

EXHIBITS

CASE # DCI2023-00027

CASE NAME: PRATT'S PRESERVE

Attach copy of this form to top of packet of exhibits & place exhibits in case file.

ARE THERE ANY BOARD EXHIBITS? YES NO

LOCATION OF BOARDS

If there are any board exhibits, attach another copy of this form to boards for identification purposes.

EXHIBITS

Case #

DCI2023-00027

APPLICANT

9, 24-Hour

STAFF

#1 *presentation*

#1 Staff Report

#2

#2 *presentation*

#3

#3

#4

#4

#5

#5

#6

#6

#7

#7

#8

#8

#9

#9

#10

#10

OTHER EXHIBITS

NAME

NUMBER

DESCRIPTION

#

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Perez, Maria

From: Olga Ramos <OlgaRamos@PaveseLaw.com>
Sent: Monday, December 4, 2023 9:54 AM
To: Hearing Examiner; Perez, Maria
Subject: 48 Hour Letter Pratts Preserve RPD (DCI2023-00027)
Attachments: 48 hr Letter Pratts Preserve (DCI2023-00027) (12.4.23).pdf

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Good morning Maria,

Please find the 48-hour letter for Pratt's Preserve RPD (DCI2023-00027). If you should have any questions or concerns, please do not hesitate to contact our office.

Best regards,



Olga L. Ramos
Legal Assistant to Neale Montgomery, Esq.
PAVESE LAW FIRM
1833 Hendry Street (33901)
Post Office Box 1507 / Fort Myers, FL 33902
Direct 239.336.6235 / Fax 239.332.2243
olgaramos@paveselaw.com
Visit our website: www.paveselaw.com

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APPLICANT'S
EXH # A

December 4, 2023

Ms. Amanda L. Rivera
Hearing Examiner
1500 Monroe Street
Fort Myers, FL 33905

Via e-mail: hex@leegov.com

**RE: Pratt's Preserve RPD
DCI 2023-00027**

Dear Ms. Rivera,

On behalf of Lennar Homes, the applicant for DCI2023-00027, Pavese Law firm is pleased to submit the information required in the 48-Hour Notice and Exhibit List. The following is a list of applicant witnesses who we expect to be present and/or testify as well as the list of Exhibits that we intend to bring. Please note that the applicant is in agreement with the staff report and proposed Conditions with the following minor correction:

- Lot depth and lot width are reversed in the Property Development Regulations. Depth should be 115' and width should be 40'.

A. APPLICANT WITNESSES:

- *Daniel DeLisi, AICP, Land Use Planner, DeLisi, Inc.*
- *Andrew Fitzgerald, P.E., Project Engineer, DeLisi Fitzgerald, Inc.*
- *Steven Leung, Transportation Planner, David Plummer and Associates*
- *Shane Johnson, Ecologist, Passarella and Associates*

In addition to the above witnesses, I will also be present representing the applicant.

B. APPLICANT EXHIBITS:

- Applicant's PowerPoint Presentation

Sincerely,


Neale Montgomery

Cc: Daniel DeLisi, AICP (via e-mail: Dan@delisi-inc.com)
Dirk Danley, Lee County Community Development (via e-mail: DDanleyJr@leegov.com)

PRATT'S PRESERVE RPD

ZONING AMENDMENT

HEARING EXAMINER HEARING

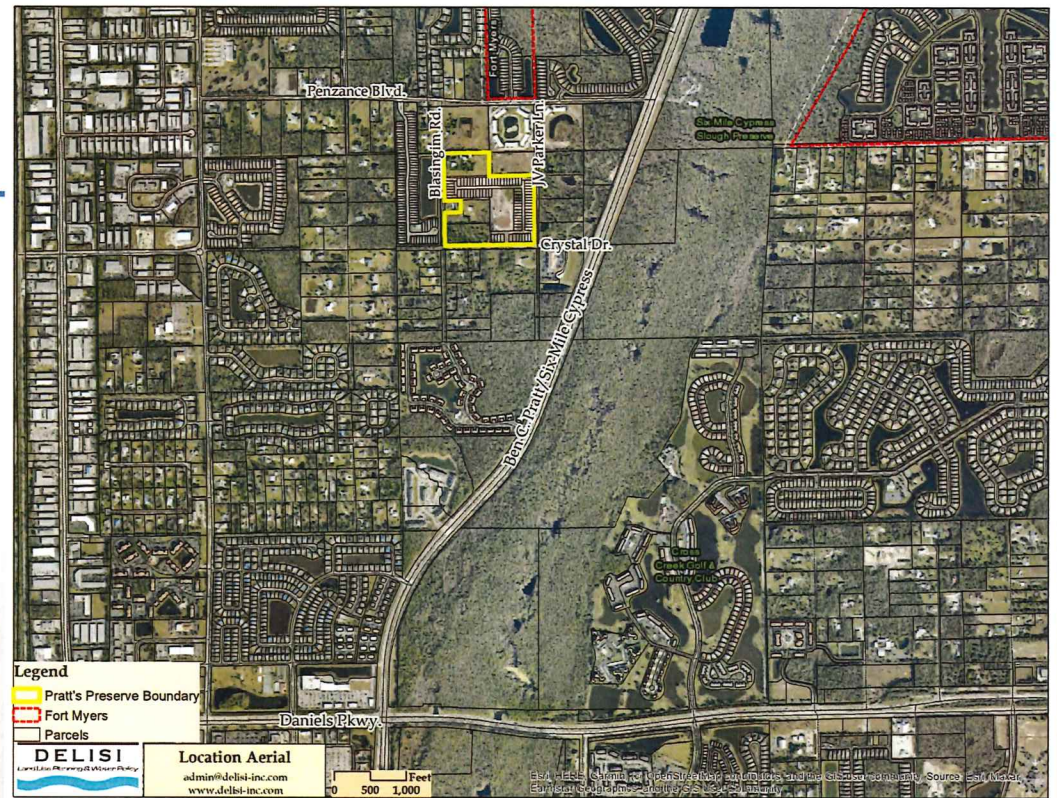
DECEMBER 7, 2023

Page 1

APPLICANT EXHIBIT# _____

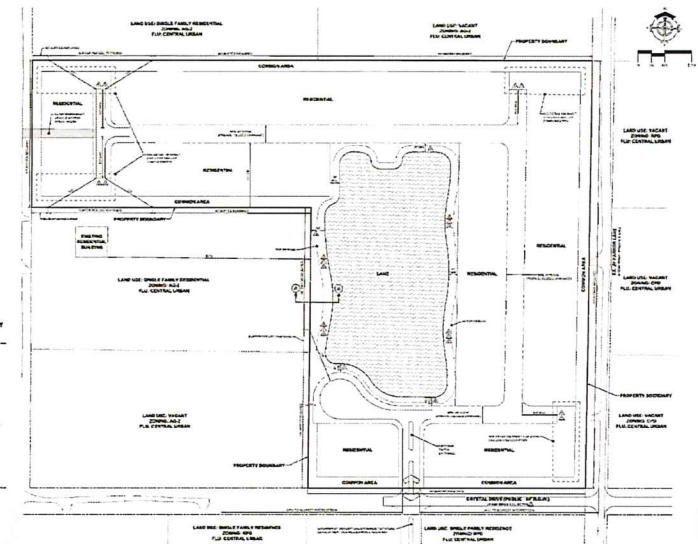
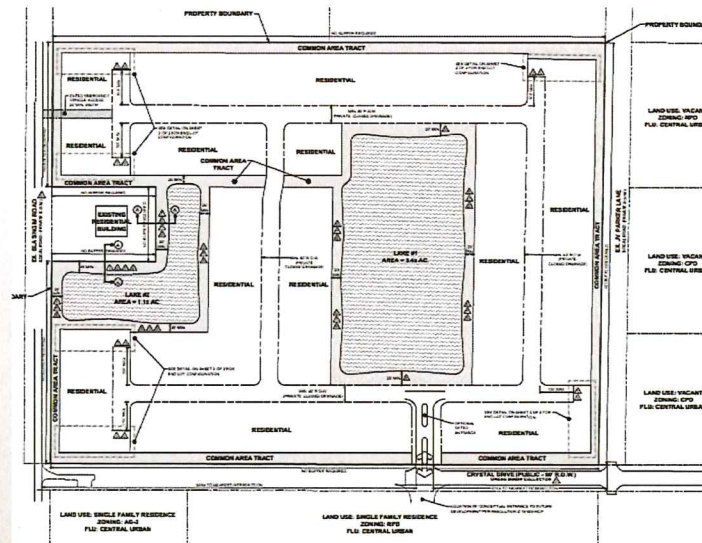
Property Location

- 31.46 Acre Property
- ~ ¼ mile south of Penzance Blvd.
 - East of Blasingim Rd.
 - West of JV Parker Ln.
 - North side of the Crystal Dr. extension



