegetation buffer between construction activities and the eagle nest tree by planting **native** pines and/or hardwoods.
8. Down-shield all new permanent exterior lighting so that lights do not shine directly onto the eagle nest.
9. Follow state and federal guidelines, laws and label instructions at all times if using pesticides, herbicides, or other chemicals on property identified in Condition D.
10. If applicable, coordinate the design and construction or retrofitting of new and existing utility lines to be in compliance with the Avian PowerLine Interaction Committee (APLIC) Guidelines found at www.aplic.org to reduce the potential for any electrocution, collision and/or nesting of avian species.

H. Subpermittees.

1. Any person who is employed by or under contract to you for the activities specified in this permit, or otherwise designated a subpermittee by you in writing, may exercise the authority of this permit.
2. A subpermittee is an individual to whom you have provided written authorization to conduct some or all of the permitted activities in your absence. Subpermittees must be at least 18 years of age.
3. Any subpermittee who has been delegated this authority may not re-delegate to another individual/business.
4. You are responsible for ensuring that your subpermittees are qualified to perform the work and adhere to the terms of your permit. You are also responsible for maintaining current records of designated subpermittees. As the permittee, you are ultimately legally responsible for compliance with the terms and conditions of this permit and that responsibility may not be delegated.
5. You and any subpermittees must carry a legible copy of this permit and display it upon request whenever exercising its authority.

I. Monitoring Requirements.



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1. A qualified monitor is required to monitor eagle use of the nesting territory, which is defined as up to a 1.5 mile radius of the eagle nest identified in Condition D, on property that is legally accessible by you and where the activities outlined in Condition D. occur. The monitor must be experienced in recognizing specific patterns and changes of eagle behavior, and employed by or contracted by the permittee, landowner, company or entity responsible for having the activity monitored. The monitor must also be as inconspicuous as possible, so not to cause a disturbance with their presence, and when applicable, a wildlife blind or viewing location out of direct sight of the eagles is recommended.

Monitoring must be conducted at a distance that allows for observation without an interruption in the eagle's normal breeding behavior. If eagles do not return to the nest at the location described in Condition D, you are required to monitor on adjacent property that is accessible by you to assess whether or not eagles nest, roost and/or forage at a new location.

If a new eagle nest is built on the property described in Condition D. or within the nesting territory, you must report that new eagle nest location within 10 days to the Southeast Region Eagle Biologist. Additional monitoring and authorization may be required based on the new eagle nest location in relation to activities described in Condition D.

2. Monitoring must occur at a time of day when eagles are most likely to be in the area, (early morning, beginning ½ hour before sunrise, or late afternoon, beginning ½ hour before sunset). You must assess whether or not eagles return to the nesting territory as identified in Monitoring Requirements No.1 and continue to nest, roost and/or forage there, and/or if the eagles attempt to build or occupy another nest. Monitoring must be conducted for a minimum of 60-90 minutes.

3. Once project activities have begun, including if construction activities have begun but are not occurring, monitoring is required annually to determine eagle nesting activity and/or nest failure. During each nesting season, no additional monitoring is required once eaglets have fledged from the nest or nest failure is documented.

The required monitoring period is:

- During each eagle nesting season, defined as October 1 through May 15, or when eagles are present at the nest and
- For an additional (1) nesting season after project has been completed.

Monitoring must be conducted according to the following Eagle Monitoring Schedule:

Frequency	Eagle Monitoring Schedule	Time	Time of Day
Once	November	60 – 90 minutes	Begin ½ hour before sunrise or before sunset
Once	Between December 15 and January 15	60 – 90 minutes	Begin ½ hour before sunrise or before sunset
Once	Between February 15 and March 15	60 – 90 minutes	Begin ½ hour before sunrise or before sunset
Once	April	60 – 90 minutes	Begin ½ hour before sunrise or before sunset
Once	May	60 – 90 minutes	Begin ½ hour before sunrise or before sunset
Once	Every month after until fledging or nest failure is documented	60 – 90 minutes	Begin ½ hour before sunrise or before sunset

4. Monitoring reports must include the following information:



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- a. Date and length of time Bald Eagles were observed;
- b. Time of day;
- c. Number and age of Bald Eagles observed (i.e. juvenile, immature, subadult, adult); if age is not known provide description;
- d. Observed behavior (e.g. perching, feeding, sitting on or attending nest, in flight);
- e. If a new eagle nest is built on or adjacent to your property, the new location and whether the eagles produced young at that site;
- f. If any eagle nesting attempt was successful, failed or the eagles abandoned the area; and
- g. A description of any human activity at the time eagles are observed during each month of the monitoring period (e.g. construction, road building, use of machinery, etc.).

J. Reporting Requirements.

- 1. You may use Form 3-202-15 (Eagle Take Annual Report) found online at www.fws.gov/forms/3-202-15.pdf to report monthly and annual Bald Eagle monitoring activities. Use of this form is not mandatory, but the same information must be submitted.
- 2. You must annually submit your monitoring reports, including your summary Eagle Take Annual Report (Form 3-202-15), by June 30 of each calendar year a report is required as follows:
 - a. Electronically to FW4eaglemonitoring@fws.gov. The email subject line for each report submitted must reference the permit number, project title or name, and month/year of report, and
 - b. Mailed to the migratory bird permit issuing office at U.S. Fish and Wildlife Service, 1875 Century Boulevard, Atlanta, Georgia 30345.

If no eagle activity is observed, a report indicating "no activity observed" is required.

If project activities were delayed or not conducted, an annual report indicating "no activities occurred" is required.

50 CFR 22.26 STANDARD CONDITIONS EAGLE TAKE (DISTURBANCE) PERMIT

All of the provisions and conditions of the governing regulations at 50 CFR part 13 and 50 CFR part 22.26 are conditions of your permit. Failure to comply with the conditions of your permit could be cause for suspension of the permit and/or citation. The standard conditions below are a continuation of your permit conditions. If you have questions regarding these conditions, refer to the regulations and forms, or to obtain contact information for your issuing office, visit:

<https://www.fws.gov/birds/policies-and-regulations/permits.php>

- 1. This permit does not authorize you to conduct activities on federal, state, tribal or other public or private property without additional prior written permits or permission from the agency/landowner.
- 2. You remain responsible for all outstanding monitoring requirements and mitigation measures required under the terms of the permit for take that occurs prior to cancellation, expiration, suspension, or revocation of the permit. Provisions for discontinuance of permit activity are outlined in 50 CFR 13.26.



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3. You must maintain records as required in 50 CFR 13.46. Your records must also include the data gathered for monitoring and reporting purposes. All records relating to the permitted activities must be kept at the location indicated in writing by you to the migratory bird permit issuing office.
4. Acceptance of this permit authorizes the U.S. Fish and Wildlife Service to inspect and audit or copy any permits, books or records required to be kept by the permit and governing regulations (50 CFR 13.47).
5. You must allow Service personnel or other qualified persons designated by the Service, access to the areas where eagles are likely to be affected by your project activities, at any reasonable hour, and with reasonable notice from the Service, for purposes of monitoring eagles at the site(s) while the permit is valid and for up to 3 years after it expires.
6. The Service may amend, suspend, or revoke a permit issued under this section if new information indicates that revised permit conditions are necessary, or that suspension or revocation is necessary, to safeguard local or regional eagle populations. This provision is in addition to the general criteria for amendment, suspensions and revocation of Federal permits set forth in 50 CFR 13.23, 13.27, and 13.28 of this chapter.
7. To renew this permit if the activities described in Condition D have not been completed by the expiration date of this permit, permittee must meet issuance criteria at the time of renewal and must also have been in compliance with permit conditions, including all monitoring and reporting requirements of the original permit.
8. You may request amendment to your permit. The Service will charge a fee for substantive amendments made to permits within the time period that the permit is still valid. The fee is \$500 for commercial permittees and \$150 for non-commercial permittees (50 CFR 13.11(d)(4)). Substantive amendments are those that pertain to the purpose and conditions of the permits and are not purely administrative. Administrative changes, such as updating name and address information, are required under 13.23(c), and the Service will not charge a fee for such amendments. Requests for substantive amendment must be submitted via Form 3-200-71.

LE093 Nesting History Exhibit

LE-93: Alico Road

Strap Number: 04-46-25-00-00003.0020

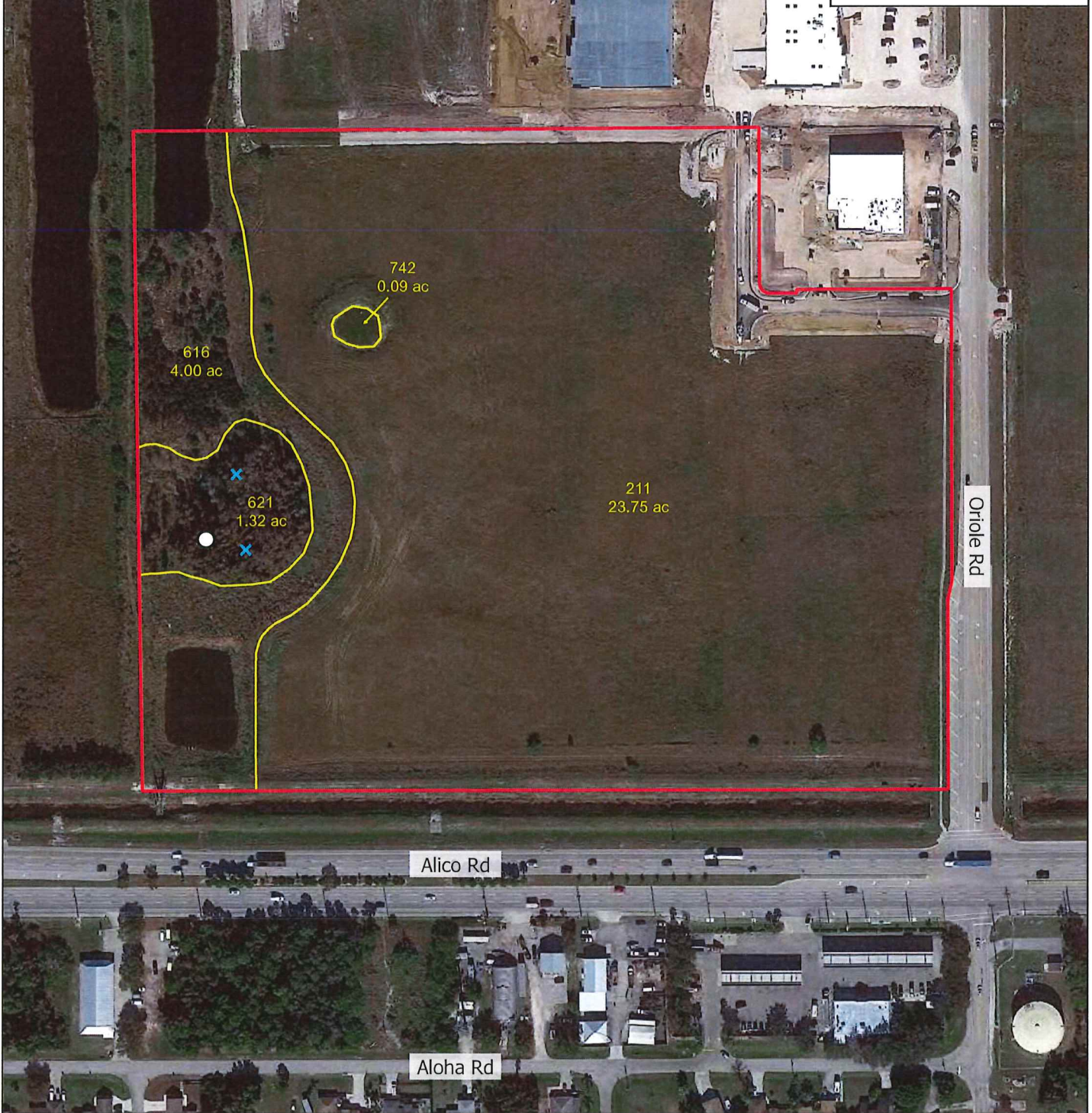
Year	History
2012-2013	Active, 1 Fledgling. Nest in Cypress Tree
2013-2014	Active, Nest Failed. Great Horned owl in nest.
2014-2015	Inactive, Eagles observed in the area but no activity at the nest
2015-2016	Active, 1 Fledgling. Nest was down at the end of the season.
2016-2017	Active, adults constructed nest but no incubation observed.
2017-2018	Active, nest failed. Incubation observed Dec 2017 and adult appeared to be feeding young in Jan 2018. No activity was observed after Jan 2018.
2018-2019	Active, 2 Fledglings confirmed
2019-2020	Active, 1 Fledgling confirmed
2020-2021	Active, 2 Fledglings confirmed

2021 - 2022 Active, fledglings

2022 - 2023 Active, fledglings not observed, but feeding behavior exhibited

FlucCs	Description	Area (ac)
211	Improved Pastures	23.75
621	Cypress	1.32
742	Borrow Areas	0.09
616	Inland Ponds and Sloughs	4.00

- Property boundary
- FlucCs area
- Eagle nest
- x Commonly used perch tree (tree height 68'-75')



ENVIRONMENTAL EVALUATION AND ADVOCACY

2159 Morning Sun Lane
NAPLES, FLORIDA 34119
PHONE: (239) 514-3588
www.synecol.com

PROJECT: West Oriole Marketplace - FlucCs Map

DATE: Feb 27, 2023

DRAWN BY: NW

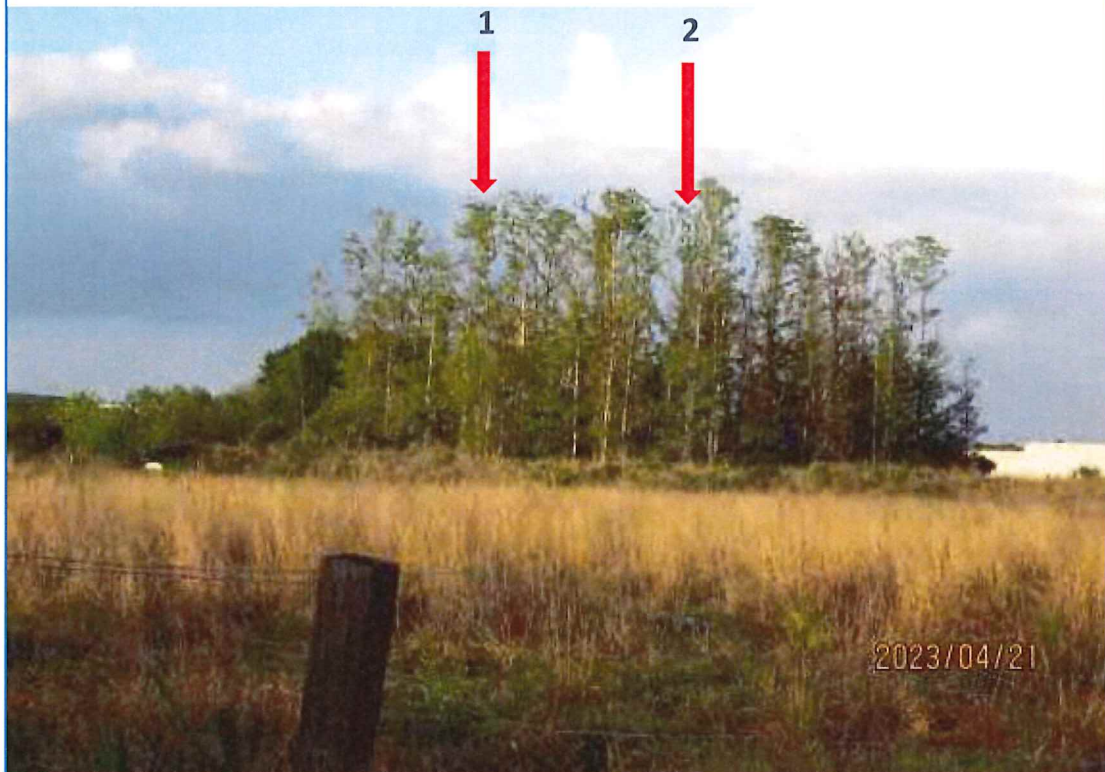


0 100 200 ft



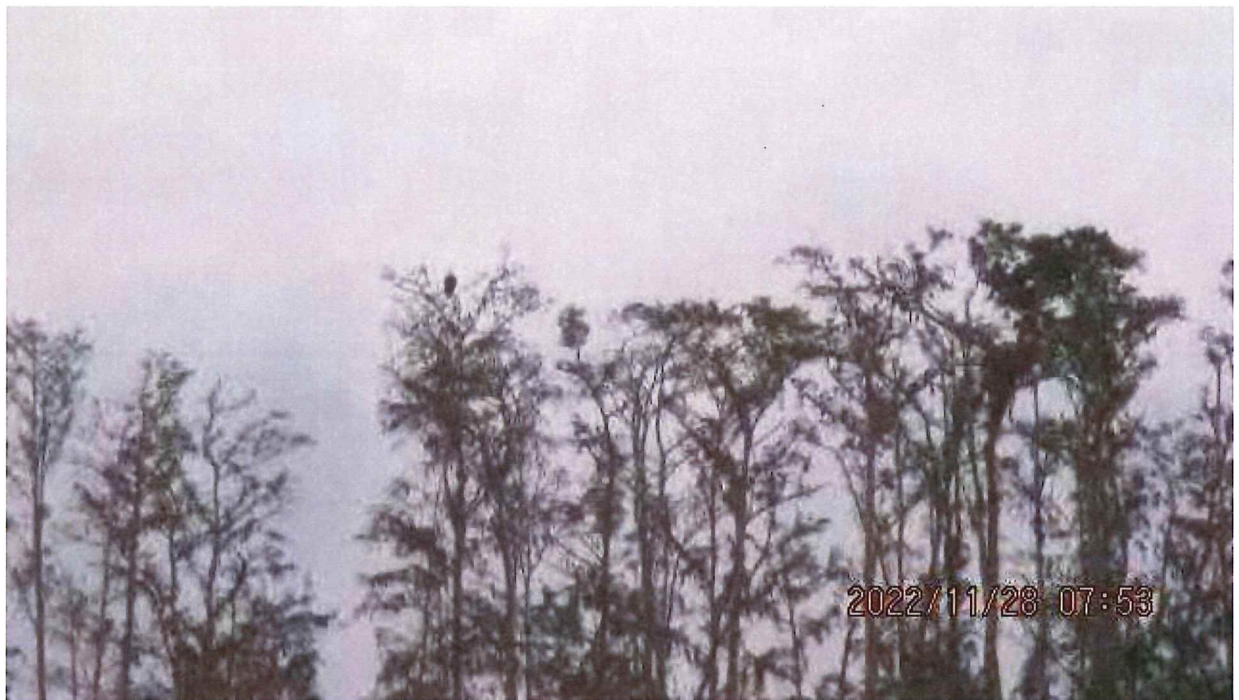
Alternate Eagle Nest / Perch trees

The arrows indicate the perch trees



Tree 1: Height

Tree 2: Height



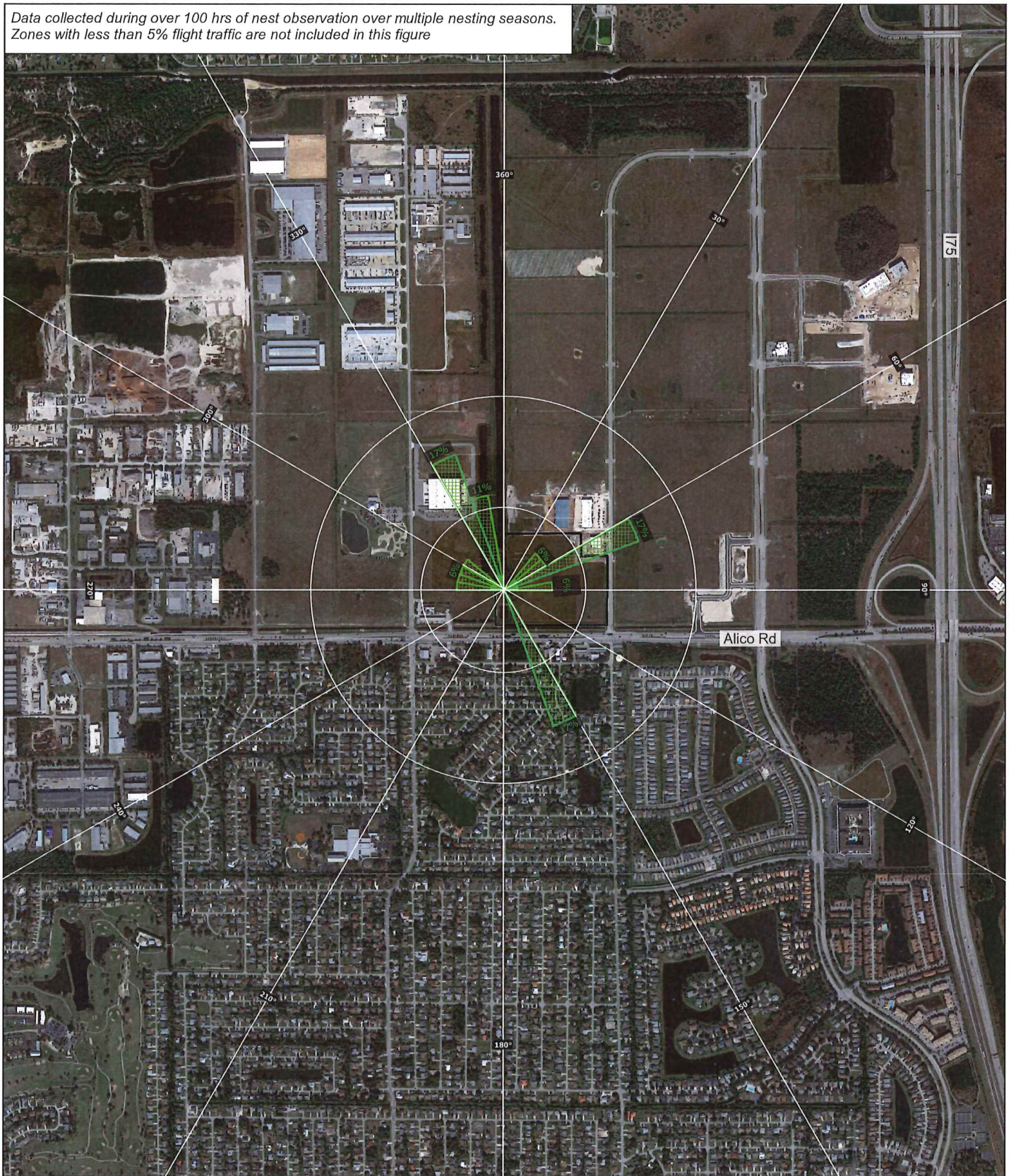
Tree 1

Tree 2



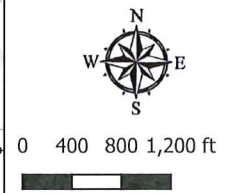
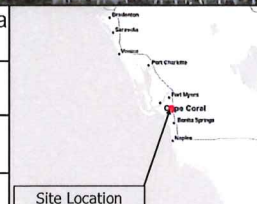
Eagle Flight Patterns

Data collected during over 100 hrs of nest observation over multiple nesting seasons.
Zones with less than 5% flight traffic are not included in this figure

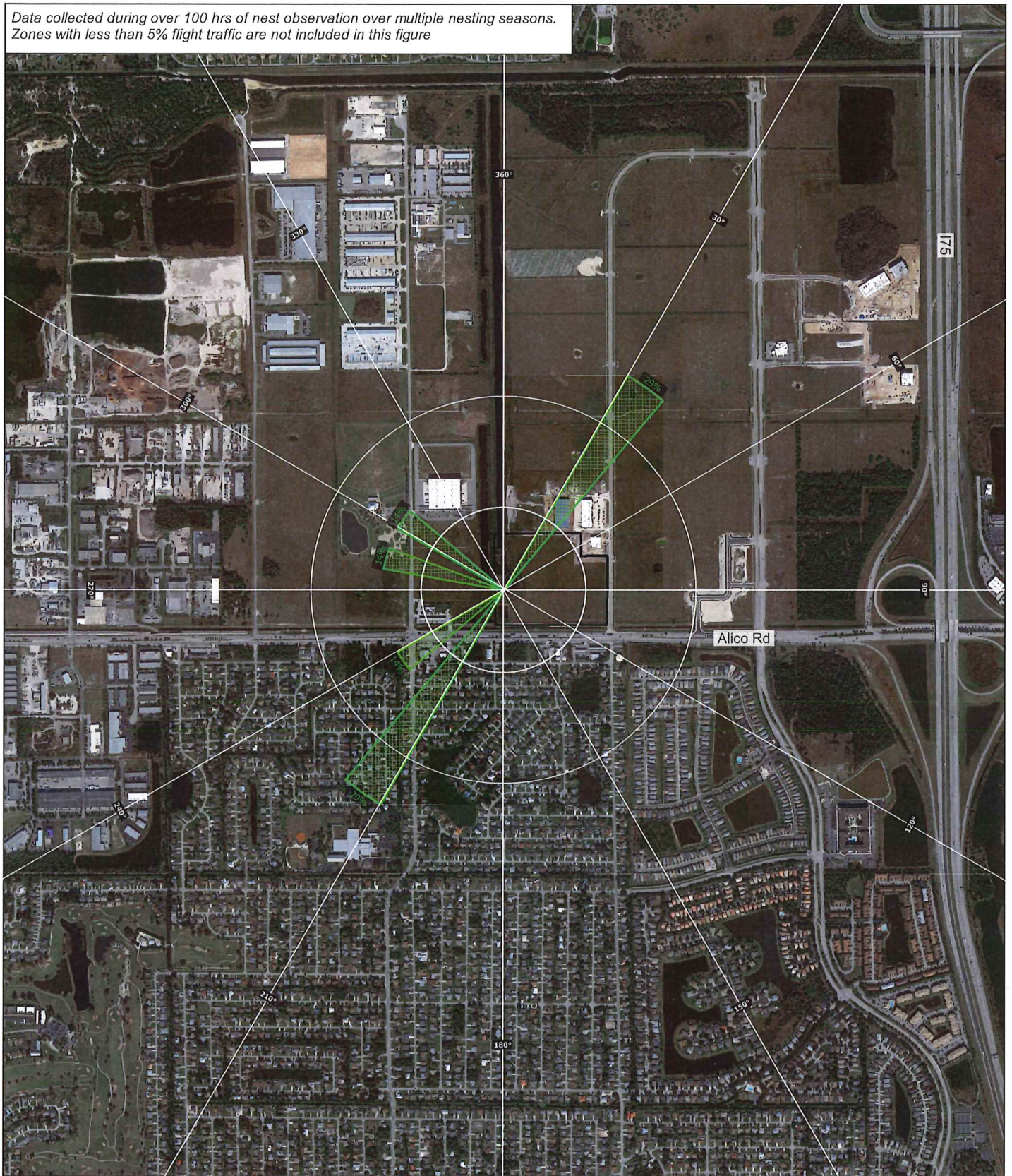


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ANALYSTS
ENVIRONMENTAL EVALUATION AND ADVOCACY
2159 Morning Sun Lane
NAPLES, FLORIDA 34119
PHONE: (239) 514-3998
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PROJECT: Oriole Alico West Eagle Foraging Area
- Flights To Nest
DATE: May 9, 2023
DRAWN BY: NW

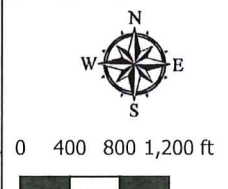
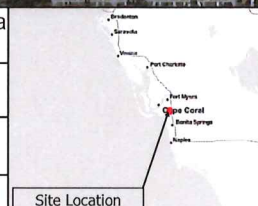


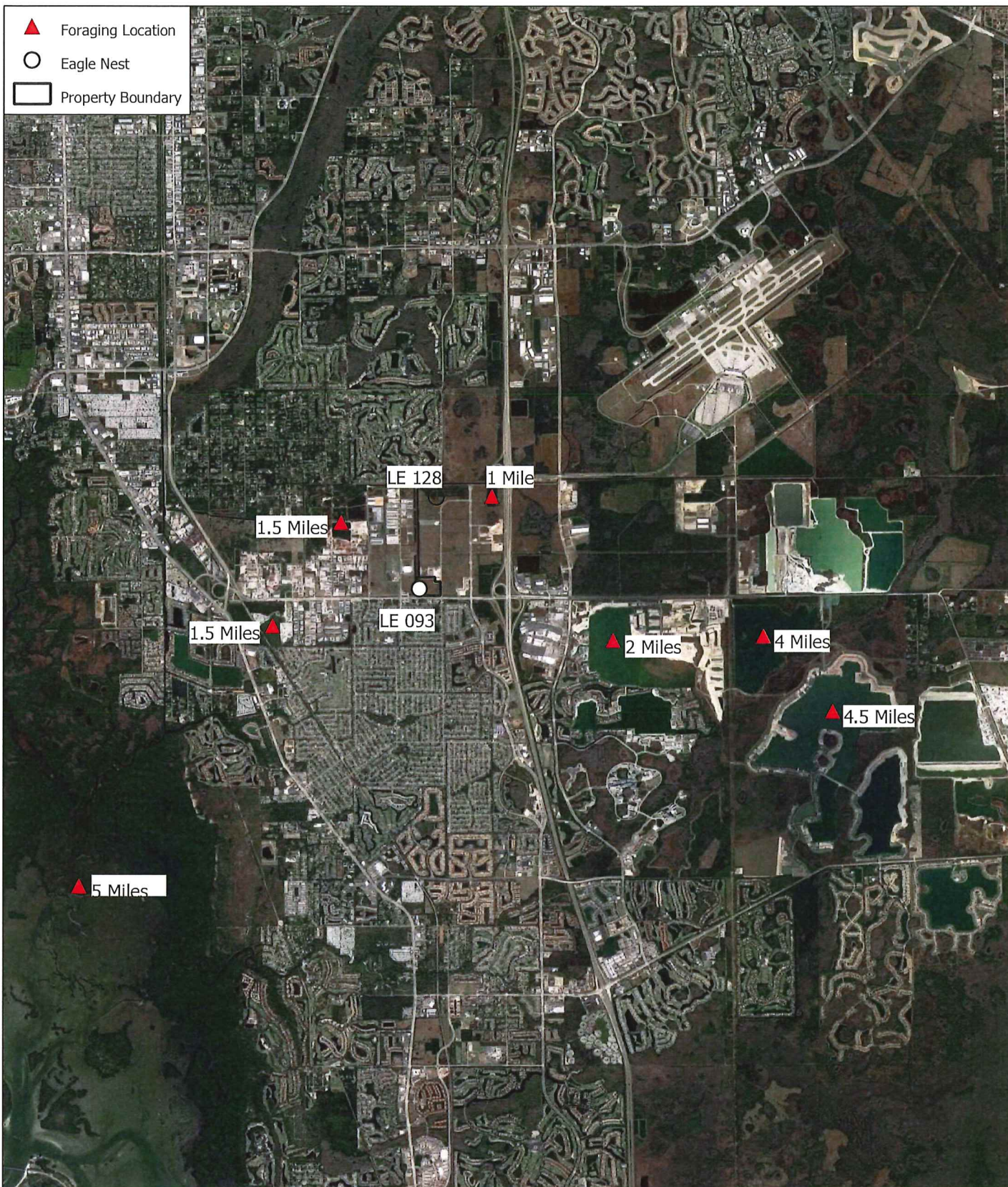
Data collected during over 100 hrs of nest observation over multiple nesting seasons.
Zones with less than 5% flight traffic are not included in this figure



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ANALYSTS
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PROJECT: Oriole Alico West Eagle Foraging Area
- Flights From Nest
DATE: May 9, 2023
DRAWN BY: NW



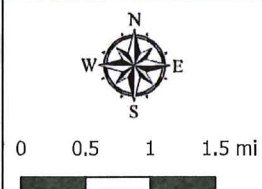


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PROJECT: LE 093 Nest Foraging Area Figure

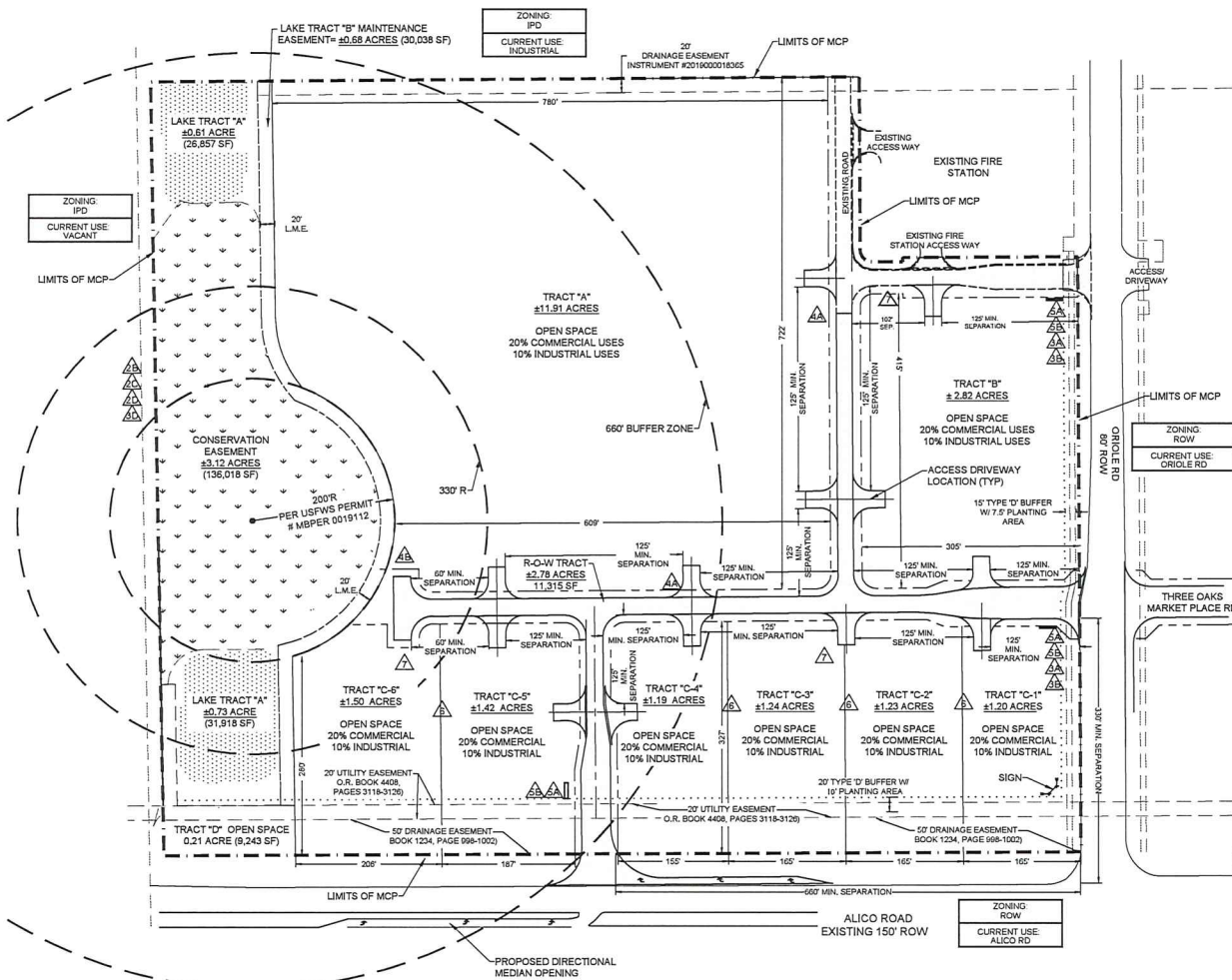
DATE: May 9, 2023

DRAWN BY: NW



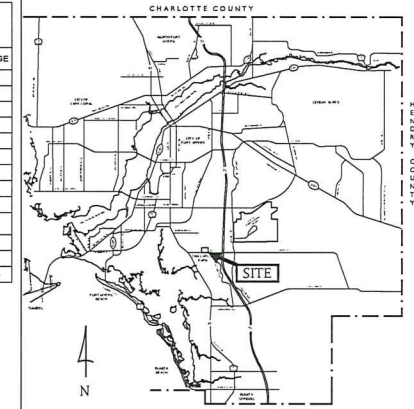
ALICO ORIOLE WEST

LOCATED IN SECTION 04, TOWNSHIP 46-S, RANGE 25-E, LEE COUNTY, FLORIDA



ALICO ORIOLE WEST MCP AREAS	
DESCRIPTION	ACREAGE
TRACT A	11.91
TRACT B	2.82
TRACT C-1	1.20
TRACT C-2	1.23
TRACT C-3	1.24
TRACT C-4	1.19
TRACT C-5	1.42
TRACT C-6	1.50
ROW/TRACT	2.78
CONSERVATION EASEMENT & LAKE TRACT	4.46
LAKE MAINTENANCE EASEMENT	0.68
TRACT D OPEN SPACE	0.21
TOTAL ACREAGE	30.64

MASTER CONCEPT PLAN



LOCATION MAP

PROJECT SUMMARY:

ZONING: AG-2 to MPD STRAP #s: 04-46-25-L3-00003-0020

PROJECT ACREAGE: 30.64 ACRES (1,334,896 SF)

PROJECT INTENSITY:
MAX BUILDING FLOOR AREA = 350,000 SF
MINIMUM 30,000 SF COMMERCIAL
MINIMUM 30,000 SF INDUSTRIAL

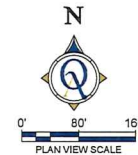
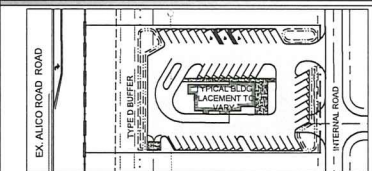
OPEN SPACE:
COMMERCIAL USES: 20%
INDUSTRIAL USES: 10%