Prior Zoning

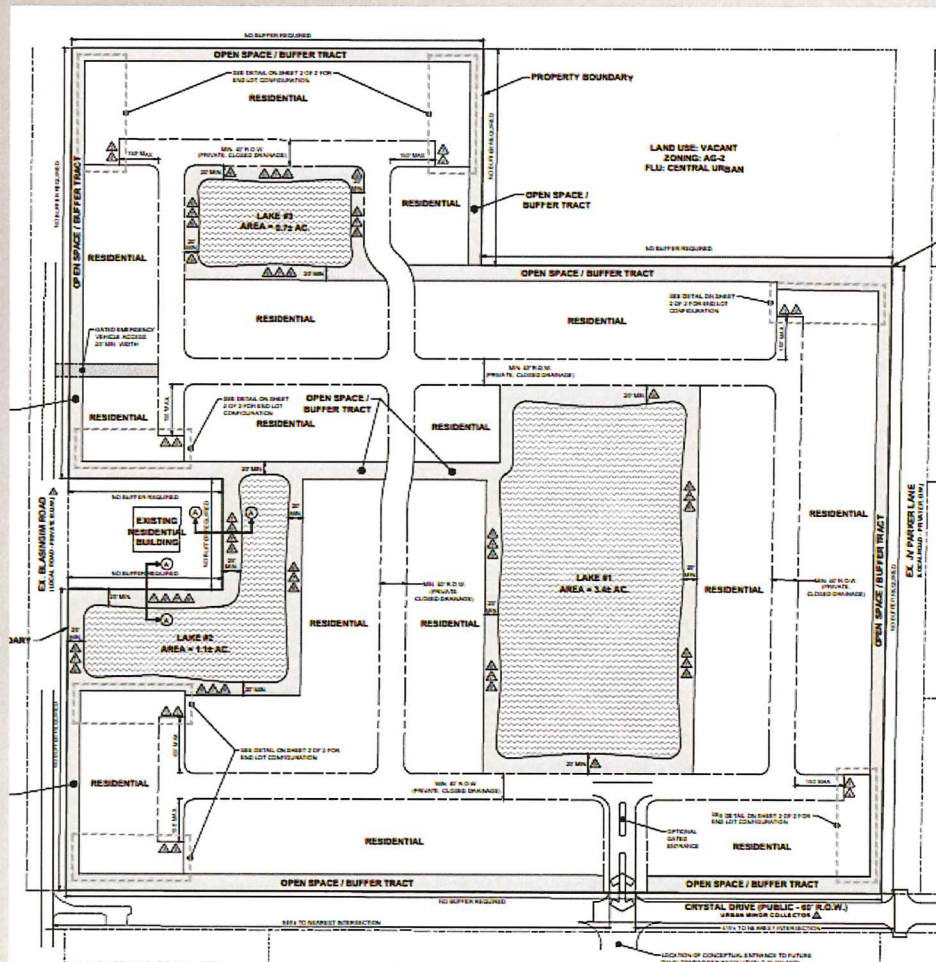
- ❑ 90 single family residential units on 18.55 acres
 - ❑ 4.85 units/acre
- ❑ 135 single family residential units on 26.7 acres
 - ❑ 5 du/acre
- ❑ Access to Crystal Dr.
- ❑ Emergency access to Blasingim
- ❑ Internal stormwater Lakes



Current Status

- ❑ Existing zoning mostly platted
- ❑ Construction complete on Crystal Drive, internal infrastructure started, some homes built





Proposed Zoning

- ☐ 155 single family residential units on 31.46 acres
 - ☐ 4.9 units/acre
- ☐ Lakes and open space areas
- ☐ Access to Crystal Dr.
- ☐ Emergency access to Blasingim remains in same location

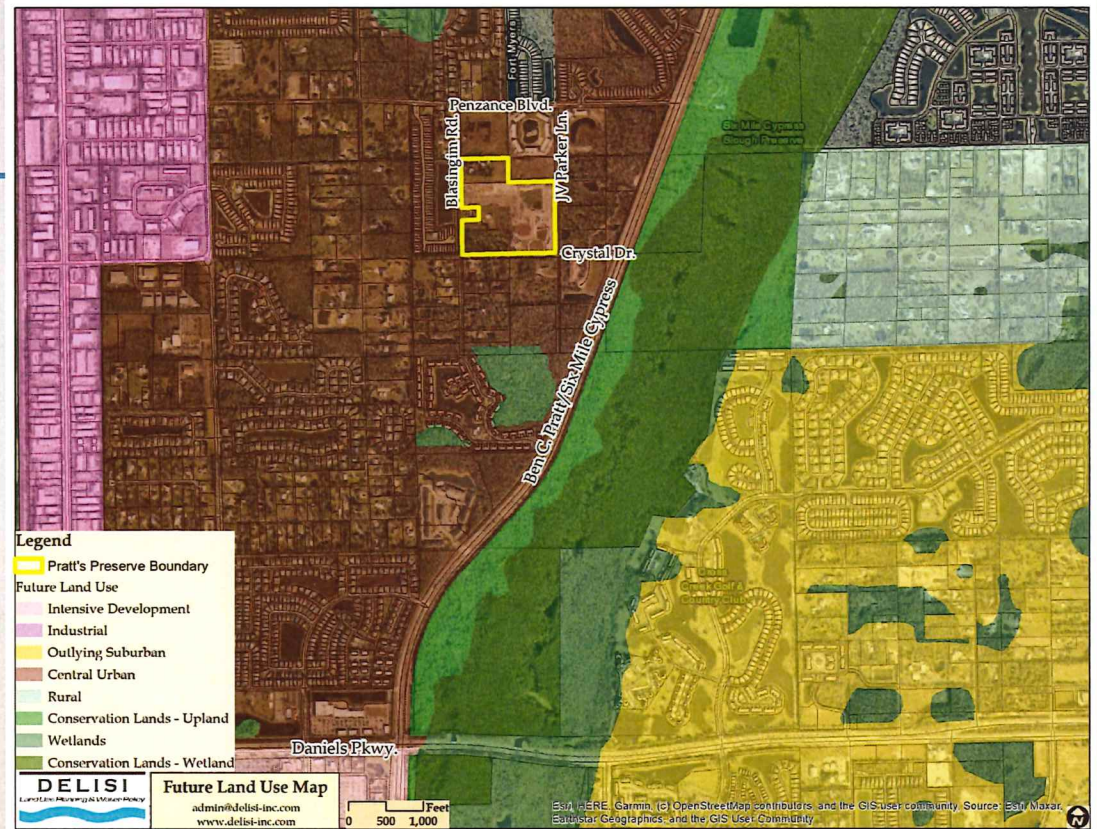
Criteria for Approval

☐ LDC Section 34-145

- ☐ Compliance with the Lee Plan
- ☐ Meets LDC or granted deviations
- ☐ Compatible with surrounding uses
- ☐ Sufficient Access
- ☐ Transportation impacts
- ☐ Will not adversely impact environmentally critical or sensitive areas
- ☐ Served by urban services
- ☐ Mix of uses is appropriate
- ☐ Conditions provide sufficient safeguards to protect the public interest
- ☐ Deviations enhance the PD and are not adverse to public health, safety and welfare

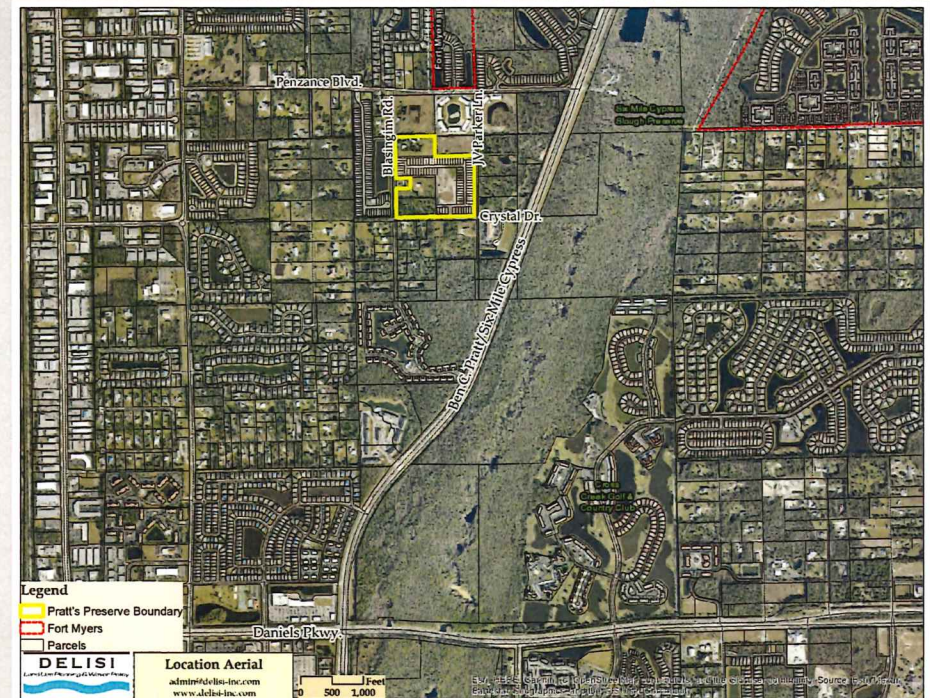
Criteria: Future Land Use

- ❑ Central Urban
 - ❑ Policy 1.1.3
- ❑ Allows for Residential development
 - ❑ Standard Density 4 – 10 units/acre
 - ❑ Bonus Density: up to 15 units/acre
 - ❑ With Pine Island TDUs: up to 20 units/acre



Criteria: Lee Plan

- ❑ Objectives 2.1 and 2.2
 - ❑ Development Location – promote development in urban areas
 - ❑ Development Timing – promote development where urban services exist
- ❑ Goal 5
 - ❑ Policy 5.1.2 – prohibit development where hazards or constraints exist.
 - ❑ Property has been cleared, infested with exotics that need to be cleaned out and does not contain any constraints
 - ❑ Policy 5.1.3 – Direct higher densities near employment and shopping
 - ❑ Proximate to employment centers, and in South Fort Myers Planning Community
 - ❑ Policy 5.1.5 – protect existing and future residential from encroachment of incompatible uses
 - ❑ Surrounding development approved at similar or higher density – transitioning area in the Urban Community