CONSERVATION AN LAKE AREA: 4.46 ACRES

DEVIATIONS



TYPICAL LOT LAYOUT:



Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
4301 Veronica Shoemaker Blvd. | Fort Myers, FL 33916 | 239.936.5222 | QANet.net

P:\2022 Projects\2022 ALICO ORIOLE WEST\1-CADD FILES\04-MCP-CONCEPT\2022-04-17 REV MCP\2022-04-17 BASE-MCP.DWG

PLOTTED BY: GABRIELA
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220104 BASE-MCP.DWG

ALICO ORIOLE WEST, MPD
DCI2022-00061 -Major PD

Bald Eagle Management Plan
Eagle Nest LE093
11 May 2023

Owner
Horowitz Sanford I, TR FOR Land Trust
d.b.a. Three Oaks Horowitz LLC
Alan Freeman, Trustee
28120 Hunters Ridge Blvd, Suite 5
Bonita Springs, FL 34135

Preparer
Synecological Analysts® Inc.
2159 Morning Sun Ln
Naples, FL 34119

Table Of Contents

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2.	Existing Conditions	Page 5
3.	Management Plan	Page 7
4.	Minimization Measures to Limit Incidental Take	Page 10
5.	Monitoring and Reporting Requirements	Page 11

Attachments

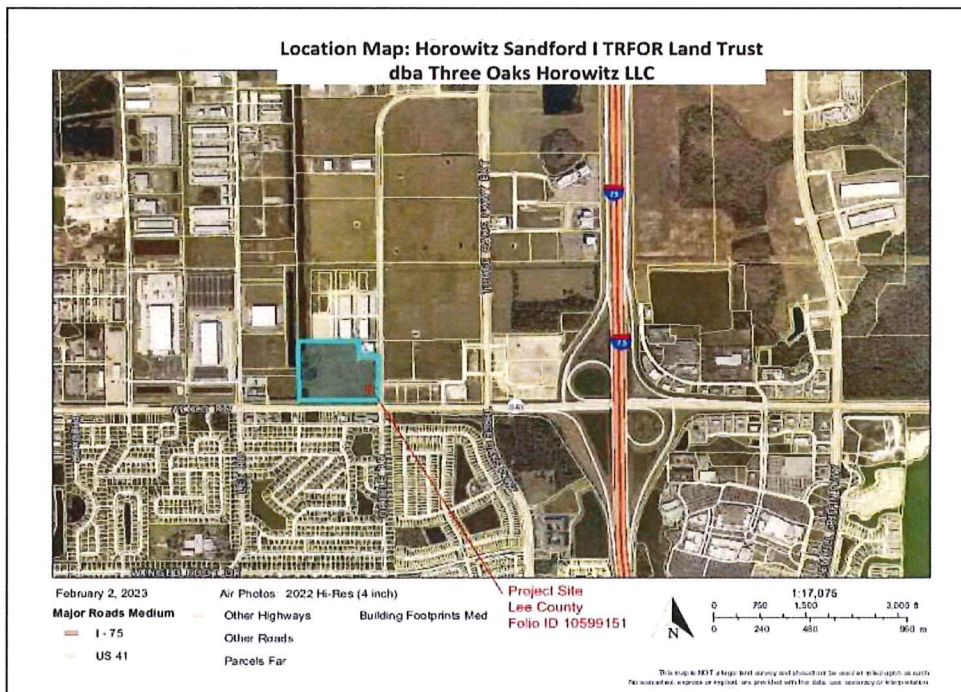
1	Eagle Buffer Planting Exhibit
2	Short-Term Eagle Incidental Take Permit No. MBPER0019112
3	LE093 Nesting History
4	Alternate Eagle Nest/Perch Trees Exhibit
5	Eagle Flight Pattern Exhibits
6	MCP

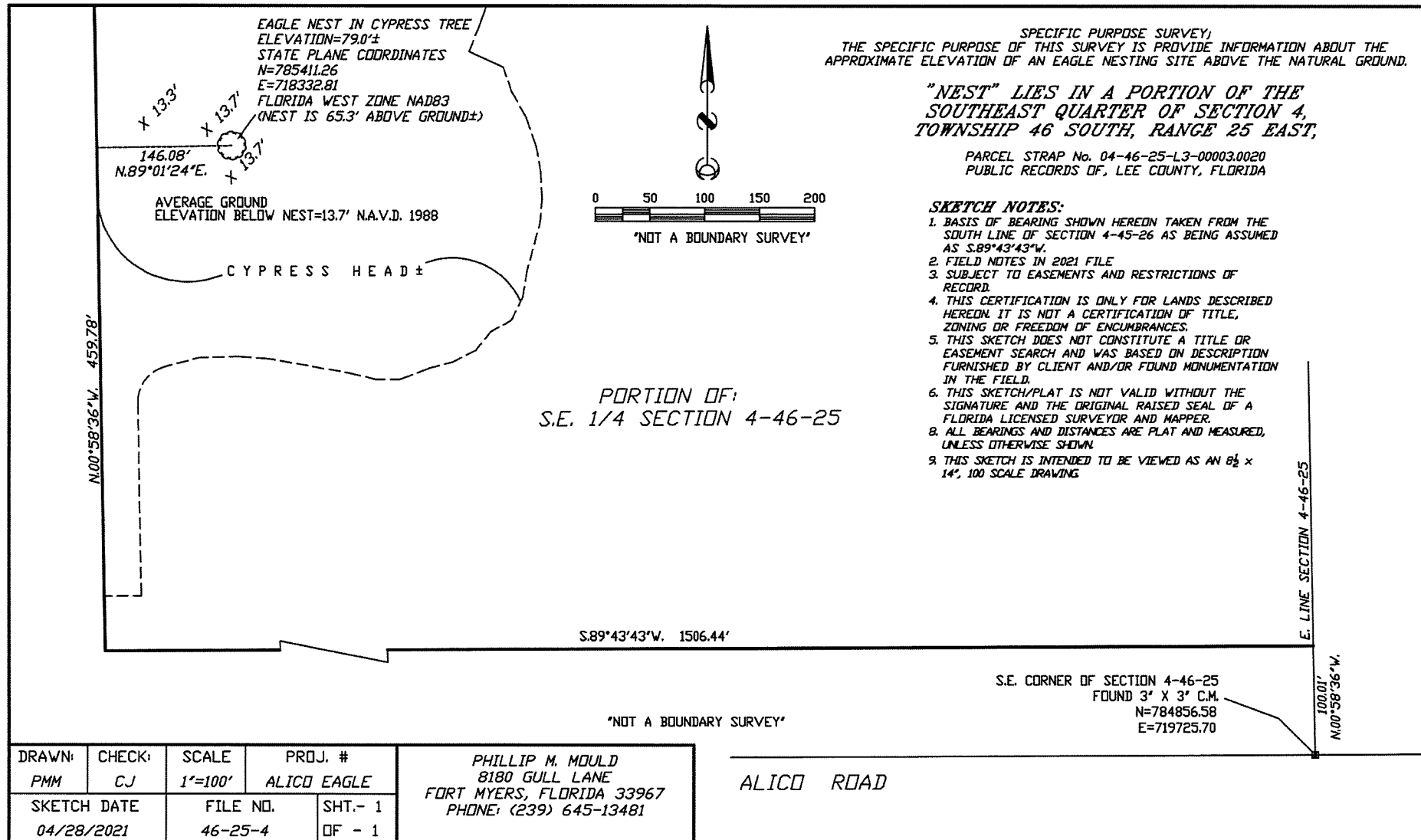
Background and Introduction

Three Oaks Horowitz LLC is seeking approval to develop the Alico Oriole West MPD project on this approximately 29.16 ac parcel (STRAP 04-46-25-L3-00003.0020). This parcel is bordered by a fire station, industrial park and vacant land to the north, Oriole Rd to the east, Alico Rd to the south, and water management areas and vacant land to the west. This site has both State (SFMWD Permit No. 36-0568-P) and Federal (No Permit Required SAJ-2006888) wetland approvals. All wetland impacts have been mitigated consistent with these approvals.

Nest LE-093 has been active since the 2012-13 nesting season. This nest occurs in a recorded Conservation Easement that was created by the previously referenced SFMWD ERP permit. The nest is located in a large cypress tree at elevation 79'+-, State Plane Coordinates N= 785411.26 E= 718332.81. The nest is located 65.3' above ground. The nest has been destroyed by storms and rebuilt multiple times over the years. Most recently, Hurricane Ian damaged but did not destroy this nest. The nesting pair repaired the damage soon thereafter and the nest is observed to be active.

This Eagle Management Plan is intended to facilitate both the long term habitat quality for this pair of nesting eagles and responsible development of the parcel as proposed. The applicant has been granted a Short Term Eagle Take Permit No. MBPER00119112. This permit allows for development of this project within portions of the buffer zones, consistent with Permit Conditions/guidelines and minimization protocols. The conditions of this permit will be discussed in more detail in subsequent sections.





Existing Conditions

Synecological Analysts® (SAI) conducted an Environmental Assessment on this site. SAI evaluated this property to determine distribution, extent, and character of vegetational communities. Habitat types, jurisdictional wetland status, potential or presence of listed species, and suitability of the on-site habitat for listed species habitat were also evaluated. Soil types, distribution and extent were determined to assist in other evaluations.

All native communities except the Cypress head (FLUCCS 621) have been disturbed over an extended period of time as a result of agricultural activities and creation of drainage/road networks. This disturbance influenced the majority of this site and occurred in progressive fashion.

The Alico Oriole West site is not a pristine area that approximates the pre-development character of this general area. Plant communities and habitat have been severely impacted over time by ongoing AG activity. Most of the non-Cypress canopy and much of the Saw palmetto upland shrub strata are largely absent. Regional and area drainage has been massively disrupted by construction of I-75 and the Airport canal. Cycles of fire and renewal have been absent from this site for decades.

Plant communities and land uses were identified according to the Florida Department of Transportation (FDOT1999) Florida Land Use, Cover, and Forms Classification system (FLUCCS) protocol.

FLUCCS 211 - Improved Pasture

This upland habitat type is found in both the primary and secondary buffers of the bald eagle nest tree and contains several shallow ditches/swales that were part of the historic agricultural use. The canopy is mostly open with scattered live oak (*Quercus virginiana*), laurel oak (*Quercus laurifolia*), and slash pine along the edges. The subcanopy is mostly open with scattered Brazilian pepper (*Schinus terebinthifolius*) and cabbage palm (*Sabal palmetto*). The groundcover is dominated by Bahia grass (*Paspalum notatum*), with scattered Spanish needles (*Bidens alba*), false buttonweed (*Spermacoce verticillata*), ragweed (*Ambrosia artemisiifolia*), broomsedge (*Andropogon virginicus*), caesarweed (*Urena lobata*), dog fennel (*Eupatorium capillifolium*), smutgrass (*Sporobolus* spp.), and other various opportunistic weedy species. Commonly observed vines include greenbriar (*Smilax* spp.), and grapevine (*Vitis rotundifolia*).

FLUCCS 616 - Inland Ponds and Sloughs

This area is a human constructed conservation area and water management system and mimics closely these Inland Ponds and Sloughs systems occurring naturally. The dominant shrubs are Wax myrtle and Willow. Herbaceous components include Maiden cane, Sawgrass, and a wide variety of sedges and rushes. This area is excluded from cattle grazing.

FLUCCS 621 - Cypress

This community occurs as isolated heads in the central portion of the western conservation area site. (The Eagle nest is located in this area)

Flucss	Description	Area (ac)
211	Improved Pastures	23.75
621	Cypress	1.32
742	Borrow Areas	0.09
616	Inland Ponds and Sloughs	4.00



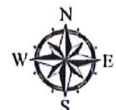
ENVIRONMENTAL EVALUATION AND ADVOCACY

2159 Morning Sun Lane
NAPLES, FLORIDA 34119
PHONE: (239) 514-3998
www.synecol.com

PROJECT: West Oriole Marketplace - Flucss Map

DATE: March 29, 2022

DRAWN BY: NW



0 100 200 ft



Along the southeast and northeast boundary of the 621 area, larger areas occur. Bald Cypress (*Taxodium distichum*) and Pond Cypress dominate the canopy. Scattered Slash pine occur within this cypress matrix. Swamp bay and Dahoon characterize the shrub stratum along the margins. Representative herbaceous components include Swamp Fern and Laurel greenbrier. The canopy in this community is mature Pond Cypress varying between 65' to 75' in height. There are two primary perch trees at the north and south sides of this head. These perch trees are 68' and 75' tall, respectively. Their location is shown on the following pages. There are 5-8 trees in this head that could be considered as adequate as nest trees. If this pair relocates the nest there are several trees that would be adequate for this use.

The shrub canopy is largely Cabbage palm, with considerable composition of Dahoon holly, Pond apple, Buttonbush and Willow. These trees are on the order of 10-20' in height. Because this area is a preserve, exotic control has been ongoing and the exotic component limited. The herbaceous strata includes Maidencane, *Spartina Bakerii*, Bushybeard bluestem and swamp fern.

FLUCCS 742 - Borrow Area

Borrow areas for cattle watering cover approximately 0.1 acres of this site and are essentially devoid of emergent vegetation.

Management Plan

Regulatory basis of activities have resulted in the issuance of an Incidental Take Permit for bald eagles through the USFWS Eagle Permit (Eagle Permit) process under 50 C.F.R. 22.26. The 2007 FWS National Bald Eagle Management Guidelines ("Guidelines") provide guidance regarding options to minimize disturbance (impacts) to bald eagles. The Bald and Golden Eagle Protection Act discourages eagle disturbance. The Federal Take Permit and County Eagle Management Plan provide guidance to minimize such disturbance. On April 20, 2017, the Florida FWC approved revisions to the state's bald eagle rule (68A16.002, F.A.C.). That became effective on June 22, 2017. The result of this revision is that only a Federal permit is required for activities with the potential to take or disturb bald eagles or their nests. This Bald Eagle Management Plan reflects necessary minimization and Special Conditions set forth in the Short-Term Eagle Incidental Take Permit obtained for the project. Two zones have been created, 330' and 660' feet from nest LE093, each of which has differing levels of restrictions as to the proposed development and timing of constructions.

Proposed Conservation Measures Within 660'

What conservation measures are proposed within 660' during nesting season?

1. If exterior construction work or project activities outlined in Condition D of the USFWS Take Permit are conducted when the nest is in use: (Note: nest in-use generally refers to the bald eagle nesting season (October 1 - May 15) but use may occur earlier if nesting is initiated prior to October 1 and may end earlier or later than May 15, dependent upon date of successful fledging of young or documented nest failure)

a. Initiate a noise abatement program for construction personnel within 660' of the eagle nest to include:

aa. No excessive and/or sudden loud noise including engine braking, tailgate banging, loud radios, shouting/singing, etc.

ab. All motorized equipment, including saws or other handheld power tools, must be moved indoors if possible or placed to minimize noise at and reflect noise away from the direction of the eagle nest, i.e. behind a temporary structure that reflects noise away from the direction of the eagle nesting area.

ac. Minimize the need for reverse indicator horns and utilize ground flag crews or guides to the degree practicable to avoid using reverse indicator horns.

ad. Provide signage in English and Spanish indicating the need for quiet to the extent practicable.

2. A proposed vegetational visual screen (See Eagle Buffer Planting Exhibit attached) will be installed when the nest is not in use.

3. The previously described landscape/visual buffer.

4. The nesting tree is located in a conservation area, behind a large berm. Based on many hours of nest observation over multiple nesting seasons, these birds are most sensitive to human activity. Planes, buildings, people in association with buildings or equipment do not typically focus the birds attention. Based on this extensive period of observation, it seems likely proposed buildings present no consequential restraint on the birds normal activity and flight patterns so long as the proposed vegetational planted buffer is installed/maintained. Please refer to the wind row base figures showing primary flight sectors to and from this nest.

5. No active external construction within 330' of the nest when the nest is active (nesting season historically Oct 1 through May 15).

6. On-site signage regarding the urgency of being quiet during the nesting season.

Proposed Activities Between the 330' - 660' Buffer of LE093

The onsite development and associated utilities needed to support the onsite development, located between 330' and 660' of the eagle nest, are presented below.

If any exterior construction or project activities within this zone need to occur when the nest is in-use during nesting season (October 1- May 15), the following restrictions/ management practices will be utilized:

1. A traffic/noise abatement program will be initiated for construction personnel, which includes:
 - a. no excessive and/or sudden loud noise, including engine braking, tailgate banging, loud radios, shouting, singing, etc.
 - b. All motorized equipment, including saws or other handheld power tools must be moved indoors if possible or placed to minimize noise at and reflect noise away from the direction of the eagle nest tree
 - c. Minimize the need for "reverse" indicator horns and utilize ground flag crews to the degree practicable to avoid using reverse indicator horns.
 - d. Provide signage in English and Spanish emphasizing the need for quiet to the extent practicable.
 - e. A staging area for equipment and parking/ car pool location for construction or project personnel will be established outside of 330' of the eagle nest tree.
2. This nest will be censused twice weekly as nesting season approaches to document arrival of the nesting pair. Once an eagle is observed, monitoring will be conducted up to three times a week for a minimum of 90 minutes each to document nest status and eagles reactions to any ongoing work. Monitoring will occur on days that construction is ongoing and in process to the extent possible. Monitoring may be reduced to one day per week five weeks post hatching, with concurrence from County staff.

Activities Between the 200' - 330' Buffer of LE093

Exterior construction, heavy landscaping, and associated activities are prohibited within 330' of the nest tree when the nest is in-use during nesting season. The developers will comply with this restriction, resulting in the need for the proposed outdoor work between 200' - 330' of the nest tree to occur only when the nest is not in-use.

Between the 0' - 200' (No Development) Buffer of LE093

No development is proposed on the Alico Oriole West site within 200' of LE093. The Eagle Buffer Planting Exhibit attached shows ±1.3 acres of undeveloped land to remain around the nest tree within the Alico Oriole West site. Per Lee County Development Code requirements, invasive vegetation will be removed within the entire development area, including this buffer zone. This exotic control is also mandated by the existing SFWMD permit for this site. Such invasive removal will only occur outside of the bald eagle nesting season and when the nest is not in-use.

Minimization Measures to Limit Incidental Take

In accordance with Eagle Incidental Take Permit MBPER0019112, the following measures will be implemented by the developer to help minimize disturbance to eagle nest LE093:

1. Prior to construction of the proposed work within 660' of the eagle nest tree, educational materials that outline how to minimize disturbance to eagles, along with contact information for the local eagle rehabilitator, will be prepared and provided to project personnel, tenants occupying any building located within 660'

of the nest tree, and maintenance personnel responsible for the post-project maintenance of the project area within 660' of the nest tree.

2. All project related exterior or temporary construction lighting, if used, will be shielded/directional in nature so that lights do not shine directly onto the eagle nest.
3. If using pesticides, herbicides, or other chemicals onsite, State and federal BMP's, laws and label instructions will be followed at all times.
4. Overhead utility lines will be coordinated to be in compliance with the Avian Power Line Interaction Committee (APLIC) Guidelines found at www.aplic.org to reduce the potential for any electrocution, collision, and/or nesting of avian species.

5. The proposed Eagle Buffer Planting between the wetland area where the eagle nest is located and the proposed development extends over 549 linear feet along the existing berm (Attachment 1). The applicant proposes to install fifteen (15) Pines ("Densa") 12 feet on center [in five groups of 3], thirty (30) Sabal Palms [in six groups of 5], and in addition forty-six (46) Walter's Viburnum #3 under the Sabal Palms as shown on the attached Eagle Buffer Planting Exhibit. The goal is to create a visual buffer between LE093 and the proposed development. These plants will have an irrigation system installed to support their vigor and growth. The location and extent of this buffer is shown in Attachment 1. The purpose of the plantings is to shield both the perch trees and nest to the human activity located in the development to the east of the nest. Based on our observations of this nesting pair they are not influenced by equipment, traffic or noise. Human presence/activity focuses their attention. Plant materials selection for this visual screen/buffer were based on several factors. These included a selection of native trees and plants, canopy density and extent, evergreen/deciduous comparisons, growth form of mature trees, sustainability with regard to extreme weather events and the location on the top of an existing berm. We implemented the recommendation in the US FWS Eagle Take Permit to "enhance and expand the visual vegetation buffer between construction activities and the eagle nest tree by planting native pines and/ or hardwoods". It is worth noting that our observations included periods when the cypress trees surrounding the nest tree had foliage as well as periods when the leaves had

dropped. We also have experience with eagle nests in areas dominated by slash pine. Based on the available plant materials of a size needed for the buffer along canopy density and sustainability, we considered a short list of cypress, oak (both laurel and live oak), slash pine and palms. Our selection of pines and sabal palms was based on the following factors:

- a. Appropriate and available native trees and shrubs,
- b. The lack of canopy density during a good part of the nesting season,
- c. Severe weather event survivability, and
- d. Lack of an extensive root systems to support the trees, particularly in severe weather events,

We selected the Pines and Sabal Palms after consultation with the Lee County Eagle Technical Advisory Committee as they have a stable canopy density, good sustainability through extreme weather events, a compact and dense root system, and sufficient density based on the available native species with a single row of plants. We believe we understand the unusual nature of doing an eagle buffer planting plan and we also understand the sole purpose of this planting effort is to improve the quality of life for this nesting pair of eagles or others that might occupy this nest over time. This is not a landscape requirement and is being installed on top of a berm. We think the benefit to occupants of LE 093 makes this Eagle Buffer Planting Plan the optimal, available native planting solution to creating a dense, sustainable visual screen/buffer that maintains or improves quality of life for these eagles, complies with the policies of the Eagle Take Permit and the Lee County eagle buffer policies, and allows responsible development of the nearby parcel at the NW corner of Alico Rd. and Oriole Rd.

Monitoring and Reporting Requirements

The Federal Take Permit relative to this nest requires a qualified biologist to monitor eagle use of the nesting territory defined as up to a 1.5-mile radius of eagle nest LE093, onsite that is legally accessible by the developer and where the activities occur. The monitor will be experienced in recognizing specific patterns and changes of eagle behavior and employed by or contracted by the permittee, landowner, company, or entity responsible for having the activity monitored. The monitor will be as inconspicuous as possible, so not to cause a disturbance with his/her presence, and when applicable, a wildlife blind or viewing location out of direct sight of the eagle will be utilized.

Monitoring will be conducted at a distance that allows for observation without an interruption in the eagle's normal breeding behavior. If the eagles do not return to the known nest location (LE093), the site will be monitored to assess whether or not the eagles nest, roost, and/or forage at a new location.

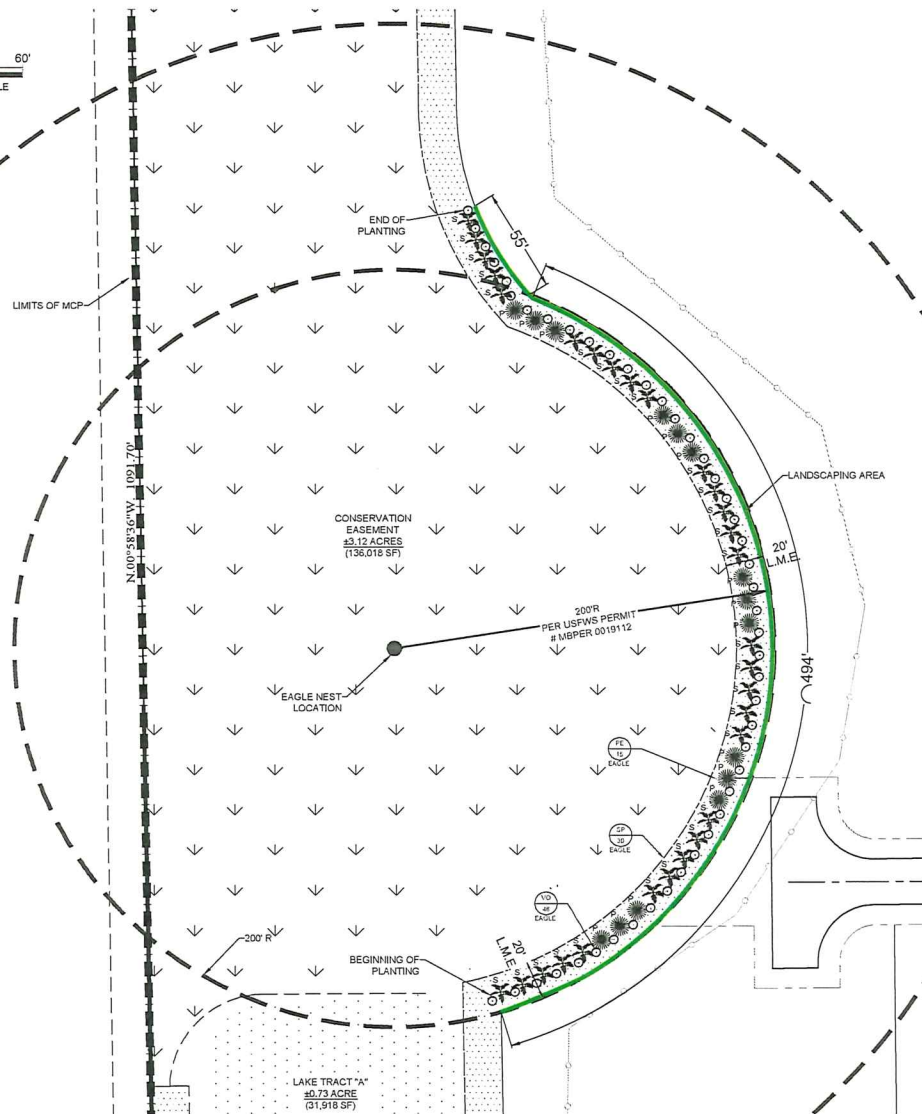
If a new eagle nest is built on the site or within the nesting territory, the monitor will report the new eagle nest location within 10 days to the FWS Southeast Region Eagle Biologist and ETAC through the assigned Lee County personnel.

Monitoring will be conducted in the methodology previously described under the monitoring requirements for work within the 330'-660' buffer zone of the eagle nest, with the monitor using the FWS Bald Eagle Monitoring Data Report to record ongoing construction activities and eagle behaviors observed during each monitoring event. This information will be compiled onto the Eagle Take Annual Report Form (found online at www.fws.gov/forms/3,,202-15.pdf) and submitted annually to the FWS (submitted electronically to FW4eaglemonitoring@fws.gov and mailed to the migratory bird permit issuing office) and ETAC through the designated Lee County personnel.

The FWS Eagle Incidental Take Permit remains valid through September 30, 2025. However, if full construction on the subject site is complete prior to expiration of the federal permit, the FWS may be notified to have the permit closed accordingly. Lee County will be copied on all related Federal correspondence. Monitoring and reporting will continue in accordance with this Bald Eagle Management Plan contained herein, including Condition # 2 for monitoring between 330' and 660' contained above, and the referenced federal permit through completion of construction within 660' of the nest tree and close-out of the federal permit. The applicant understands that these compliance commitments at both the Federal, State and Local levels will transfer to any and all owners and users going forward. Regarding requirements of the approved eagle management plan and the state and federal eagle protection laws.

ATTACHMENTS

N
Q





SHORT-TERM EAGLE INCIDENTAL TAKE

Permit Number: MBPER0019112

Version Number: 0

Effective: 2021-11-23 **Expires:** 2025-09-30

Issuing Office:

Department of the Interior
U.S. FISH AND WILDLIFE SERVICE

MB Atlanta Permit Office
1875 Century Boulevard, NE
Atlanta, Georgia 30345
permitsR4MB@fws.gov
Tel: 404-679-7070
Fax: 404-679-4180

Carmen
Simonton

Digitally signed by

Carmen Simonton
2021-11-23 12:53:56

Chief, Migratory Bird Permit
Office, Atlanta, Georgia

Permittee:

Horowitz Sandford I TRFOR Land Trust
dba Three Oaks Horowitz LLC
Alan Freeman
28120 Hunters Ridge Boulevard Suite 5
Bonita Springs, Florida 34135

Authority: Statutes and Regulations: 16 U.S.C. 668-668(d), 16 U.S.C 703-712 50 CFR Part 13, 50 CFR 22.26

Location where authorized activity may be conducted:

See Condition D.

Reporting requirements:

Monitoring requirements are outlined in Condition I Monitoring Requirements.

Reporting requirements are outlined in Condition D, E, F, I, and in Condition J Reporting Requirements.

Condition J Reporting Requirements outlines the required schedule of monitoring reports (Condition I3) and the content of the annual summary monitoring report.

Authorizations and Conditions:

Southeast Region Eagle Biologist Ulgonde Kirkpatrick, Ulgonde_Kirkpatrick@fws.gov, (352) 406-6780

Southeast Region Eagle Permit Coordinator Resee Collins, Resee_Collins@fws.gov, (404) 679-4163



SHORT-TERM EAGLE INCIDENTAL TAKE

Permit Number: MBPER0019112

Version Number: 0

Effective: 2021-11-23 **Expires:** 2025-09-30

Link to federal permit regulations: <https://www.fws.gov/birds/policies-and-regulations/permits/permit-policies-and-regulations.php>

Eagle nest means any assemblage of materials built, maintained, or used by Bald Eagles or Golden Eagles for the purpose of reproduction.

In-use nest means a bald or golden eagle nest characterized by the presence of one or more eggs, dependent young, or adult eagles on the nest in the past 10 consecutive days during the breeding season.

Alternate nest means one of potentially several nests within a nesting territory that is not an in-use nest at the current time. When there is no in-use nest, all nests in the territory are alternate nests.

Disturb/disturbance means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.

A. General conditions set out in Subpart B of 50 CFR 13, and specific conditions contained in Federal regulations cited above, are hereby made a part of this permit. All activities authorized herein must be carried out in accordance with and for the purposes described in the application submitted. Continued validity, or renewal of this permit is subject to complete and timely compliance with all applicable conditions, including the filing of all required information and reports.

B. You are responsible for ensuring that the permitted activity is in compliance with all federal, tribal, state, and local laws and regulations applicable to eagles.

C. Valid for use by permittee named and any subpermittees (See Condition H).

D. Due to all construction activities associated with the development of West Oriole Market Place located north of Alico Road and west of Oriole Road in Fort Myers, Lee County, Florida, you are authorized to:

Take by means of disturbance incidental to your activities (1) pair of nesting Bald Eagles including the loss of productivity of eggs or young due to potential abandonment of the Bald Eagle nest identified as LE093

Eagle Nest LE093 location: 26.494333N, -81.809833W, Fort Myers, Lee County, Florida

Reporting Required: Annual Summary by June 30 of 2022, 2023, 2024, 2025, 2026

Construction activities will be phased over a multi-year period and will include adding fill dirt to property; building a foundation, multiple warehouse and commercial buildings, and associated infrastructure.

The project impacts are occurring within the 660-foot buffer zone around eagle nest LE093. The closest construction is occurring no closer than 200 feet from the eagle nest tree at any time of the year.

The authorizations granted by this permit apply only to take that results from activities conducted in accordance with the description contained in the permit application and the terms of the permit. If the permitted activity changes, you must immediately contact the Eagle Biologist to determine whether a permit amendment is required in order to retain take authorization.

E. This permit does not authorize intentional take or injury of any live eagles, excluding take of eggs or young by nest abandonment as described in Condition D, nor does it authorize take of any eagle nest.



SHORT-TERM EAGLE INCIDENTAL TAKE

Permit Number: MBPER0019112

Version Number: 0

Effective: 2021-11-23 **Expires:** 2025-09-30

You must immediately notify the Southeast Region Eagle Permit Coordinator by phone and email upon discovery of any unanticipated take or regarding any apparent injury or death occurring to any eagle, including viable eggs or young, for any reason during project activities. You must immediately contact the Conservancy of Southwest Florida von Arx Wildlife Hospital, 1495 Smith Preserve Way, Naples, Florida. 34102, (239) 262-0304, to coordinate transportation of any injured eagle.

F. You are authorized to salvage eagle feathers found on the ground in the vicinity of the Bald Eagle nest located in Condition D. Any salvaged items found at the site must be shipped within 30 days to the National Eagle Repository, Contact: U.S. Fish and Wildlife Service, National Eagle and Wildlife Repository, RMA, Bldg. 128, 6550 Gateway Road, Commerce City, Colorado, 80022, (303) 287-2110.

You must immediately notify the Southeast Region Eagle Permit Coordinator by phone and email upon discovery of any eagle carcass(es) at the location listed in Condition D.

G. You must comply with the following avoidance or minimization measures prescribed by this permit for take of eagle(s) identified in Condition D. All minimization measures, unless noted otherwise, are applicable when any eagles are present at the nest site and the nest meets the definition of an in-use nest during the Bald Eagle nesting season (October 1 – May 15); or when the nest is in-use before October 1 or after May 15:

1. Eagle Nest Buffer. You will erect a temporary protective barrier to delineate the 200-foot buffer around the eagle nest tree to prevent construction personnel and heavy equipment from entering into this buffer while any construction or associated project activities outlined in Condition D are occurring. All exterior development and heavy equipment access is strictly prohibited in this area. Exclude human access by foot or vehicle within 200 feet of the eagle nest tree when the nest is in-use.

2. FOR ACTIVITIES WITHIN 660 FEET OF THE EAGLE NEST TREE:

a. If exterior construction work or project activities outlined in Condition D are conducted when the nest is in-use:

(1) Initiate a noise abatement program for construction personnel within 660 feet of an eagle nest, to include:

- (a) No excessive and/or sudden loud noise, including engine braking, tailgate banging, loud radios, shouting, singing, etc.;
- (b) All motorized equipment, including saws or other handheld power tools, must be moved indoors if possible or placed to minimize noise at and reflect noise away from the direction of the eagle nest, i.e. behind a temporary structure that reflects noise away from the direction of the eagle nesting area;
- (c) Minimize the need for "reverse" indicator horns and utilize ground flag crews to the degree practicable to avoid using reverse indicator horns; and
- (d) Provide signage in English and Spanish (if applicable) indicating the need for quiet to the extent practicable; and

3. FOR ACTIVITIES BETWEEN 660 AND 330 FEET OF THE EAGLE NEST TREE:

a. If any construction work or project activities outlined in Condition D are conducted when the nest is in-use, you must initiate a traffic abatement program which includes that you establish equipment staging and offsite parking/carpool locations for construction personnel outside of 330 feet from the eagle nest tree.



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4. To the extent practicable, construction or associated project activities farthest from an eagle nest should occur prior to construction or associated project activities closest to the nest.
5. Prior to conducting or while activities in Condition D are occurring, in the event any eagle is injured or is found on the ground, you must provide educational materials that outline how to minimize disturbance to eagles, along with contact information for an eagle rehabilitator to the following:
 - a. All project personnel; and
 - b. Maintenance personnel responsible for the post-project maintenance of the project area described in Condition D.
6. Preserve the largest native pines and hardwoods outside of the project footprint for use as potential eagle roost or nest sites.
7. Maintain and/or create, enhance or expand the visual vegetation buffer between construction activities and the eagle nest tree by planting **native** pines and/or hardwoods.
8. Down-shield all new permanent exterior lighting so that lights do not shine directly onto the eagle nest.
9. Follow state and federal guidelines, laws and label instructions at all times if using pesticides, herbicides, or other chemicals on property identified in Condition D.
10. If applicable, coordinate the design and construction or retrofitting of new and existing utility lines to be in compliance with the Avian PowerLine Interaction Committee (APLIC) Guidelines found at www.aplic.org to reduce the potential for any electrocution, collision and/or nesting of avian species.

H. Subpermittees.

1. Any person who is employed by or under contract to you for the activities specified in this permit, or otherwise designated a subpermittee by you in writing, may exercise the authority of this permit.
2. A subpermittee is an individual to whom you have provided written authorization to conduct some or all of the permitted activities in your absence. Subpermittees must be a least 18 years of age.
3. Any subpermittee who has been delegated this authority may not re-delegate to another individual/business.
4. You are responsible for ensuring that your subpermittees are qualified to perform the work and adhere to the terms of your permit. You are also responsible for maintaining current records of designated subpermittees. As the permittee, you are ultimately legally responsible for compliance with the terms and conditions of this permit and that responsibility may not be delegated.
5. You and any subpermittees must carry a legible copy of this permit and display it upon request whenever exercising its authority.

I. Monitoring Requirements.



SHORT-TERM EAGLE INCIDENTAL TAKE

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Version Number: 0

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1. A qualified monitor is required to monitor eagle use of the nesting territory, which is defined as up to a 1.5 mile radius of the eagle nest identified in Condition D, on property that is legally accessible by you and where the activities outlined in Condition D. occur. The monitor must be experienced in recognizing specific patterns and changes of eagle behavior, and employed by or contracted by the permittee, landowner, company or entity responsible for having the activity monitored. The monitor must also be as inconspicuous as possible, so not to cause a disturbance with their presence, and when applicable, a wildlife blind or viewing location out of direct sight of the eagles is recommended.

Monitoring must be conducted at a distance that allows for observation without an interruption in the eagle's normal breeding behavior. If eagles do not return to the nest at the location described in Condition D, you are required to monitor on adjacent property that is accessible by you to assess whether or not eagles nest, roost and/or forage at a new location.

If a new eagle nest is built on the property described in Condition D. or within the nesting territory, you must report that new eagle nest location within 10 days to the Southeast Region Eagle Biologist. Additional monitoring and authorization may be required based on the new eagle nest location in relation to activities described in Condition D.

2. Monitoring must occur at a time of day when eagles are most likely to be in the area, (early morning, beginning ½ hour before sunrise, or late afternoon, beginning ½ hour before sunset). You must assess whether or not eagles return to the nesting territory as identified in Monitoring Requirements No.1 and continue to nest, roost and/or forage there, and/or if the eagles attempt to build or occupy another nest. Monitoring must be conducted for a minimum of 60-90 minutes.

3. Once project activities have begun, including if construction activities have begun but are not occurring, monitoring is required annually to determine eagle nesting activity and/or nest failure. During each nesting season, no additional monitoring is required once eaglets have fledged from the nest or nest failure is documented.

The required monitoring period is:

- a. During each eagle nesting season, defined as October 1 through May 15, or when eagles are present at the nest and
- b. For an additional (1) nesting season after project has been completed.

Monitoring must be conducted according to the following Eagle Monitoring Schedule:

Frequency	Eagle Monitoring Schedule	Time	Time of Day
Once	November	60 – 90 minutes	Begin ½ hour before sunrise or before sunset
Once	Between December 15 and January 15	60 – 90 minutes	Begin ½ hour before sunrise or before sunset
Once	Between February 15 and March 15	60 – 90 minutes	Begin ½ hour before sunrise or before sunset
Once	April	60 – 90 minutes	Begin ½ hour before sunrise or before sunset
Once	May	60 – 90 minutes	Begin ½ hour before sunrise or before sunset
Once	Every month after until fledging or nest failure is documented	60 – 90 minutes	Begin ½ hour before sunrise or before sunset

4. Monitoring reports must include the following information:



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- a. Date and length of time Bald Eagles were observed;
- b. Time of day;
- c. Number and age of Bald Eagles observed (i.e. juvenile, immature, subadult, adult); if age is not known provide description;
- d. Observed behavior (e.g. perching, feeding, sitting on or attending nest, in flight);
- e. If a new eagle nest is built on or adjacent to your property, the new location and whether the eagles produced young at that site;
- f. If any eagle nesting attempt was successful, failed or the eagles abandoned the area; and
- g. A description of any human activity at the time eagles are observed during each month of the monitoring period (e.g. construction, road building, use of machinery, etc.).

J. Reporting Requirements.

1. You may use Form 3-202-15 (Eagle Take Annual Report) found online at www.fws.gov/forms/3-202-15.pdf to report monthly and annual Bald Eagle monitoring activities. Use of this form is not mandatory, but the same information must be submitted.
2. You must annually submit your monitoring reports, including your summary Eagle Take Annual Report (Form 3-202-15), by June 30 of each calendar year a report is required as follows:
 - a. Electronically to FW4eaglemonitoring@fws.gov. The email subject line for each report submitted must reference the permit number, project title or name, and month/year of report, and
 - b. Mailed to the migratory bird permit issuing office at U.S. Fish and Wildlife Service, 1875 Century Boulevard, Atlanta, Georgia 30345.

If no eagle activity is observed, a report indicating "no activity observed" is required.

If project activities were delayed or not conducted, an annual report indicating "no activities occurred" is required.

50 CFR 22.26 STANDARD CONDITIONS EAGLE TAKE (DISTURBANCE) PERMIT

All of the provisions and conditions of the governing regulations at 50 CFR part 13 and 50 CFR part 22.26 are conditions of your permit. Failure to comply with the conditions of your permit could be cause for suspension of the permit and/or citation. The standard conditions below are a continuation of your permit conditions. If you have questions regarding these conditions, refer to the regulations and forms, or to obtain contact information for your issuing office, visit: <https://www.fws.gov/birds/policies-and-regulations/permits.php>

1. This permit does not authorize you to conduct activities on federal, state, tribal or other public or private property without additional prior written permits or permission from the agency/landowner.
2. You remain responsible for all outstanding monitoring requirements and mitigation measures required under the terms of the permit for take that occurs prior to cancellation, expiration, suspension, or revocation of the permit. Provisions for discontinuance of permit activity are outlined in 50 CFR 13.26.



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3. You must maintain records as required in 50 CFR 13.46. Your records must also include the data gathered for monitoring and reporting purposes. All records relating to the permitted activities must be kept at the location indicated in writing by you to the migratory bird permit issuing office.
4. Acceptance of this permit authorizes the U.S. Fish and Wildlife Service to inspect and audit or copy any permits, books or records required to be kept by the permit and governing regulations (50 CFR 13.47).
5. You must allow Service personnel or other qualified persons designated by the Service, access to the areas where eagles are likely to be affected by your project activities, at any reasonable hour, and with reasonable notice from the Service, for purposes of monitoring eagles at the site(s) while the permit is valid and for up to 3 years after it expires.
6. The Service may amend, suspend, or revoke a permit issued under this section if new information indicates that revised permit conditions are necessary, or that suspension or revocation is necessary, to safeguard local or regional eagle populations. This provision is in addition to the general criteria for amendment, suspensions and revocation of Federal permits set forth in 50 CFR 13.23, 13.27, and 13.28 of this chapter.
7. To renew this permit if the activities described in Condition D have not been completed by the expiration date of this permit, permittee must meet issuance criteria at the time of renewal and must also have been in compliance with permit conditions, including all monitoring and reporting requirements of the original permit.
8. You may request amendment to your permit. The Service will charge a fee for substantive amendments made to permits within the time period that the permit is still valid. The fee is \$500 for commercial permittees and \$150 for non-commercial permittees (50 CFR 13.11(d)(4)). Substantive amendments are those that pertain to the purpose and conditions of the permits and are not purely administrative. Administrative changes, such as updating name and address information, are required under 13.23(c), and the Service will not charge a fee for such amendments. Requests for substantive amendment must be submitted via Form 3-200-71.

LE093 Nesting History Exhibit

LE-93: Alico Road

Strap Number: 04-46-25-00-00003.0020

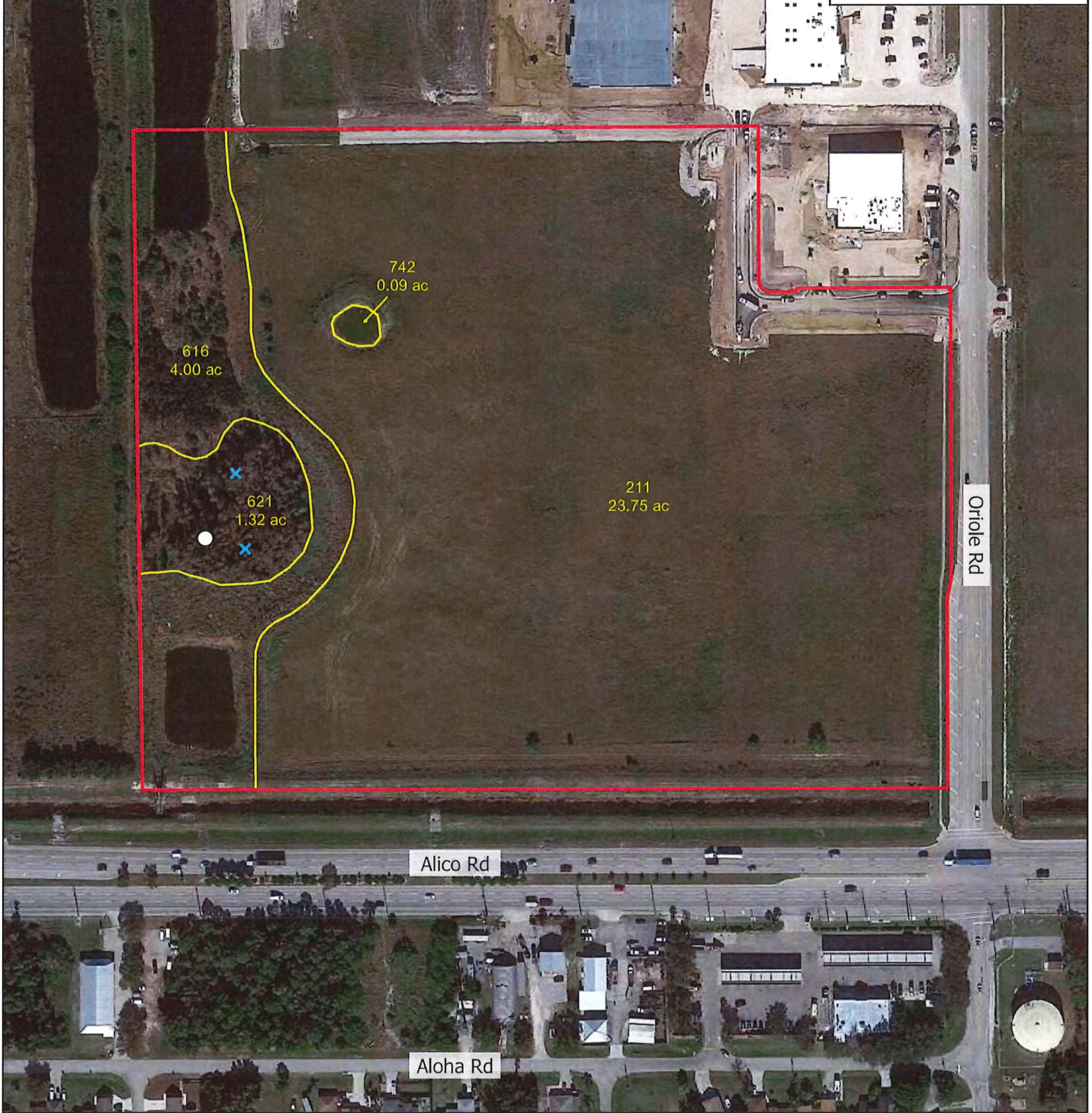
Year	History
2012-2013	Active, 1 Fledgling. Nest in Cypress Tree
2013-2014	Active, Nest Failed. Great Horned owl in nest.
2014-2015	Inactive, Eagles observed in the area but no activity at the nest
2015-2016	Active, 1 Fledgling. Nest was down at the end of the season.
2016-2017	Active, adults constructed nest but no incubation observed.
2017-2018	Active, nest failed. Incubation observed Dec 2017 and adult appeared to be feeding young in Jan 2018. No activity was observed after Jan 2018.
2018-2019	Active, 2 Fledglings confirmed
2019-2020	Active, 1 Fledgling confirmed
2020-2021	Active, 2 Fledglings confirmed

2021 - 2022 Active, fledglings

2022 - 2023 Active, fledglings not observed, but feeding behavior exhibited

Flucss	Description	Area (ac)
211	Improved Pastures	23.75
621	Cypress	1.32
742	Borrow Areas	0.09
616	Inland Ponds and Sloughs	4.00

- Property boundary
- Flucss area
- Eagle nest
- x Commonly used perch tree (tree height 68'-75')



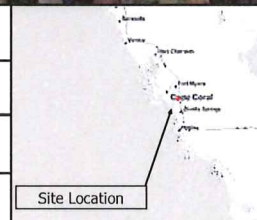
ENVIRONMENTAL EVALUATION AND ADVOCACY

2159 Morning Sun Lane
NAPLES, FLORIDA 34119
PHONE: (239) 514-3588
www.synecol.com

PROJECT: West Oriole Marketplace - Flucss Map

DATE: Feb 27, 2023

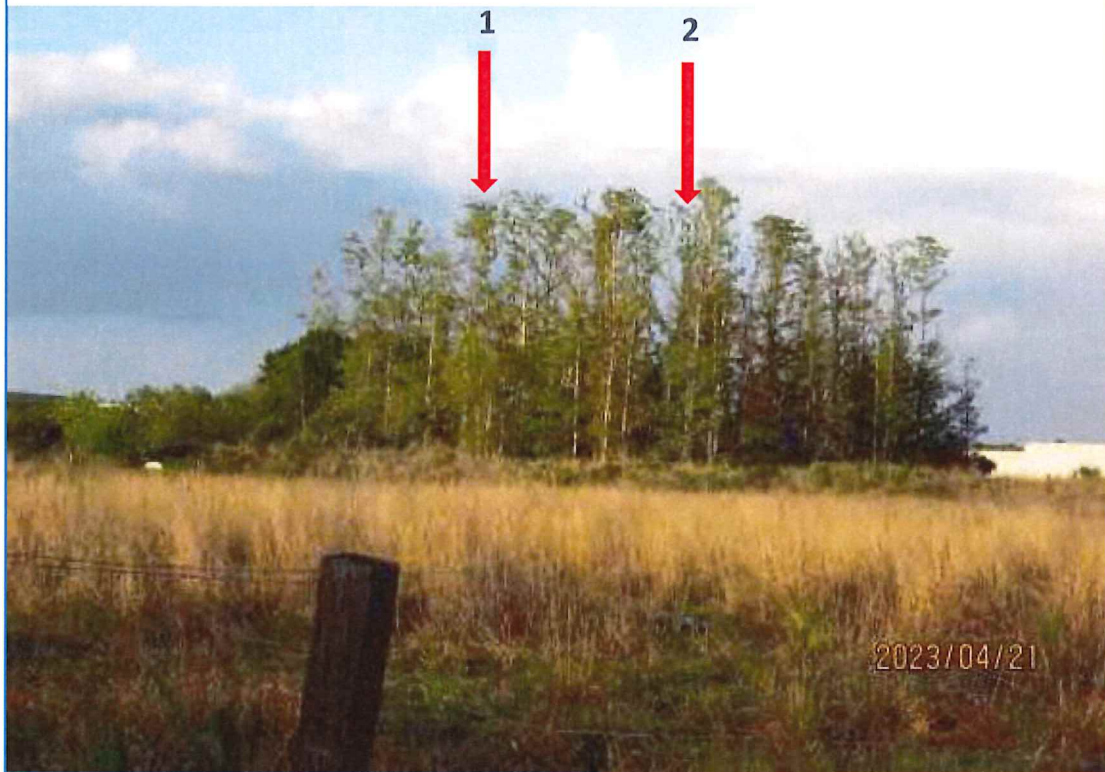
DRAWN BY: NW



0 100 200 ft

Alternate Eagle Nest / Perch trees

The arrows indicate the perch trees



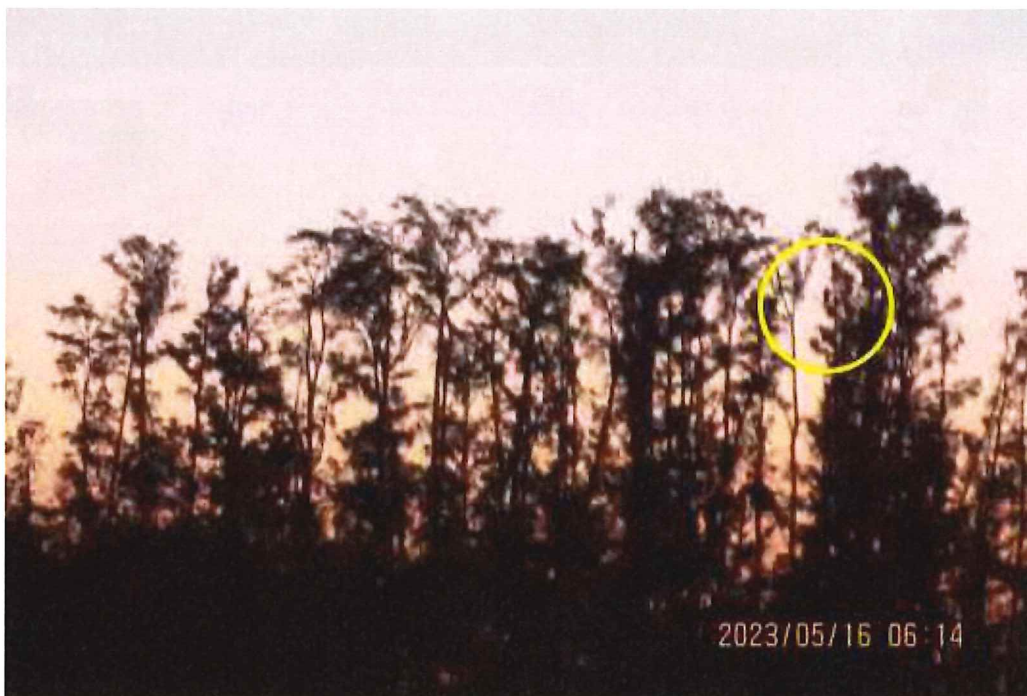
Tree 1: Height

Tree 2: Height



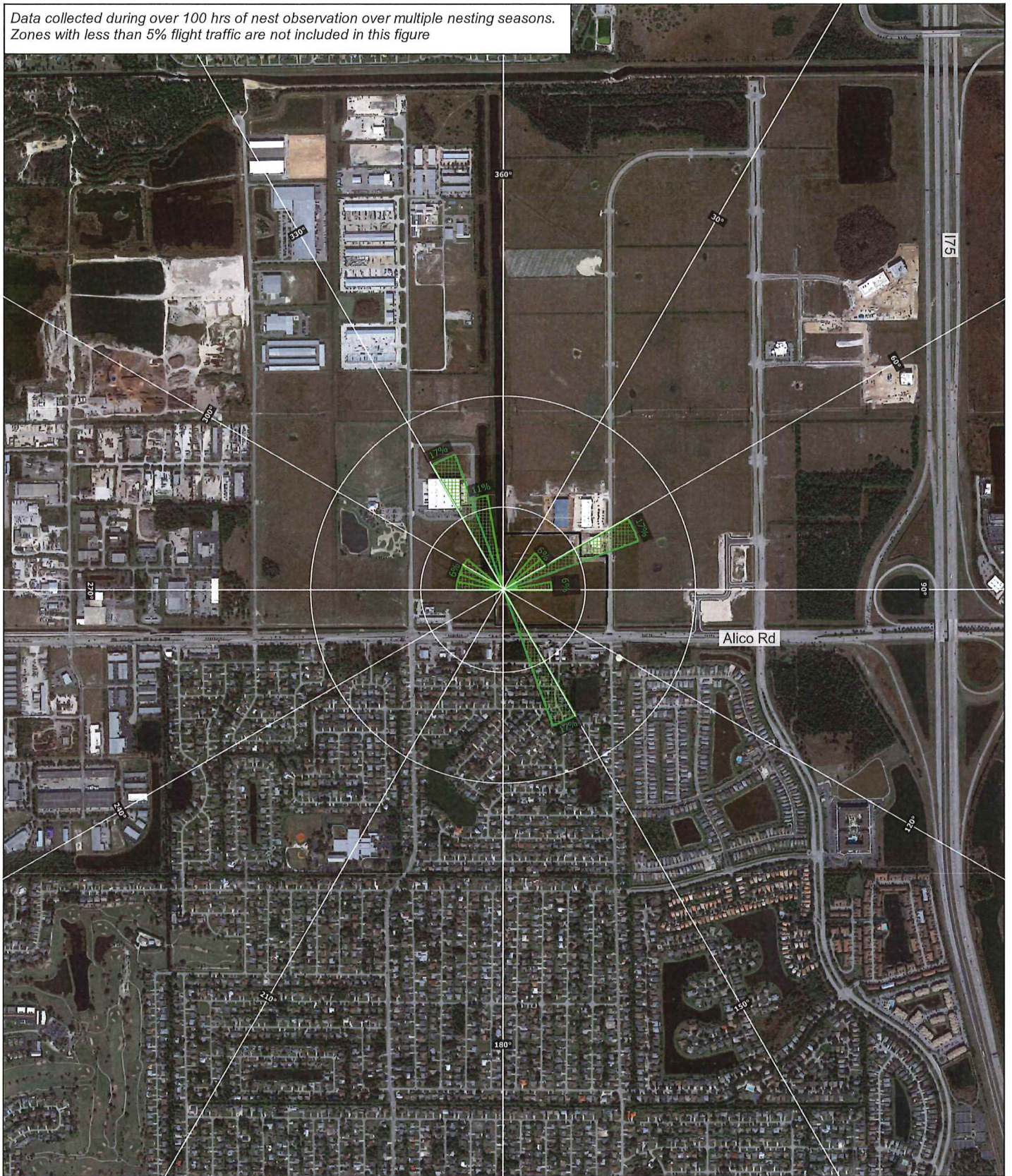
Tree 1

Tree 2



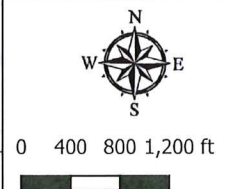
Eagle Flight Patterns

Data collected during over 100 hrs of nest observation over multiple nesting seasons.
Zones with less than 5% flight traffic are not included in this figure

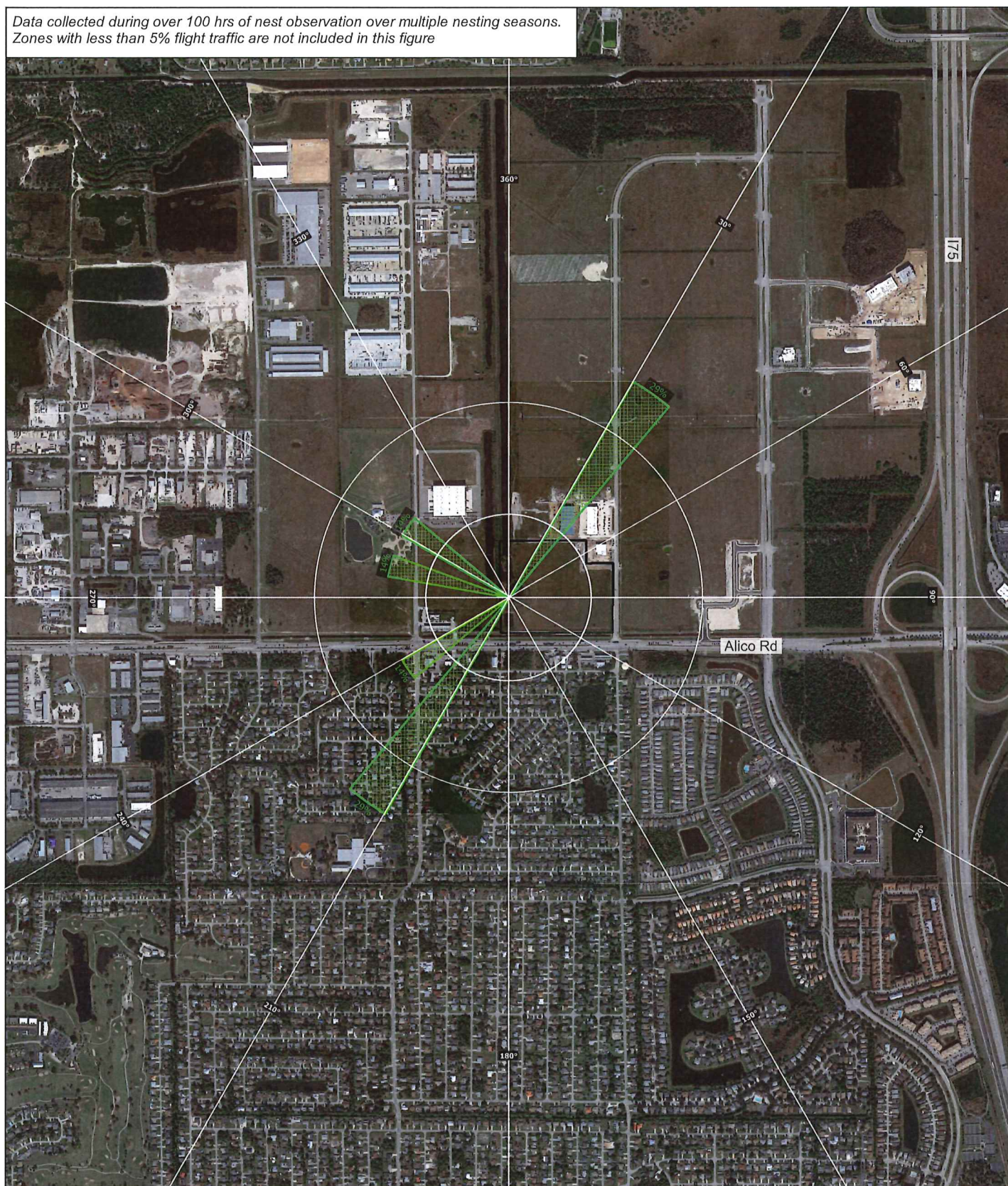


SYNECOLOGICAL
ANALYSTS
ENVIRONMENTAL EVALUATION AND ADVOCACY
2159 Morning Sun Lane
NAPLES, FLORIDA 34119
PHONE: (239) 514-3998
www.synecol.com

PROJECT: Oriole Alico West Eagle Foraging Area
- Flights To Nest
DATE: May 9, 2023
DRAWN BY: NW



Data collected during over 100 hrs of nest observation over multiple nesting seasons.
Zones with less than 5% flight traffic are not included in this figure



ENVIRONMENTAL EVALUATION AND ADVOCACY

2159 Morning Sun Lane
NAPLES, FLORIDA 34119
PHONE: (239) 514-3998
www.synecol.com

PROJECT: Oriole Alico West Eagle Foraging Area
- Flights From Nest

DATE: May 9, 2023

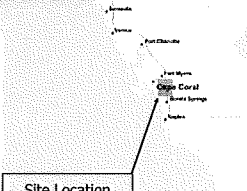
DRAWN BY: NW



0 400 800 1,200 ft





 SYNECOLOGICAL ANALYSTS ENVIRONMENTAL EVALUATION AND ADVOCACY 2159 Morning Sun Lane NAPLES, FLORIDA 34119 PHONE: (239) 514-3998 www.synecol.com	PROJECT: LE 093 Nest Foraging Area Figure	 Site Location	 0 0.5 1 1.5 mi
	DATE: May 9, 2023		
	DRAWN BY: NW		

LOCATED IN SECTION 04, TOWNSHIP 46-S, RANGE 25 -E, LEE COUNTY, FLORIDA



LOCATION MAP

[illegible]

Q **Quattrone & Associates, Inc.**
Engineers, Planners, & Development Consultants
4301 Veronica Shoemaker Blvd. | Fort Myers, FL 33916 | 239.936.5222 | QALnc.net



BOARD OF COUNTY COMMISSIONERS

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District One

Cecil L Pendergrass
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County Manager

Richard Wm Wesch
County Attorney

Donna Marie Collins
*County Chief
Hearing Examiner*

August 22, 2022

Via E-Mail

Sharon Harbak
Quattrone & Associates, Inc.
4301 Veronica Shoemaker Blvd.
Fort Myers, FL 33916

RE: **Potable Water and Wastewater Availability
Alico Oriole West Northwest Corner Of Alico Road And Oriole Road
STRAP # 04-46-25-L3-00003.0020**

Dear Ms. Harbak:

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 1 commercial unit with an estimated flow demand of approximately 19,000 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

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

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

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

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

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



P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 533-2111

lee-county.com

AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

ATTACHMENT I

August 22, 2022

Page 2

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

Sincerely,

LEE COUNTY UTILITIES



Mary McCormic
Technician Senior
239-533-8532
UTILITIES ENGINEERING

MEMORANDUM

Date: 8/22/2023

To: Chahram Badamtschian, AICP

From: Brian Roberts *BR*

Subject: DCI2022-00061 Oriole Alico West, MPD

The applicant is proposing to rezone 30.65+/- acres from Agricultural (AG-2) to Mixed-Use Planned Development (MPD) to allow up to 350,000 square feet of commercial retail, office, and industrial uses. Development Services has reviewed the Master Concept Plan (MCP) and requested deviations with respect to Chapter 10 technical standards detailed in Land Development Code (LDC) and offers the following comments:

1. Deviation(2A) seeks relief from LDC Section 10-329(d)(1) a.2 which does not allow excavation within 50 feet of any existing or proposed right-of-way line or easement for a collector or arterial street; to allow a 25-foot setback.

Staff recommends the deviation be **WITHDRAWN**.

The MCP submitted does not show the location of the deviation request. Additionally, the MCP provided does not show an excavation near an existing or proposed right-of-way lines or easement for a collector or arterial street.

2. Deviation (2B) seeks relief from LDC Section 10-329(d)(1)a.3, which does not allow excavation within 50 feet of any private property line under separate ownership, to allow a 25-foot setback and/or to allow a zero-foot setback when the lake is combined with an adjacent property lake.

Staff recommends **APPROVAL** of the deviation.

The adjacent properties are part of a master storm water management system permitted by the South Florida Water Management District in Permit #36-05268-P, which provides for existing drainage easements that extend beyond the north property line.

3. Deviation (2C) seeks relief from LDC Section 10-329(d)(4), which requires excavations to be sloped at a ratio not greater than six horizontal to one vertical from the top of bank to a water depth of two feet below the dry season water table, to allow the existing lake bank to be sloped at a ratio of four horizontal to one vertical.

Staff recommends **APPROVAL** of the deviation.

The existing lake was approved via DOS2008-00100 and constructed in 2009 with a lake bank slope ratio of 4:1. Approval of this deviation will allow the site to utilize the existing lake bank slopes with revisions to the existing bank slope to meet LDC requirements. The existing lake bank slopes were approved by the South Florida Water Management District in Permit #36-05268-P.

MEMORANDUM

4. Deviation (2D) seeks relief from LDC Section 10-329(d)(6), which requires a four-foot fence around water retention excavations when located less than 100 feet from a property under separate ownership, to allow no fencing around existing or proposed lakes.

Staff recommends **APPROVAL** of the deviation.

The lakes are existing and, in some cases, straddle the property lines. Additionally, the property is surrounded by other industrial and commercial uses that are part of the same master drainage system limiting public access.

5. Deviation (4B) seeks relief from LDC Section 10-296(k)(1), which requires dead-end streets to be closed at one end by a circular turnaround for vehicles; to allow the internal roads and/or accessways to be constructed without cul-de-sacs.

Staff recommends the deviation be revised to the following:

Deviation (4B) seeks relief from LDC Section 10-296(k)(1), which requires dead-end streets to be closed at one end by a circular turnaround for vehicles; to allow the internal roads and/or accessways to be constructed ~~without cul-de-sacs~~ with a hammerhead turnaround as depicted on the MCP.

Staff recommends **APPROVAL** of the revised deviation with the follow **CONDITION**:

At time of development order the applicant must demonstrate that the hammerhead turnaround is of sufficient length to allow emergency vehicles, as specified by the San Carlos Park Fire & Rescue, to turn around.

6. Deviation (6) seeks relief from LDC Section 10-610(e) and 34-2015(2)(f), which requires adjacent commercial uses must provide parking lot interconnections for automobile, bicycle, and pedestrian traffic to allow the proposed local roadway as shown on the MCP to serve as the required interconnection.

Staff recommends **APPROVAL** of the deviation.

During development of the parcel the applicant will be required to plat the proposed development and provide internal roadway access to the development parcels. This internal roadway will perform the required interconnection between the proposed lots and allow traffic circulation between the development parcels without the need to use the adjacent roadway.

7. Deviation (7) seeks relief from LDC Section 10-285(a), which requires motor vehicle connection(s) to a road from a privately maintained street, access road or accessway onto local roads in future suburban areas to be a minimum of 125 feet; to allow a connection separation of 60 feet between Tracts "A", C-5 and C-6 and 102 feet for Tract "B" from the existing roadway as shown on the attached MCP.

Staff recommends **APPROVAL** of the deviation.

The deviation request for Tracts "A", C-5, and C-6 are located at the end of the roadway and will be



Department of Community Development
Development Services Section

MEMORANDUM

subject to a minimal amount of low speed traffic. The access points to the tracts are located to line up access points on each side of the right-of-way and provide sufficient access to each individual tract.

The deviation from Tract B will align with the existing access to the Fire Station to the north. Typically, alignment of accessways would not require an additional deviation request, however, staff could not locate an approved deviation for reduced connection separation for the existing Fire Department access to the north. This request, if approved, will bring the existing access point into compliance with the Land Development Code requirement in Section 10-285.

Please contact me if you have any further questions.



2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

WEST ORIOLE MARKET PLACE

(PROJECT NO. F2209.02)

PREPARED BY:
TR Transportation Consultants, Inc.
Certificate of Authorization Number: 27003
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090

November 10, 2022

ATTACHMENT K

CONTENTS

- I. INTRODUCTION
- II. EXISTING CONDITIONS
- III. PROPOSED DEVELOPMENT
- IV. TRIP GENERATION
- V. TRIP DISTRIBUTION
- VI. FUTURE TRAFFIC CONDITIONS
- VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS
- VIII. INTERSECTION ANALYSIS
- IX. CONCLUSION

I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking rezoning approval. The proposed development is located at the northwest corner of Alico Road and Oriole Road in Lee County, Florida. The approximate location of the subject site is illustrated on **Figure 1**.

The approximate 30-acre subject site (Strap # 04-46-25-L3-00003-0020) is currently zoned Agricultural-2 (AG-2). The applicant is requesting to rezone the subject site to a Mixed Use Planned Development (MPD) to allow the development of up to approximately 175,000 square feet of commercial retail uses and 175,000 square feet of industrial uses. Access to the subject site will be provided to Oriole Road via two (2) connections and to Alico Road via a single left-in/right-in/right-out only connection. The northern connection on Oriole Road will be a shared access connection with the existing San Carlos Park Fire Station No. 54.

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

II. EXISTING CONDITIONS

The subject site is currently vacant. The overall site is bordered by a canal to the west, Alico Road to the south, Oriole Road to the east, and by warehousing uses and San Carlos Park Fire Station No. 54 to the north.

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PROJECT SITE

Oriole Road is a north/south two lane undivided major collector that borders the subject site to the east. Oriole Road has a posted speed limit of 35 mph and is under the jurisdiction of the Lee County Department of Transportation. A signal has been constructed at the Oriole Road intersection with Alico Road.

Alico Road is an east/west six-lane divided arterial roadway that borders the subject site to the south. Alico Road has a posted speed limit of 45 mph and is under the jurisdiction of the Lee County Department of Transportation to the west of Three Oaks Parkway.

III. PROPOSED DEVELOPMENT

The approximate 30-acre subject site (Strap # 04-46-25-L3-00003-0020) is currently zoned Agricultural-2 (AG-2). The applicant is requesting to rezone the subject site to a Mixed Use Planned Development (MPD) to allow the development of up to approximately 175,000 square feet of commercial retail uses and 175,000 square feet of industrial uses. **Table 1** summarizes the land uses utilized for the purposes of this analysis.

Table 1
Land Uses
West Oriole Market Place

Land Use	Size
Retail	175,000 square feet
Industrial	175,000 square feet
Total	350,000 square feet

Access to the subject site will be provided to Oriole Road via two (2) connections and to Alico Road via a single left-in/right-in/right-out only connection. The northern connection on Oriole Road will be a shared access connection with the existing San Carlos Park Fire Station No. 54.

IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled *Trip Generation Manual*, 11th Edition. Land Use Code 820 (Shopping Center >150k) was utilized for the trip generation purposes of the proposed commercial retail uses and Land Use Code 130 (Industrial Park) was utilized for the trip generation purposes of the proposed industrial uses. The trip generation equations utilized from these land uses are attached to the Appendix for reference. **Table 2** outlines the anticipated weekday A.M. and P.M. peak hour and daily trip generation of the development as currently proposed.

Table 2
Trip Generation – Total Trips
West Oriole Market Place

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Shopping Center (175,000 Sq. Ft.)	147	90	237	405	439	844	10,433
Industrial Park (175,000 Sq. Ft.)	48	12	60	13	47	60	1,256
Total Trips	195	102	297	418	486	904	11,689

The trips shown for the proposed retail use in Table 2 will not all be new trips added to the adjacent roadway system. ITE estimates that retail uses may attract a significant amount of its traffic from vehicles already traveling on the adjoining roadway system. This traffic, called “pass-by” traffic, reduces the development’s overall impact on the surrounding roadway system but does not decrease the actual driveway volumes. The current version of the ITE *Trip Generation Handbook*, 3rd Edition, indicates that the weekday PM peak hour pass-by rate for Land Use Code 820 is twenty-nine (29%) for shopping centers with floor area between 150,000 square feet and 300,000 square feet.

For this analysis, the “pass-by” traffic was accounted for in order to determine the number of “new” trips the development will add to the surrounding roadways. **Table 3**

summarizes the “pass-by” percentage of the proposed uses. **Table 4** summarizes the development traffic and the breakdown between the new trips the development is anticipated to generate and the “pass-by” trips the development is anticipated to attract. It should be noted that the driveway volumes are not reduced as a result of the “pass-by” reduction, only the traffic added to the surrounding streets and intersections.