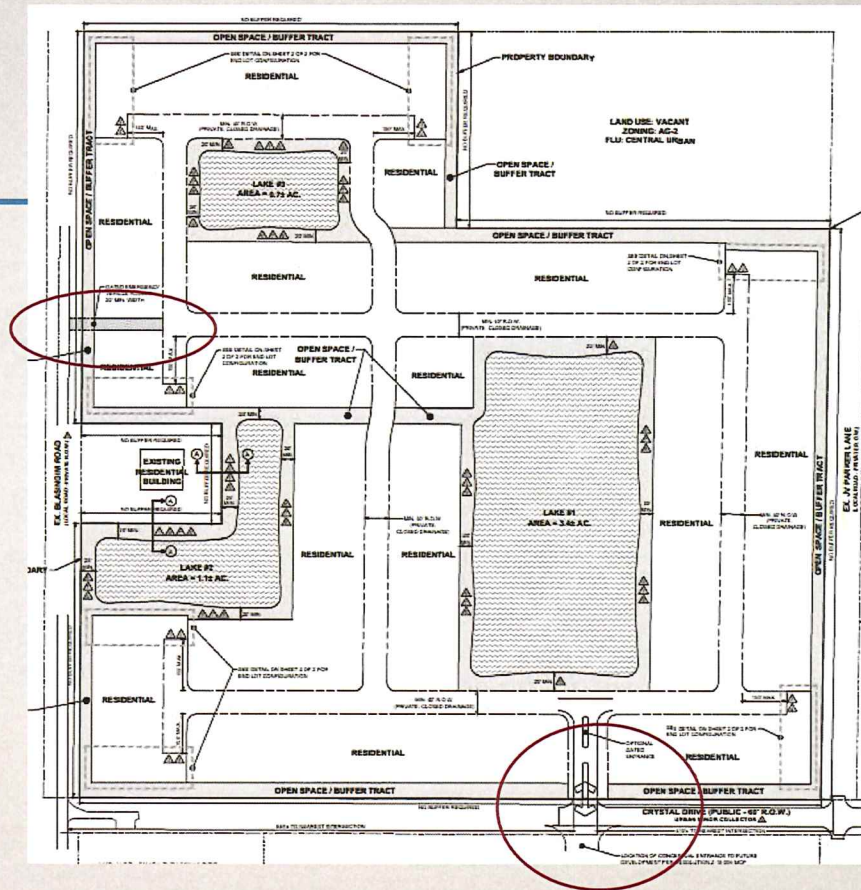
Criteria: Surrounding Uses/ Compatibility

- ❑ Transitioning area
 - ❑ Large lots being converted to planned residential communities consistent with Lee Plan
- ❑ Oak Village - 12 du/acre
- ❑ Carrisa - 13 du/acre
- ❑ Windsong - 5 du/acre
- ❑ Coral Woods/Coral Rock - 7.6-8.4 du/acre



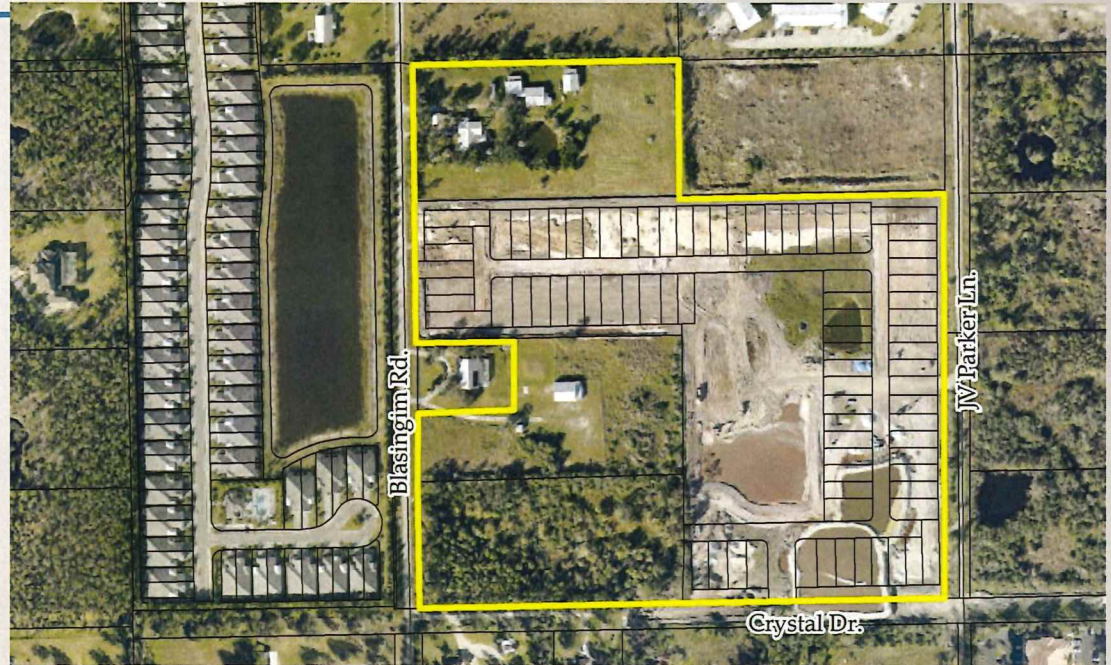
Criteria: Access

- ❑ Crystal Drive
 - ❑ 60' public right of way
 - ❑ Already constructed
- ❑ Emergency access to Blasingim



Criteria

- ☐ No Impact to Environmentally sensitive or critical lands
- ☐ Northern parcel cleared with an existing home – no indigenous vegetation on-site



No New Deviations Requested

☐ 9 Deviations previously approved

- ☐ **Deviations 1 and 9** reduce lake setbacks from neighboring parcels and internal rights-of-way
 - ☐ Staff conditions for protecting public health, safety, and welfare
- ☐ **Deviation 2** allows Crystal Drive to be constructed as a suburban roadway with swales
 - ☐ Consistent with Crystal Drive and surrounding roads
- ☐ **Deviation 3** allows no cul-de-sac on dead-end streets less than 150 feet
 - ☐ National Fire Protection Association standard
 - ☐ Approval letters from emergency services provided
- ☐ **Deviation 4** for measuring lot setbacks at dead-end streets
- ☐ **Deviation 5** eliminating second access to Blasingim
 - ☐ 1 access point to Crystal Drive, 1 gated emergency access to Blasingim
 - ☐ Approval letter from emergency services provided
- ☐ **Deviations (6, 7, 8)** on lake design consistent with airport operations at Page Field.
 - ☐ Reduced littoral plantings
 - ☐ 4:1 lake slopes

Transportation Impacts

Pratt's Preserve Trip Generation ⁽¹⁾									
Land Use	LUC	Size	AM			PM			Daily
			In	Out	Total	In	Out	Total	
Single-Family Detached	210	155 d.u.	29	82	111	95	55	150	1,510

Pratt's Preserve Road Segment Analysis				
Roadway	From	To	Existing LOS	Future LOS
Crystal Drive Extension	Project Entrance	Carissa Commerce Court	N/A	C
Crystal Drive (east)	Carissa Commerce Court	Six Mile Cypress	N/A	C
Six Mile Cypress	Daniels Parkway	Crystal Drive (east)	B	C
	Crystal Drive (east)	Winkler Extension	B	C

Summary of Conclusions

The conclusions of this traffic study are as follows.

1. The proposed rezoning amendment will add 20 single-family (SF) dwelling units to the approved 135 SF dwelling units, for a total of 155 SF dwelling units.
2. The trip generation of the proposed Project is estimated to be 111 external trips in the AM peak hour and 150 trips in the PM peak hour. The overall daily trip generation is 1,510 trips.
3. All roadways and intersections within the area of significance will operate above level of service standards coincident with the buildout of the Project.
4. The Project will fully mitigate its transportation impacts through the payment of Lee County Road Impact Fees and provide for site-related improvements at the Project's external access point. The collected road impact fees by the County should be utilized to fund the future Crystal Drive Extension.

Staff Report Correction

❑ “Lot Depth” and “Lot Width” are reversed

b. Site Development Regulations

Residential Development

Lot Size

Minimum Lot Area:	4,500 square feet
Minimum Lot Depth:	40 feet
Minimum Lot Width:	115 feet

Questions?

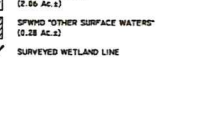


LEGEND:

 SPWID WETLAND
(7.56 AC ±)

 SPWID "OTHER SURFACE WATER"
(3.28 AC ±)

 SURVEYED WETLAND LINE



FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
110	SINGLE-FAMILY, LOW DENSITY	9.47 AC ±	17.2%
129	RESIDENTIAL UNDER CONSTRUCTION	28.52 AC ±	50.0%
211	IMPROVED PASTURE	0.96 AC ±	0.1%
422	BRAZILIAN PEPPER	0.70 AC ±	0.2%
439 E4	MIXED EXOTICS (76-100% EXOTICS)	2.30 AC ±	7.3%
514	MIXED EXOTICS (76-100% EXOTICS)	0.19 AC ±	0.0%
520	POND	1.05 AC ±	0.5%
740	DISTURBED LAND	1.65 AC ±	5.3%
7601	DISTURBED LAND, HYBRIC	2.06 AC ±	6.5%
7602	BEHM	0.43 AC ±	1.4%
	TOTAL	31.46 AC ±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF JANUARY 2023.

PROPERTY BOUNDARY PER DELISH FITZGERALD DRAWING NO.
W0079-23033-PARKER-LANE-PH3-BOUNDARY-2023-06-26.DWG
DATED JUNE 26, 2023.

SURVEYED WETLAND LINES PER DELISI FITZGERALD
DRAWING NO. 15115ENG 04 04 23.DWG DATED APRIL 4, 2023.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL
PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS
CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

UPLAND/WETLAND LIMITS ON THE SOUTHWESTERN PARCELS
PER SFWMO PERMIT No. J6-108983-P.

THE UPLAND/WETLAND LIMITS ON THE NORTHWESTERN
PARCEL HAVE NOT BEEN REVIEWED BY ANY AGENCY.

PRATT'S PRESERVE RESIDENTIAL PLANNED DEVELOPMENT (RPD) DCI2023-00027

*Planned Development Rezoning Request
DCD Staff presentation*

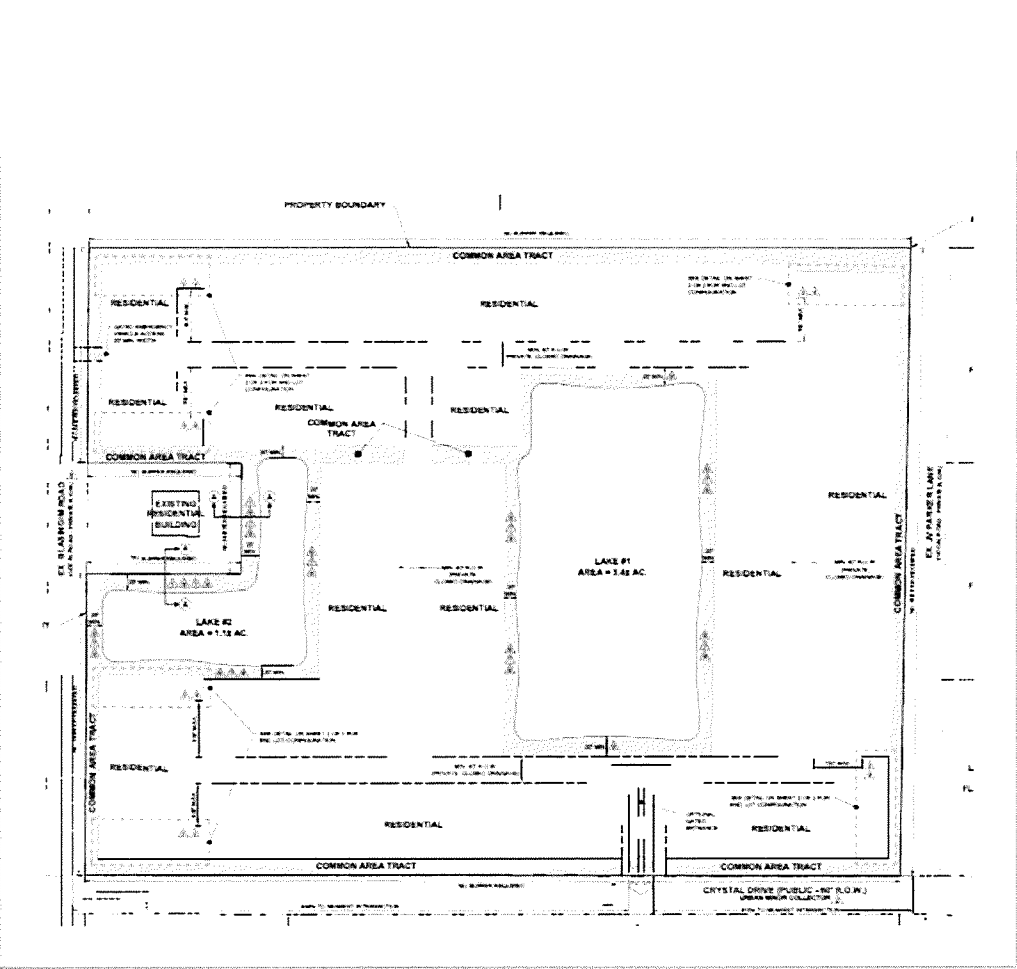
Applicant Request

- Request to rezone approximately 31.46 acres from RPD and AG-2 to RPD to allow for the development of up to 155 dwelling units with accessory uses.
- Deviations sought for reduction in setbacks for excavations, modifications to right-of-way design, allowance for a single point of ingress and egress, and relief to address FAA guidelines as it pertains to lake bank design.

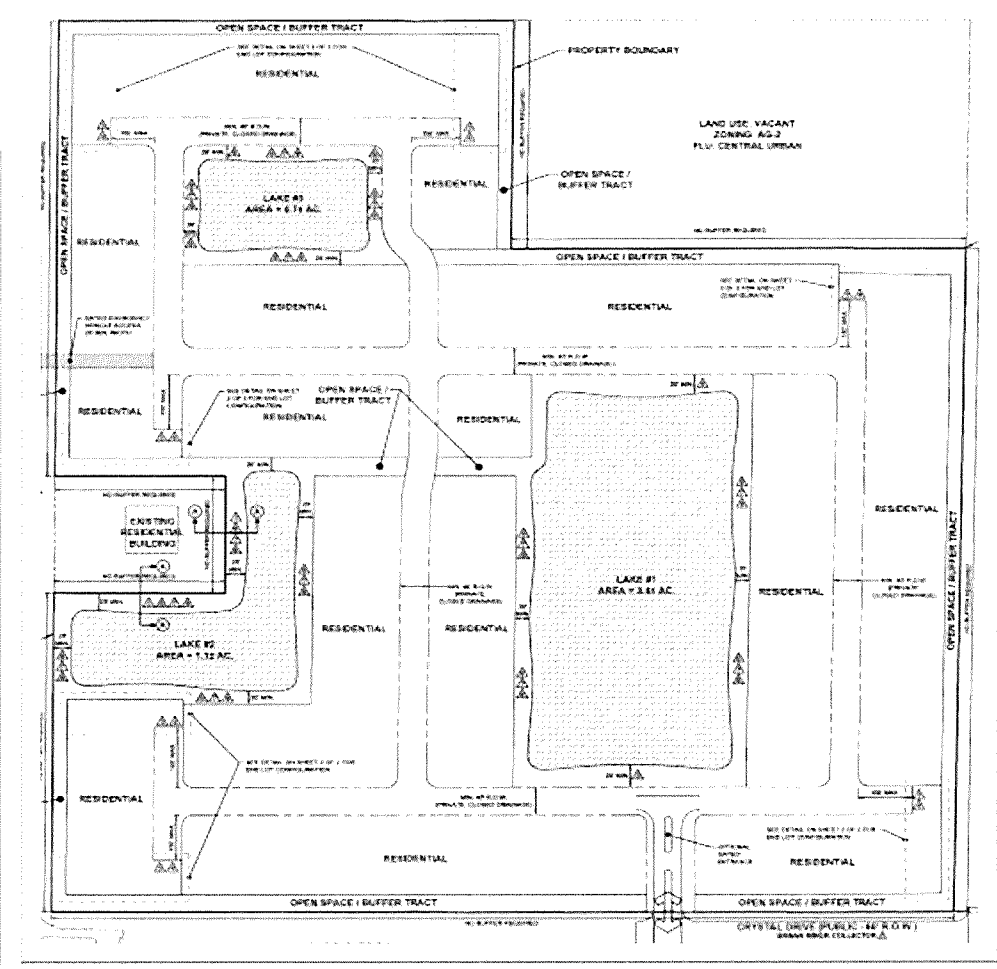
History of Parcel

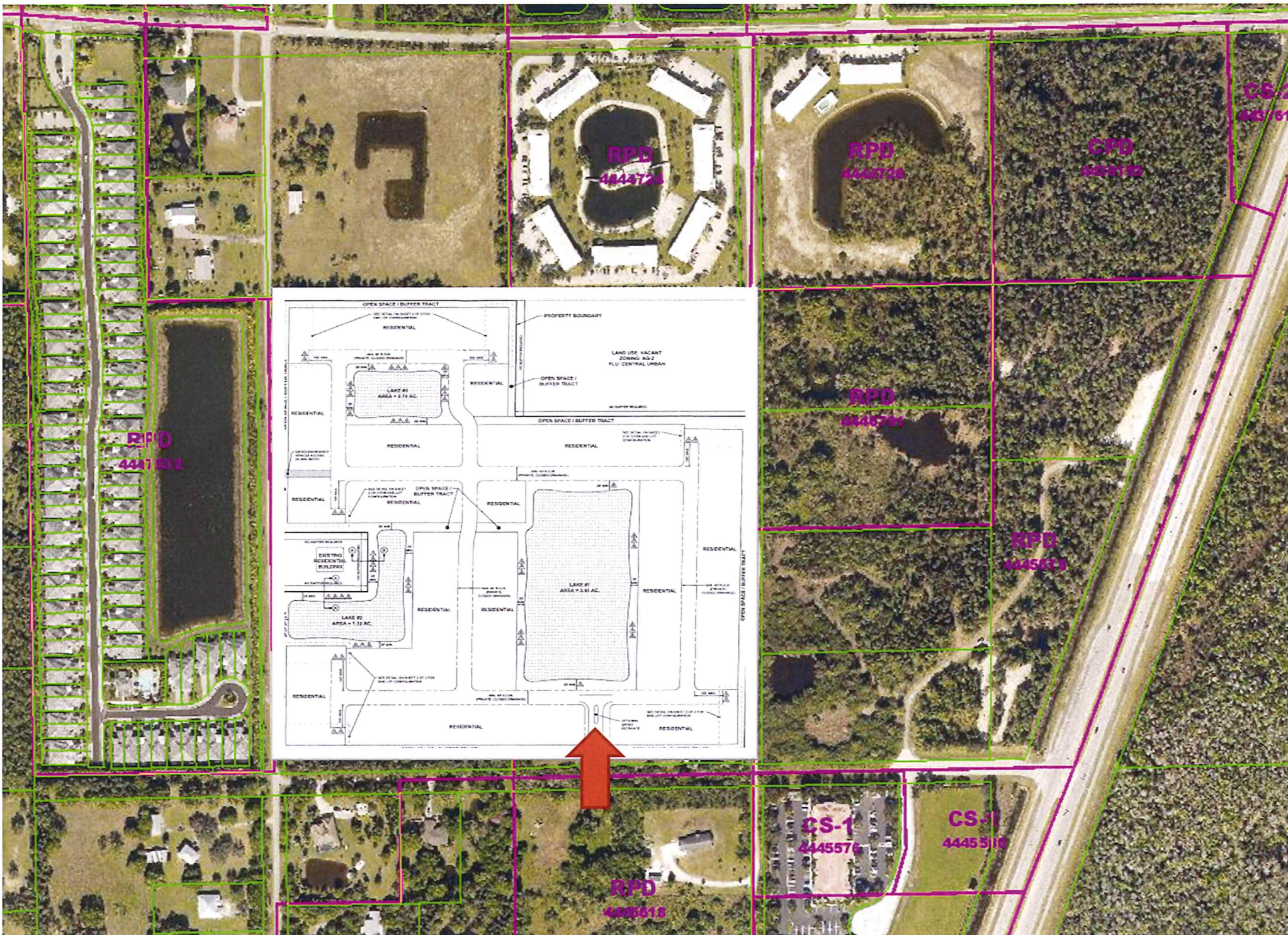
- Resolution Z-21-024 – 90 units on 18.55 acres.
- Resolution Z-23-019 – added 8.25 acres and 45 dwelling units to RPD.
- Remaining 4.77 Acres of Agricultural (AG-2) land.