Table 3
Pass-by Trip Reduction Factors
West Oriole Market Place

Land Use	Percentage Trip Reduction
Shopping Center (LUC 820)	29% A.M. / P.M. & Daily

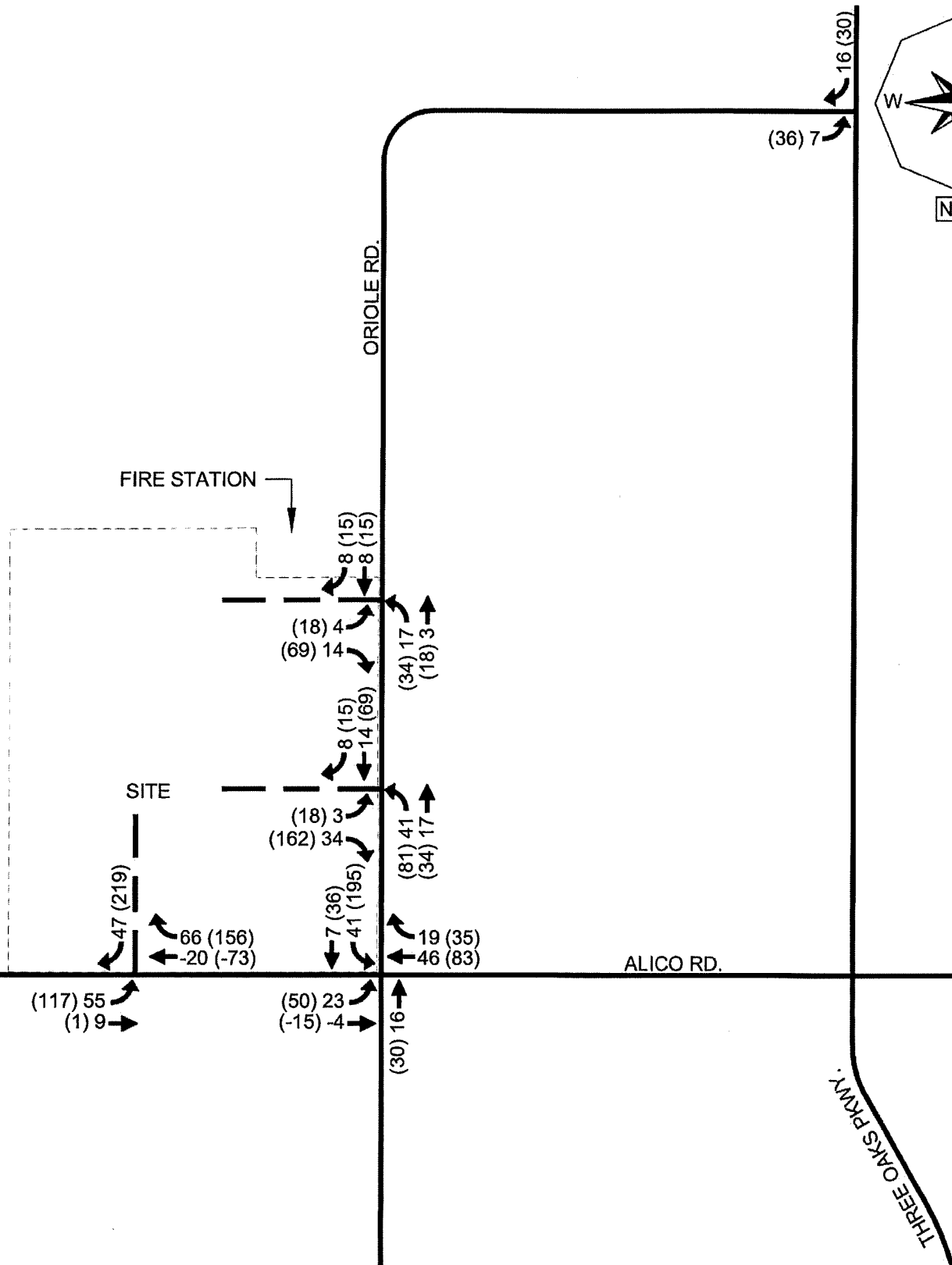
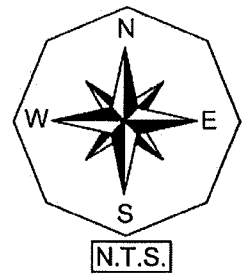
Table 4
Trip Generation – Net New Trips
West Oriole Market Place

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Total Trips	195	102	297	418	486	904	11,689
Less LUC 820 Pass-by	-34	-34	-68	-122	-122	-244	-3,026
Net New Trips	161	68	229	296	364	660	8,663

V. TRIP DISTRIBUTION

The trips the proposed development is anticipated to generate were then assigned to the surrounding roadway network. The trips were also distributed to Three Oaks Parkway north of the site since the extension of Three Oaks Parkway to Daniels Parkway is funded for construction in the next 5 years. The net new trips anticipated to be added to the surrounding roadway network were assigned based upon the routes drivers are anticipated to utilize to approach the subject site. **Figure A-1**, included in the Appendix of this report, illustrates the percent project traffic distribution and assignment of the net new project trips. **Figure A-2**, included in the Appendix of this report, illustrates the percent project traffic distribution and assignment of pass-by trips. **Figure 2** illustrates the resulting assignment of all project related trips (net new + pass-by).

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LEGEND

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

In order to determine which roadway segments surrounding the site may be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**, in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour Level of Service “C” volumes. The Level of Service threshold volumes were obtained from the *Lee County Generalized Peak Hour Directional Service Volume Tables* (June, 2016). Based on Table 1A, Oriole Road north and south of Alico Road are the only roadway segments in the study area projected to be significantly impacted as a result of the proposed development. A copy of the Generalized Service Volume Table is located in the Appendix of this report for reference.

VI. FUTURE TRAFFIC CONDITIONS

A horizon year analysis of 2027 was selected as the analysis year to evaluate the future impacts this project will have on the surrounding roadway network. Based on this horizon year, a growth rate was applied to the existing traffic conditions for all roadway links in the study area. For the Alico Road, the existing and historical traffic data was obtained from the 2021 *Lee County Traffic Count Report*. For Oriole Road, the existing and historical traffic data was obtained from the FDOT’s *Florida Traffic Online* webpage.

Based on the project distribution illustrated on Figure A-1, the link data was analyzed for the year 2027 without the development and year 2027 with the development. The only trips added to the roadway network in 2027 were the net new trips that the development would add as illustrated in Table 4.

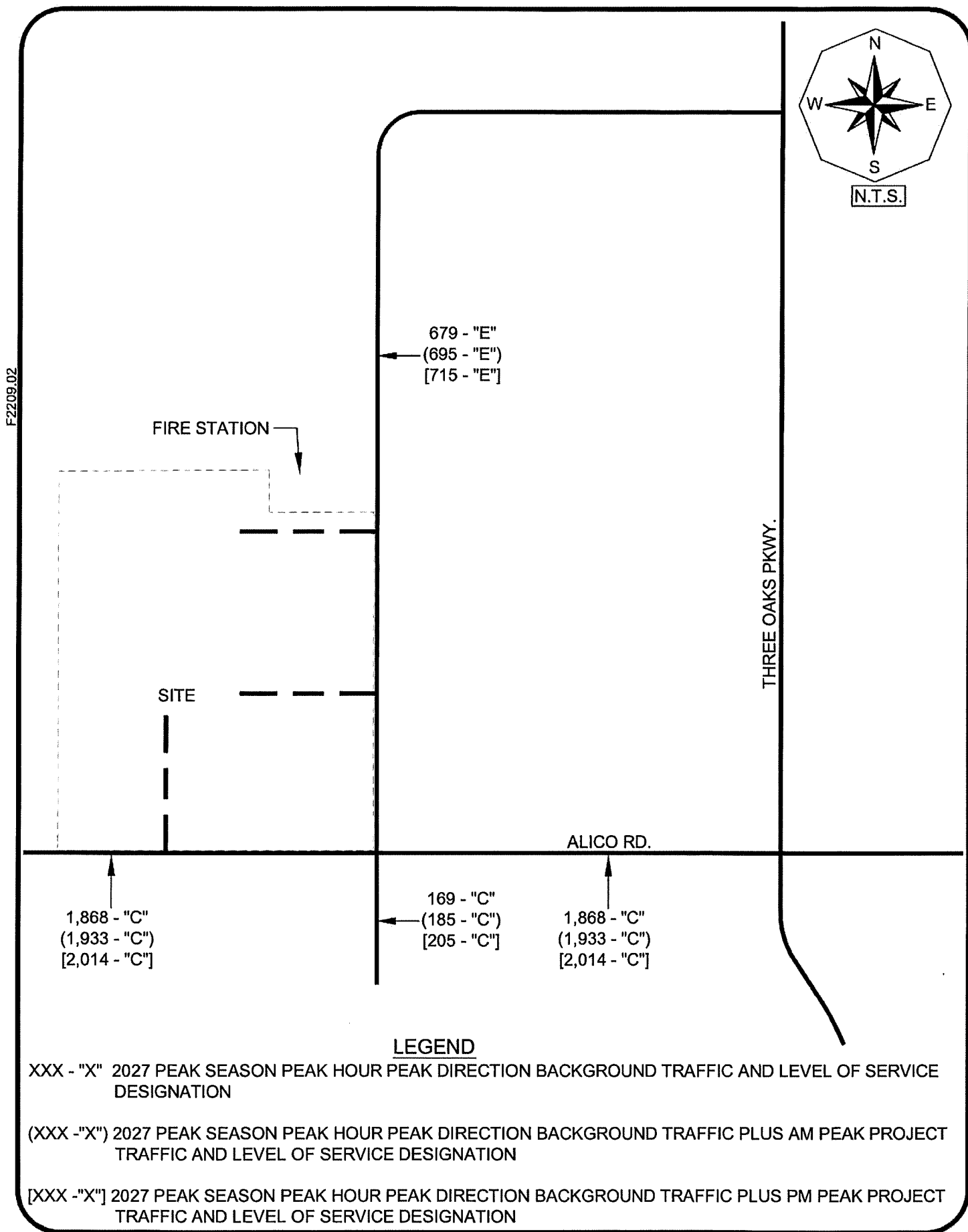
Table 2A in the Appendix of the report indicates the methodology utilized to obtain the year 2027 build-out traffic volumes as well as the growth rate utilized for each roadway segment. The base year traffic volumes were obtained from the *2021 Lee County Public Facilities Level of Service and Concurrency Report*.

Figure 3 indicates the year 2027 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M. and P.M. peak hours with the development traffic added to the roadways. This figure is derived from Table 2A contained in the Appendix.

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

Adverse impacts are defined as a degradation of the Level of Service beyond the adopted Level of Service Thresholds for those links as indicated in Table 1A. In comparing the links' functional classification and calculated 2027 traffic volumes to the Service Volume Tables, it was determined that all roadways are projected to operate above the minimum adopted Level of Service in 2027 both with and without the proposed development. Therefore, no roadway capacity improvements will be warranted as a result of the additional traffic to be generated by the proposed development.

Turn lane improvements at the site access drive intersections will be evaluated at the time the project seeks a Local Development Order approval.



VIII. INTERSECTION ANALYSIS

Intersection analysis was conducted utilizing the latest version of the program *SYNCHRO*[®] to determine the operational characteristics of the recently signalized intersection of Alico Road with Oriole Road as well as at the proposed site access drives along Alico Road and Oriole Road. The analysis was based on the projected 2027 weekday AM and PM peak hour traffic conditions both with and without the project traffic. Traffic counts were conducted in peak season between hours of 7:00 to 9:00 A.M. and 4:00 to 6:00 P.M. The existing peak season traffic volumes were then increased by a growth rate factor to determine the projected 2027 background turning movement volumes. The volumes utilized for the intersection analysis can be found in the Appendix of this report in the *Development of Future Year Background Turning Movement Volumes* spreadsheets. **Table 5** summarizes the results of the intersection analysis.

Table 5
Peak Hour Intersection Level of Service Summary
West Oriole Market Place

Intersection	Projected 2027 Background Conditions	Projected 2027 Background + Project Conditions
	LOS	LOS
Alico Rd/Oriole Rd ¹	AM: LOS "D"	AM: LOS "D"
	PM: LOS "E"	PM: LOS "E"
Alico Rd/Site Access	N/A	AM: EB = LOS "F" AM: SB = LOS "F" PM: EB = LOS "F" PM: SB = LOS "F"
Oriole Rd/South Site Access	N/A	AM: NBL = LOS "A" AM: EB = LOS "A" PM: NBL = LOS "A" PM: EB = LOS "B"
Oriole Rd/North Site Access	N/A	AM: NBL = LOS "A" AM: EB = LOS "A" PM: NBL = LOS "A" PM: EB = LOS "A"

1. Signalized intersection.

Based upon the results of the capacity analysis, as illustrated in Table 5, the signalized intersection of Alico Road with Oriole Road will operate at an acceptable Level of Service in 2027 both with and without the project trips added to the intersection. It is important to note that this intersection is considered as an off-site intersection. All off-site improvements are mitigated by the project through the payment of the road impact fees.

The results of the capacity analysis at the proposed site access drives along Oriole Road indicate all movements to operate at an acceptable Level of Service in 2027 with the project traffic conditions.

The proposed left-in/right-in/right-out only access on Alico Road will provide many benefits to the surrounding roadway network. This access would relieve the turning demand at the signalized intersection of Alico Road and Oriole Road. More importantly it would relieve the eastbound left turn movement demand at the signal, which is restricted to a single left turn lane serving large area of existing/future commercial and industrial development north of Alico Road. The proposed access on Alico Road will also provide an opportunity for other project traffic north on Oriole Road to utilize this access in lieu of the signal to the east. Additionally, the proposed left-in/right-in/right-out only access on Alico Road will meet the required Lee County Land Development Code spacing requirements on Alico Road and could accommodate a left turn lane of over 600 feet in length, if necessary.

IX. CONCLUSION

The proposed development is located at the northwest corner of Alico Road and Oriole Road in Lee County, Florida. The proposed rezoning request will allow a development of up to approximately 175,000 square feet of commercial retail uses and 175,000 square feet of industrial uses. The Level of Service analysis conducted as part of this report indicates that all analyzed roadways are projected to operate above the minimum adopted Level of Service in 2027 both with and without the proposed development. The zoning

amendment as proposed is consistent with the goals and objectives of the Lee County Comprehensive Plan and Goal 32 in that there is sufficient roadway capacity projected to accommodate the anticipated development.

Based upon the results of the capacity analysis at the recently signalized intersection of Alico Road with Oriole Road, the intersection was shown to operate at an acceptable Level of Service in 2027 both with and without the project trips added to the intersection.

The results of the capacity analysis at the proposed site access drives along Oriole Road indicate all movements to operate at an acceptable Level of Service in 2027 with the project traffic conditions.

The proposed left-in/right-in/right-out only access on Alico Road will provide many benefits to the surrounding roadway network. This access would relieve the turning demand at the signalized intersection of Alico Road and Oriole Road. More importantly it would relieve the eastbound left turn movement demand at the signal, which is restricted to a single left turn lane serving large area of existing/future commercial and industrial development north of Alico Road. The proposed access on Alico Road will also provide an opportunity for other project traffic north on Oriole Road to utilize this access in lieu of the signal to the east. Additionally, the proposed left-in/right-in/right-out only access on Alico Road will meet the required Lee County Land Development Code spacing requirements on Alico Road and could accommodate a left turn lane of over 600 feet in length, if necessary.

Turn lane improvements at the site access drive intersections will be evaluated at the time the project seeks a Local Development Order approval.

APPENDIX

TABLE 1A & 2A

TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
WEST ORIOLE MARKET PLACE

TOTAL AM PEAK HOUR PROJECT TRAFFIC =	229 VPH	IN=	161	OUT=	68
TOTAL PM PEAK HOUR PROJECT TRAFFIC =	660 VPH	IN=	296	OUT=	364

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>ROADWAY</u> <u>CLASS</u>	<u>LOS A</u> <u>VOLUME</u>	<u>LOS B</u> <u>VOLUME</u>	<u>LOS C</u> <u>VOLUME</u>	<u>LOS D</u> <u>VOLUME</u>	<u>LOS E</u> <u>VOLUME</u>	PERCENT		
								PROJECT	PROJECT	PROJ/ LOS C
								TRAFFIC	TRAFFIC	
Alico Rd.	W. of Oriole Rd.	6LD	0	400	2,840	2,940	2,940	40%	146	5.1%
	W. of Three Oaks Pkwy.	6LD	0	400	2,840	2,940	2,940	40%	146	5.1%
Three Oaks Pkwy.	N. of Oriole Rd.	4LD	0	250	1,840	1,960	1,960	10%	36	2.0%
Oriole Rd.	N. of Alico Rd.	2LU	0	0	310	660	740	10%	36	11.7%
	S. of Alico Rd.	2LU	0	0	310	660	740	10%	36	11.7%

* Level of Service thresholds were obtained from the Lee County Generalized Level of Service Volumes on Arterials.

**TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
WEST ORIOLE MARKET PLACE**

TOTAL PROJECT TRAFFIC AM =	229	VPH	IN =	161	OUT=	68
TOTAL PROJECT TRAFFIC PM =	660	VPH	IN=	296	OUT=	364

	ROADWAY	SEGMENT	PCS#	ADT	ADT	GROWTH	RATE	2020	2027			2027			2027		
								PK HR	PK HR	PK SEASON	PERCENT	BCKGRND		BCKGRND			
								PK SEASON	PEAK DIRECTION	PROJECT	AM PROJ	PM PROJ	+ AM PROJ	+ PM PROJ			
								PEAK DIR. ¹	VOLUME ²	LOS	TRAFFIC	TRAFFIC	TRAFFIC	VOLUME	LOS	VOLUME	LOS
Alico Rd.		W. of Oriole Rd	10	27,200	49,600	9	6.90%	1,171	1,868	C	40%	64	146	1,933	C	2,014	C
		W. of Three Oaks Pkwy.	10	27,200	49,600	9	6.90%	1,171	1,868	C	40%	64	146	1,933	C	2,014	C
Oriole Rd.		N. of Alico Rd.	N/A	N/A	N/A	N/A	N/A	0	679	E	10%	16	36	695	E	715	E
		S. of Alico Rd.	120181	3,100	2,700	6	2.00%	147	169	C	10%	16	36	185	C	205	C

¹ Current peak hour peak season peak direction traffic volumes for all roadways were obtained from the 2021 Lee County Public Facilities Level of Service and Concurrency Report.

² Future 2025 background peak hour peak season peak direction traffic volume for Oriole Rd north of Alico Rd was formulated based on surrounding zonings as discussed with County Staff.

* AGR for Alico Road was calculated based the historical traffic data obtained from 2021 Lee County Traffic Count Report.

* AGR for Oriole Road was calculated based the historical traffic data obtained from Florida Traffic Online webpage.

**LEE COUNTY GENERALIZED
SERVICE VOLUMES TABLE**

**TRAFFIC DATA FROM THE LEE
COUNTY PUBLIC FACILITIES LEVEL
OF SERVICE AND CONCURRENCY
REPORT**

8/23/2021

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

LINK NO.	NAME	ROADWAY LINK		ROAD TYPE	PERFORMANCE STANDARD		2020 100TH HIGHEST HOUR		FORECAST FUTURE		NOTES
		FROM	TO		LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME	
00100	A & W BULB RD	GLADIOLUS DR	MCGREGOR BLVD	2LN	E	860	C	410	C	431	
00200	ALABAMA RD	SR 82	MILWAUKEE BLVD	2LN	E	990	C	270	C	284	
00300	ALABAMA RD	MILWAUKEE BLVD	HOMESTEAD RD	2LN	E	990	C	355	C	373	
00400	ALEXANDER BELL	SR 82	MILWAUKEE BLVD	2LN	E	990	D	571	D	600	
00500	ALEXANDER BELL	MILWAUKEE BLVD	LEELAND HEIGHTS	2LN	E	990	D	571	E	664	Shadow Lakes
00590	ALICO RD	US 41	DUSTY RD	4LD	E	1,980	B	1,171	B	1,230	
00600	ALICO RD	DUSTY RD	LEE RD	6LD	E	2,960	B	1,171	B	1,532	Alico Business Park
00700	ALICO RD	LEE RD	THREE OAKS PKWY	6LD	E	2,960	B	1,171	B	1,419	Three Oaks Regional Center
00800	ALICO RD	THREE OAKS PKWY	I-75	6LD	E	2,960	B	2,051	B	2,156	EEPCO Study
00900	ALICO RD	I-75	BEN HILL GRIFFIN BLVD	6LD	E	2,960	B	1,061	B	1,208	EEPCO Study
01000	ALICO RD	BEN HILL GRIFFIN BLVD	GREEN MEADOW DR	2LN	E	1,100/1,840	C	378	E	782	4 Ln constr 2018, EEPCO Study*
01050	ALICO RD	GREEN MEADOW DR	CORKSCREW RD	2LN	E	1,100	B	131	B	224	EEPCO Study
01200	BABCOCK RD	US 41	ROCKEFELLER CIR	2LN	E	860	C	55	C	162	old count
01400	BARRETT RD	PONDELLA RD	PINE ISLAND RD	2LN	E	860	C	103	C	116	old count projection(2009)
01500	BASS RD	SUMMERLIN RD	GLADIOLUS DR	4LN	E	1,790	C	607	C	865	
01600	BAYSHORE RD (SR 78)	BUS 41	NEW POST RD/HART RD	4LD	D	2,100	C	1,750	C	1,925	
01700	BAYSHORE RD (SR 78)	HART RD	SLATER RD	4LD	D	2,100	C	1,774	C	2,236	
01800	BAYSHORE RD (SR 78)	SLATER RD	I-75	4LD	D	2,100	C	1,191	C	1,462	
01900	BAYSHORE RD (SR 78)	I-75	NALLE RD	2LN	D	924	C	691	C	877	
02000	BAYSHORE RD (SR 78)	NALLE RD	SR 31	2LN	D	924	C	532	C	673	
02100	BEN HILL GRIFFIN PKWY	CORKSCREW RD	FGCU ENTRANCE	4LD	E	2,000	B	1,403	B	1,475	
02200	BEN HILL GRIFFIN PKWY	FGCU BOULEVARD S	COLLEGE CLUB DR	4LD	E	2,000	B	1,403	B	1,475	
02250	BEN HILL GRIFFIN PKWY	COLLEGE CLUB DR	ALICO RD	6LD	E	3,000	A	1,129	A	1,221	
26950	BEN HILL GRIFFIN PKWY	ALICO RD	TERMINAL ACCESS RD	4LD	E	1,980	A	985	A	1,035	
02300	BETH STACEY BLVD	23RD ST	HOMESTEAD RD	2LN	E	860	C	316	C	518	
02400	BONITA BEACH RD	HICKORY BLVD	VANDERBILT DR	4LD	E	1,900	C	651	C	685	Constrained In City Plan *
02500	BONITA BEACH RD	VANDERBILT DR	US 41	4LD	E	1,900	C	1,494	C	1,571	Constrained In City Plan
02600	BONITA BEACH RD	US 41	OLD 41	4LD	E	1,860	C	1,532	C	1,610	Constrained, old count projection(2010)
02700	BONITA BEACH RD	OLD 41	IMPERIAL ST	6LD	E	2,800	C	1,818	C	1,910	Constrained In City Plan(2010)
02800	BONITA BEACH RD	IMPERIAL ST	W OF I-75	6LD	E	2,800	C	1,995	C	2,097	Constrained In City Plan
02900	BONITA BEACH RD	E OF I-75	BONTA GRAND DR	4LD	E	2,020	B	667	B	701	Constrained In City Plan
02950	BONITA BEACH RD	BONTA GRANDE DR	END OF CO. MAINTAINED	4LD	E	2,020	B	667	B	701	Constrained In City Plan
03100	BONITA GRANDE DR	BONITA BEACH RD	E TERRY ST	2LN	E	860	D	692	E	782	old count projection(2009)
03200	BOYSCOUT RD	SUMMERLIN RD	US 41	6LN	E	2,520	E	1,766	E	1,856	
03300	BRANTLEY RD	SUMMERLIN RD	US 41	2LN	E	860	C	275	C	289	
03400	BRIARCLIFF RD	US 41	TRIPLE CROWN CT	2LN	E	860	C	157	C	165	
03500	BROADWAY RD (ALVA)	SR 80	N. RIVER RD	2LN	E	860	C	299	C	314	old count projection(2009)
03700	BUCKINGHAM RD	SR 82	GUNNERY RD	2LN	E	990	D	477	D	501	
03730	BUCKINGHAM RD	GUNNERY RD	ORANGE RIVER BLVD	2LN	E	990	C	383	C	403	
03800	BUCKINGHAM RD	ORANGE RIVER BLVD	SR 80	2LN	E	990	D	529	E	884	Buckingham 345, Portico
03900	BURNT STORE RD	SR 78	VAN BUREN PKWY	4LD	E	2,950	B	923	B	970	
04000	BURNT STORE RD	VAN BUREN PKWY	COUNTY LINE	2LN	E	1,140	C	506	C	604	
04200	BUS 41 (N TAMIAMI TR, SR	CITY LIMITS (N END EDIS	PONDELLA RD	6LD	D	3,171	C	1,249	C	1,554	
04300	BUS 41 (N TAMIAMI TR, SR	PONDELLA RD	SR 78	6LD	D	3,171	C	1,249	C	1,554	
04400	BUS 41 (N TAMIAMI TR, SR	SR 78	LITTLETON RD	4LD	D	2,100	C	1,000	C	1,275	
04500	BUS 41 (N TAMIAMI TR, SR	LITTLETON RD	US 41	4LD	D	2,100	C	614	C	827	
04600	CAPE CORAL BRIDGE	DEL PRADO BLVD	MCGREGOR BLVD	4LB	E	4,000	D	3,053	D	3,209	
04700	CAPTIVA DR	BLIND PASS	SOUTH SEAS	2LN	E	860	C	267	C	302	Constrained, old count(2010)
04800	CEMETERY RD	BUCKINGHAM RD	HIGGINS AVE	2LN	E	860	C	328	C	345	
04900	CHAMBERLIN PKWY	AIRPORT ENT	DANIELS PKWY	4LN	E	1,790	C	105	C	150	Port Authority maintained
05000	COCONUT RD	WEST END	VIA VENETTO BLVD	2LN	E	860	C	268	C	420	Estero maintains to east
05100	COLLEGE PKWY	MCGREGOR BLVD	WINKLER RD	6LD	E	2,980	D	2,292	D	2,409	*
05200	COLLEGE PKWY	WINKLER RD	WHISKEY CREEK DR	6LD	E	2,980	D	2,059	D	2,164	
05300	COLLEGE PKWY	WHISKEY CREEK DR	SUMMERLIN RD	6LD	E	2,980	D	2,059	D	2,164	
05400	COLLEGE PKWY	SUMMERLIN RD	US 41	6LD	E	2,980	D	1,815	D	1,907	
05500	COLONIAL BLVD	MCGREGOR BLVD	SUMMERLIN RD	6LD	E	2,840	D	3,049	D	3,204	*
05600	COLONIAL BLVD	SUMMERLIN RD	US 41	6LD	E	2,840	D	2,821	D	2,965	
06200	COLONIAL BLVD	DYNASTY DR	SR 82	6LD	D	3,040	B	2,241	C	2,355	*
06300	COLUMBUS BLVD	SR 82	MILWAUKEE BLVD	2LN	E	860	C	100	C	105	old count
06400	CONSTITUTION BLVD	US 41	CONSTITUTION CIR	2LN	E	860	C	217	C	245	old count projection(2010)
06500	CORBETT RD	SR 78 (PINE ISLAND RD)	LITTLETON RD	2LN	E	860	C	22	C	226	old count, added VA clinic(2009)
06600	CORKSCREW RD	US 41	THREE OAKS PKWY	4LD	E	1,900	C	1,007	C	1,272	Galleria at Corkscrew
06700	CORKSCREW RD	THREE OAKS PKWY	W OF I-75	4LD	E	1,900	C	2,129	C	2,238	
06800	CORKSCREW RD	E OF I-75	BEN HILL GRIFFIN BLVD	4LD	E	1,900	C	1,022	C	1,234	
06900	CORKSCREW RD	BEN HILL GRIFFIN BLVD	ALICO RD	4LD	E	1,960	C	1,181	C	1,393	
07000	CORKSCREW RD	ALICO RD	COUNTY LINE	2LN	E	1,140	C	499	E	978	EEPCO Study, The Place, Verdona Village
07100	COUNTRY LAKES BLVD	LUCKETT RD	TICE ST	2LN	E	860	C	143	C	293	old count projection(2010)
07200	CRYSTAL DR	US 41	METRO PKWY	2LN	E	860	C	336	C	353	
07300	CRYSTAL DR	METRO PKWY	PLANTATION RD	2LN	E	860	C	225	C	237	

9/23/2021

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

LINK NO	NAME	ROADWAY LINK		ROAD TYPE	PERFORMANCE STANDARD		2020 100TH HIGHEST HOUR		FORECAST FUTURE		NOTES
		FROM	TO		LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME	
13400	IMMOKALEE RD (SR 82)	BELL BLVD	COUNTY LINE	4LD	D	3,240	B	569	B	698	
13500	IMPERIAL PKWY	COUNTY LINE	BONITA BEACH RD	4LD	E	1,920	B	1,009	B	1,061	
13550	IMPERIAL PKWY	ETERRY ST	COCONUT RD	4LD	E	1,920	B	973	B	1,023	
13600	IONA RD	DAVIS RD	McGREGOR BLVD	2LN	E	860	C	381	C	460	*
13700	ISLAND PARK RD	PARK RD	US 41	2LN	E	860	C	75	C	247	
13800	JOEL BLVD	BELL BLVD	18TH ST	4LN	E	2,120	B	825	B	835	Joel Blvd CPD
13900	JOEL BLVD	18TH ST	SR 80	2LN	E	1,010	D	490	D	515	
14000	JOHN MORRIS RD	BUNCHE BEACH	SUMMERLIN RD	2LN	E	860	C	62	C	72	old count projection
14100	JOHN MORRIS RD	SUMMERLIN RD	IONA RD	2LN	E	860	C	256	C	269	*
14200	KELLY RD	McGREGOR BLVD	SAN CARLOS BLVD	2LN	E	860	C	282	C	296	
14300	KELLY RD	SAN CARLOS BLVD	PINE RIDGE RD	2LN	E	860	C	106	C	120	old count projection(2010)
14500	LAUREL DR	BUS 41	BREEZE DR	2LN	E	860	C	436	C	458	
14600	LEE BLVD	SR 82	ALVIN AVE	6LD	E	2,840	B	2,335	B	2,454	
14700	LEE BLVD	ALVIN AVE	GUNNERY RD	6LD	E	2,840	B	2,037	B	2,216	
14800	LEE BLVD	GUNNERY RD	HOMESTEAD RD	6LD	E	2,840	B	2,257	B	2,372	
14900	LEE BLVD	HOMESTEAD RD	WILLIAMS AVE	4LD	E	1,980	B	1,006	B	1,057	
14930	LEE BLVD	WILLIAMS AVE	LEELAND HEIGHTS	2LN	E	1,020	C	1,006	C	1,057	
15000	LEE RD	SAN CARLOS BLVD	ALICO RD	2LN	E	860	C	544	D	614	old count projection(2015)
15100	LEELAND HEIGHTS	HOMESTEAD RD	JOEL BLVD	4LN	E	1,800	B	832	B	867	*
15200	LEONARD BLVD	GUNNERY RD	WESTGATE BLVD	2LN	E	860	E	843	C	917	
15300	LITTLETON RD	CORBETT RD	US 41	2LN	E	860	C	470	C	494	
15400	LITTLETON RD	US 41	BUS 41	2LN	E	860	C	496	C	522	
15500	LUCKETT RD	ORTIZ AVE	I-75	2LN	E	880	B	338	B	413	4 Ln design & ROW
15600	LUCKETT RD	I-75	COUNTRY LAKES DR	2LN	E	860	C	304	C	319	
15700	MAPLE DR*	SUMMERLIN RD	2ND AVE	2LN	E	860	C	77	C	89	old count projection
15800	McGREGOR BLVD	SANBELT PLAZA	HARBOR DR	4LD	E	1,960	B	1,176	B	1,236	
15900	McGREGOR BLVD	HARBOR DR	SUMMERLIN RD	4LD	E	1,960	B	1,105	B	1,162	
16000	McGREGOR BLVD	SUMMERLIN RD	KELLY RD	4LD	E	1,960	A	943	A	1,001	
16100	McGREGOR BLVD	KELLY RD	GLADIOLUS DR	4LD	E	1,960	A	943	A	991	
16200	McGREGOR BLVD (SR 867)	OLD McGREGOR BLVD/G	IONA LOOP RD	4LD	D	2,100	C	1,451	C	1,625	
16300	McGREGOR BLVD (SR 867)	IONA LOOP RD	PINE RIDGE RD	4LD	D	2,100	C	1,599	C	1,625	
16400	McGREGOR BLVD (SR 867)	PINE RIDGE RD	CYPRESS LAKE DR	4LD	D	2,100	C	1,599	C	1,798	
16500	McGREGOR BLVD (SR 867)	CYPRESS LAKE DR	COLLEGE PKWY	4LD	D	2,100	C	1,599	C	1,798	
16600	McGREGOR BLVD (SR 867)	COLLEGE PKWY	WINKLER RD	2LN	D	924	C	727	C	802	Constrained
16700	McGREGOR BLVD (SR 867)	WINKLER RD	TANGLEWOOD BLVD	2LN	D	970	C	1,057	C	1,168	Constrained
16800	McGREGOR BLVD (SR 867)	TANGLEWOOD BLVD	COLONIAL BLVD	2LN	D	970	C	1,057	C	1,168	Constrained
16900	METRO PKWY (SR 739)	SIX MILE PKWY	DANIELS PKWY	6LD	D	3,171	C	977	C	1,376	
17000	METRO PKWY (SR 739)	DANIELS PKWY	CRYSTAL DR	4LD	D	2,100	C	1,140	C	1,452	
17100	METRO PKWY (SR 739)	CRYSTAL DR	DANLEY DR	4LD	D	2,100	C	1,303	C	1,623	
17200	METRO PKWY (SR 739)	DANLEY DR	COLONIAL BLVD	4LD	D	2,100	C	1,349	C	1,880	
	MICHAEL RIPPE PKWY	US41	SIX MILES PKWY	6LD	D	3,171	C	1,070	C	1,537	
17600	MILWAUKEE BLVD	ALABAMA BLVD	BELL BLVD	2LN	E	860	C	171	C	180	*
17700	MILWAUKEE BLVD	BELL BLVD	COLUMBUS BLVD	2LN	E	860	C	171	C	184	*
17800	MOODY RD	HANCOCK B. PKWY	PONDELLA RD	2LN	E	860	C	182	C	206	old count projection(2009)
17900	NALLE GRADE RD	SLATER RD	NALLE RD	2LN	E	860	C	64	C	67	
18000	NALLE RD	SR 78	NALLE GRADE RD	2LN	E	860	C	114	C	133	*
18100	NEAL RD	ORANGE RIVER BLVD	BUCKINGHAM RD	2LN	E	860	C	120	C	126	*
18200	NO RIVER RD	SR 31	FRANKLIN LOCK RD	2LN	E	1,140	A	164	B	283	
18300	NO RIVER RD	FRANKLIN LOCK RD	BROADWAY RD	2LN	E	1,140	A	164	B	309	
18400	NO RIVER RD	BROADWAY RD	COUNTY LINE	2LN	E	1,140	A	113	A	146	
18900	OLGA RD*	SR 80 W	SR 80 E	2LN	E	860	C	82	C	95	old count projection
19100	ORANGE GROVE BLVD	CLUB ENTR.	HANCOCK B. PKWY	2LN	E	860	C	393	C	488	old count(2009)
19200	ORANGE GROVE BLVD	HANCOCK B. PKWY	PONDELLA RD	4LN	E	1,790	C	614	C	645	
19300	ORANGE RIVER BLVD	SR 80	STALEY RD	2LN	E	1,000	D	510	D	536	
19400	ORANGE RIVER BLVD	STALEY RD	BUCKINGHAM RD	2LN	E	1,000	D	510	D	544	
19500	ORIOLE RD	SAN CARLOS BLVD	ALICO RD	2LN	E	860	C	147	C	154	
19600	ORTIZ AVE	COLONIAL BLVD	SR 82	2LN	E	900	C	805	C	846	
19700	ORTIZ AVE	SR 82	LUCKETT RD	2LN	E	900	C	838	C	880	4 Ln design & ROW
19800	ORTIZ AVE	LUCKETT RD	SR 80	2LN	E	900	B	350	B	368	4 Ln design & ROW
19900	PALM BEACH BLVD (SR 80)	PROSPECT AVE	ORTIZ AVE	4LD	D	2,100	C	1,096	C	1,210	
20000	PALM BEACH BLVD (SR 80)	ORTIZ AVE	I-75	6LD	D	3,171	C	1,096	C	1,205	
20100	PALM BEACH BLVD (SR 80)	I-75	SR 31	6LD	D	3,171	C	1,619	C	2,006	
20200	PALM BEACH BLVD (SR 80)	SR 31	BUCKINGHAM RD	4LD	D	2,100	C	1,619	C	1,905	
20300	PALM BEACH BLVD (SR 80)	BUCKINGHAM RD	WERNER DR	4LD	D	3,280	B	1,764	C	2,208	
20330	PALM BEACH BLVD (SR 80)	WERNER DR	JOEL BLVD	4LD	C	2,210	C	1,402	C	1,797	
20400	PALM BEACH BLVD (SR 80)	JOEL BLVD	HENDRY CO. LINE	4LD	C	2,210	B	1,224	C	1,541	
20500	PALOMINO LN	DANIELS PKWY	PENZANCE BLVD	2LN	E	860	C	466	C	489	
20600	PARK MEADOWS DR	SUMMERLIN RD	US 41	2LN	E	860	C	196	C	206	
20800	PENZANCE BLVD	RANCHETTE RD	SIX MILE PKWY	2LN	E	860	C	147	C	159	

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

Updated 3/31/22			Daily Traffic Volume (AADT)									
STREET	LOCATION	Station #	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
A & W BULB RD	N OF GLADIOLUS DR	215		6800		6600		7100		7700		
ALABAMA RD	N OF IMMOKALEE RD	201				6800		7100		6000		
ALABAMA RD	S OF HOMESTEAD RD	200	11100	9000	9300	10300	11000		10200	10700	7900	
ALICO RD	E OF US 41	204	21700	23400	19900	21900	24100	22100	22800	24200	25600	
ALICO RD	W OF I - 75	10	27200	29100	38400	41100	43600	44800	47900	49800	41900	49600
ALICO RD	E OF I - 75	53	26000	26900	28400	25600	24300	24600	26200	24200	20200	26100
ALICO RD	E OF BEN HILL GRIFFIN PKWAY	205			7500		8500		8900			
BASS RD	N OF SUMMERLIN RD	216		8400		8200		11500		11400		10600
BAYSHORE RD (SR 78)	W OF HART RD	104				28600	29900		30800	30900	24200	26800
BAYSHORE RD (SR 78)	W OF WILLIAMSBURG DR	64	18400	20100	21000	22900	23900	21900	26300	28100	25800	29200
BELL BLVD	S OF LEELAND HEIGHTS BV	203	9500	8100	8800	9600	9900	10000	10800	12300	12700	
BEN HILL GRIFFIN	S OF ALICO RD	514			29900		22800		24400	28400	21500	25600
BEN HILL GRIFFIN	N OF ESTERO PKWY	71		18800	19100	19400	20800	21000	22000	25200	21000	25200
BEN HILL GRIFFIN	N OF CORKSCREW RD	517	16200	15100	19500	19600		21200		18900		
BETH STACEY RD	S OF HOMESTEAD RD	220		7700		7500		7500		7700		
BONITA BEACH RD	E OF HICKORY BLVD	132									10500	14300
BONITA BEACH RD	E OF VANDERBILT RD	7	23500	23400	24600	25700	25900	25600	25000	25100	22500	26000
BONITA BEACH RD	W OF SPANISH WELLS	131									24700	31800
BONITA BEACH RD	E OF RACE TRACK RD	130									29300	39700
BONITA BEACH RD	W OF I-75	42	26100	28800	35100	35300		36400	38900	40500	37900	43500
BROADWAY (ESTERO)	W OF US 41	463		5200		5700		6200		6300		5700