Pratt's Preserve (Approved MCP)



DCI2023-00027 - Proposed MCP





Decision-Making Criteria

- LDC Section 34-145(d)(4)a. establishes the decision making criteria for Planned Development Rezoning requests.
 - Complies with the Lee Plan;
 - Meets the Land Development Code and other applicable County regulations or qualifies for deviations;
 - Is compatible with existing and planned uses in the surrounding area;
 - Will provide access sufficient to support the proposed development intensity;
 - The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;
 - Will not adversely affect environmentally critical or sensitive areas and natural resources; and
 - Will be served by urban services, defined in the Lee Plan, if located in a Future Urban Area category.

Decision-Making Criteria

- For Planned Development rezoning requests, the Hearing Examiner must also find:
 - The proposed use or mix of uses is appropriate at the proposed location;
 - The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development; and
 - That each requested deviation:
 - Enhances the achievement of the objectives of the planned development; and
 - Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.

Lee Plan Review

- Policy 1.1.3 – Central Urban future land use category
 - ‘Urban Core’ of the County
 - Density considered for Central Urban is 4 units per acre to 10 units per acre.
 - 4.9 DU per acre proposed.
- Objective 1.5 and Policy 123.1.1- Wetlands
 - Hydric pasture wetlands have been found in the development that have been disturbed by cattle grazing.
 - Applicant intends to impact existing wetlands through offsite mitigation bank credits.

Lee Plan Review



- Objectives 2.1 and 2.2
 - Encourage new growth in future urban areas where adequate sufficient infrastructure exist.
 - Original zoning was approved in an area with sufficient infrastructure in an area where significant development is occurring today.

Lee Plan Review



□ Goal 5 – Residential Land Uses

■ Policy 5.1.2 – residential hazards or physical constraints.

- Not in a Coastal High Hazard Area, or FEMA Floodway.
- Flood Zone AH-EL 16.5 and X.
- Chapter 2, Article XI of the Land Development Code regarding hurricane preparedness and mitigation applies to new residential development.

■ Policy 5.1.5 - protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of residential development.

Lee Plan Review



- Goal 135 – encourages Lee County to address Lee County to address the housing needs as the County grows.
- Policy 135.1.9 – ensure a mix of residential housing types.

Lee Plan Review



- Policy 125.1.2 - New development and additions to existing development to not degrade surface and ground water quality.

Deviation Requests

- Deviation (1) seeks relief from LDC Section 10-329(d)(1)a.3. - to allow a minimum setback of 25 feet for excavations.
- Deviation (2) seeks relief from LDC Section 10-296(e)(1)i.4.iii. - to allow suburban cross section for Crystal Drive Right-of-Way
- Deviation (3) seeks relief from LDC Section 10-296(k)(1) - to eliminate the requirements for circular turnarounds in four locations depicted on the Master Concept Plan where there is less than 150 feet of roadway to the nearest intersection.

Deviation Requests

- Deviation (4) seeks relief from LDC Section 10-703 - to allow the lot depth for three dead-end street lots on the Master Concept Plan to be measured as depicted in the detail on Sheet 2 of the Master Concept Plan.
- Deviation (5) seeks relief from LDC Section 10-291(3) - to allow for one means of ingress and egress for the development.
- Deviation (6) seeks relief from LDC Section 10-329 (d)(4) - to allow for 4:1 lake bank slopes.

Deviation Requests

- Deviation (7) seeks relief from LDC Section 10-418(2)d - to allow for the planting of no herbaceous plants on the littorals area on the water management lake.
- Deviation (8) seeks relief from LDC Section 10-418(2)d.3 - to allow for the conversion of 100 percent of the required littoral plantings to wetland trees.
- Deviation (9) seeks relief from LDC Section 10-329(d)(1)a.1. - to allow the proposed lake to be set back a minimum of 20 feet from the right-of-way line.

Recommendation



- Staff finds that the request meets or exceeds the decision-making criteria found in LDC Section 34-145.
- Staff therefore recommends approval of this request as conditioned in Attachment C.

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

LEE COUNTY
HEARING EXAMINER
2023 NOV 21 PM 2:29

CASE NUMBER: DCI2023-00027
CASE NAME: PRATTS PRESERVE RESIDENTIAL PLANNED DEVELOPMENT
TYPE OF CASE: MINOR PLANNED DEVELOPMENT
HEARING EXAMINER DATE: DECEMBER 7, 2023
SUFFICIENCY DATE: OCTOBER 4, 2023

REQUEST:

An application has been submitted by Daniel DeLisi, AICP of DeLisi, Inc. on behalf of Barry Ernst of Lennar Homes, to request a rezoning of approximately 31.46 acres from Residential Planned Development (RPD) and Agricultural (AG-2) to Residential Planned Development (RPD) to allow for the development of up to 155 dwelling units with accessory uses. The applicant seeks deviations regarding reduction in setbacks for excavations, modifications to right-of-way design, allowance for a single point of ingress and egress, and relief to address FAA guidelines as it pertains to lake bank design.

The subject property is located at South of Penzance Blvd between Blasingim Road and JV Parker Lane, South Fort Myers Planning Community, Lee County, FL. (District #2), a Legal Description of the subject property is located in Attachment E.

SUMMARY:

Staff recommends **APPROVAL** of the applicant's request, with the conditions found in Attachment C. The applicant seeks nine deviations to permit reductions in setbacks for excavations, alternative right-of-way design, allowance for a single point of ingress and egress, and relief to address FAA guidelines as it pertains to lake bank design. These deviations were previously approved by Resolutions Z-21-024 and Z-23-019, and staff continues to recommend approval of these deviations.

HISTORY OF PARCEL AND CHARACTER OF THE AREA:

The subject property is located along the Crystal Drive right-of-way between JV Parker Lane and Blasingim Road, and is approximately 26.7 acres in area. The subject property is near the intersection of Ben C Pratt/Six Mile Cypress Parkway and Crystal Drive, which will facilitate access to the County roadway network. This Residential Planned Development, formerly known as Parker Lane RPD, was originally approved by Resolution Z-21-024 for 90 dwelling units on 18.55 acres (Attachment G). This project was then rezoned by Resolution Z-23-019 to add 8.15 acres and 45 residential units to the development totaling 135 single-family units on approximately 26.7 acres (Attachment H). There is an active development order (DOS2022-00003) to construct this development plan. The portion zoned Agricultural (AG-2) is approximately 4.77 acres and does not have significant zoning history.

The existing development is characteristic of many properties in the area, but an influx of more suburban style residential development consistent with the underlying future land use designation has occurred in this area as housing demand increases in Lee County.

Properties to the north and west are zoned Agricultural (AG-2) and are either undeveloped or developed with large lot residential development. A residential development known as Windsong, which was rezoned to Residential Planned Development (RPD) by Resolution Z-16-024, is located across Blasingim Road from the subject property (Attachment I). This development, which is approved for a maximum of 120 single-family dwelling units on 24.11 acres, does not have access onto Blasingim Road, but includes a deviation to provide a stabilized emergency access onto Blasingim Road in lieu of a second means of ingress and egress. There is also an approved administrative amendment to this development to allow for an amended Master Concept Plan and an approved deviation to allow for a reduced setback for lake excavations (ADD2018-10017, Attachment I).

Property to the south is zoned Residential Planned Development (RPD) (Oak Villages RPD, Resolution Z-18-006, Attachment J). This planned development approved a maximum of 255 multiple-family and single-family dwelling units. This planned development was amended by ADD2020-00036 to reduce the number of multiple family buildings, adding parking stalls, and approve deviations for signage and parking design (Attachment J). The property remains undeveloped; however, it should be noted that the current approved Master Concept Plan for Oak Villages aligns with the primary access point onto Crystal Drive proposed by the subject request.

Property to the east is separated by JV Parker Lane and is zoned Residential Planned Development (RPD). There are two Residential Planned Developments (RPDs) approved to the east including Carissa Minor RPD, approved by Resolution Z-21-006 (Attachment K) and Cypress Village RPD approved by Resolution Z-13-025 (Attachment L). Carissa Minor RPD has an approved Development Order (DOS2021-00143) and Cypress Village is currently undeveloped.

The subject property is in the Central Urban future land use category; as such, the request must be found consistent with Lee Plan Policy 1.1.3. The subject property is also located in the South Fort Myers Planning Community, which includes areas west of the Six Mile Cypress Slough and is characterized by higher density and intensity land use categories, and include a mix of commercial uses along major corridors in the area.

ANALYSIS

This request is to rezone approximately 31.46 acres from Residential Planned Development (RPD) and Agricultural (AG-2) to Residential Planned Development (RPD) to allow for the development of up to 155 dwelling units with accessory uses. The applicant seeks deviations regarding reduction in setbacks for excavations, modifications to right-of-way design, allowance for a single point of ingress and egress, and relief to address FAA guidelines as it pertains to lake bank design. This request, if approved, will add approximately 4.77 acres and 20 more home sites to the previously approved Residential Planned Development (RPD). The applicant provided a request statement detailing the nature of the rezoning request, and how the request meets the decision-making criteria for planned development rezoning requests (Attachment D).