**TRAFFIC DATA FROM THE
FDOT FLORIDA TRAFFIC ONLINE**

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0181 - ORIOLE RD, S OF ALICO RD

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2021	2700 C	N 1300	S 1400	9.00	53.10	4.80
2020	2750 E	N 0	S 0	9.00	59.30	4.90
2019	2700 F	N 1300	S 1400	9.00	53.30	3.20
2018	2700 C	N 1300	S 1400	9.00	53.30	4.10
2017	2900 S	N 1400	S 1500	9.00	53.20	4.20
2016	2900 F	N 1400	S 1500	9.00	60.30	4.00
2015	3100 C	N 1500	S 1600	9.00	55.50	2.50

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

2021 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: COUNTY
 CATEGORY: 1200 LEE COUNTYWIDE

WEEK	DATES	SF	MOCF: 0.96 PSCF
1	01/01/2021 - 01/02/2021	0.96	1.00
2	01/03/2021 - 01/09/2021	1.00	1.04
3	01/10/2021 - 01/16/2021	1.04	1.08
4	01/17/2021 - 01/23/2021	1.02	1.06
5	01/24/2021 - 01/30/2021	1.01	1.05
6	01/31/2021 - 02/06/2021	0.99	1.03
* 7	02/07/2021 - 02/13/2021	0.98	1.02
* 8	02/14/2021 - 02/20/2021	0.97	1.01
* 9	02/21/2021 - 02/27/2021	0.96	1.00
*10	02/28/2021 - 03/06/2021	0.95	0.99
*11	03/07/2021 - 03/13/2021	0.94	0.98
*12	03/14/2021 - 03/20/2021	0.93	0.97
*13	03/21/2021 - 03/27/2021	0.94	0.98
*14	03/28/2021 - 04/03/2021	0.95	0.99
*15	04/04/2021 - 04/10/2021	0.96	1.00
*16	04/11/2021 - 04/17/2021	0.96	1.00
*17	04/18/2021 - 04/24/2021	0.97	1.01
*18	04/25/2021 - 05/01/2021	0.98	1.02
*19	05/02/2021 - 05/08/2021	0.99	1.03
20	05/09/2021 - 05/15/2021	1.00	1.04
21	05/16/2021 - 05/22/2021	1.01	1.05
22	05/23/2021 - 05/29/2021	1.02	1.06
23	05/30/2021 - 06/05/2021	1.02	1.06
24	06/06/2021 - 06/12/2021	1.03	1.07
25	06/13/2021 - 06/19/2021	1.04	1.08
26	06/20/2021 - 06/26/2021	1.06	1.10
27	06/27/2021 - 07/03/2021	1.07	1.11
28	07/04/2021 - 07/10/2021	1.08	1.13
29	07/11/2021 - 07/17/2021	1.10	1.15
30	07/18/2021 - 07/24/2021	1.09	1.14
31	07/25/2021 - 07/31/2021	1.09	1.14
32	08/01/2021 - 08/07/2021	1.09	1.14
33	08/08/2021 - 08/14/2021	1.08	1.13
34	08/15/2021 - 08/21/2021	1.08	1.13
35	08/22/2021 - 08/28/2021	1.08	1.13
36	08/29/2021 - 09/04/2021	1.07	1.11
37	09/05/2021 - 09/11/2021	1.07	1.11
38	09/12/2021 - 09/18/2021	1.06	1.10
39	09/19/2021 - 09/25/2021	1.04	1.08
40	09/26/2021 - 10/02/2021	1.03	1.07
41	10/03/2021 - 10/09/2021	1.01	1.05
42	10/10/2021 - 10/16/2021	0.99	1.03
43	10/17/2021 - 10/23/2021	0.98	1.02
44	10/24/2021 - 10/30/2021	0.98	1.02
45	10/31/2021 - 11/06/2021	0.97	1.01
46	11/07/2021 - 11/13/2021	0.97	1.01
47	11/14/2021 - 11/20/2021	0.96	1.00
48	11/21/2021 - 11/27/2021	0.96	1.00
49	11/28/2021 - 12/04/2021	0.96	1.00
50	12/05/2021 - 12/11/2021	0.96	1.00
51	12/12/2021 - 12/18/2021	0.96	1.00
52	12/19/2021 - 12/25/2021	1.00	1.04
53	12/26/2021 - 12/31/2021	1.04	1.08

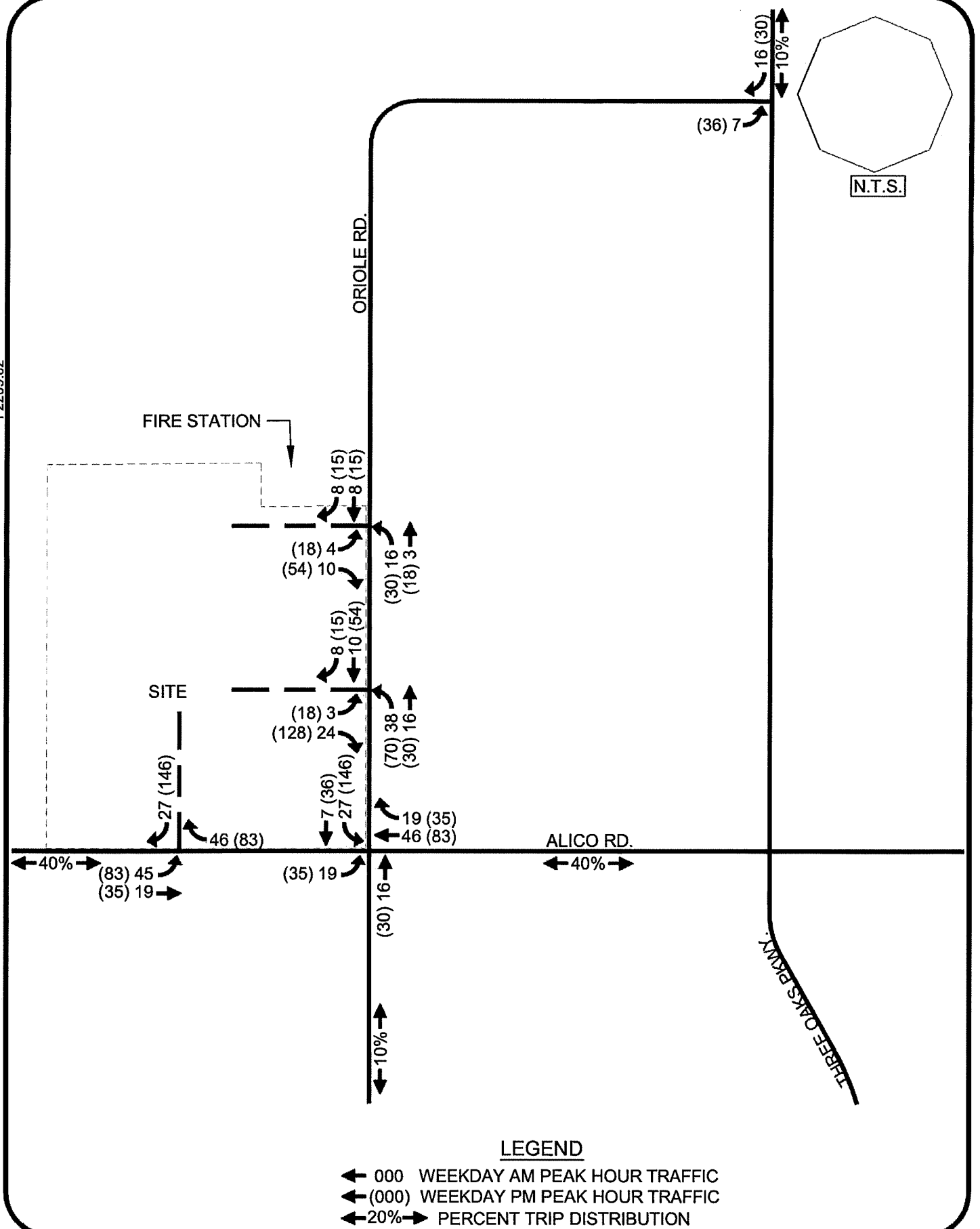
* PEAK SEASON

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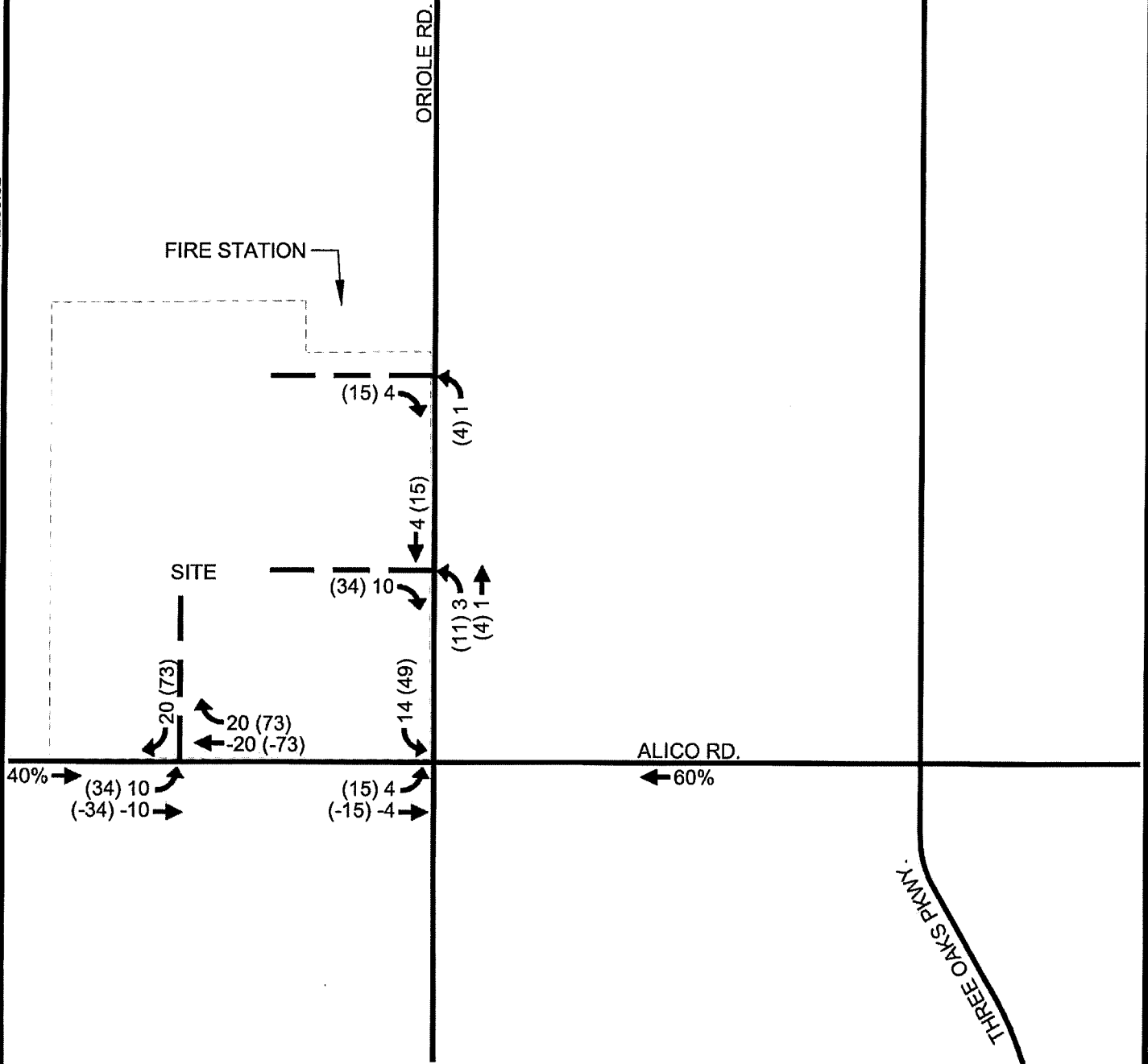
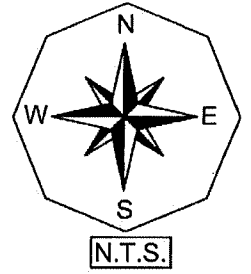
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**SITE TRAFFIC ASSIGNMENT
SUPPLEMENTAL GRAPHICS
FIGURES A-1 & A-2**



F2209.02



LEGEND

- ← 000 WEEKDAY AM PEAK HOUR TRAFFIC
- ← (000) WEEKDAY PM PEAK HOUR TRAFFIC
- ← 20% ONE-WAY TRIP DISTRIBUTION

TURNING MOVEMENT COUNT
ALICO RD @ ORIOLE RD

Alico Rd @ Oriole Rd 9-15-22 AM

File Name: Alico Rd @ Oriole Rd 9-15-22 AM

Location:

Cars and Peds

Site Code:

Study Date: 09/15/2022

Oriole Rd Southbound							Alico Rd Westbound						Oriole Rd Northbound						Alico Rd Eastbound						
Time	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Int Total
07:00		8	0	2	0	10		7	564	13	0	584		24	0	0	0	24		4	498	11	3	516	1134
07:15		10	0	1	0	11		10	608	14	0	632		15	0	1	0	16		3	574	12	0	589	1248
07:30		10	0	2	0	12		6	567	12	0	585		31	0	1	0	32		1	578	6	1	586	1215
07:45		5	0	1	0	6		12	543	11	0	566		20	0	2	0	22		1	622	7	1	631	1225
Total	0	33	0	6	0	39	0	35	2282	50	0	2367	0	90	0	4	0	94	0	9	2272	36	5	2322	4822
08:00		4	0	2	0	6		4	545	13	1	563		11	0	1	0	12		1	538	5	1	545	1126
08:15		7	0	1	0	8		5	542	8	0	555		15	0	0	0	15		0	550	8	1	559	1137
08:30		7	0	1	0	8		7	633	24	0	664		13	0	2	0	15		1	569	10	3	583	1270
08:45		7	0	0	0	7		11	501	13	0	525		13	0	0	0	13		3	478	8	2	491	1036
Total	0	25	0	4	0	29	0	27	2221	58	1	2307	0	52	0	3	0	55	0	5	2135	31	7	2178	4569
Grand Total	0	58	0	10	0	68	0	62	4503	108	1	4674	0	142	0	7	0	149	0	14	4407	67	12	4500	9391
Appr %		85.3	0	14.7	0			1.3	96.3	2.3	0			95.3	0	4.7	0			0.3	97.9	1.5	0.3		
Total %		0.6	0	0.1	0			0.7	48	1.2	0			1.5	0	0.1	0			0.1	46.9	0.7	0.1		
AM Pk Hr		07:00	07:00	07:00	07:00	07:00		07:00	07:00	07:00	07:00	07:00		07:00	07:00	07:00	07:00	07:00		07:00	07:00	07:00	07:00	07:00	07:00
AM Pk Vol		33	0	6	0	39		35	2282	50	0	2367		90	0	4	0	94		9	2272	36	5	2322	4822
AM PHF		0.825	NaN	0.750	NaN	0.813		0.729	0.938	0.893	NaN	0.936		0.726	NaN	0.500	NaN	0.734		0.563	0.913	0.750	0.417	0.920	0.966

Alico Rd @ Oriole Rd 9-15-22 AM

File Name: Alico Rd @ Oriole Rd 9-15-22 AM

Location:

All Vehicles

Site Code:

Study Date: 09/15/2022

Alico Rd	5	U-Turn	
	36	Left	
	2272	Thru	
	9	Right	

Oriole Rd			
33	0	6	0
Right	Thru	Left	U-Turn
			

AM Peak Hour Statistics
AM Peak Hour Begins: 07:00
AM Peak Hour Volume: 4822
AM Peak Hour Factor: 0.966

			
U-Turn	Left	Thru	Right
0	4	0	90
Oriole Rd			

35	2282	50	0
Right	Thru	Left	U-Turn
			
Alico Rd			

Alico Rd @ Oriole Rd 9-15-22 PM

File Name: Alico Rd @ Oriole Rd 9-15-22 PM

Location:

Cars and Peds

Site Code:

Study Date: 09/15/2022

Oriole Rd Southbound							Alico Rd Westbound						Oriole Rd Northbound						Alico Rd Eastbound						
Time	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Int Total
16:00		13	0	5	0	18		1	457	19	3	480		16	0	1	0	17		4	546	6	1	557	1072
16:15		11	0	1	0	12		2	557	15	0	574		11	0	1	0	12		4	532	5	0	541	1139
16:30		10	0	3	0	13		3	609	21	1	634		7	0	2	0	9		4	582	2	1	589	1245
16:45		12	2	0	0	14		1	551	14	0	566		6	0	3	0	9		6	612	4	0	622	1211
Total	0	46	2	9	0	57	0	7	2174	69	4	2254	0	40	0	7	0	47	0	18	2272	17	2	2309	4667
17:00		7	1	0	0	8		0	601	13	1	615		14	0	3	0	17		3	634	1	2	640	1280
17:15		2	0	0	0	2		3	623	19	1	646		17	0	0	0	17		0	611	1	0	612	1277
17:30		4	0	0	0	4		0	556	13	0	569		25	0	0	0	25		4	644	1	1	650	1248
17:45		8	0	2	0	10		0	491	17	1	509		19	0	4	0	23		2	537	0	0	539	1081
Total	0	21	1	2	0	24	0	3	2271	62	3	2339	0	75	0	7	0	82	0	9	2426	3	3	2441	4886
Grand Total	0	67	3	11	0	81	0	10	4445	131	7	4593	0	115	0	14	0	129	0	27	4698	20	5	4750	9553
Appr %		82.7	3.7	13.6	0			0.2	96.8	2.9	0.2			89.1	0	10.9	0			0.6	98.9	0.4	0.1		
Total %		0.7	0	0.1	0			0.1	46.5	1.4	0.1			1.2	0	0.1	0			0.3	49.2	0.2	0.1		
PM Pk Hr		16:45	16:45	16:45	16:45	16:45		16:45	16:45	16:45	16:45	16:45		16:45	16:45	16:45	16:45	16:45		16:45	16:45	16:45	16:45	16:45	16:45
PM Pk Vol		25	3	0	0	28		4	2331	59	2	2396		62	0	6	0	68		13	2501	7	3	2524	5016
PM PHF		0.521	0.375	NaN	NaN	0.500		0.333	0.935	0.776	0.500	0.927		0.620	NaN	0.500	NaN	0.680		0.542	0.971	0.438	0.375	0.971	0.980

Alico Rd @ Oriole Rd 9-15-22 PM

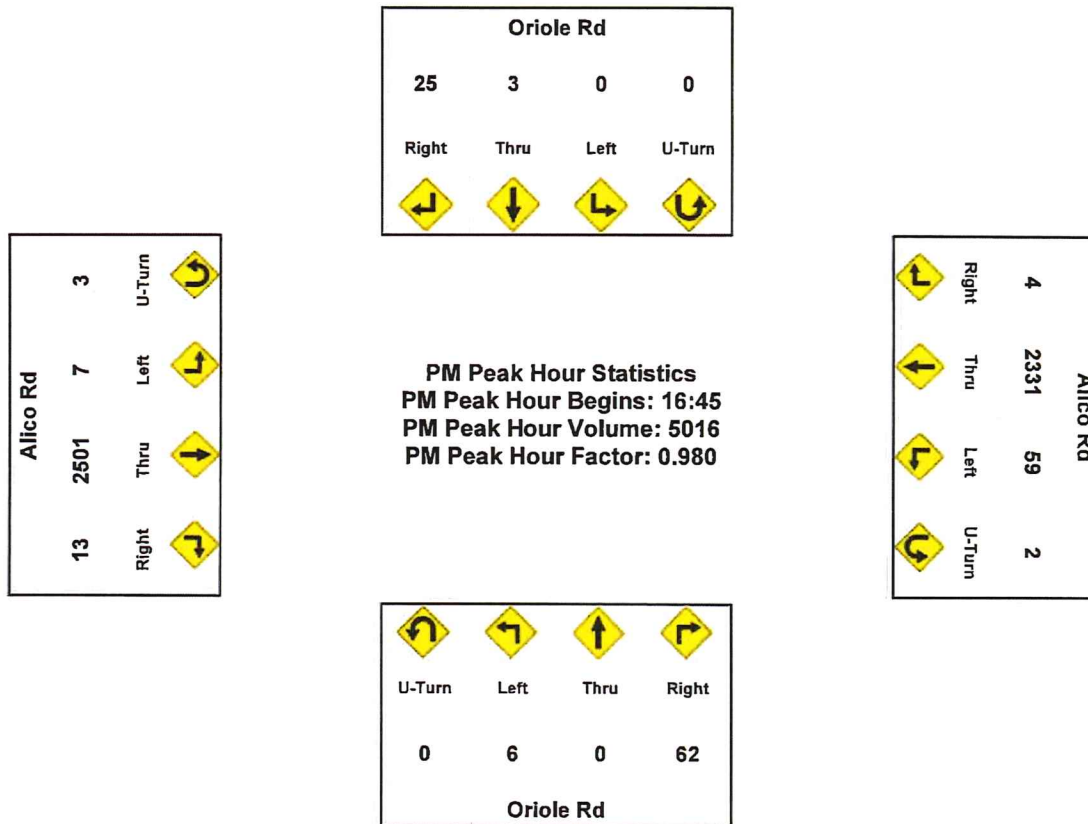
File Name: Alico Rd @ Oriole Rd 9-15-22 PM

Location:

All Vehicles

Site Code:

Study Date: 09/15/2022



**TURNING MOVEMENT COUNT
ALICO RD @ FIRE STATION SHARED
ACCESS**

Oriole Rd @ Shared Access 9-15-22 AM

File Name: Oriole Rd @ Shared Access 9-15-22 AM

Location:

Cars and Peds

Site Code:

Study Date: 09/15/2022

Time	Oriole Rd Southbound						Westbound						Oriole Rd Northbound						Shared Access Eastbound						Int Total
	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	
07:00		0	10	0	0	10						0		0	16	0	0	16		3	0	0	0	3	29
07:15		0	9	0	0	9						0		0	18	0	0	18		0	0	0	0	0	27
07:30		0	13	0	0	13						0		0	17	0	0	17		0	0	0	0	0	30
07:45		0	7	0	0	7						0		0	14	1	0	15		0	0	0	0	0	22
Total	0	0	39	0	0	39	0	0	0	0	0	0	0	0	65	1	0	66	0	3	0	0	0	3	108
08:00		0	8	0	0	8						0		0	10	0	0	10		0	0	0	0	0	18
08:15		1	8	0	0	9						0		0	10	1	0	11		0	0	0	0	0	20
08:30		0	5	0	0	5						0		0	18	1	0	19		0	0	0	0	0	24
08:45		0	7	0	0	7						0		0	20	0	0	20		0	0	0	0	0	27
Total	0	1	28	0	0	29	0	0	0	0	0	0	0	0	58	2	0	60	0	0	0	0	0	0	89
Grand Total	0	1	67	0	0	68	0	0	0	0	0	0	0	0	123	3	0	126	0	3	0	0	0	3	197
Appr %		1.5	98.5	0	0			-2	-2	-2	-2			0	97.6	2.4	0			100	0	0	0		
Total %		0.5	34	0	0			0	0	0	0			0	62.4	1.5	0			1.5	0	0	0		
AM Pk Hr		07:00	07:00	07:00	07:00	07:00		07:00	07:00	07:00	07:00	07:00		07:00	07:00	07:00	07:00	07:00		07:00	07:00	07:00	07:00	07:00	07:00
AM Pk Vol		0	39	0	0	39		0	0	0	0	0		0	65	1	0	66		3	0	0	0	3	108
AM PHF		NaN	0.750	NaN	NaN	0.750		NaN	NaN	NaN	NaN	NaN		NaN	0.903	0.250	NaN	0.917		0.250	NaN	NaN	NaN	0.250	0.900

Oriole Rd @ Shared Access 9-15-22 AM

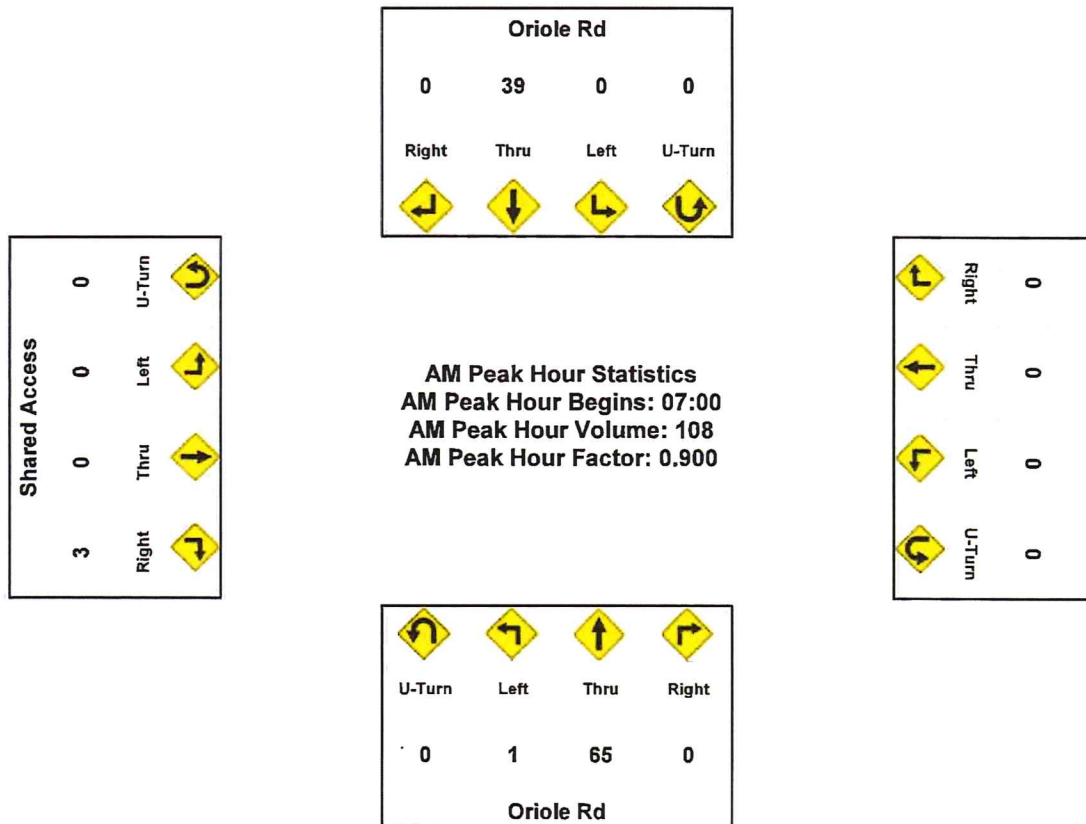
File Name: Oriole Rd @ Shared Access 9-15-22 AM

Location:

All Vehicles

Site Code:

Study Date: 09/15/2022



Oriole Rd @ Shared Access 9-15-22 PM

File Name: Oriole Rd @ Shared Access 9-15-22 PM

Site Code:

Location:

Cars and Peds

Study Date: 09/15/2022

Time	Oriole Rd Southbound						Westbound						Oriole Rd Northbound						Shared Access Eastbound						Int Total
	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	
16:00		0	25	0	0	25						0		0	5	0	0	5		0	0	0	0	0	30
16:15		0	14	0	0	14						0		0	7	0	0	7		1	0	0	0	1	22
16:30		0	21	0	0	21						0		0	4	0	0	4		0	0	0	0	0	25
16:45		0	11	0	0	11						0		0	5	0	0	5		1	0	0	0	1	17
Total	0	0	71	0	0	71	0	0	0	0	0	0	0	0	21	0	0	21	0	2	0	0	0	2	94
17:00		0	9	0	0	9						0		0	0	0	0	0		0	0	0	0	0	9
17:15		0	6	0	0	6						0		0	4	0	0	4		0	0	0	0	0	10
17:30		0	8	0	0	8						0		0	1	0	0	1		0	0	0	0	0	9
17:45		0	7	0	0	7						0		0	0	0	0	0		0	0	0	0	0	7
Total	0	0	30	0	0	30	0	0	0	0	0	0	0	0	5	0	0	5	0	0	0	0	0	0	35
Grand Total	0	0	101	0	0	101	0	0	0	0	0	0	0	0	26	0	0	26	0	2	0	0	0	2	129
Appr %		0	100	0	0			-2	-2	-2	-2			0	100	0	0			100	0	0	0		
Total %		0	78.3	0	0			0	0	0	0			0	20.2	0	0			1.6	0	0	0		
PM Pk Hr		16:00	16:00	16:00	16:00	16:00		16:00	16:00	16:00	16:00	16:00		16:00	16:00	16:00	16:00	16:00		16:00	16:00	16:00	16:00	16:00	16:00
PM Pk Vol		0	71	0	0	71		0	0	0	0	0		0	21	0	0	21		2	0	0	0	2	94
PM PHF		NaN	0.710	NaN	NaN	0.710		NaN	NaN	NaN	NaN	NaN		NaN	0.750	NaN	NaN	0.750		0.500	NaN	NaN	NaN	0.500	0.783

Oriole Rd @ Shared Access 9-15-22 PM

File Name: Oriole Rd @ Shared Access 9-15-22 PM

Location:

All Vehicles

Site Code:

Study Date: 09/15/2022

Shared Access				
2	0	0	0	0
Right	Thru	Left	U-Turn	
				

Oriole Rd			
0	71	0	0
Right	Thru	Left	U-Turn
			

PM Peak Hour Statistics
 PM Peak Hour Begins: 16:00
 PM Peak Hour Volume: 94
 PM Peak Hour Factor: 0.783

Oriole Rd			
0	0	21	0
U-Turn	Left	Thru	Right
			

0	0	0	0
Right	Thru	Left	U-Turn
			

**DEVELOPMENT OF FUTURE YEAR
BACKGROUND TURNING VOLUMES**

Development of Future Year Background Turning Volumes

Intersection **Alico Road at Oriole Road**
 Count Date **15-Sep-22**
 Build-Out Year **2027**

	AM Peak Hour													
	NBL	NBT	NBR	SBL	SBT	SBR	EBLU	EBL	EBT	EBR	WBLU	WBL	WBT	WBR
RAW Turning Movement Counts	4	0	90	6	0	33	5	36	2,272	9	0	50	2,282	35
Peak Season Correction Factor	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10
Current Peak Season Volumes	4	0	99	7	0	36	6	40	2,499	10	0	55	2,510	39
Growth Rate	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	6.90%	2.00%	2.00%	2.00%	6.90%	2.00%
Years to Build-out	5	5	5	5	5	5	5	5	5	5	5	5	5	5
2027 Background Turning Volumes	4	0	109	8	0	40	7	44	3,489	11	0	61	3,504	43
Project Turning Volumes		16		41	7			23	-4				46	19
2027 Background + Project	4	16	109	49	7	40	7	67	3,485	11	0	61	3,550	62

	PM Peak Hour													
	NBL	NBT	NBR	SBL	SBT	SBR	EBLU	EBL	EBT	EBR	WBLU	WBL	WBT	WBR
RAW Turning Movement Counts	6	0	62	0	3	25	3	7	2,501	13	2	59	2,231	4
Peak Season Correction Factor	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10
Current Peak Season Volumes	7	0	68	0	3	28	3	8	2,751	14	2	65	2,454	4
Growth Rate	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	6.90%	2.00%	2.00%	2.00%	6.90%	2.00%
Years to Build-out	5	5	5	5	5	5	5	5	5	5	5	5	5	5
2027 Background Turning Volumes	8	0	75	0	3	31	3	9	3,840	15	2	72	3,426	4
Project Turning Volumes		30		195	36			50	-15				83	35
2027 Background + Project	8	30	75	195	39	31	3	59	3,825	15	2	72	3,509	39

Development of Future Year Background Turning Volumes

Intersection
Count Date
Build-Out Year

Alico Road at Site Access
15-Sep-22
2027

AM Peak Hour												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	0	0	0	0	0	2,322	0	0	2,319	0
Peak Season Correction Factor	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10
Current Peak Season Volumes	0	0	0	0	0	0	0	2,554	0	0	2,551	0
Growth Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	6.90%	0.00%	0.00%	6.90%	0.00%
Years to Build-out	5	5	5	5	5	5	5	5	5	5	5	5
2027 Background Turning Volumes	0	0	0	0	0	0	0	3,565	0	0	3,561	0
Project Turning Volumes						47	55	9			-20	66
2027 Background + Project	0	0	0	0	0	47	55	3,574	0	0	3,541	66

PM Peak Hour												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	0	0	0	0	0	2,524	0	0	2,362	0
Peak Season Correction Factor	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10
Current Peak Season Volumes	0	0	0	0	0	0	0	2,776	0	0	2,598	0
Growth Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	6.90%	0.00%	0.00%	6.90%	0.00%
Years to Build-out	5	5	5	5	5	5	5	5	5	5	5	5
2027 Background Turning Volumes	0	0	0	0	0	0	0	3,875	0	0	3,627	0
Project Turning Volumes						219	117	1			-73	156
2027 Background + Project	0	0	0	0	0	219	117	3,876	0	0	3,554	156

Development of Future Year Background Turning Volumes

Intersection **Alico Road at South Access**
 Count Date **15-Sep-22**
 Build-Out Year **2027**

AM Peak Hour												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	66	0	0	42	0	0	0	0	0	0	0
Peak Season Correction Factor	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10
Current Peak Season Volumes	0	73	0	0	46	0	0	0	0	0	0	0
Growth Rate	0.00%	2.00%	0.00%	0.00%	2.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Years to Build-out	5	5	5	5	5	5	5	5	5	5	5	5
2027 Background Turning Volumes	0	81	0	0	51	0	0	0	0	0	0	0
Project Turning Volumes	41	17			14	8	3		34			
2027 Background + Project	41	98	0	0	65	8	3	0	34	0	0	0

PM Peak Hour												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	21	0	0	73	0	0	0	0	0	0	0
Peak Season Correction Factor	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10
Current Peak Season Volumes	0	23	0	0	80	0	0	0	0	0	0	0
Growth Rate	0.00%	2.00%	0.00%	0.00%	2.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Years to Build-out	5	5	5	5	5	5	5	5	5	5	5	5
2027 Background Turning Volumes	0	25	0	0	88	0	0	0	0	0	0	0
Project Turning Volumes	81	34			69	15	18		162			
2027 Background + Project	81	59	0	0	157	15	18	0	162	0	0	0

Development of Future Year Background Turning Volumes

Intersection
Count Date
Build-Out Year

Alico Road at North Access
15-Sep-22
2027

AM Peak Hour												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	1	65	0	0	39	0	0	0	3	0	0	0
Peak Season Correction Factor	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10
Current Peak Season Volumes	1	72	0	0	43	0	0	0	3	0	0	0
Growth Rate	0.00%	2.00%	0.00%	0.00%	2.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Years to Build-out	5	5	5	5	5	5	5	5	5	5	5	5
2027 Background Turning Volumes	1	79	0	0	47	0	0	0	3	0	0	0
Project Turning Volumes	17	3			8	8	4		14			
2027 Background + Project	18	82	0	0	55	8	4	0	17	0	0	0

PM Peak Hour												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	21	0	0	71	0	0	0	2	0	0	0
Peak Season Correction Factor	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10	1.10
Current Peak Season Volumes	0	23	0	0	78	0	0	0	2	0	0	0
Growth Rate	0.00%	2.00%	0.00%	0.00%	2.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Years to Build-out	5	5	5	5	5	5	5	5	5	5	5	5
2027 Background Turning Volumes	0	25	0	0	86	0	0	0	2	0	0	0
Project Turning Volumes	34	18			15	15	18		69			
2027 Background + Project	34	43	0	0	101	15	18	0	71	0	0	0

**INTERSECTION ANALYSIS
SYNCHRO SUMMARY SHEETS**

ALICO ROAD @ ORIOLE ROAD

Lanes, Volumes, Timings
3: Alico Rd & Oriole Rd

2027 AM Pk Hr Background
11/09/2022

												
Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	7	44	3489	11	61	3504	43	4	0	109	8	0
Future Volume (vph)	7	44	3489	11	61	3504	43	4	0	109	8	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		500		435	300		245	115		0	265	
Storage Lanes		1		1	1		1	1		0	1	
Taper Length (ft)		50			50			50			50	
Lane Util. Factor	0.91	1.00	0.91	1.00	1.00	0.91	1.00	1.00	1.00	1.00	1.00	1.00
Frt				0.850			0.850		0.850			
Flt Protected		0.950			0.950			0.950			0.950	
Satd. Flow (prot)	0	1770	5085	1583	1770	5085	1583	1770	1583	0	1770	1863
Flt Permitted		0.950			0.950			0.757			0.546	
Satd. Flow (perm)	0	1770	5085	1583	1770	5085	1583	1410	1583	0	1017	1863
Right Turn on Red				Yes			Yes			Yes		
Satd. Flow (RTOR)				65			65		65			
Link Speed (mph)			45			45			30			35
Link Distance (ft)			756			2185			913			573
Travel Time (s)			11.5			33.1			20.8			11.2
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	8	48	3792	12	66	3809	47	4	0	118	9	0
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	56	3792	12	66	3809	47	4	118	0	9	0
Turn Type	Prot	Prot	NA	Perm	Prot	NA	Perm	Perm	NA		Perm	
Protected Phases	7	7	4		3	8			2			6
Permitted Phases				4			8	2			6	
Detector Phase	7	7	4	4	3	8	8	2	2		6	6
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0		5.0	5.0
Minimum Split (s)	11.0	11.0	24.0	24.0	11.0	24.0	24.0	24.0	24.0		24.0	24.0
Total Split (s)	13.0	13.0	114.0	114.0	12.0	113.0	113.0	24.0	24.0		24.0	24.0
Total Split (%)	8.7%	8.7%	76.0%	76.0%	8.0%	75.3%	75.3%	16.0%	16.0%		16.0%	16.0%
Maximum Green (s)	7.0	7.0	108.0	108.0	6.0	107.0	107.0	18.0	18.0		18.0	18.0
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0		4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0		2.0	2.0
Lost Time Adjust (s)		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0
Total Lost Time (s)		6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0		6.0	6.0
Lead/Lag	Lead	Lead	Lag	Lag	Lead	Lag	Lag					
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes					
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0		3.0	3.0
Recall Mode	None	None	None	None	None	None	None	C-Max	C-Max		C-Max	C-Max
Walk Time (s)			7.0	7.0		7.0	7.0	7.0	7.0		7.0	7.0
Flash Dont Walk (s)			11.0	11.0		11.0	11.0	11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)			0	0		0	0	0	0		0	0
Act Effct Green (s)		6.9	108.0	108.0	6.0	109.6	109.6	18.0	18.0		18.0	
Actuated g/C Ratio		0.05	0.72	0.72	0.04	0.73	0.73	0.12	0.12		0.12	
v/c Ratio		0.69	1.04	0.01	0.94	1.03	0.04	0.02	0.48		0.07	
Control Delay		108.9	46.7	0.0	161.7	42.7	0.7	58.8	35.8		60.5	
Queue Delay		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	
Total Delay		108.9	46.7	0.0	161.7	42.7	0.7	58.8	35.8		60.5	

Lanes, Volumes, Timings
3: Alico Rd & Oriole Rd

2027 AM Pk Hr Background
11/09/2022

Lane Group	SBR
Lane Configurations	7
Traffic Volume (vph)	40
Future Volume (vph)	40
Ideal Flow (vphpl)	1900
Storage Length (ft)	410
Storage Lanes	1
Taper Length (ft)	
Lane Util. Factor	1.00
Frt	0.850
Flt Protected	
Satd. Flow (prot)	1583
Flt Permitted	
Satd. Flow (perm)	1583
Right Turn on Red	Yes
Satd. Flow (RTOR)	65
Link Speed (mph)	
Link Distance (ft)	
Travel Time (s)	
Peak Hour Factor	0.92
Adj. Flow (vph)	43
Shared Lane Traffic (%)	
Lane Group Flow (vph)	43
Turn Type	Perm
Protected Phases	
Permitted Phases	6
Detector Phase	6
Switch Phase	
Minimum Initial (s)	5.0
Minimum Split (s)	24.0
Total Split (s)	24.0
Total Split (%)	16.0%
Maximum Green (s)	18.0
Yellow Time (s)	4.0
All-Red Time (s)	2.0
Lost Time Adjust (s)	0.0
Total Lost Time (s)	6.0
Lead/Lag	
Lead-Lag Optimize?	
Vehicle Extension (s)	3.0
Recall Mode	C-Max
Walk Time (s)	7.0
Flash Dont Walk (s)	11.0
Pedestrian Calls (#/hr)	0
Act Effct Green (s)	18.0
Actuated g/C Ratio	0.12
v/c Ratio	0.17
Control Delay	6.7
Queue Delay	0.0
Total Delay	6.7

Lanes, Volumes, Timings
3: Alico Rd & Oriole Rd

2027 AM Pk Hr Background
11/09/2022

	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
LOS		F	D	A	F	D	A	E	D		E	
Approach Delay			47.5			44.2			36.5			16.0
Approach LOS			D			D			D			B
Queue Length 50th (ft)		55	~1457	0	66	~1482	0	4	48		8	
Queue Length 95th (ft)		#127	#1507	0	#168	#1531	7	16	116		27	
Internal Link Dist (ft)			676			2105			833			493
Turn Bay Length (ft)		500		435	300		245	115			265	
Base Capacity (vph)		82	3661	1157	70	3715	1173	169	247		122	
Starvation Cap Reductn		0	0	0	0	0	0	0	0		0	
Spillback Cap Reductn		0	0	0	0	0	0	0	0		0	
Storage Cap Reductn		0	0	0	0	0	0	0	0		0	
Reduced v/c Ratio		0.68	1.04	0.01	0.94	1.03	0.04	0.02	0.48		0.07	

Intersection Summary

Area Type: Other

Cycle Length: 150

Actuated Cycle Length: 150

Offset: 0 (0%), Referenced to phase 2:NBTL and 6:SBTL, Start of Green

Natural Cycle: 150

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 1.04

Intersection Signal Delay: 45.5

Intersection LOS: D

Intersection Capacity Utilization 91.0%

ICU Level of Service F

Analysis Period (min) 15

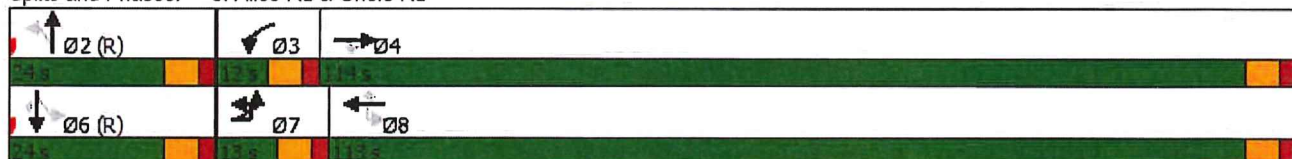
~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 3: Alico Rd & Oriole Rd





Lane Group	SBR
LOS	A
Approach Delay	
Approach LOS	
Queue Length 50th (ft)	0
Queue Length 95th (ft)	19
Internal Link Dist (ft)	
Turn Bay Length (ft)	410
Base Capacity (vph)	247
Starvation Cap Reductn	0
Spillback Cap Reductn	0
Storage Cap Reductn	0
Reduced v/c Ratio	0.17
Intersection Summary	

Lanes, Volumes, Timings
3: Alico Rd & Oriole Rd

2027 PM Pk Hr Background
11/09/2022

												
Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	3	9	3840	15	2	72	3426	4	8	0	75	0
Future Volume (vph)	3	9	3840	15	2	72	3426	4	8	0	75	0
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		500		435		300		245	115		0	265
Storage Lanes		1		1		1		1	1		0	1
Taper Length (ft)		50				50			50			50
Lane Util. Factor	0.91	1.00	0.91	1.00	0.91	1.00	0.91	1.00	1.00	1.00	1.00	1.00
Frt				0.850				0.850		0.850		
Flt Protected		0.950				0.950			0.950			
Satd. Flow (prot)	0	1770	5085	1583	0	1770	5085	1583	1770	1583	0	1863
Flt Permitted		0.950				0.950			0.756			
Satd. Flow (perm)	0	1770	5085	1583	0	1770	5085	1583	1408	1583	0	1863
Right Turn on Red				Yes				Yes			Yes	
Satd. Flow (RTOR)				65				65		65		
Link Speed (mph)			45				45			30		
Link Distance (ft)			756				2185			913		
Travel Time (s)			11.5				33.1			20.8		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	3	10	4174	16	2	78	3724	4	9	0	82	0
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	13	4174	16	0	80	3724	4	9	82	0	0
Turn Type	Prot	Prot	NA	Perm	Prot	Prot	NA	Perm	Perm	NA		Perm
Protected Phases	7	7	4		3	3	8			2		
Permitted Phases				4				8	2			6
Detector Phase	7	7	4	4	3	3	8	8	2	2		6
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0		5.0
Minimum Split (s)	11.0	11.0	24.0	24.0	11.0	11.0	24.0	24.0	24.0	24.0		24.0
Total Split (s)	13.0	13.0	114.0	114.0	12.0	12.0	113.0	113.0	24.0	24.0		24.0
Total Split (%)	8.7%	8.7%	76.0%	76.0%	8.0%	8.0%	75.3%	75.3%	16.0%	16.0%		16.0%
Maximum Green (s)	7.0	7.0	108.0	108.0	6.0	6.0	107.0	107.0	18.0	18.0		18.0
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0		4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0		2.0
Lost Time Adjust (s)		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0		0.0
Total Lost Time (s)		6.0	6.0	6.0		6.0	6.0	6.0	6.0	6.0		6.0
Lead/Lag	Lead	Lead	Lag	Lag	Lead	Lead	Lag	Lag				
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes				
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0		3.0
Recall Mode	None	None	None	None	None	None	None	None	C-Max	C-Max		C-Max
Walk Time (s)			7.0	7.0			7.0	7.0	7.0	7.0		7.0
Flash Dont Walk (s)			11.0	11.0			11.0	11.0	11.0	11.0		11.0
Pedestrian Calls (#/hr)			0	0			0	0	0	0		0
Act Effct Green (s)		6.4	108.0	108.0		6.0	114.8	114.8	18.0	18.0		
Actuated g/C Ratio		0.04	0.72	0.72		0.04	0.77	0.77	0.12	0.12		
v/c Ratio		0.18	1.14	0.01		1.14	0.96	0.00	0.05	0.33		
Control Delay		74.3	89.4	0.0		211.5	23.9	0.0	59.5	22.8		
Queue Delay		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0		
Total Delay		74.3	89.4	0.0		211.5	23.9	0.0	59.5	22.8		

Lanes, Volumes, Timings
3: Alico Rd & Oriole Rd

2027 PM Pk Hr Background
11/09/2022



Lane Group	SBT	SBR
Lane Configurations	↑	↗
Traffic Volume (vph)	3	31
Future Volume (vph)	3	31
Ideal Flow (vphpl)	1900	1900
Storage Length (ft)		410
Storage Lanes		1
Taper Length (ft)		
Lane Util. Factor	1.00	1.00
Frt		0.850
Flt Protected		
Satd. Flow (prot)	1863	1583
Flt Permitted		
Satd. Flow (perm)	1863	1583
Right Turn on Red		Yes
Satd. Flow (RTOR)		65
Link Speed (mph)	35	
Link Distance (ft)	573	
Travel Time (s)	11.2	
Peak Hour Factor	0.92	0.92
Adj. Flow (vph)	3	34
Shared Lane Traffic (%)		
Lane Group Flow (vph)	3	34
Turn Type	NA	Perm
Protected Phases	6	
Permitted Phases		6
Detector Phase	6	6
Switch Phase		
Minimum Initial (s)	5.0	5.0
Minimum Split (s)	24.0	24.0
Total Split (s)	24.0	24.0
Total Split (%)	16.0%	16.0%
Maximum Green (s)	18.0	18.0
Yellow Time (s)	4.0	4.0
All-Red Time (s)	2.0	2.0
Lost Time Adjust (s)	0.0	0.0
Total Lost Time (s)	6.0	6.0
Lead/Lag		
Lead-Lag Optimize?		
Vehicle Extension (s)	3.0	3.0
Recall Mode	C-Max	C-Max
Walk Time (s)	7.0	7.0
Flash Dont Walk (s)	11.0	11.0
Pedestrian Calls (#/hr)	0	0
Act Effct Green (s)	18.0	18.0
Actuated g/C Ratio	0.12	0.12
v/c Ratio	0.01	0.14
Control Delay	58.7	3.2
Queue Delay	0.0	0.0
Total Delay	58.7	3.2

Lanes, Volumes, Timings
3: Alico Rd & Oriole Rd

2027 PM Pk Hr Background
11/09/2022

	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Group												
LOS		E	F	A		F	C	A	E	C		
Approach Delay			89.1				27.8			26.5		
Approach LOS			F				C			C		
Queue Length 50th (ft)		13	~1741	0		~90	851	0	8	15		
Queue Length 95th (ft)		37	#1779	0		#206	#1471	0	27	69		
Internal Link Dist (ft)			676				2105			833		
Turn Bay Length (ft)		500		435		300		245	115			
Base Capacity (vph)		82	3661	1157		70	3892	1226	168	247		
Starvation Cap Reductn		0	0	0		0	0	0	0	0		
Spillback Cap Reductn		0	0	0		0	0	0	0	0		
Storage Cap Reductn		0	0	0		0	0	0	0	0		
Reduced v/c Ratio		0.16	1.14	0.01		1.14	0.96	0.00	0.05	0.33		

Intersection Summary

Area Type: Other

Cycle Length: 150

Actuated Cycle Length: 150

Offset: 0 (0%), Referenced to phase 2:NBTL and 6:SBTL, Start of Green

Natural Cycle: 150

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 1.14

Intersection Signal Delay: 59.3

Intersection LOS: E

Intersection Capacity Utilization 97.5%

ICU Level of Service F

Analysis Period (min) 15

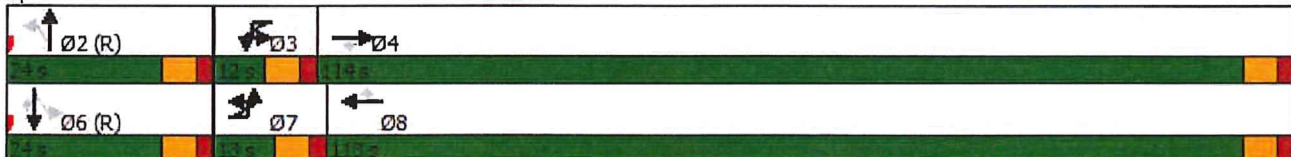
~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 3: Alico Rd & Oriole Rd





Lane Group	SBT	SBR
LOS	E	A
Approach Delay	7.7	
Approach LOS	A	
Queue Length 50th (ft)	3	0
Queue Length 95th (ft)	13	7
Internal Link Dist (ft)	493	
Turn Bay Length (ft)		410
Base Capacity (vph)	223	247
Starvation Cap Reductn	0	0
Spillback Cap Reductn	0	0
Storage Cap Reductn	0	0
Reduced v/c Ratio	0.01	0.14
Intersection Summary		

Lanes, Volumes, Timings
3: Alico Rd & Oriole Rd

2027 AM Pk Hr With Project
11/09/2022

												
Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
Lane Configurations												
Traffic Volume (vph)	7	67	3485	11	61	3550	62	4	16	109	49	7
Future Volume (vph)	7	67	3485	11	61	3550	62	4	16	109	49	7
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		500		435	300		245	115		0	265	
Storage Lanes		1		1	1		1	1		0	1	
Taper Length (ft)		50			50			50			50	
Lane Util. Factor	0.91	1.00	0.91	1.00	1.00	0.91	1.00	1.00	1.00	1.00	1.00	1.00
Frt				0.850			0.850		0.869			
Flt Protected		0.950			0.950			0.950			0.950	
Satd. Flow (prot)	0	1770	5085	1583	1770	5085	1583	1770	1619	0	1770	1863
Flt Permitted		0.950			0.950			0.752			0.495	
Satd. Flow (perm)	0	1770	5085	1583	1770	5085	1583	1401	1619	0	922	1863
Right Turn on Red				Yes			Yes			Yes		
Satd. Flow (RTOR)				65			65		59			
Link Speed (mph)			45			45			30			35
Link Distance (ft)			756			2185			913			573
Travel Time (s)			11.5			33.1			20.8			11.2
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	8	73	3788	12	66	3859	67	4	17	118	53	8
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	81	3788	12	66	3859	67	4	135	0	53	8
Turn Type	Prot	Prot	NA	Perm	Prot	NA	Perm	Perm	NA		Perm	NA
Protected Phases	7	7	4		3	8			2			6
Permitted Phases				4			8	2			6	
Detector Phase	7	7	4	4	3	8	8	2	2		6	6
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0		5.0	5.0
Minimum Split (s)	11.0	11.0	24.0	24.0	11.0	24.0	24.0	24.0	24.0		24.0	24.0
Total Split (s)	13.0	13.0	114.0	114.0	12.0	113.0	113.0	24.0	24.0		24.0	24.0
Total Split (%)	8.7%	8.7%	76.0%	76.0%	8.0%	75.3%	75.3%	16.0%	16.0%		16.0%	16.0%
Maximum Green (s)	7.0	7.0	108.0	108.0	6.0	107.0	107.0	18.0	18.0		18.0	18.0
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0		4.0	4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0		2.0	2.0
Lost Time Adjust (s)		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0
Total Lost Time (s)		6.0	6.0	6.0	6.0	6.0	6.0	6.0	6.0		6.0	6.0
Lead/Lag	Lead	Lead	Lag	Lag	Lead	Lag	Lag					
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes					
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0		3.0	3.0
Recall Mode	None	None	None	None	None	None	None	C-Max	C-Max		C-Max	C-Max
Walk Time (s)			7.0	7.0		7.0	7.0	7.0	7.0		7.0	7.0
Flash Dont Walk (s)			11.0	11.0		11.0	11.0	11.0	11.0		11.0	11.0
Pedestrian Calls (#/hr)			0	0		0	0	0	0		0	0
Act Effct Green (s)		7.0	108.0	108.0	6.0	107.0	107.0	18.0	18.0		18.0	18.0
Actuated g/C Ratio		0.05	0.72	0.72	0.04	0.71	0.71	0.12	0.12		0.12	0.12
v/c Ratio		0.99	1.03	0.01	0.94	1.06	0.06	0.02	0.55		0.48	0.04
Control Delay		165.0	46.3	0.0	161.7	57.8	1.6	58.8	43.7		77.3	59.0
Queue Delay		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0		0.0	0.0
Total Delay		165.0	46.3	0.0	161.7	57.8	1.6	58.8	43.7		77.3	59.0

Lanes, Volumes, Timings
3: Alco Rd & Oriole Rd

2027 AM Pk Hr With Project
11/09/2022

Lane Group	SBR
Lane Configurations	
Traffic Volume (vph)	40
Future Volume (vph)	40
Ideal Flow (vphpl)	1900
Storage Length (ft)	410
Storage Lanes	1
Taper Length (ft)	
Lane Util. Factor	1.00
Frt	0.850
Flt Protected	
Satd. Flow (prot)	1583
Flt Permitted	
Satd. Flow (perm)	1583
Right Turn on Red	Yes
Satd. Flow (RTOR)	65
Link Speed (mph)	
Link Distance (ft)	
Travel Time (s)	
Peak Hour Factor	0.92
Adj. Flow (vph)	43
Shared Lane Traffic (%)	
Lane Group Flow (vph)	43
Turn Type	Perm
Protected Phases	
Permitted Phases	6
Detector Phase	6
Switch Phase	
Minimum Initial (s)	5.0
Minimum Split (s)	24.0
Total Split (s)	24.0
Total Split (%)	16.0%
Maximum Green (s)	18.0
Yellow Time (s)	4.0
All-Red Time (s)	2.0
Lost Time Adjust (s)	0.0
Total Lost Time (s)	6.0
Lead/Lag	
Lead-Lag Optimize?	
Vehicle Extension (s)	3.0
Recall Mode	C-Max
Walk Time (s)	7.0
Flash Dont Walk (s)	11.0
Pedestrian Calls (#/hr)	0
Act Effct Green (s)	18.0
Actuated g/C Ratio	0.12
v/c Ratio	0.17
Control Delay	6.7
Queue Delay	0.0
Total Delay	6.7

Lanes, Volumes, Timings
3: Alico Rd & Oriole Rd

2027 AM Pk Hr With Project
11/09/2022

												
Lane Group	EBU	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT
LOS		F	D	A	F	E	A	E	D		E	E
Approach Delay			48.6			58.6			44.1			46.7
Approach LOS			D			E			D			D
Queue Length 50th (ft)		81	~1454	0	66	~1519	1	4	70		49	7
Queue Length 95th (ft)		#198	#1504	0	#168	#1568	15	16	145		99	25
Internal Link Dist (ft)			676			2105			833			493
Turn Bay Length (ft)		500		435	300		245	115			265	
Base Capacity (vph)		82	3661	1157	70	3627	1147	168	246		110	223
Starvation Cap Reductn		0	0	0	0	0	0	0	0		0	0
Spillback Cap Reductn		0	0	0	0	0	0	0	0		0	0
Storage Cap Reductn		0	0	0	0	0	0	0	0		0	0
Reduced v/c Ratio		0.99	1.03	0.01	0.94	1.06	0.06	0.02	0.55		0.48	0.04

Intersection Summary

Area Type: Other

Cycle Length: 150

Actuated Cycle Length: 150

Offset: 0 (0%), Referenced to phase 2:NBTL and 6:SBTL, Start of Green

Natural Cycle: 150

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 1.06

Intersection Signal Delay: 53.4

Intersection LOS: D

Intersection Capacity Utilization 95.3%

ICU Level of Service F

Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 3: Alico Rd & Oriole Rd

 Ø2 (R)	 Ø3	 Ø4
 Ø6 (R)	 Ø7	 Ø8

Lanes, Volumes, Timings
3: Alico Rd & Oriole Rd

2027 AM Pk Hr With Project
11/09/2022



Lane Group	SBR
LOS	A
Approach Delay	
Approach LOS	
Queue Length 50th (ft)	0
Queue Length 95th (ft)	19
Internal Link Dist (ft)	
Turn Bay Length (ft)	410
Base Capacity (vph)	247
Starvation Cap Reductn	0
Spillback Cap Reductn	0
Storage Cap Reductn	0
Reduced v/c Ratio	0.17
Intersection Summary	

Lanes, Volumes, Timings
3: Alico Rd & Oriole Rd

2027 PM Pk Hr With Project
11/09/2022

												
Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
Lane Configurations												
Traffic Volume (vph)	3	59	3825	15	2	72	3509	39	8	30	75	195
Future Volume (vph)	3	59	3825	15	2	72	3509	39	8	30	75	195
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Storage Length (ft)		500		435		300		245	115		0	265
Storage Lanes		1		1		1		1	1		0	1
Taper Length (ft)		50				50			50			50
Lane Util. Factor	0.91	1.00	0.91	1.00	0.91	1.00	0.91	1.00	1.00	1.00	1.00	1.00
Frt				0.850				0.850		0.893		
Flt Protected		0.950				0.950			0.950			0.950
Satd. Flow (prot)	0	1770	5085	1583	0	1770	5085	1583	1770	1663	0	1770
Flt Permitted		0.950				0.950			0.730			0.569
Satd. Flow (perm)	0	1770	5085	1583	0	1770	5085	1583	1360	1663	0	1060
Right Turn on Red				Yes				Yes			Yes	
Satd. Flow (RTOR)				65				65		55		
Link Speed (mph)			45				45			30		
Link Distance (ft)			756				2185			913		
Travel Time (s)			11.5				33.1			20.8		
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	3	64	4158	16	2	78	3814	42	9	33	82	212
Shared Lane Traffic (%)												
Lane Group Flow (vph)	0	67	4158	16	0	80	3814	42	9	115	0	212
Turn Type	Prot	Prot	NA	Perm	Prot	Prot	NA	Perm	Perm	NA		Perm
Protected Phases	7	7	4		3	3	8			2		
Permitted Phases				4				8	2			6
Detector Phase	7	7	4	4	3	3	8	8	2	2		6
Switch Phase												
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0	5.0		5.0
Minimum Split (s)	11.0	11.0	24.0	24.0	11.0	11.0	24.0	24.0	24.0	24.0		24.0
Total Split (s)	13.0	13.0	114.0	114.0	12.0	12.0	113.0	113.0	24.0	24.0		24.0
Total Split (%)	8.7%	8.7%	76.0%	76.0%	8.0%	8.0%	75.3%	75.3%	16.0%	16.0%		16.0%
Maximum Green (s)	7.0	7.0	108.0	108.0	6.0	6.0	107.0	107.0	18.0	18.0		18.0
Yellow Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0		4.0
All-Red Time (s)	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0		2.0
Lost Time Adjust (s)		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0		0.0
Total Lost Time (s)		6.0	6.0	6.0		6.0	6.0	6.0	6.0	6.0		6.0
Lead/Lag	Lead	Lead	Lag	Lag	Lead	Lead	Lag	Lag				
Lead-Lag Optimize?	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes				
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0	3.0		3.0
Recall Mode	None	None	None	None	None	None	None	None	C-Max	C-Max		C-Max
Walk Time (s)			7.0	7.0			7.0	7.0	7.0	7.0		7.0
Flash Dont Walk (s)			11.0	11.0			11.0	11.0	11.0	11.0		11.0
Pedestrian Calls (#/hr)			0	0			0	0	0	0		0
Act Effct Green (s)		7.0	108.0	108.0		6.0	107.0	107.0	18.0	18.0		18.0
Actuated g/C Ratio		0.05	0.72	0.72		0.04	0.71	0.71	0.12	0.12		0.12
v/c Ratio		0.82	1.14	0.01		1.14	1.05	0.04	0.06	0.47		1.67
Control Delay		127.2	87.5	0.0		211.5	53.0	0.6	59.6	39.1		371.2
Queue Delay		0.0	0.0	0.0		0.0	0.0	0.0	0.0	0.0		0.0
Total Delay		127.2	87.5	0.0		211.5	53.0	0.6	59.6	39.1		371.2

Lanes, Volumes, Timings
3: Alico Rd & Oriole Rd

2027 PM Pk Hr With Project
11/09/2022

	↓	↙
Lane Group	SBT	SBR
Lane Configurations	↑	↑
Traffic Volume (vph)	39	31
Future Volume (vph)	39	31
Ideal Flow (vphpl)	1900	1900
Storage Length (ft)		410
Storage Lanes		1
Taper Length (ft)		
Lane Util. Factor	1.00	1.00
Frt		0.850
Flt Protected		
Satd. Flow (prot)	1863	1583
Flt Permitted		
Satd. Flow (perm)	1863	1583
Right Turn on Red		Yes
Satd. Flow (RTOR)		65
Link Speed (mph)	35	
Link Distance (ft)	573	
Travel Time (s)	11.2	
Peak Hour Factor	0.92	0.92
Adj. Flow (vph)	42	34
Shared Lane Traffic (%)		
Lane Group Flow (vph)	42	34
Turn Type	NA	Perm
Protected Phases	6	
Permitted Phases		6
Detector Phase	6	6
Switch Phase		
Minimum Initial (s)	5.0	5.0
Minimum Split (s)	24.0	24.0
Total Split (s)	24.0	24.0
Total Split (%)	16.0%	16.0%
Maximum Green (s)	18.0	18.0
Yellow Time (s)	4.0	4.0
All-Red Time (s)	2.0	2.0
Lost Time Adjust (s)	0.0	0.0
Total Lost Time (s)	6.0	6.0
Lead/Lag		
Lead-Lag Optimize?		
Vehicle Extension (s)	3.0	3.0
Recall Mode	C-Max	C-Max
Walk Time (s)	7.0	7.0
Flash Dont Walk (s)	11.0	11.0
Pedestrian Calls (#/hr)	0	0
Act Effct Green (s)	18.0	18.0
Actuated g/C Ratio	0.12	0.12
v/c Ratio	0.19	0.14
Control Delay	61.9	3.2
Queue Delay	0.0	0.0
Total Delay	61.9	3.2

Lanes, Volumes, Timings
3: Alico Rd & Oriole Rd

2027 PM Pk Hr With Project
11/09/2022

Lane Group	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL
LOS		F	F	A		F	D	A	E	D		F
Approach Delay			87.8				55.7			40.6		
Approach LOS			F				E			D		
Queue Length 50th (ft)		66	~1729	0		~90	~1486	0	8	54		~301
Queue Length 95th (ft)		#160	#1768	0		#206	#1536	5	27	121		#471
Internal Link Dist (ft)			676				2105			833		
Turn Bay Length (ft)		500		435		300		245	115			265
Base Capacity (vph)		82	3661	1157		70	3627	1147	163	247		127
Starvation Cap Reductn		0	0	0		0	0	0	0	0		0
Spillback Cap Reductn		0	0	0		0	0	0	0	0		0
Storage Cap Reductn		0	0	0		0	0	0	0	0		0
Reduced v/c Ratio		0.82	1.14	0.01		1.14	1.05	0.04	0.06	0.47		1.67

Intersection Summary

Area Type: Other

Cycle Length: 150

Actuated Cycle Length: 150

Offset: 0 (0%), Referenced to phase 2:NBTL and 6:SBTL, Start of Green

Natural Cycle: 140

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 1.67

Intersection Signal Delay: 78.9

Intersection LOS: E

Intersection Capacity Utilization 101.4%

ICU Level of Service G

Analysis Period (min) 15

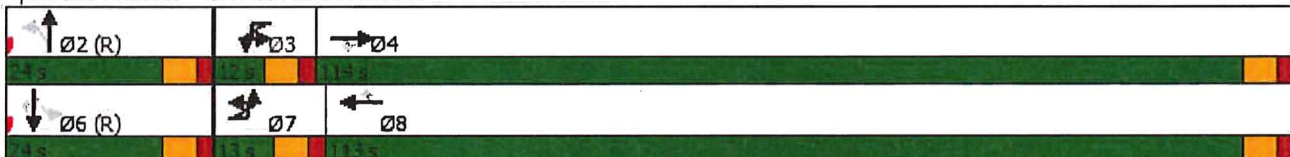
~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 3: Alico Rd & Oriole Rd





Lane Group	SBT	SBR
LOS	E	A
Approach Delay	282.6	
Approach LOS	F	
Queue Length 50th (ft)	38	0
Queue Length 95th (ft)	78	7
Internal Link Dist (ft)	493	
Turn Bay Length (ft)		410
Base Capacity (vph)	223	247
Starvation Cap Reductn	0	0
Spillback Cap Reductn	0	0
Storage Cap Reductn	0	0
Reduced v/c Ratio	0.19	0.14
Intersection Summary		

ALICO ROAD @ SITE ACCESS

HCM 2010 TWSC
6: Alico Rd & Site Access

2027 AM Pk Hr With Project
11/09/2022

Intersection						
Int Delay, s/veh	20.1					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations	↘	↑↑↑	↑↑↑	↗		↗
Traffic Vol, veh/h	55	3574	3541	66	0	47
Future Vol, veh/h	55	3574	3541	66	0	47
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	340	-	-	240	-	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	60	3885	3849	72	0	51

Major/Minor	Major1	Major2	Minor2
Conflicting Flow All	3921	0	0 - 1925
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	5.34	-	- 7.14
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	3.12	-	- 3.92
Pot Cap-1 Maneuver	~ 12	-	0 ~ 48
Stage 1	-	-	0
Stage 2	-	-	0
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	~ 12	-	- ~ 48
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	SB
HCM Control Delay, s	36.6	0	284.5
HCM LOS			F

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	~ 12	-	-	-	48
HCM Lane V/C Ratio	4.982	-	-	-	1.064
HCM Control Delay (s)	\$ 2415.5	-	-	-	284.5
HCM Lane LOS	F	-	-	-	F
HCM 95th %tile Q(veh)	8.6	-	-	-	4.6

Notes			
~: Volume exceeds capacity	\$: Delay exceeds 300s	+: Computation Not Defined	*: All major volume in platoon

Intersection

Int Delay, s/veh 142.6

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations	↘	↑↑↑	↑↑↑	↗		↗
Traffic Vol, veh/h	117	3876	3554	156	0	219
Future Vol, veh/h	117	3876	3554	156	0	219
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	340	-	-	240	-	0
Veh in Median Storage, #	-	0	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	127	4213	3863	170	0	238

Major/Minor	Major1	Major2	Minor2
Conflicting Flow All	4033	0	0
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	5.34	-	-
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	3.12	-	-
Pot Cap-1 Maneuver	~ 10	-	0
Stage 1	-	-	0
Stage 2	-	-	0
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	~ 10	-	-
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	SB
HCM Control Delay, s	175.9	0	\$ 1951.1
HCM LOS			F

Minor Lane/Major Mvmt	EBL	EBT	WBT	WBR	SBLn1
Capacity (veh/h)	~ 10	-	-	-	48
HCM Lane V/C Ratio	12.717	-	-	-	4.959
HCM Control Delay (s)	\$ 6003.2	-	-	-	\$ 1951.1
HCM Lane LOS	F	-	-	-	F
HCM 95th %tile Q(veh)	17.4	-	-	-	27.1

Notes

~: Volume exceeds capacity \$: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon

ORIOLE ROAD @ S. SITE ACCESS

HCM 2010 TWSC
8: Oriole Rd & South Site Access

2027 AM Pk Hr With Project
11/09/2022

Intersection						
Int Delay, s/veh	2.6					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	3	34	41	98	65	8
Future Vol, veh/h	3	34	41	98	65	8
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	190	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	3	37	45	107	71	9

Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	273	76	80	0	-	0
Stage 1	76	-	-	-	-	-
Stage 2	197	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	716	985	1518	-	-	-
Stage 1	947	-	-	-	-	-
Stage 2	836	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	695	985	1518	-	-	-
Mov Cap-2 Maneuver	695	-	-	-	-	-
Stage 1	919	-	-	-	-	-
Stage 2	836	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	8.9	2.2	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1518	-	953	-	-
HCM Lane V/C Ratio	0.029	-	0.042	-	-
HCM Control Delay (s)	7.4	-	8.9	-	-
HCM Lane LOS	A	-	A	-	-
HCM 95th %tile Q(veh)	0.1	-	0.1	-	-

HCM 2010 TWSC
8: Oriole Rd & South Site Access

2027 PM Pk Hr With Project
11/09/2022

Intersection

Int Delay, s/veh 5.2

Movement EBL EBR NBL NBT SBT SBR

Lane Configurations	W		W	↑	↑	
Traffic Vol, veh/h	18	162	81	59	157	15
Future Vol, veh/h	18	162	81	59	157	15
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	190	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	20	176	88	64	171	16

Major/Minor Minor2 Major1 Major2

Conflicting Flow All	419	179	187	0	-	0
Stage 1	179	-	-	-	-	-
Stage 2	240	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	591	864	1387	-	-	-
Stage 1	852	-	-	-	-	-
Stage 2	800	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	554	864	1387	-	-	-
Mov Cap-2 Maneuver	554	-	-	-	-	-
Stage 1	798	-	-	-	-	-
Stage 2	800	-	-	-	-	-

Approach EB NB SB

HCM Control Delay, s	10.8	4.5	0
HCM LOS	B		

Minor Lane/Major Mvmt NBL NBT EBLn1 SBT SBR

Capacity (veh/h)	1387	-	818	-	-
HCM Lane V/C Ratio	0.063	-	0.239	-	-
HCM Control Delay (s)	7.8	-	10.8	-	-
HCM Lane LOS	A	-	B	-	-
HCM 95th %tile Q(veh)	0.2	-	0.9	-	-

**ORIOLE ROAD @ N. SITE ACCESS
(FIRE STATION)**

HCM 2010 TWSC
10: North Site Access & Oriole Rd

2027 AM Pk Hr With Project
11/09/2022

Intersection						
Int Delay, s/veh	1.7					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	4	17	18	82	55	8
Future Vol, veh/h	4	17	18	82	55	8
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	150	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	4	18	20	89	60	9

Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	194	65	69	0	-	0
Stage 1	65	-	-	-	-	-
Stage 2	129	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	795	999	1532	-	-	-
Stage 1	958	-	-	-	-	-
Stage 2	897	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	785	999	1532	-	-	-
Mov Cap-2 Maneuver	785	-	-	-	-	-
Stage 1	946	-	-	-	-	-
Stage 2	897	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	8.9	1.3	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1532	-	950	-	-
HCM Lane V/C Ratio	0.013	-	0.024	-	-
HCM Control Delay (s)	7.4	-	8.9	-	-
HCM Lane LOS	A	-	A	-	-
HCM 95th %tile Q(veh)	0	-	0.1	-	-

HCM 2010 TWSC
10: North Site Access & Oriole Rd

2027 PM Pk Hr With Project
11/09/2022

Intersection						
Int Delay, s/veh	3.9					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	18	71	34	43	101	15
Future Vol, veh/h	18	71	34	43	101	15
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	150	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	20	77	37	47	110	16
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	239	118	126	0	-	0
Stage 1	118	-	-	-	-	-
Stage 2	121	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	749	934	1460	-	-	-
Stage 1	907	-	-	-	-	-
Stage 2	904	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	730	934	1460	-	-	-
Mov Cap-2 Maneuver	730	-	-	-	-	-
Stage 1	884	-	-	-	-	-
Stage 2	904	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	9.6	3.3		0		
HCM LOS	A					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR	
Capacity (veh/h)	1460	-	884	-	-	
HCM Lane V/C Ratio	0.025	-	0.109	-	-	
HCM Control Delay (s)	7.5	-	9.6	-	-	
HCM Lane LOS	A	-	A	-	-	
HCM 95th %tile Q(veh)	0.1	-	0.4	-	-	