Planned Development Rezoning:

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

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

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

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

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

Master Concept Plan:

The applicant has provided a two-page Master Concept Plan which depicts vehicular circulation, location of lots, water retention, and open space areas (Attachment S). Access to the subject property is proposed from Crystal Drive, while a stabilized emergency access point is proposed onto Blasingim Road. The Master Concept Plan depicts the location of deviation requests and locations of buffers on the property. The second page of the Master Concept Plan details Deviations 1,2, 6, 7, 8, and 9.

Development Pattern Considerations:

The subject property is in the Central Urban future land use category as described in Lee Policy 1.1.3, which is described as the 'urban core' of the county. Areas designated as Central Urban allow for standard densities from four dwelling units per acre to ten units per acre as well as a mix of commercial, public and semi-public, and light industrial land uses. The applicant seeks residential development that allows for up to 4.9 dwelling units per upland acre, which is well within the standard density range established for this land use category. Staff finds the proposed request consistent with Lee Plan Policy 1.1.3.

Objective 1.5 establishes policies regarding the use and development of wetlands. The applicant states that there are approximately 0.8 acres of hydric pasture wetlands on the property. Wetlands on the project site consist of low areas in an existing pasture that have been disturbed by cattle grazing and exotic plant species. The applicant intends to mitigate the impact to the existing wetlands

through the purchase of off-site wetland mitigation bank credits, consistent with Lee Plan Policy 123.1.1. Staff finds the proposed request consistent with Objective 1.5 and Policy 123.1.1.

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

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

Policy 5.1.2 prohibits residential development where physical constraints or hazards exist or requires density and design to be adjusted accordingly to be sensitive to such constraints. This policy notes physical constraints include flood, storm, or hurricane hazards, environmental limitations, or characteristics that may endanger the residential community. The subject property does not have significant physical constraints to limit development of the property. The subject property is not located in a Coastal High Hazard Area or floodway and is located in Flood Insurance Rate Map (FIRM) Zone AH-EL 16.5 and X. Regardless of the lack of physical constraints evident on the subject property, the applicant will be required to meet the requirements of Chapter 2, Article XI of the Land Development Code regarding hurricane preparedness and mitigation at the time of application for a local development order. This includes the determination of necessary hurricane sheltering, and mitigation of impacts to state evacuation times. Staff finds the request consistent with Lee Plan Policy 5.1.2.

Lee Plan Policy 5.1.3 states that during the rezoning process, high-density residential developments should be directed to locations near employment and shopping centers that are accessible to mass transit and bicycle facilities and are close to parks and schools. Within a three mile radius, future residents of the proposed development will have access to Gulf Coast Hospital, significant employment centers and shopping areas. The property is also near the Six Mile Cypress Slough and a multiple use path along both sides of Ben C Pratt/Six Mile Cypress Parkway. Staff finds the request consistent with Lee Plan Policy 5.1.3.

Policy 5.1.5 of the Lee Plan intends to protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of residential development. The surrounding development patterns include a mixture of low density residential development and vacant land. Because much of the vacant land surrounding the subject property is zoned for higher density residential development, staff finds the proposed request generally compatible with the surrounding development. Staff finds the request consistent with Lee Plan Policy 5.1.5.

Policy 125.1.2 requires new development and additions to existing development to not degrade surface and ground water quality. Future development of the property will require an Environmental Resource Permit from the South Florida Water Management District, and the project will be required to comply with state and local regulations as it pertains to water quality. The applicant has not requested deviations from any water quality requirements established in the Land Development Code. Staff finds this planned development rezoning request consistent with Policy 125.1.2.

Goal 123 establishes objectives and policies to manage wetland and upland ecosystems and natural resources in order to maintain and enhance native habitats. Policy 123.2.6 encourages the avoidance of disturbing vegetative communities through alternative design layout. Because existing wetlands are significantly impacted by historic agricultural activities, the proposed project will not impact indigenous wetland and upland areas. Staff finds the request consistent with Goal 123 and Policy 123.2.6.

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

Goal 135 of the Lee Plan addresses the necessity to meet housing needs as Lee County grows in population. Policy 135.1.9 states that the county will ensure a mix of residential housing types on a county wide basis through the planned development process. The proposed rezoning will allow for up to 135 single family dwelling units. The housing type is similar to those surrounding the subject property, but with smaller lot development. The area includes a mix of zoning entitlements that provide for both single-family and multiple-family housing types. The proposed rezoning will facilitate the development of additional housing in Lee County while still being compatible with surrounding development patterns and housing types. Staff finds the proposed rezoning consistent with Goal 135 and Policy 135.1.9.

Transportation Considerations:

The applicant has provided a traffic impact statement for the proposed development detailing an analysis of impacts to the surrounding transportation system (Attachment M). Infrastructure planning staff has provided an analysis of the applicant's traffic impact statement (Attachment N) and has determined that the proposed project will not have a detrimental impact to the surrounding roadway system. It should also be noted that the previously approved Residential Planned Development (RPD) was limited to a single means of ingress and egress on Crystal Drive, with an emergency access along Blasingim Road. The applicant's proposed design includes the same access points previously approved by Resolution Z-21-024, as amended by Resolution Z-23-09.

Bicycle and Pedestrian Facilities:

The subject property is in proximity to Ben C Pratt/Six Mile Cypress Parkway, which is located on Lee Plan Map 3-D. This arterial roadway has multiple use paths on both sides of the roadway. At the time of local development order, the applicant will be required to demonstrate compliance with the requirements of Chapter 10 as it pertains to bicycle and pedestrian facilities.

Urban Services:

The subject property is serviced by the South Trail Fire and EMS station, which is approximately 3.02 miles southeast of the property, and a Sheriff's station 4.07 miles southwest of the property. The proposed development will have access to Lee County Utilities for both water and wastewater (Attachment Q). The request is consistent with Lee Plan Standards 4.1.1 and 4.1.2.

DEVIATION REQUESTS:

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

1. Deviation (1) seeks relief from LDC Section 10-329(d)(1)a.3., which requires that no excavation be allowed within 50 feet of any private property line under separate ownership, to allow a minimum setback of 25 feet.

This deviation was reviewed and approved as part of Resolutions Z-21-024 and Z-23-019. Staff continues to recommend **approval** subject to the following condition:

- a. A double hedgerow and berm, with a minimum total height of four feet, is required where the excavation setback to property under separate ownership is less than 50 feet. In no instance may the setback be less than 25 feet.
2. Deviation (2) seeks relief from LDC Section 10-296(e)(1)i.4.iii., requiring Crystal Drive to be constructed as an urban minor collector roadway from its current terminus to the project entrance, to allow Crystal Drive to be constructed consistent with the typical section requirements of LDC Section 10-296(e)(2)h.4 for a suburban minor collector roadway with open drainage in 60 feet of existing right-of-way as depicted on the Master Concept Plan.

This deviation was reviewed and approved as part of Resolutions Z-21-024 and Z-23-019. Staff continues to recommend **approval** subject to the following condition:

- a. To accommodate the roadside drainage swale along Crystal Drive, the required sidewalk must be designed and constructed inside the property line parallel or in close proximity to the right-of-way. The developer must provide an easement meeting County standards over the property necessary to support the alternative plan. The alternative on-site locations of the sidewalk with associated easement must be reviewed and approved in accordance with LDC Section 10-256 during the development order review.
3. Deviation (3) seeks relief from LDC Section 10-296(k)(1), requiring dead-end streets to be constructed with a circular turnaround for vehicles, to eliminate the requirements for circular turnarounds in four locations depicted on the Master Concept Plan where there is less than 150 feet of roadway to the nearest intersection.

This deviation was reviewed and approved as part of Resolutions Z-21-024 and Z-23-019. Staff continues to recommend **approval** of this deviation.

4. Deviation (4) seeks relief from LDC Section 10-703, which contains illustrations on how to measure lot depth, to allow the lot depth for three dead-end street lots on the Master Concept Plan to be measured as depicted in the detail on Sheet 2 of the Master Concept Plan.

This deviation was reviewed and approved as part of Resolutions Z-21-024 and Z-23-019. Staff continues to recommend **approval** of this deviation.

5. Deviation (5) seeks relief from LDC Section 10-291(3), which requires two means of ingress or egress to any residential subdivision greater than 5 acres, to allow for one means of ingress and egress for the development.

This deviation was reviewed and approved as part of Resolutions Z-21-024 and Z-23-019. Staff continues to recommend **approval** subject to the following condition:

- a. The emergency only access must be designed with a minimum 20-foot clear width. The access must be stabilized and signage designating the emergency access route must be provided. A letter of no objection to the design must be provided from Lee County Public Safety, the Lee County Sheriff's Office and the Fire District having jurisdiction prior to development order approval.
 - b. A notice to all future property owners must be recorded by the developer in the public records prior to the issuance of a local development order allowing construction of the access to the development. The notice must articulate the emergency access plan and provide information as to where a copy of this plan may be obtained from the developer or developer's successor.
 - c. At time of development order application, the applicant must demonstrate that a Crime Prevention through Environmental Design (CPTED) report has been submitted to the Lee County Sheriff's Department.
6. Deviation (6) seeks relief from LDC Section 10-329(d)(4), which requires banks of excavations to be sloped at a ratio not greater than 6:1 slope, to allow for 4:1 lake bank slopes.

This deviation was reviewed and approved as part of Resolutions Z-21-024 and Z-23-019. Staff continues to recommend **approval** of this deviation.

7. Deviation (7) seeks relief from LDC Section 10-418(2)d.2, which requires littoral areas to be planted with herbaceous plant material, to allow for the planting of no herbaceous plants on the littorals area on the water management lake.

This deviation was reviewed and approved as part of Resolutions Z-21-024 and Z-23-019. Staff continues to recommend **approval** subject to the following condition:

- a. Prior to development order approval, the landscape plans must depict 100% of the required littorals substituted with native, wetland trees and located around the surface water management lakes. One native, wetland tree must be substituted for 100 littoral

plants based on the littoral plant calculation per LDC Section 10-418(d)(2). The native, wetland trees must be specified at ten-foot-in-height, two-inch caliper, and a four-foot canopy spread.