**DEVELOPMENT OF FUTURE
BACKGROUND THROUGH VOLUMES
ON ORIOLE ROAD**

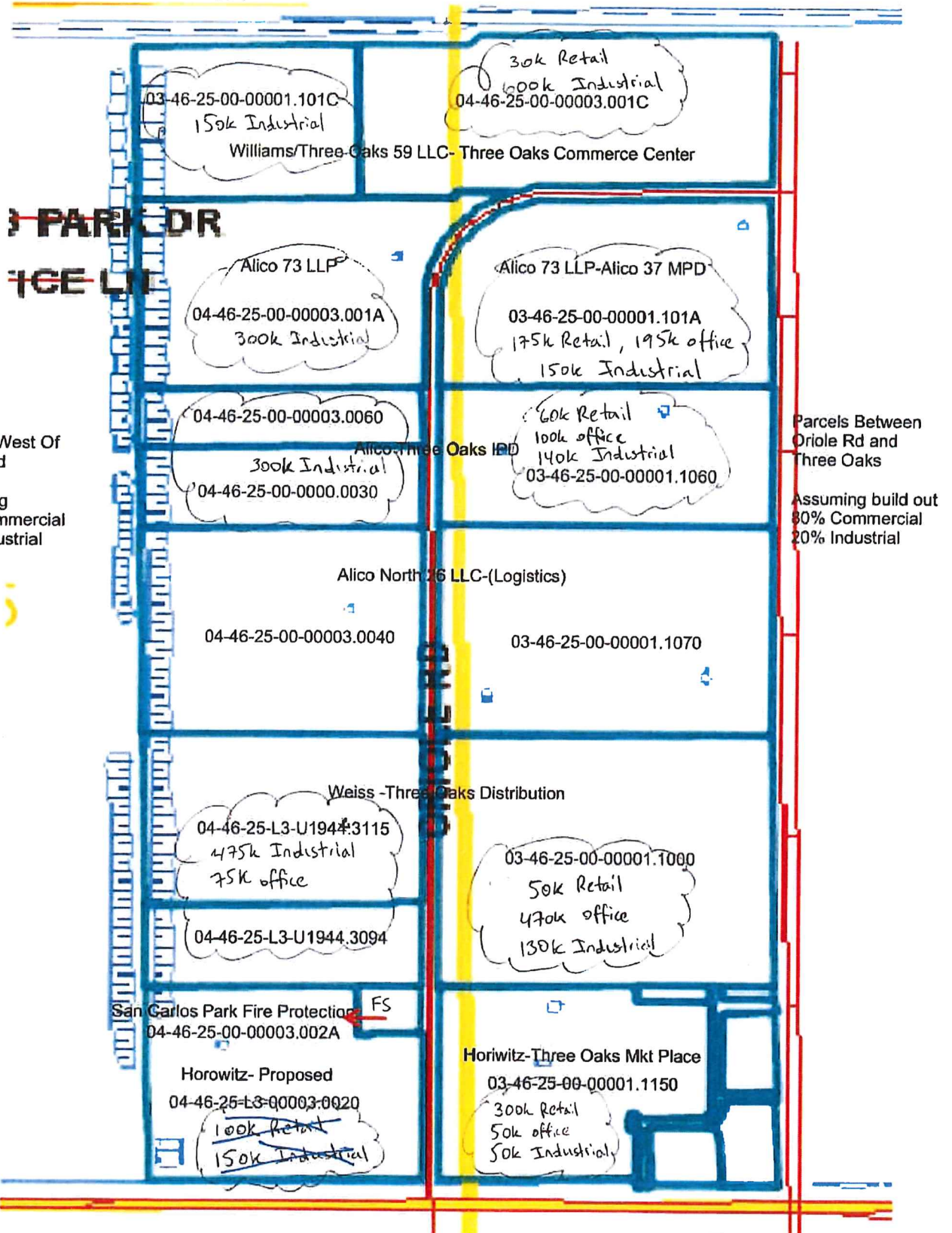
Total (Without Three Oaks Logistics)

West of Oriole Rd (SF)

1,375,000 Industrial
75,000 office
100,000 Retail

East of Oriole Rd (SF)

1,070,000 Industrial
315,000 office
615,000 Retail



Parcels West Of Oriole Rd

Assuming
20% Commercial
80% Industrial

Parcels Between Oriole Rd and Three Oaks

Assuming build out
80% Commercial
20% Industrial

Land Use Intensity

Land Use	Land Use Code	Unit Count	Unit Type
Shopping Center	LUC 820	1	square feet
General Office	LUC 710	75,000	square feet
Medical Office	LUC 720	0	square feet
Single-Family	LUC 210	0	dwelling units
Multi-Family	LUC 220	0	dwelling units
Hotel	LUC 310	0	rooms
Industrial	LUC 130	1,375,000	square feet

E. side of Oriole		Unit Count	Unit Type
		615,000	square feet
		815,000	square feet
		0	square feet
		0	dwelling units
		0	dwelling units
		0	rooms
		1,070,000	square feet

Trip Generation W. of Oriole

Land Use	Land Use Code	AM Peak Hour		Total
		In	Out	
Shopping Center	LUC 820	94	58	152
General Office	LUC 710	83	14	97
Industrial	LUC 130	446	104	550
Total Trips		623	176	799
Total Trips (50% Build-out Yr Reduction)		312	88	400

Trip Generation E. of Oriole

Land Use	Land Use Code	AM Peak Hour		Total
		In	Out	
Shopping Cer	LUC 820	285	174	459
General Office	LUC 710	682	111	793
Industrial	LUC 130	347	81	428
Total Trips		1,314	366	1,680
Total Trips (50% Build-out Yr Reduction)		657	183	840
Total Trips to Oriole Road (40%)		263	73	336

(Remaining 60% will directly use Three Oaks Pkwy)

Trip Generation W. of Oriole

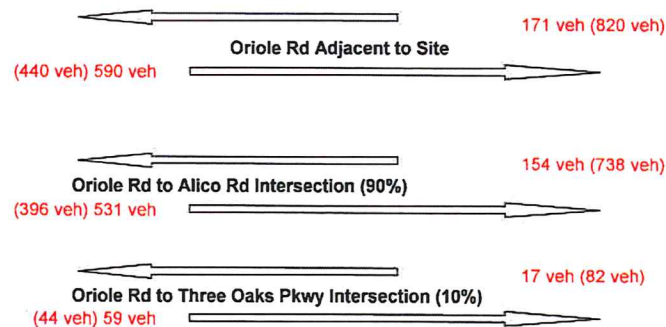
Land Use	Land Use Code	PM Peak Hour		Total
		In	Out	
Shopping Center	LUC 820	0	0	0
General Office	LUC 710	14	73	87
Industrial	LUC 130	115	435	550
Total Trips		129	508	637
Total Trips (50% Build-out Yr Reduction)		65	254	319

Trip Generation E. of Oriole

Land Use	Land Use Code	PM Peak Hour		Total
		In	Out	
Shopping Cer	LUC 820	1,000	1,084	2,084
General Office	LUC 710	134	701	835
Industrial	LUC 130	90	338	428
Total Trips		1,224	2,123	3,347
Total Trips (50% Build-out Yr Reduction)		612	1,062	1,674
Total Trips to Oriole Road (40%)		245	425	669

(Remaining 60% will directly use Three Oaks Pkwy)

Total Trips on Oriole Rd		
AM Peak Hour		
In	Out	Total
574	161	736
PM Peak Hour		
In	Out	Total
309	679	988



ITE PASS-BY RATES

[illegible]

[illegible]

TRIP GENERATION EQUATIONS

Industrial Park (130)

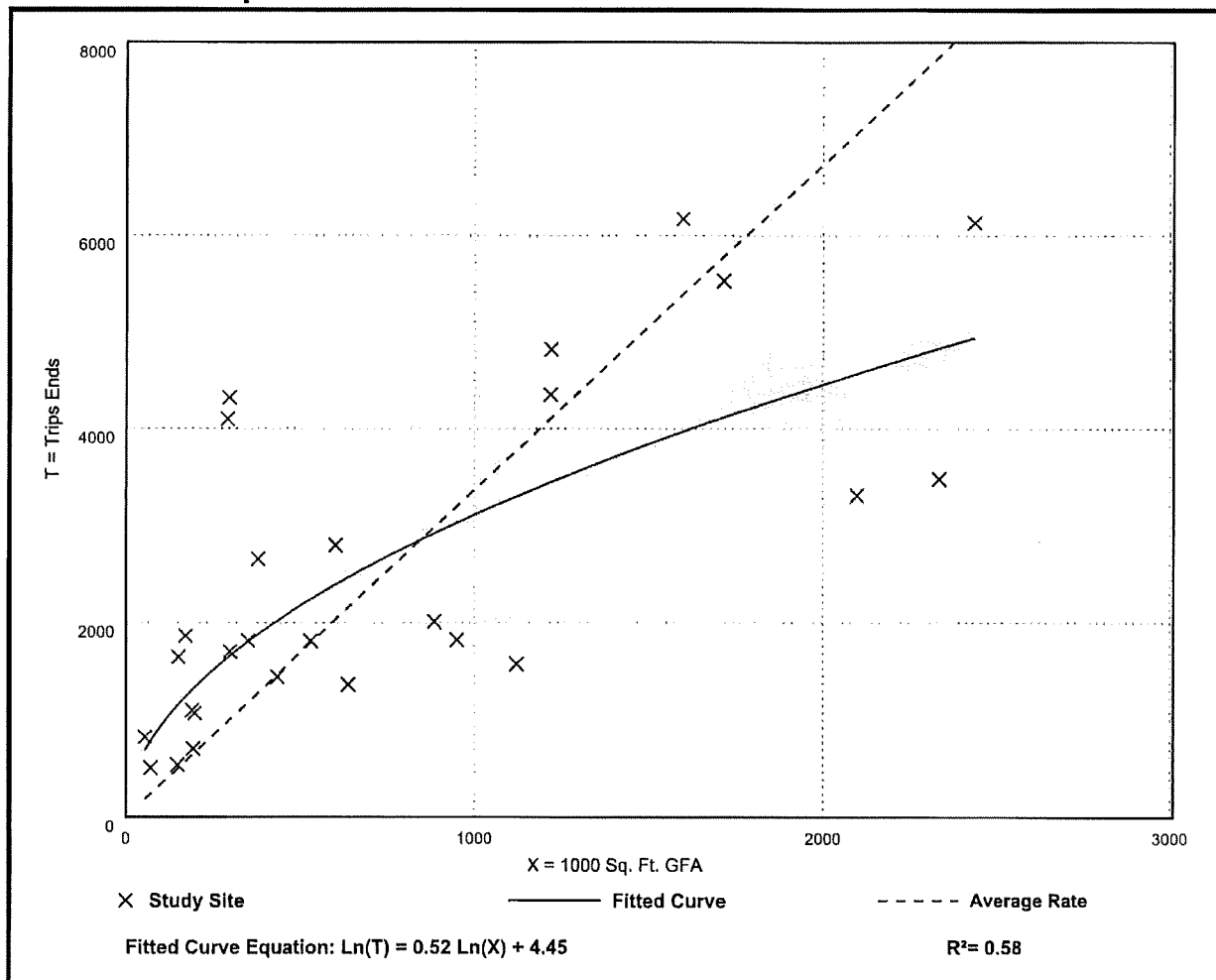
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 27
Avg. 1000 Sq. Ft. GFA: 762
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
3.37	1.41 - 14.98	2.60

Data Plot and Equation



Industrial Park (130)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 34

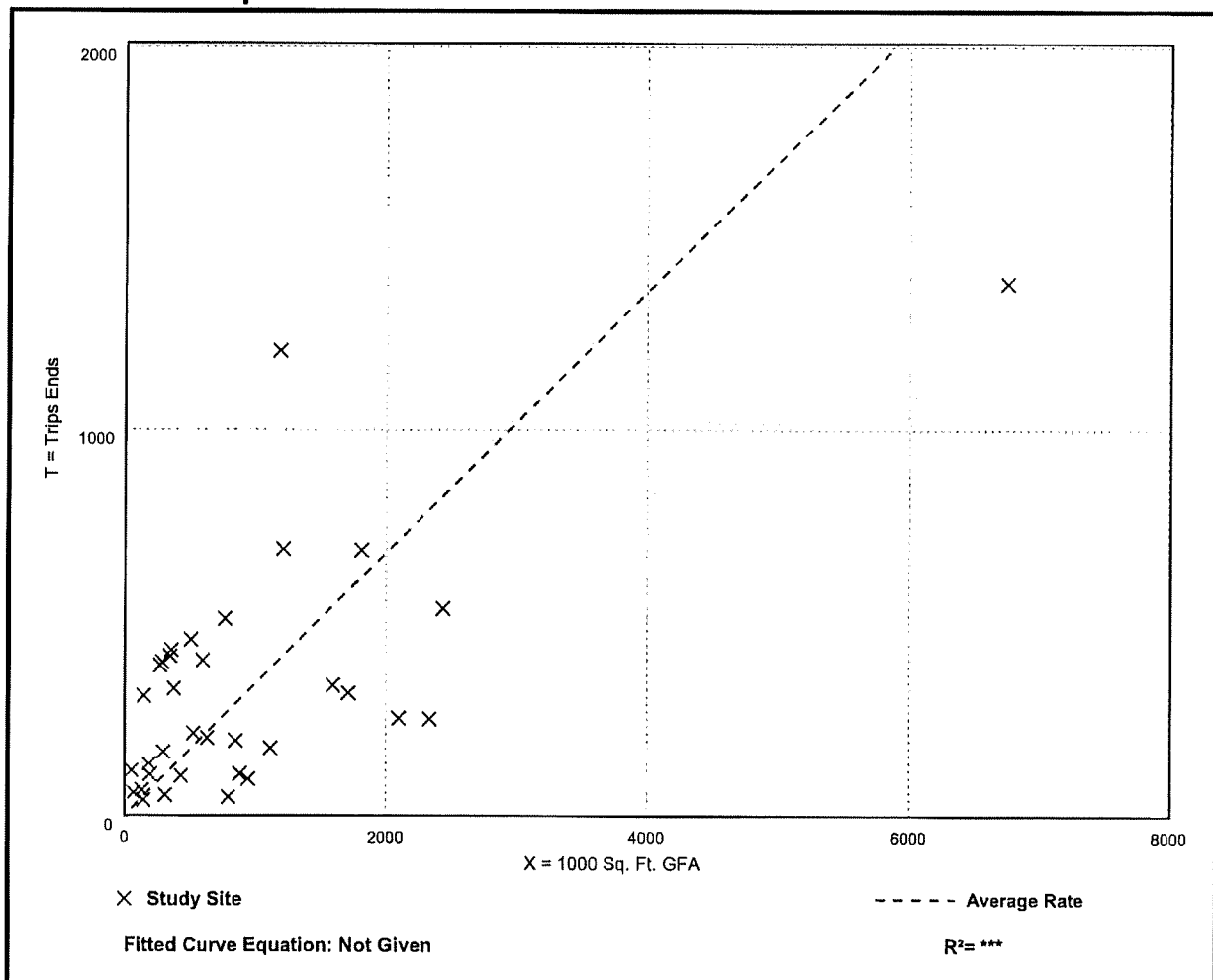
Avg. 1000 Sq. Ft. GFA: 956

Directional Distribution: 81% entering, 19% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.34	0.06 - 2.13	0.33

Data Plot and Equation



Industrial Park (130)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 35

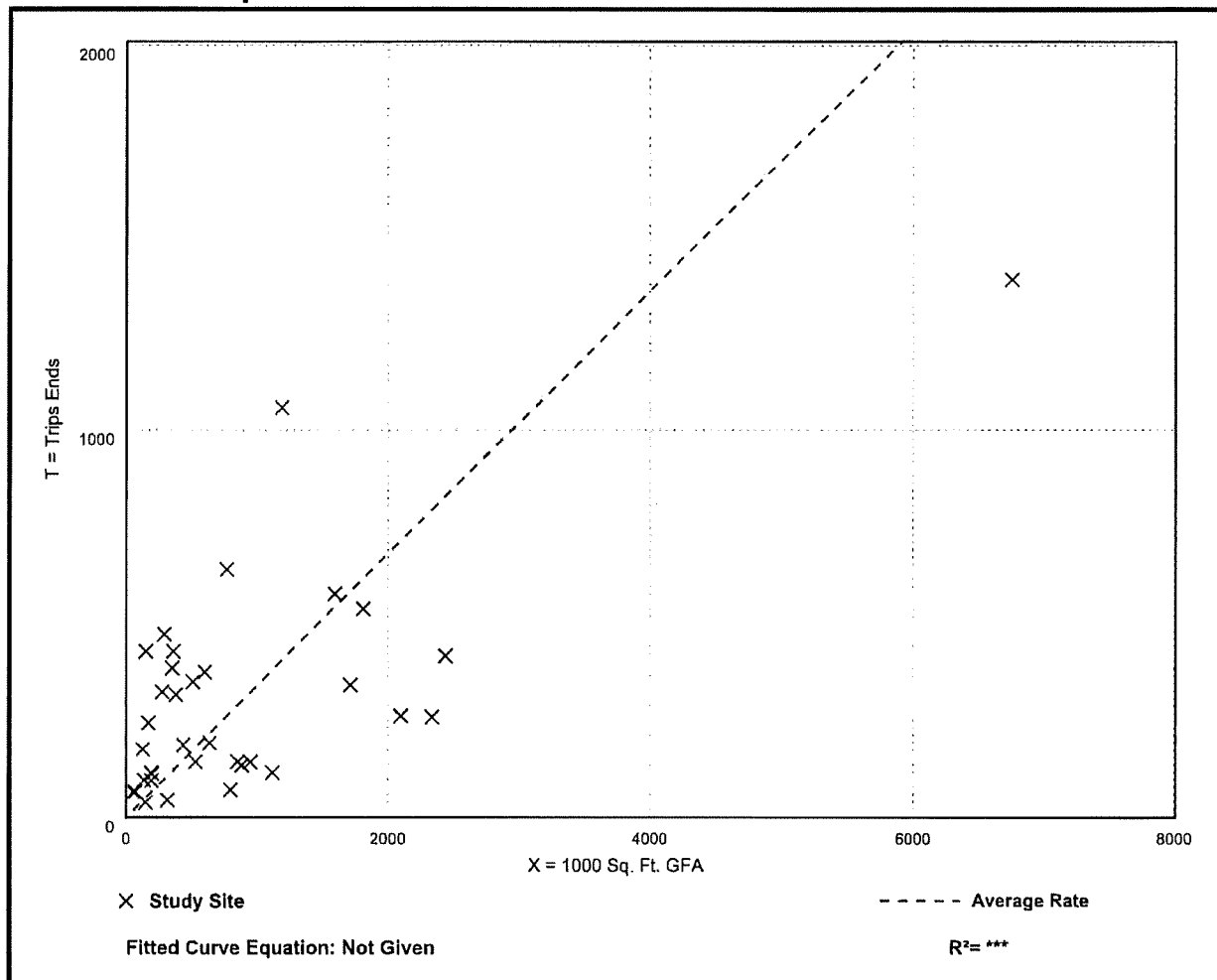
Avg. 1000 Sq. Ft. GFA: 899

Directional Distribution: 22% entering, 78% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.34	0.09 - 2.85	0.36

Data Plot and Equation



Shopping Center (>150k) (820)

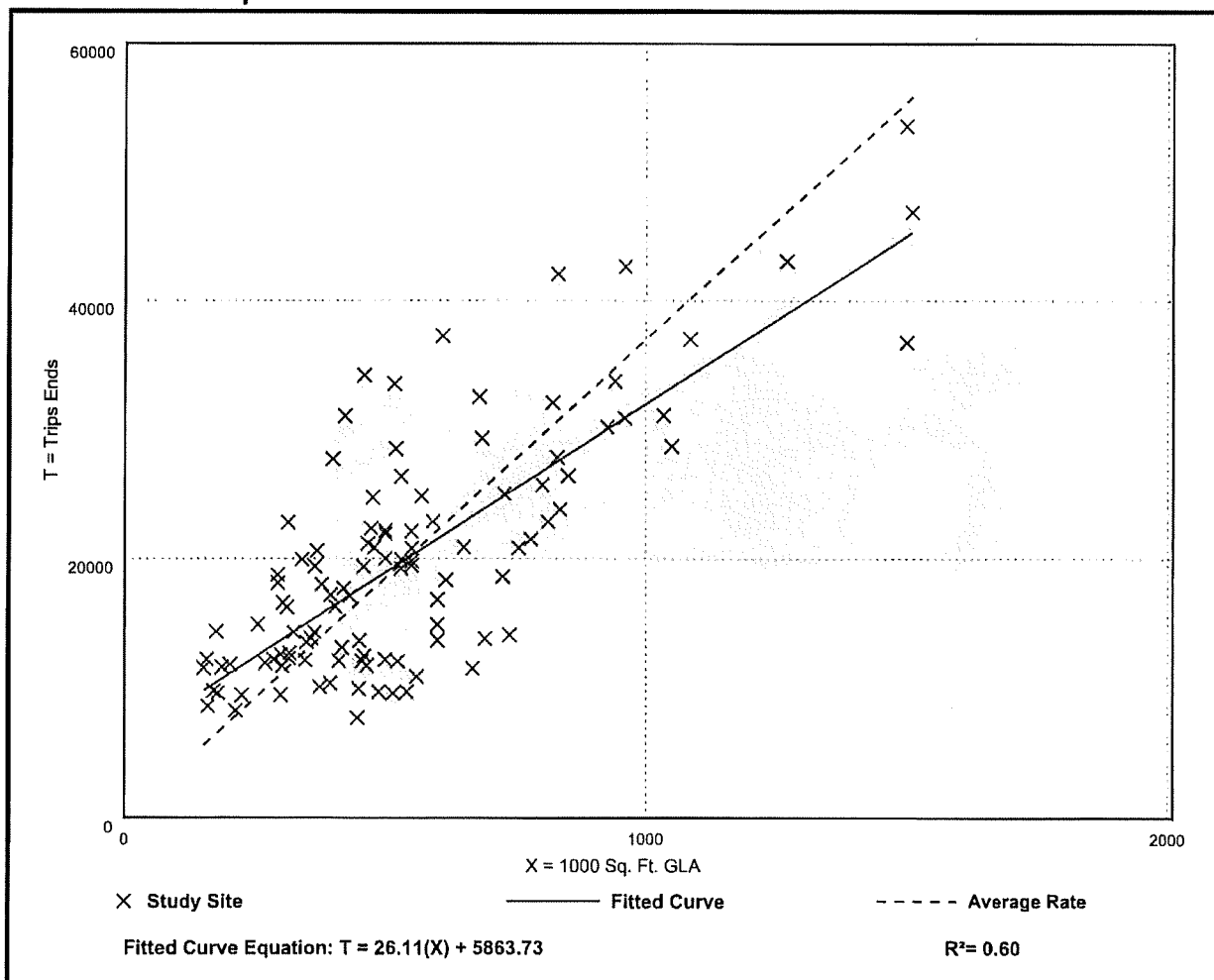
Vehicle Trip Ends vs: 1000 Sq. Ft. GLA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 108
Avg. 1000 Sq. Ft. GLA: 538
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

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

Data Plot and Equation



Shopping Center (>150k) (820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 44

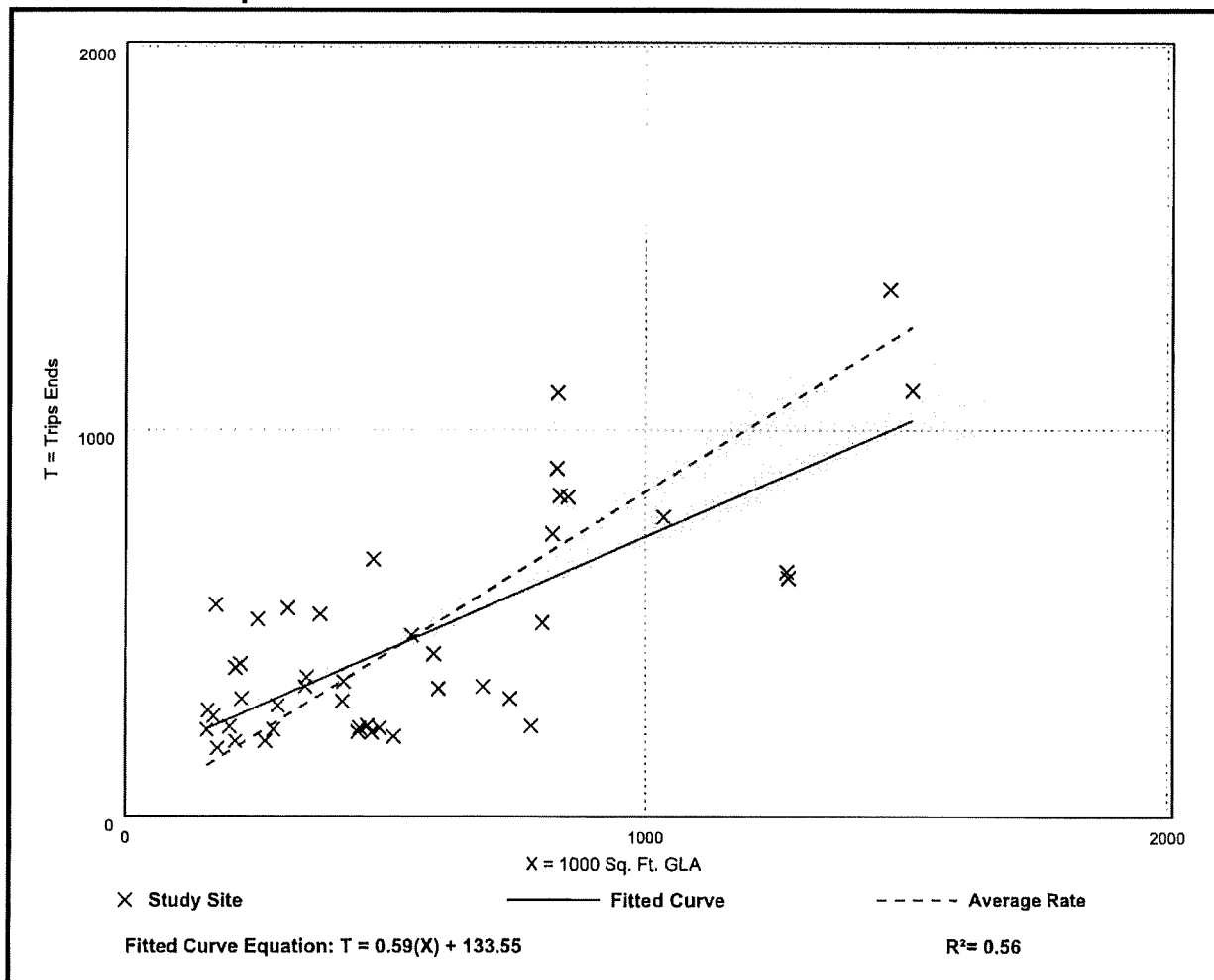
Avg. 1000 Sq. Ft. GLA: 546

Directional Distribution: 62% entering, 38% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

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

Data Plot and Equation



Shopping Center (>150k) (820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 126

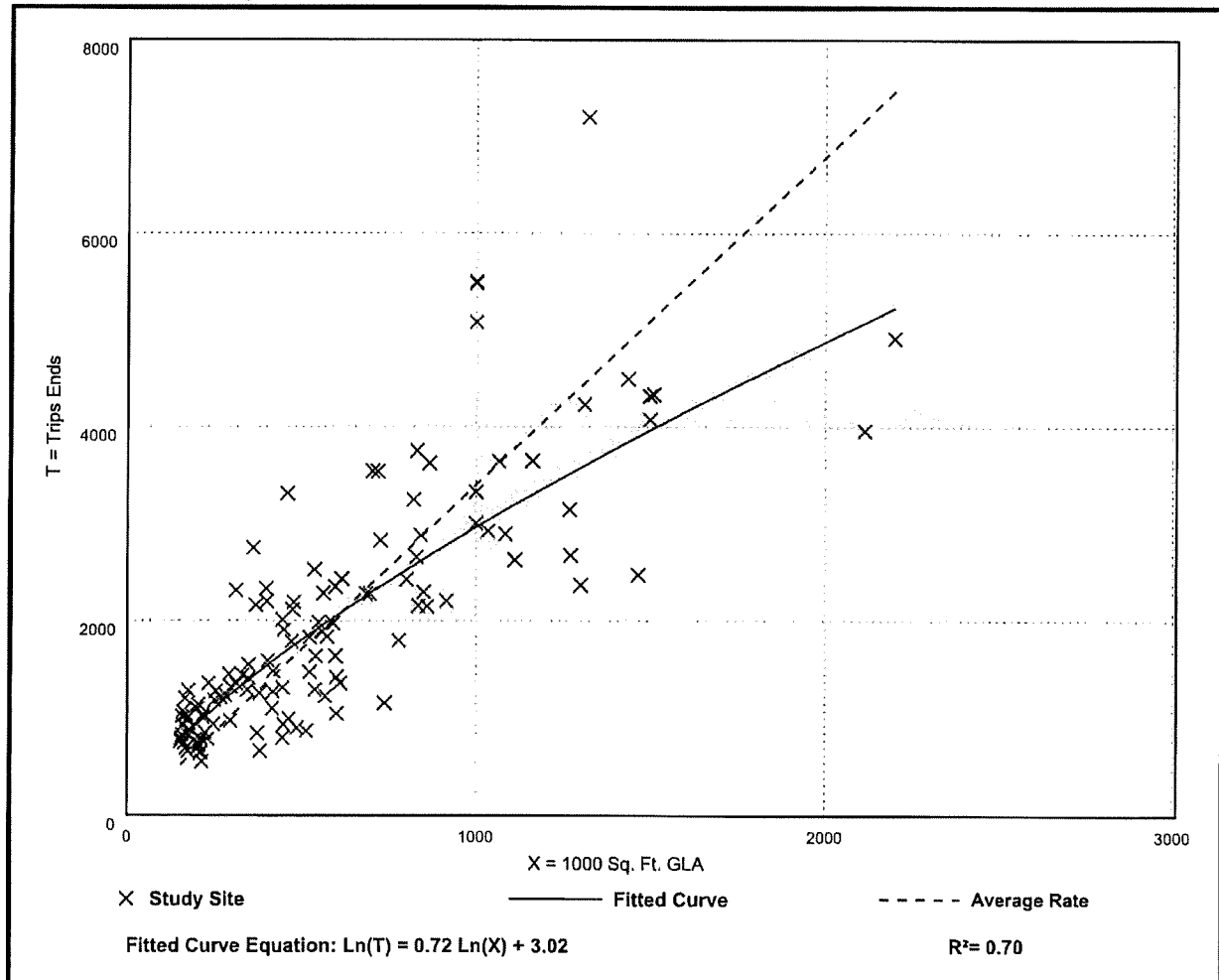
Avg. 1000 Sq. Ft. GLA: 581

Directional Distribution: 48% entering, 52% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

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

Data Plot and Equation





APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: Oriole Alico West, MPD

Request: Rezone from: AG-2 To: MPD

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

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

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

Summary of Project:

Rezone ± 30.65-acres from Agricultural (AG-2) to Mixed Planned Development (MPD) to allow 350,000 SF of commercial, retail and industrial uses. The project is located at the northwest corner of Alico Road and Oriole Rd

PART 1 APPLICANT/AGENT INFORMATION

A. Name of Applicant: Quattrone & Associates, Inc
Address: 4301 Veronica Shoemaker Blvd
City, State, Zip: Fort Myers, FL 33916
Phone Number: 239-936-5222
E-mail Address: permits@qainc.net

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

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

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

1. Company Name: _____
Contact Person: _____
Address: _____
City, State, Zip: _____
Phone Number: _____ Email: _____

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

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

**PART 2
PROPERTY OWNERSHIP**

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

Name: Alan C Freeman

Address: 28120 Hunters Ridge Blvd #5

City, State, Zip: Bonita Springs, FL 34135

Phone Number: 239-267-8888 Email: fregroup@aol.com

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

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

- C. **Multiple parcels:**

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

☐ Property owners map. [34-202(a)(8)]

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

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

2. Date property was acquired by present owner(s): 10/04/2022

**PART 3
PROPERTY INFORMATION**

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

04-46-25-L3-00003.0020

- B. **Street Address of Property:** Access Undetermined

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

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

OR

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

AND

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

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

OR

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

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

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

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

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

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

- E. **Current Zoning of Property:** AG-2

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

- F. **Use(s) of Property:**

1. Current uses of property are: Vacant

2. Intended uses of property are: Mixed-Use Development

G. Future Land Use Classification (Lee Plan):

Industrial Development	<u>30.65</u>	Acres	<u>100</u>	% of Total
		Acres		% of Total
		Acres		% of Total

H. Property Dimensions:

1. Width (average if irregular parcel):	<u>±1282</u>	Feet		
2. Depth (average if irregular parcel):	<u>±1035</u>	Feet		
3. Total area:	<u>30.65</u>	Acres or square feet		
4. Frontage on road or street:	<u>±1272</u>	Feet on	<u>Alico Road</u>	Street
2 nd Frontage on road or street:	<u>±780</u>	Feet on	<u>Oriole Road</u>	Street

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

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

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

PART 4
TYPES OF LAND AREA ON PROPERTY

A. Gross Acres (total area within described parcel)	<u>30.65</u>	Acres
1. Submerged land subject to tidal influence	<u>0</u>	Acres
2. a. Preserved freshwater wetlands	<u>0</u>	Acres
b. Impacted wetlands	<u>3.12</u>	Acres
c. Preserved saltwater wetlands	<u>0</u>	Acres
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)	<u>3.12</u>	Acres
3. R-O-W providing access to non-residential uses	<u>0.950</u>	Acres
4. Non-residential use areas ^{(1) (2)}		Acres
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.).	<u>27.53</u>	Acres
C. Gross residential acres. (A minus B) ⁽³⁾	<u>0</u>	Acres
D. Gross residential acres (by Land Use Category)		
1. a. Intensive Development – upland		Acres
b. Intensive Development – preserved freshwater wetlands		Acres
c. Intensive Development – impacted wetlands		Acres
2. a. Central Urban – upland		Acres
b. Central Urban – preserved freshwater wetlands		Acres
c. Central Urban – impacted wetlands		Acres
3. a. Urban Community or Suburban – upland		Acres
b. Urban Community or Suburban – preserved freshwater wetlands		Acres
c. Urban Community or Suburban – impacted wetlands		Acres

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

TOTAL (should equal "C" above)

0 **Acres**

Notes:

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

PART 5
RESIDENTIAL DEVELOPMENT - PRELIMINARY DENSITY CALCULATIONS

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

A. Future Land Use Category: _____

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

Note:

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

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

		Total Floor Area (Square Feet)
A. Commercial	Height	
1. Medical	65'	TBD
2. General Office	65'	TBD
3. Retail	65'	TBD
4. Other: _____		
5. TOTAL FLOOR AREA		Min 30,000 Max 320,000
B. Industrial	Height	Total Floor Area (Square Feet)
1. Under Roof	65'	TBD
2. Not Under Roof		
3. TOTAL FLOOR AREA		Min 30,000 Max 350,000
C. Mining	Depth	Total Acres
1. Area to be excavated	N/A	N/A
D. Assisted Living Facilities	Height	Total Beds/Units
1. Dependent Living Units	N/A	N/A
2. Independent Living Units	N/A	N/A
3. TOTAL BEDS/UNITS		N/A
E. Hotels/Motels (Room Size)	Height	Total Rental Units
1. < 425 sq. ft.	N/A	N/A
2. 426-725 sq. ft.		
3. 725 < sq. ft.		
4. TOTAL UNITS		N/A

PART 7
ACTION REQUESTED

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

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

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

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

**PART 8
ENVIRONMENTAL REQUIREMENTS**

- A. Topography:** Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property. [34-373(a)(4)b.iv.]
Please see the attached Topographic Boundary Survey prepared by Harris Jorgenson.
-
- B. Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flowways, creek beds, sand dunes, other unique land forms [see LEE Plan Policy 77.1.1 (2)] or listed species occupied habitat [see LCLDC Section 10-473(f)].
Conservation easement has already been established and recorded inst. #2016-000164936
-
- C. Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
Conservation easement has already been established and recorded inst#2016-000164936
-
- D. Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:
Not Applicable
-
- E. Soils Map:** Attach maps drawn at the same scale as the Master Concept Plan marked or overprinted to show the soils classified in accordance with the USDA/SCS System. [34-373(a)(4)b.i.]
- F. FLUCCS Map:** A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands. [34-373(a)(4)c.]
- G. Rare & Unique Upland Habitat Map:** Maps drawn at the same scale as the Master Concept Plan marked or overprinted to show significant areas of rare and unique upland habitat as defined in the LEE Plan Section XII. [34-373(a)(4)b.iii.]
- H. Existing and Historic Flow-Ways Map:** Map(s) drawn at the same scale as the master concept plan marked or overprinted to show existing and historic flow-ways. [34-373(a)(4)b.v.]

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

- A. Special Effluent:** If the discharge of any special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:
Not Applicable
-
- B. Private On-Site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:
1. Method and degree of treatment:
Not Applicable
 2. Quality of the effluent:
Not Applicable

3. Expected life of the facility:
Not Applicable
 4. Who will operate and maintain the internal collection and treatment facilities:
Not Applicable
 5. Receiving bodies or other means of effluent disposal:
Not Applicable
- C. **Spray Irrigation:** If spray irrigation will be used, specify:
1. The location and approximate area of the spray fields:
Not Applicable
 2. Current water table conditions:
Not Applicable
 3. Proposed rate of application:
Not Applicable
 4. Back-up system capacity:
Not Applicable

PART 10 ADDITIONAL REQUIREMENTS

- A. **Major Planned Developments:**
1. **Surface Water Management Plan.** A written description of the surface water management plan as required by LCLDC Section 34-373(b)(1). **[34-373(b)(1)]**
 2. **Phasing Program.** If the development is to be constructed in phases or if the Traffic Impact Statement utilized phasing, then a description of the phasing program must be submitted. **[34-373(b)(3)]**
 3. **Protected Species Survey.** A protected species survey is required for large developments (as defined in LCLDC Section 10-1) as specified in LCLDC Section 10-473. **[34-373(b)(2)]**
- B. **Amendments to Built Planned Developments:** The consent of the owners of the remainder of the original planned development is not required, but these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property. **[34-373(c)]**
- C. **Development of Regional Impact:** Binding letter of interpretation from DCA or a complete and sufficient ADA. (See also Application for Public Hearing for DRI Form.) **[34-373(d)(9)]**
- D. **Private Recreational Facility Planned Developments (PRFPDs):**
1. **Master Concept Plan, PRFPD.** Master Concept Plan showing and identifying information required by LDC Section 34-941(g)(1). Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. **[34-941(g)(1)]**
 2. **Conceptual Surface Water Management Plan.** A Conceptual Surface Water Management Plan must be submitted. The plan must be viable and take into consideration any natural flowway corridors, cypress heads, natural lakes, and the restoration of impacted natural flowway corridors. **[34-941(d)(3)b.i.1)]**
 3. **Well Drawdown Information.** If within an area identified as an anticipated drawdown area for existing or future well development, demonstration of compliance with LCLDC Section 34-941(d)(3)d.i & ii. must be provided. **[34-941(d)(3)d.]**
 4. **Preliminary Indigenous Restoration Plan.** A Preliminary Indigenous Restoration Plan must be provided if on-site indigenous restoration is being used to meet the indigenous native plant community preservation requirement. **[34-941(e)(5)f.iii.]**

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

**PART 5
SUBMITTAL REQUIREMENT CHECKLIST**

Clearly label your attachments as noted in bold below

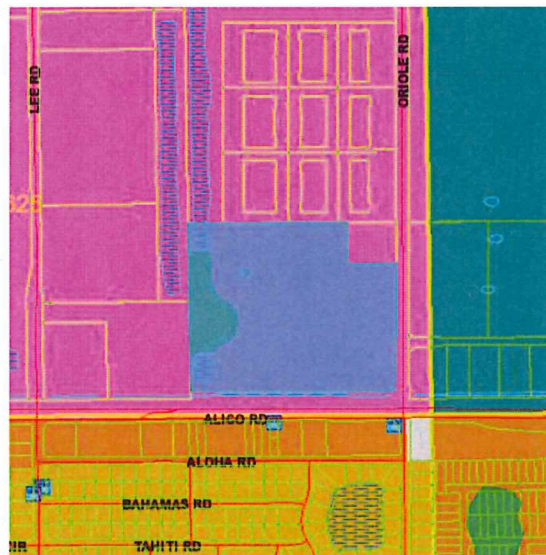
Copies Required		SUBMITTAL ITEMS
3	☒	Completed application for Public Hearing [34-202(a)(1)]
1	☒	Filing Fee - [34-201(d)]
1	☐	Bonus Density Filing Fee - (if applicable) [34-202(a)(11)]
3	☒	<u>Affidavit of Authorization</u> (notarized) Form [34-202(a)(3)]
3	☒	<u>Additional Agents</u> [34-202(a)(4)]
3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

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



ALICO ORIOLE WEST
MPD REZONING
±30.65 ACRES
STRAP#: 04-46-25-L3-00003.0020
Fort Myers, FL 33912

The applicant, Sanford I Horowitz, Co-Trustee, is requesting approval for a Mixed Use Planned Development (MPD) for a 30.65-acre site located in Section 04, Township 46 South, Range 25 East, Lee County, Florida which is on the northwest corner of Alico Road and Oriole Road. The property is in the Gateway/Airport Planning Community and falls within the Industrial Development Future Land Use Category.