8. Deviation (8) seeks relief from LDC Section 10-418(2)d.3, which permits a maximum of 25 percent of the required herbaceous plants in littoral areas to be converted to wetland trees, to allow for the conversion of 100 percent of the required littoral plantings to wetland trees.

This deviation was reviewed and approved as part of Resolutions Z-21-024 and Z-23-019. Staff continues to recommend **approval** subject to the following condition:

- a. Prior to development order approval, the landscape plans must depict 100% of the required littorals substituted with native, wetland trees and located around the surface water management lakes. One native, wetland tree must be substituted for 100 littoral plants based on the littoral plant calculation per LDC Section 10-418(2)d.2. The native, wetland trees must be specified at ten-foot-in-height, two-inch caliper, and a four-foot canopy spread.
9. Deviation (9) seeks relief from LDC Section 10-329(d)(1)a.1., which requires a lake to be set back a minimum 25 feet from a local road right-of-way, to allow the proposed lake to be set back a minimum of 20 feet from the right-of-way line of internal roadways as shown on the Master Concept Plan.

This deviation was reviewed and approved as part of Resolutions Z-21-024 and Z-23-019. Staff continues to recommend **approval** subject to the following condition:

- a. Where the minimum setback of 25 feet from an excavation to the local road right-of-way cannot be met, measures to prevent wayward vehicles through the use of guardrails, berms, swales, vegetation or other suitable methods as determined by the Director must be provided.

CONCLUSION:

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

- a) Complies with the Lee Plan;

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

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

The applicant seeks 9 deviations that are supported by staff. With the exception of these deviations, staff finds that the request meets or exceeds County regulations.

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

The mix of uses surrounding the subject property includes a mix of residential uses of varying types and densities, agricultural land, and vacant land. The proposed use is consistent with surrounding existing and planned uses.

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

Access is proposed on Crystal Drive, which then connects to Ben C Pratt/Six Mile Cypress Parkway. Staff finds that there will be sufficient access to support the request.

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

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

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

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

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

Additionally, staff has concluded:

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

The proposed residential use is similar to those surrounding the subject property.

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

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

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

The nine deviations requested by the applicant were previously approved and continue to meet the decision-making criteria listed above, and staff recommends approval of these deviations.

Staff, therefore, recommends approval of this rezoning request from Agricultural (AG-2) and Residential Planned Development (RPD) to Residential Planned Development (RPD) as conditioned in Attachment C.

ATTACHMENTS:

- A. Expert Witness Information
- B. Maps: Surrounding Zoning, Future Land Use and Aerial Photograph
- C. Recommended Conditions and Deviations
- D. Request Statement
- E. Legal Description
- F. Applicant Proposed Deviations and Conditions
- G. Resolution Z-21-024
- H. Resolution Z-23-019
- I. Windsong RPD
 - Resolution Z-16-024
 - Resolution ADD2018-10017
- J. Oak Villages RPD
 - Resolution Z-18-006
 - Resolution ADD2020-00036
- K. Carissa Minor RPD – Resolution Z-21-006
- L. Cypress Village RPD – Resolution Z-13-025
- M. Traffic Impact Statement
- N. Infrastructure Planning Memorandum
- O. Letter of No Objection South Trail Fire District
- P. Letter of No Objection Lee County Sheriff's Department
- Q. Letter of Utility Availability
- R. Memorandum from Environmental Sciences
- S. Master Concept Plan

ATTACHMENT A

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

Dirk Danley, AICP, Principal Planner, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

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

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

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

Marcus Evans P.E., Senior Engineer, Development Services, 1500 Monroe Street, Fort Myers, FL 33901

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

Brandon Dunn, Planning Manager, Planning, 1500 Monroe Street, Fort Myers, FL 33901

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

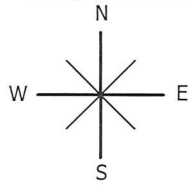
Rebecca Sweigert, Senior Manager, DCD, 1500 Monroe Street, Fort Myers, FL 33901

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

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

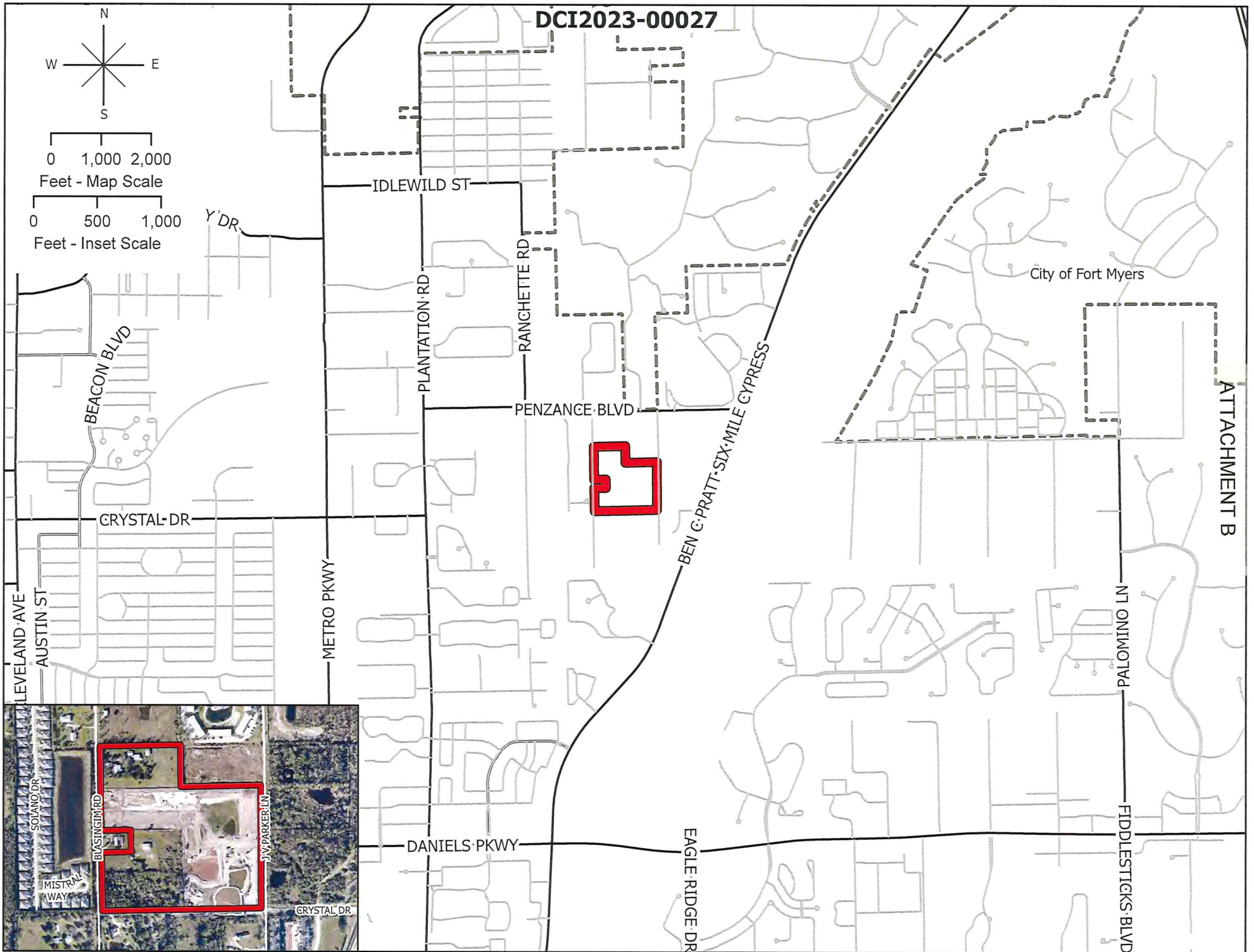
- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee Plan and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional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