The applicant is requesting a rezoning from Agriculture (AG-2) to Mixed Use Planned Development (MPD) to allow up to 350,000 square feet of office, retail, commercial and/or industrial uses as well as 150 hotel rooms.

All square footage uses will be deducted from the maximum allowable square footage on a one-to-one basis.

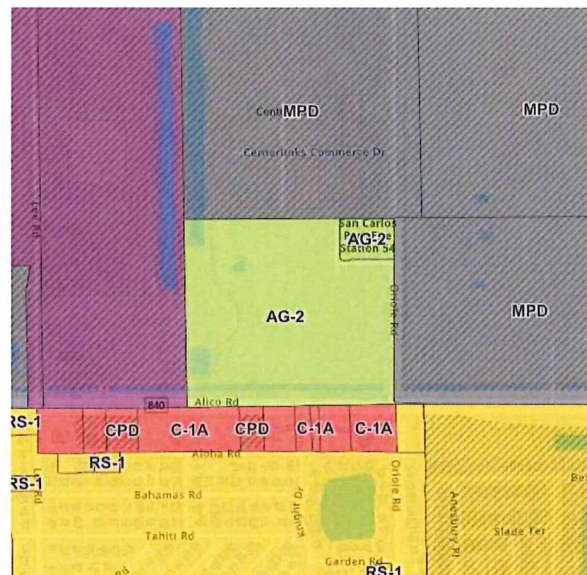
The project proposes three full driveway connections, one onto Alico Road and two onto Oriole Road. Internal roads and driveways will be spaced to meet the minimum road/driveway separations as required by the LDC. The proposed development will connect to Lee County Utilities for potable water and sanitary sewer.

Since this is an industrial/commercial subdivision divided into lots that will be developed over a period of time, we request that the termination of agricultural uses will not be triggered by approval of a development order for non-vertical improvements such as plats, infrastructure improvements, landscaping, surface water management, or other non-vertical development.

Table 1: Inventory of Surrounding Lands

	FUTURE LAND USE	ZONING	EXISTING LAND USES
NORTH	Industrial	MPD	Industrial + Commercial
SOUTH	Urban Community	C-1A + CPD	Commercial
EAST	Industrial Commercial Interchange	MPD	Industrial + Commercial
WEST	Industrial	IPD	Industrial + Commercial

The adjacent property to the north is zoned Three Oaks Distribution, MPD (Mixed Planned Development) and developed with Center links Industrial Development. To the east is zoned Three Oaks Marketplace, MPD (Mixed Planned Development) and partially developed with Infrastructure and proposed commercial. To the south is Alico Road ROW then zoned C-1A + CPD and developed with commercial uses such as a shopping Plaza, tire store and restaurants. To the west is zoned Formosa Commerce Center, IPD (Industrial Planned Development) and partially developed with Race Trac Convenient/Gas station store.



REZONING JUSTIFICATION

The proposed rezoning requests allows the Property to be developed in a similar manner to the surrounding properties. The Alico Road corridor has experienced rapid growth and development of several industrial planned developments. The current AG-2 zoning will not allow intense development suitable for the Property's central location for transportation and workforce housing.

Demand for warehousing, manufacturing, and research space is increasing due to changes in the national and global supply chains. Larger distribution centers and in high demand as Lee County and



the region's population is growing to a range that has attracted national companies. A recent example is Uline's warehousing and office project in Collier County totaling 1 million square feet of floor area. More examples are on the way in the corridor that include Amazon, Wayfair and other online retailers. For these reasons, the request intensity and uses are needed to position the project for the intensive market-drive demand of distribution and employment-generating uses intended for the Industrial future land use category.

The site is also in an area of the county where the proposed intensity is appropriate based upon surrounding land use pattern, arterial roadway network, and proximity to major economic engines including RSW, the Alico Road industrial corridor, and Gulf Coast Town Center.

LEE PLAN VISION

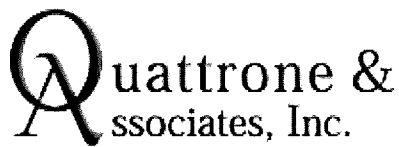
Goal 1: Future Land Use

Policy 1.1.7: *The Industrial Development future land use category plays an important role in strengthening the county's economic base and will become increasingly important as the county grows in size and urban complexity. To a great extent these are the areas to which Lee County must look for expanded job opportunities, investments and production opportunities, and a balanced and sufficient tax base. These uses have special locational requirements that are more stringent than those for residential areas, including transportation needs (e.g. air, rail, highway); industrial levels of water, sewer, fire protection, and other urban services; and locations that are convenient for employees to reach. The Industrial Development future land use category is reserved mainly for industrial activities and selective land use mixtures. Appropriate land use mixtures include industrial, manufacturing, research, recreational uses and office complex that constitute a growing part of Florida's economic development sector. Retail, recreational and services uses are allowed as follows:*

- 1. Retailing and/or wholesaling of products manufactured or directly related to that manufactured on the premises; or*
- 2. Recreational, service and retail uses may not exceed 20% of the total acreage within the Industrial Development future land use categories of each Planning Community.*

Applicant Narrative: The subject property is located within the Industrial Development Future Land Use Category. The proposed rezoning is intended to allow to be developed primarily into commercial uses such as office and some retail along the road frontages, and light industrial, manufacturing, and warehousing type uses and to a lesser degree, commercial uses such as office and retail.

The Industrial FLU category's intention, as the applicant understands, is to be an employment center with convenient travel options and adequate utilities to support industrial activities. The requested schedule of uses and intensity are consistent with the intended uses in the Industrial category including but not limited to manufacturing, research, recreational uses, and related office complexes. Retail, recreational, and service uses will be limited to only those uses that are related to the manufacturing or wholesaling on the premises. In this case, market demand and the intention of the Industrial Development future land use category are working hand-in-hand as demand for these uses are increasing as is the demand for large gross floor area all of which is consistent with the set aside Industrial lands



POLICY 1.4.6: Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the Future Land Use Map. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation Lands will include all public lands required to be used for conservation purposes by some type of legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation, and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flow-ways, flood prone areas, and well fields. Conservation 20/20 lands designated as conservation are also subject to more stringent use provisions of the 20/20 Program or 20/20 ordinances. (Ord. No. 98-09, 02-02)

OBJECTIVE 1.5: WETLANDS. Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with § 373.019(27), Fla. Stat. through the use of the unified state delineation methodology described in Fla. Admin. Code R. 62-340, as ratified and amended in § 373.4211, Fla. Stat. (Ord. No. 94-30, 21-09)

POLICY 1.5.3: Wetlands that are conservation lands will be subject to the provisions of Policy 1.4.6 as well as the provisions of Objective 1.5. The most stringent provisions of either category will apply. Conservation wetlands will be identified on the Future Land Use Map to distinguish them from non-conservation wetlands. (Ord. No. 98-09)

Applicant Narrative: The wetlands designated on the future Land Use Map has been updated based on the 3.114-acre wetland preserve established in the ERP permit #36-05268-P. The proposed MCP honors this permit and preserve area to be consistent with Policy 1.4.6 and Objective 1.5.

OBJECTIVE 1.6: SPECIAL TREATMENT AREAS. Designate on the Future Land Use Map, as overlays, special treatment areas that contain special restrictions or allowances in addition to all of the requirements of their underlying categories. (Ord. No. 18-06)

Zone C and D allow existing and new construction and land uses as would otherwise be permitted by the LDC. These zones require formal notification as provided for in the LDC. (Ord. No. 00-22, 02-02, 03-02, 16-16)

Applicant Narrative: The proposed rezoning falls within the Airport Noise zone C which does not restrict new construction or land uses but requires formal notification as provided for in the Land Development Code. The property also falls within the School Protection zone as outlined in Sec. 34-1007 and Appendix C Map 4 of the Land Development Code (LDC). The code states that “constructing public or private educational facilities are prohibited within the established Airport School Protection Zones for SWFIA and Page Field”. It is noted that no schools are being proposed with this rezoning.

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. (Ord. No. 94-29, 98-09, 00-22, 07-13, 10-20, 19-13, 21-09)

Applicant Narrative: The proposed development would comply with the Gateway/Airport limitation of a maximum of 20% commercial uses for the Planning District as a whole as the development within the district is currently well below the maximum allocation of commercial uses within the Gateway/Airport Planning Community (currently at approximately 2.31%) as indicated below.

Industrial Development FLUM Commercial Inventory
Report Generated: Tuesday, 22 November, 2022

Future Land Use	Commercial	Industrial	Acreage	Retail	Undeveloped	Vacant Zoned Industrial	Other
Gateway/Airport - 10.00							
Airport	31.18	60.04	6,306.89	31.18 0.49%	17.67	0.00	6,198.00
Conservation Lands Uplands and Wetlands	0.00	0.00	66.02		0.00	0.00	66.02
Conservation Lands Wetland	0.00	0.00	20.39		0.00	0.00	20.39
General Interchange	43.35	35.77	227.13	43.35 19.09%	82.90	16.89	65.11
Industrial Commercial Interchange	23.97	0.00	239.32	23.97 10.02%	198.01	0.00	17.34
Industrial Development	40.73	380.35	1,760.27	40.73 2.31%	957.66	512.55	381.53
MLUC*	5.59	19.25	511.77	5.59 1.09%	346.27	178.90	140.66
New Community	100.43	76.46	2,548.80	95.08 3.73%	98.85	0.00	2,273.06
none/not recorded	0.00	0.00	55.75		29.00	0.00	26.75
Public Facilities	0.00	0.00	198.75		0.00	0.00	198.75
Rural	0.00	0.00	41.43		37.50	0.00	3.93
Wetlands	0.00	0.00	201.55		0.00	0.00	201.55
Sub-Outlying Suburban	0.00	0.00	613.73		295.95	0.00	317.78
Tradeport	74.62	159.46	3,055.73	73.36 2.40%	2,059.42	425.20	762.23
Urban Community	0.00	31.00	412.14		347.50	140.42	33.64
University Village Interchange	1.63	0.00	5.58	1.63 29.21%	3.95	0.00	0.00
Wetlands	0.00	0.00	84.59		0.00	0.00	84.59
Total for PD# 10	321.50	762.33	16,349.84	314.89	4,474.68	1,273.96	10,791.33

The proposed uses are compatible with uses in the surrounding area and consistent with the intent of the Industrial Development land use as described above.

Goal 2: Growth Management

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. (Ordinance No. 94-30, 00-22)



Applicant Narrative: As demonstrated in the attached graphics, land along Alico Road has established an entitlement trend of commercial, industrial and mixed use planned development zoning. This trend is expected to continue along Oriole Road given their proximity to I-75, residential developments to the south, the Gulf Coast Town Center to the east, the proximity to Southwest Florida International Airport and Florida Gulf Coast University. The proposed development is an infill parcel with existing industrial development to the north and west and commercial and interchange development to the east. The proposed request exhibits contiguous and compact growth and does not bypass larger tracts of land in favor of development more distant from services and existing communities.

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 F.S. 163.3164(7)) 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. (Ordinance No. 94-30, 00-22, 17-19)

Policy 2.2.1: Rezoning and Development-of-Regional-Impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Ordinance No. 94-30, 00-22)

Applicant Narrative: The subject property is in proximity to Alico Road, an Arterial roadway and Oriole Road, a Major Collector. As summarized in the Transportation Impact Statement a functioning roadway network is in place to support the level of industrial and commercial development expected for the MPD. The road network in the region has been specifically constructed to support large-scale employment centers and industrial activity that is dependent on shipping and access to major transportation networks. Alico Road connects to I-75 and the RSW airport, keeping shipping and trucking traffic from needing to use other surrounding roadway networks.

The applicant has provided letters of availability with this application package demonstrating there is existing utility infrastructure in place to support the project. Lee County utilities has both sewer and water infrastructure available to the property with capacities to serve the requested intensity and the surrounding area approved zoning to the west north and south of Alico Road. The area, as part of the Industrial Development FLUC, is designed to be an intense employment center that places industrial and commercial centers near major networks, utility services and compatible, similar land uses.

Pedestrian, bicycle and transit facilities are available along Oriole Road and the proposed project will connect to in accordance with Land Development Code requirements.



Goal 4: General Development Standards.

Objective 4.1: Water, Sewer, and Environmental Standards.

Consider water, sewer, and environmental standards during rezoning process. Ensure the standards are met prior to issuing a local development order. (Ordinance No. 17-13)

Applicant Narrative: Utility service is available at or near the proposed project through Lee County Utilities. The developer will undertake any improvements that may be required to connect the project to these existing services. Availability letters are enclosed as a supplement to the rezoning application.

Goal 6: Commercial Land Uses.

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

a. Traffic and Access impacts (rezoning and development orders)

Applicant Narrative: The development will be designed to protect the traffic carrying capacity of the adjacent roads and streets. See attached Transportation Study.

c. Screening and buffering (Planned development rezoning and development orders):

Applicant Narrative: The project intends to meet all buffering, open space and landscape requirements other than where deviations are requested that will complement the design and layout of the Master Concept Plan.

d. Availability and adequacy of services and facilities (rezoning and development orders)

Applicant Narrative: Adequate services and facilities are available to serve the development. This property is in the center of the Industrial Development FLUC. This area is programmed to be a major employment center. Lee County Utilities has adequate services for substantial industrial and business park development as evident by the letter of utility availability in the zoning package. Zoning approvals of surrounding properties along Oriole Road include substantial gross floor area mixed-use approvals. Development is taking place in this corridor serviced by an expanded Alico Road. The property is served by the San Carlos Fire District with a primary station (#51) located approximately 3.5 miles from the property south on Sanibel Boulevard. The Lee County Sheriff provides service in South Zone 1.

e. Impact on adjacent land uses and surrounding neighborhoods (rezoning)

Applicant Narrative: The proposed project land uses are compatible and complementary with the existing and proposed land uses adjacent to the property. No residential uses exist adjacent to the property.

f. Proximity to other similar centers (rezoning);

Applicant Narrative: The surrounding area west of I-75 is approved for or pending approval for similar industrial and commercial uses.

To the North of the subject property is the Three Oaks Distribution MPD occupying 93+/- acres. Initial approvals were in 2020 (Z-20-002) for 600,000 sf industrial and 600,000 sf commercial.



To the East is the Three Oaks Marketplace, MPD occupying 40+/- acres. Initial approvals were in 2018 (Z-18-037) for 400,000 sf Mixed Use-Maximum 400,000 of commercial and industrial (Minimum of 30,000 sf commercial and minimum of 30,000 sf industrial).

Directly to the west along Lee Road is the Formosa Commerce Center IPD occupying 130+/- acres. Initial approvals were in 2011 (Z-11-020) for 30,000 sf commercial and 1,100,000 sf industrial

Finally, to the South abutting Alico Rd., then conventionally (C-1A, CN-1) zoned commercial parcels.

g. Environmental considerations (rezoning and development orders).

Applicant Narrative: See the attached Environmental Report.

POLICY 6.1.3: *Commercial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as commercial planned developments designed to arrange uses in an integrated and cohesive unit in order to:*

- *provide visual harmony and screening;*
 - *reduce dependence on the automobile;*
 - *promote pedestrian movement within the development;*
 - *utilize joint parking, access and loading facilities;*
 - *avoid negative impacts on surrounding land uses and traffic circulation;*
 - *protect natural resources; and*
 - *provide necessary services and facilities where they are inadequate to serve the proposed use.*
- (Ordinance No. 94-30, 00-22)*

Applicant Narrative: The proposed MPD will require a visual harmony and screening throughout the development, to develop as a cohesive interconnected industrial and commercial center with consistent architectural themes, pedestrian access and protection of natural resources. Please see attached MCP.

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. (Ord. No. 94-30, 00-22)*

Applicant Narrative: The development has two access points onto Oriole Road and proposing an access point onto Alico Road. Site design as depicted on the MCP enables utilizing reverse frontage roads and full traffic circulation between developments within the MPD. The circulation also includes an access point to the abutting property to the north to encourage travel between properties and not to utilize Oriole Road.



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.*

Applicant Narrative: The project intends to be developed without substantial deviations to landscaping, open space, or buffering. The project proposes to meet open space requirements of the LDC and meet or exceed landscaping requirements, subject to the deviations requested.

Goal 7: Industrial Land Uses

OBJECTIVE 7.1: *All development approvals for industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan. (Ordinance No. 94-30)*

POLICY 7.1.2: *Industrial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as Planned Developments designed to arrange uses as an integrated and cohesive unit in order to:*

- *promote compatibility and screening;*
- *reduce dependence on the automobile;*
- *promote pedestrian movement within the development;*
- *utilize joint parking, access and loading facilities;*
- *avoid negative impacts on surrounding land uses and traffic circulation;*
- *protect natural resources; and*
- *provide necessary facilities and services where they are inadequate to serve the proposed use.* (Ordinance No. 94-30, 98-09, 00-22)

Applicant Narrative: The project intends to construct retail and commercial uses abutting Oriole Road and Alico Road, a mix of industrial and commercial/office flex properties and industrial uses to tract "A". The project intends to develop as a coherent, consistent development with roadway interconnections, pedestrian access where possible, as well as shared access and common loading areas where appropriate. The project will be developed without any substantial deviations to buffers, screening or landscaping and will provide compatible architectural themes throughout the development.

POLICY 7.1.3: *Industrial land uses must be located in areas appropriate to their special needs and constraints, including, but not limited to, considerations of: topography; choice and flexibility in site selection; access by truck, air, deep water, and rail; commuter access from home-to-work trips; and utilities; greenbelt and other amenities; air and water quality considerations; proximity to supportive and related land uses; and compatibility with neighboring uses. (Ordinance No. 93-25, 94-30, 00-22)*

Applicant Narrative: The Industrial Development area was designated as a major employment area for Lee County that would include a mix of industrial uses, such as warehousing and manufacturing and allow for supporting office and retail commercial. This Industrial corridor was programmed over the last 20+ years to have multiple access points to all forms of shipping particularly truck and vehicle



access to major transportation corridors, including excellent access to Alico Road, Three Oaks Parkway (including the eventual connection to Daniels Parkway), US 41 (via Alico) and I-75 and Ben Hill Griffin Parkway.

The development of this property is also in a prime location to reduce work-to-home trips. Within 1-2 miles are 1,000's of roof tops including San Carlos Park, the apartments on Three Oaks Parkway south of Alico, Miromar Lakes and Esplanade on Alico Road east of Ben Hill Griffin Parkway. To the north within the 3-4 mile range is the Gateway residential and mixed-use development

POLICY 7.1.5: *The timing and location of industrial development will be permitted only with the availability and adequacy of existing or planned services and facilities. (Ordinance No. 00-22)*

Applicant Narrative: Existing services and facilities are available to adequately serve the site. Lee County Utility infrastructure is in place for water and sewer and a roadway network is available to accommodate traffic generated from the development. Pedestrian, bicycle and transit facilities are in place in the surrounding area. Furthermore, the planned Three Oaks Parkway Extension (4-lane arterial continuing north to Daniels Parkway) which is expected to begin construction in the near future will provide additional support for the continued growth in the area, providing an alternate north south corridor and helping to distribute traffic.

POLICY 7.1.8: *Land development regulations will require that industrial uses be adequately buffered and screened from adjacent existing or proposed residential areas so as to prevent visual blight and noise pollution. (Ordinance No. 00-22)*

Applicant Narrative: No residential uses exist or are planned adjacent to the property.

POLICY 7.1.9: *Industrial development will not be permitted if it allows industrial traffic to travel through predominantly residential areas. (Ordinance No. 00-22)*

Applicant Narrative: Industrial traffic will access the project from the adjacent arterial and collector roadways and will not travel through any residential areas.

Goal 11: Mixed Use

OBJECTIVE 11.1: *Allow and encourage mixed use development within certain future land use categories and at appropriate locations where sufficient infrastructure exists to support development. (Ordinance 17-13)*

Applicant Narrative: The diverse mix of uses that are envisioned for this project will allow for a range of options for end user businesses within a growing market, while providing a compact and functional mixed industrial and commercial development. This project will attract industrial, commercial, and office users and contribute to the expansion and diversification of Lee County's economic base. The mix of uses proposed will promote a diversified economy and will provide



positive employment opportunities for local workers. The proximity of complementary uses within the master plan will help to reduce and distribute traffic through internal trip capture, shared loading, and vehicle circulation areas.

GOAL 60: Coordinated surface water management and land use planning on a watershed basis.

OBJECTIVE 60.4: Incorporation of natural systems into the surface water management system.

Incorporate natural systems into surface water management systems to improve water quality, air quality, water recharge/infiltration, water storage, wildlife habitat, recreational opportunities, and visual relief. (Ord. No. 03-06, 18-28, 19-02)

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. (Ord. No. 03-06, 18-28, 19-02)*

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

Applicant Narrative: When any part of this MPD receives a development order then that portion of the project be removed from the existing agricultural exception and fulfill this objective.

POLICY 61.1.1: *Lee County recognizes that all fresh waters are a resource to be managed and allocated wisely and will support allocations of the resource on the basis 1) of ensuring that sufficient water is available to maintain or restore valued natural systems, and 2) of assigning to any specified use or user the lowest quality freshwater compatible with that use, consistent with financial and technical constraints.*

Applicant Narrative: The Applicant has obtained Environmental Resource Permit (ERP # 36-05268-P) from the South Florida Water Management District.

GOAL 77: Development Design Requirements.

OBJECTIVE 77.3: *New developments must use innovative open space design to preserve existing native vegetation, provide visual relief, and buffer adjacent uses and proposed and/or existing rights-of-way. This objective and subsequent policies are to be implemented through the zoning process. (Ord. No. 02-02)*

POLICY 77.3.1: *Any new development with existing indigenous vegetation is encouraged to provide half of the required open space as existing native plant communities. Any new development with existing native trees without associated native groundcover or understory is encouraged to provide half of the required open space with areas containing existing native trees. The planting of native shrub species within native tree protection areas is encouraged. (Ord. No. 02-02)*

POLICY 77.3.2: *Open space areas must be designed with adequate widths to preserve and allow the continued growth and viability of existing native trees. (Ord. No. 02-02)*



POLICY 77.3.3: *The County encourages new developments to incorporate existing native plant communities and/or native trees along proposed and/or existing rights-of-way. (Ord. No. 02-02)*

POLICY 77.3.4: *The County encourages new developments to incorporate large, contiguous open space areas in the development design. (Ord. No. 02-02)*

POLICY 77.3.5: *Proposed planned developments must submit an open space design plan with an assessment of the existing native plant communities and native trees. The open space design plan must delineate the indigenous preserves and/or native tree preservation areas. (Ord. No. 02-02)*

APPLICANT NARRATIVE: **As part of the Three Oaks Parkway-Oriole Road water management system that was permitted through South Florida Water Management District (SFWMD), along the western edge of the project there is a 3.12-acre native wetland preserve, 1.34-acres of lakes, and a 0.21-acre open space tract (Tract "D") for a total of 4.67 acres which is 15.2% of the overall project area.**

All parcels used for commercial development shall provide an 30% open space and all parcels used for industrial development shall provide total 20% open space.

GOAL 124: WETLANDS. *To maintain and enforce a regulatory program for development in wetlands that is cost-effective, complements federal and state permitting processes, and protects the fragile ecological characteristics of wetland systems*

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

1. The County will not undertake an independent review at the development order stage of the impacts to wetlands resulting from development in wetlands that is specifically authorized by a DEP or SFWMD dredge and fill permit or exemption.

2. No development in wetlands regulated by the State of Florida may be commenced without the appropriate state agency permit or authorization. Development orders and development permits authorizing development within wetlands or lands located within the Wetlands future land use category may be issued subject to a condition that construction may not commence until issuance of the required state permits.

3. Lee County will incorporate the terms and conditions of state permits into County permits and will prosecute violations of state regulations and permit conditions through its code enforcement procedures.

4. Every reasonable effort will be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. On- or off-site mitigation will only be permitted in accordance with applicable state standards.

5. Mitigation banks and the issuance and use of mitigation bank credits will be permitted to the extent authorized by applicable state agencies.

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



Applicant Narrative: The property has an ERP permit (#36-05268-P) has a monitoring program that has been implemented for the preserved/enhanced wetland/upland areas on a regular basis to ensure the integrity and viability of the areas that are permitted. Furthermore, a conservation easement has been deeded to SFWMD (Instrument #2011000192265).

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

Applicant Narrative: As mentioned, the Applicant has obtained the requisite ERP # 36-05268-P. The site design will ensure pretreatment of stormwater prior to discharge off-site.

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

Applicant Narrative: The property is part of an ERP permit #36-05268-P from the South Florida Water Management District

Land Development Code Analysis

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

(A) All planned developments must be consistent with the provisions of the Lee Plan.

The proposed rezoning to a MPD is consistent with the Comprehensive Plan as demonstrated above.

(b) All planned developments must be designed and constructed in accordance with the provisions of all applicable County development regulations in force at that time. Deviations from the general provisions of this chapter may be permitted if requested as part of the application for a planned development in accordance with section 34-373(a)(9) and approved by the Board of County Commissioners based on the findings established in section 34-377(b)(4). Pursuant to section 34-373(a)(10) the establishment of property development regulations for planned developments does not require deviations from articles VI and VII of this chapter. Amendments to approved master concept plans may be reviewed pursuant to section 34-380.

The proposed development will comply with applicable Lee County regulations and does not include any deviation requests.

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



The proposed rezoning to MPD is compatible with surrounding land uses. The 30.65-acre site can adequately accommodate the proposed structure, open space, pedestrian ways, buffers, parking, access, utilities and storm water management without deviations from LDC

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

The proposed MPD has access to Oriole Road (Major Collector) and Proposing access to Alico Road (Arterial Roadway).

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

The property is within the Lee Tran public transit service area, route 60. Lee Tran stops #11635 is adjacent to the property

(f) Development and subsequent use of the planned development shall not create or increase hazards to persons or property, whether on or off the site, by increasing the probability or degree of flood, erosion or other danger, nor shall it impose a nuisance on surrounding land uses or the public's interest generally through emissions of noise, glare, dust, odor, air or water pollutants.

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

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

The site has previously been cleared and did not show any environmentally critical or sensitive areas. The proposed MPD will not create any new adverse effects.

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

The proposed MPD will meet the open space requirements of the Land Development Code (LDC). The site does not have any environmentally sensitive lands and is not within the archaeological sensitivity zone.

(i) Site planning and design shall minimize any negative impacts of the planned development on surrounding land and land uses.



The proposed development will be designed to minimize any potential negative impacts to surrounding land uses by meeting the requirements of the LDC without deviations.

(j) Where a proposed planned development is surrounded by existing development or land use with which it is compatible and of an equivalent intensity of use, the design emphasis shall be on the integration of this development with the existing development, in a manner consistent with current regulation.

The proposed Mixed-Use Planned Development (MPD) is consistent and is compatible with existing development patterns.

(k) Where the proposed planned development is surrounded by existing development or land use with which it is not compatible or which is of a significant higher or lower intensity of use (plus or minus ten percent of the gross floor area per acre if a commercial or industrial land use, or plus or minus 20 percent of the residential density), or is surrounded by undeveloped land or water, the design emphasis will be to separate and mutually protect the planned development and its environs.

The proposed project design is compatible and consistent with the existing development patterns. The surrounding land use patterns are equivalent in intensity, type of uses (commercial and industrial) and of similar approved and proposed densities.

(l) In large residential or commercial planned developments, the site planner is encouraged to create subunits, neighborhoods or internal communities which promote pedestrian activity and community interaction.

The requested rezoning is considered a mixed-use planned development that does not require subunits, neighborhoods or internal communities. However, internal sidewalks to encourage pedestrian activity and to expand transportation options are being proposed.

(m) In order to enhance the viability and value of the resulting development, the designer shall ensure the internal buffering and separation of potentially conflicting uses within the planned development.

The proposed development includes a variety of general commercial, office, and industrial uses. The MPD promotes a compact development footprint in an area of the county that is classified as Industrial development. Common open space, parking and walkways with supportive infrastructure will be integrated within the development. The proposed development will not have conflicting uses within the planned development.

(n) Density or type of use, height and bulk of buildings and other parameters of intensity should vary systematically throughout the planned development. This is intended to permit the location of intense or obnoxious uses away from incompatible land uses at the planned development's perimeter, or, conversely, to permit the concentration of intensity where it is desirable, e.g., on a major road frontage or at an intersection.

Care has been given to selecting land uses that are consistent with adjacent development. The proposed location of the Commercial is abutting the southern



boundary of the site, which abuts a Alico Road. The proposed location for Industrial northern abutting existing industrial uses.

(o) Minimum parking and loading requirements are set forth in article VII, divisions 25 and 26 of this chapter. Where land uses are generators of occasional peak demand for parking space, a portion of the required parking may be pervious or semi-pervious surfaces, subject to the condition that the parking area is constructed and maintained so as to prevent erosion of soil. In all cases, sufficient parking must be provided to prevent the spilling over of parking demand onto adjacent properties or rights-of-way at times of peak demand.

Sufficient parking with these uses will be provided to prevent from spillover to adjacent properties and will be consistent with LDC requirements.

(p) Internal consistency through sign control, architectural controls, uniform planting schedules and other similar controls is encouraged.

The proposed mix planned development will be developed with internal consistent with signage, architectural and landscaping.

DECISION-MAKING COMPLIANCE

In accordance with LDC Section 34-145(d)(4), the data and analysis provided in the enclosed application demonstrate the following

a) Complies with the Lee Plan;

The application is consistent with the uses and densities set forth for the Industrial Development Future Land Use designation. The rezoning will allow for a mix of office, retail, commercial and industrial uses distributed over the MPD with the majority of the industrial and manufacturing uses concentrated on the far western portion of the property and the mixed industrial/commercial/retail uses to the east of the property, along the Oriole Road and Alico Road frontages.

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

The applicant has proved entitlement to the rezoning by demonstrating compliance with the Lee Plan, the land development code, and any other applicable code or regulation, except where a deviation is requested and demonstrates the protection of public health, safety and welfare.

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

The request is compatible with existing or planned uses in the surrounding area as indicated by the adjacent MPD, IPD and CPD planned developments with similar uses in the vicinity of the project. The surrounding area contains a mixture of existing and planned industrial developments, shopping centers, hotels, institutional uses, retail and office with the commercial, retail and service uses along Alico Road, and the industrial development concentrated to the west of



Oriole Road The proposed rezoning represents a continuation of the development patterns within the surrounding area.

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

Just south of the subject property is Alico Road (a major arterial roadway) and the site is bounded on the east by Oriole Road (a major collector). The property proposes one access onto Alico Road and two access points onto Oriole Road, providing access to the diverse mix of uses developing throughout the area. The access points will provide ingress/egress for the individual Tracts within the development.

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

As demonstrated in the Traffic Impact Study, approval of the request 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. The projected level of service and significant impacts to the surrounding areas were analyzed and there is no expected adverse impact to roadway level of service as a result of the proposed development.

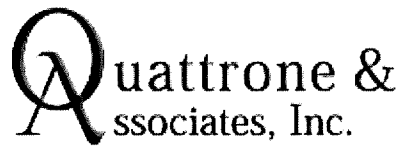
- f) Will not adversely affect environmentally critical or sensitive areas and natural resources.

The site consists primarily of heavily grazed cleared pastureland. An environmental report and protected species survey were prepared and there are no environmentally critical lands on-site and no expected impacts to any protected species. All wetlands on-site have been previously identified and permitted through the State and Federal Wetlands Program and covered by SFWMD Permit 36-05268-P. An existing canal is located at the western boundary of the property which will not be impacted by the proposed development and the existing wetland on-site is within the Conservation and Water Management area. within the subject property.

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

The subject property is located within the Industrial Development land use category, which is in the Future Urban area. Adequate potable water and sanitary sewer services are available to this area. The property is adjacent to arterial and collector roadways and located in an area convenient for employees to access. Adequate public services including EMS, Sheriff and fire protection are available to service the proposed development.

CONSISTENCY SUMMARY



As discussed in this application, the applicant has demonstrated that the proposed Alico Oriole West MPD is consistent with the goals, objectives, policies, and the intent of the Lee Plan and that the proposed mix of uses is consistent with the intent for growth and development within the Industrial Development Land Use Category.

The request will not cause damage, hazard, nuisance or other detriment to persons or property. It is being integrated into the existing neighborhood as a relatively low intensity development and is similar in nature to the uses in the area.

There is no error or ambiguity that must be corrected.

Urban services, as defined in the Lee Plan, are available for this site. Public utilities and a roadway network are already in place and available for use.

Sufficient evidence has been provided within this application that this rezoning is in compliance with the Lee Plan, the Land Development Code, and all other applicable rules and regulations. The requested uses will be in compliance with the general zoning provisions and supplemental regulations pertaining to the uses set forth in Chapter 34 of the LDC.

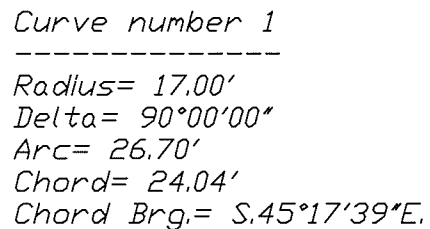
The request will meet or exceed all performance and location standards set forth for the uses allowed by the request.

The request is consistent with the densities, intensities and general uses set forth in the Lee Plan and compatible with existing or planned uses in the surrounding area.

Approval of the request 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.

ATTACHMENT M

TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



SHEET 1 OF 2

DESCRIPTION TO ACCOMPANY SKETCH

EXHIBIT "A"

DESCRIPTION:

A TRACT OR PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE AFORESAID SECTION 4; THENCE RUN N.00°58'36"W. ALONG THE EAST LINE OF SAID SECTION 4 FOR 100.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ALICO ROAD; THENCE RUN S.89°43'43"W. ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 225.12 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.89°43'43"W. ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 1281.33 FEET; THENCE RUN N.00°58'36"W. (AS MEASURED PERPENDICULAR) WEST OF AND PARALLEL WITH THE COMMON LINE BETWEEN SECTIONS 3 & 4, FOR 1091.70 FEET; THENCE RUN N.89°32'35"E. FOR 995.82 FEET; THENCE RUN S.00°17'39"E. FOR 244.48 FEET TO A POINT OF CURVATURE; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 17.00 FEET, A CENTRAL ANGLE OF 90°00'00", A CHORD BEARING OF S.45°17'39"E. AND A CHORD DISTANCE OF 24.04 FEET TO A POINT OF TANGENCY; THENCE RUN N.89°42'21"E. FOR 42.55 FEET; THENCE RUN N.00°17'39"W. FOR 6.00 FEET; THENCE RUN N.89°42'21"E. FOR 245.45 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF ORIDLE ROAD (80 FEET WIDE); THENCE RUN S.00°16'17"E. ALONG SAID WEST RIGHT-OF-WAY LINE FOR 460.65 FEET; THENCE RUN S.12°01'31"W. ALONG THE WEST RIGHT-OF-WAY LINE OF ORIDLE ROAD (R/W VARIES) FOR 28.89 FEET; THENCE RUN S.00°16'17"E. ALONG SAID WEST RIGHT-OF-WAY LINE FOR 350.62 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 30.645 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE WEST RIGHT-OF-WAY LINE OF ORIDLE ROAD AS BEING S.00°16'17"E.

Phillip M Mould, Digitally signed by
P.S.M. 6515 Phillip M Mould, P.S.M.
State of Florida 6515 State of Florida
Date: 2023.02.07
15:02:12 -05'00'

PHILLIP M MOULD
LS6515
MAY 27, 2020

REVIEWED
DCI2022-00061
Hunter Searson, GIS
Planner
Lee County Government
5/31/2023

NOTE: THIS MAP/PLAT IS CONSIDERED SIGNED USING A DIGITAL SEAL IN ACCORDANCE WITH THE APPLICABLE STATE LAWS AND STATUTES FS 668.001-006; FS 668.50; FS 472.025; 5J-17.062, FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.