DCI2023-00027



0 1,000 2,000
Feet - Map Scale

0 500 1,000
Feet - Inset Scale



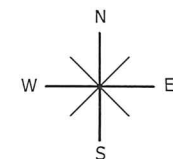


DCI2023-00027

Aerial

 Subject Property

 City Limits



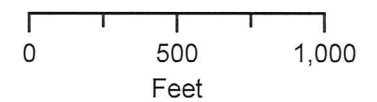
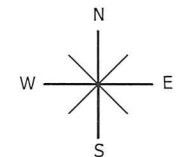
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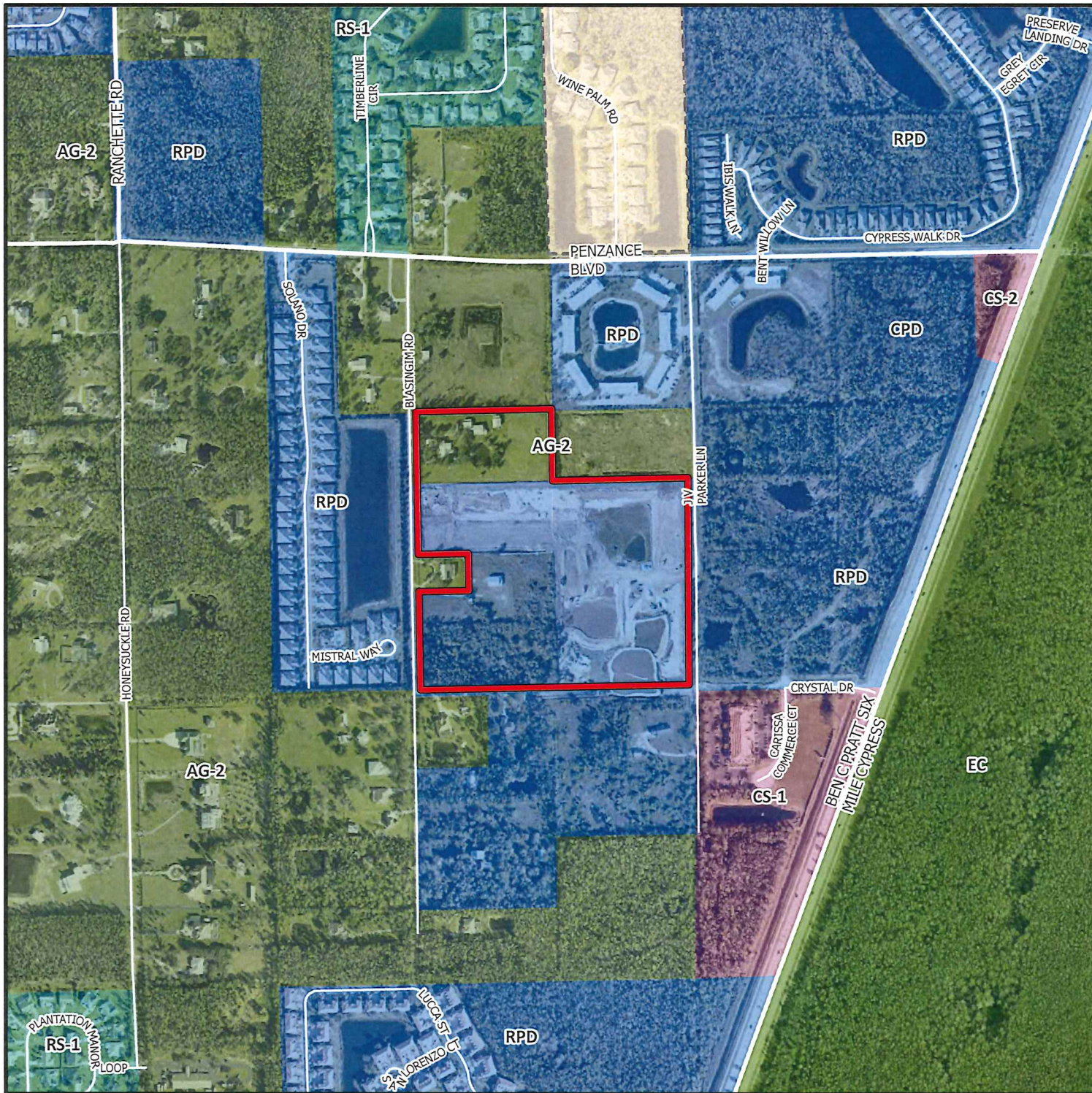


DCI2023-00027

Future Land Use

-  Subject Property
-  Central Urban
-  Conservation Lands - Upland
-  Wetlands
-  Conservation Lands - Wetland
-  City Limits



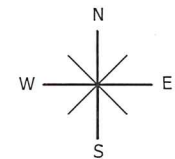


DCI2023-00027

Zoning

 Subject Property

 City Limits



0 500 1,000
Feet



A. Conditions

1. Development must be consistent with the two-page Master Concept Plan (MCP) entitled "Parker Lane RPD," prepared by DeLisi Fitzgerald, Inc., dated June 22, 2023 except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code at time of local Development Order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

Project density is limited to the development of a maximum of 155 single-family dwelling units and accessory uses.

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

- a. Schedule of Uses

Accessory Uses and Structures
 Administrative Office
 Dwelling Unit, Single-Family
 Entrance Gates and Gatehouses
 Essential Services
 Essential Services Facilities, Group I
 Excavation - Water Retention
 Fences and Walls
 Home Occupation
 Models: Model Unit, Model Home, Model Unit (Subject to LDC
 Section 34-1954) (See Condition 3)
 Parking Lot, Accessory
 Real Estate Sales Office (See Condition 3)
 Recreation Facilities, Private, On Site, Personal
 Signs
 Temporary uses

- b. Site Development Regulations

Residential Development

Lot Size

Minimum Lot Area:	4,500 square feet
Minimum Lot Depth:	40 feet
Minimum Lot Width:	115 feet

Setbacks

Development Perimeter	5 feet
Street	20 feet
Street (on corner lots)	15 feet

Side	5 feet
Rear	10 feet
Rear Accessory Setbacks	5 feet
Waterbody	20 feet
Waterbody Accessory Setbacks	20 feet
<u>Maximum Lot Coverage</u>	50 percent
<u>Maximum Height</u>	35 feet

3. Model Units/ Real Estate Sales

Real Estate Sales are limited to clubhouses and model units. Hours of operation for model units and real estate sales are limited to Monday through Sunday 8 a.m. to 8 p.m.

4. Wetland Mitigation

Prior to any site work, a receipt of payment for the offsite wetland mitigation credit must be submitted.

B. Deviations

1. Deviation (1) seeks relief from LDC Section 10-329(d)(1)a.3., which requires that no excavation be allowed within 50 feet of any private property line under separate ownership, to allow a minimum setback of 25 feet.

This deviation is APPROVED, subject to the following condition:

- a. A double hedgerow and berm, with a minimum total height of four feet, is required where the excavation setback to property under separate ownership is less than 50 feet. In no instance may the setback be less than 25 feet.

2. Deviation (2) seeks relief from LDC Section 10-296(e)(1)i.4.iii., requiring Crystal Drive to be constructed as an urban minor collector roadway from its current terminus to the project entrance, to allow Crystal Drive to be constructed consistent with the typical section requirements of LDC Section 10-296 (e)(2)h.4 for a suburban minor collector roadway with open drainage in 60 feet of existing right-of-way as depicted on the Master Concept Plan.

This deviation is APPROVED subject to the following condition:

- a. To accommodate the roadside drainage swale along Crystal Drive, the required sidewalk shall be designed and constructed inside the property line parallel or in close proximity to the right-of-way. The developer shall provide an easement meeting County standards over the property necessary to support the alternative plan. The alternative on-site locations of the sidewalk with associated easement shall be reviewed and approved in accordance with LDC Section 10-256 during the development order review.

3. Deviation (3) seeks relief from LDC Section 10-296(k)(1), requiring dead-end streets to be constructed with a circular turnaround for vehicles, to eliminate the requirements for circular turnarounds in four locations depicted on the Master Concept Plan where there is less than 150 feet of roadway to the nearest intersection.

This deviation is APPROVED.

4. Deviation (4) seeks relief from LDC Section 10-703, which contains illustrations on how to measure lot depth, to allow the lot depth for three dead-end street lots on the Master Concept Plan to be measured as depicted in the detail on Sheet 2 of the Master Concept Plan.

This deviation is APPROVED.

5. Deviation (5) seeks relief from 10-291(3), which requires two means of ingress or egress to any residential subdivision greater than 5 acres, to allow for one means of ingress and egress for the development.

This deviation is APPROVED, subject to the following conditions:

- a. The emergency only access must be designed with a minimum 20-foot clear width. The access must be stabilized and signage designating the emergency access route must be provided. A letter of no objection to the design must be provided from Lee County Public Safety, the Lee County Sheriff's Office and the Fire District having jurisdiction prior to development order approval.
 - b. A notice to all future property owners must be recorded by the developer in the public records prior to the issuance of a local development order allowing construction of the access to the development. The notice must articulate the emergency access plan and provide information as to where a copy of this plan may be obtained from the developer or developer's successor.
 - c. At time of development order application, the applicant must demonstrate that a Crime Prevention through Environmental Design (CPTED) report has been submitted to the Lee County Sheriff's Department.
6. Deviation (6) seeks relief from LDC Section 10-329 (d)(4), which requires banks of excavations to be sloped at a ratio not greater than 6:1 slope to allow for 4:1 lake bank slopes.

This deviation is APPROVED.

7. Deviation (7) seeks relief from LDC Section 10-418(2)d, which requires littoral areas to be planted with herbaceous plant material to allow for the planting of no herbaceous plants on the littorals area on the water management lake.

This deviation is APPROVED, subject to the following condition:

- a. Prior to development order approval, the landscape plans must depict 100% of the required littorals substituted with native, wetland trees and located around the surface water management lakes. One native, wetland tree must be substituted for 100 littoral plants based on the littoral plant calculation per LDC Section 10-418(d)(2). The native, wetland trees must be specified at ten-foot-in-height, two-inch caliper, and a four-foot canopy spread.
8. Deviation (8) seeks relief from LDC Section 10-418(2)d.3, which permits a maximum of 25 percent of the required herbaceous plants on littoral areas to be converted to wetland trees, to allow for the conversion of 100 percent of the required littoral plantings to wetland trees.

This deviation is APPROVED, subject to the following condition:

- a. Prior to development order approval, the landscape plans must depict 100% of the required littorals substituted with native, wetland trees and located around the surface water management lakes. One native, wetland tree must be substituted for 100 littoral plants based on the littoral plant calculation per LDC Section 10-418(d)(2). The native, wetland trees must be specified at ten-foot-in-height, two-inch caliper, and a four-foot canopy spread.
9. Deviation (9) seeks relief from LDC Section 10-329(d)(1)a.1., which requires a lake to be setback a minimum 25 feet from a local road right-of-way, to allow the proposed lake to be setback a minimum of 20 feet from the right-of-way line.

This deviation is approved, subject to the following condition:

- a. Where the minimum setback of 25 feet from an excavation to the local road right-of-way cannot be met, measures to prevent wayward vehicles through the use of guardrails, berms, swales, vegetation or other suitable methods as determined by the Director must be provided.



**PRATT'S PRESERVE RPD
PLANNED DEVELOPMENT REZONING REQUEST STATEMENT**

Introduction

The Pratt's Preserve RPD is located between JV Parker Lane and Blasingim Road along the Crystal Drive extension in South Fort Myers. The property is surrounded by residential communities both planned and existing as well as large lot single family homes. The subject property is located in the South Fort Myers Planning Community and within the Central Urban land use category on the Lee County Future Land Use Map.

The proposed rezoning is an amendment and addition of land into the recently approved Parker Lane RPD, which was originally approved on February 2, 2022 as Z-21-024 for 90 single family residential units, then amended on June 21, 2023 as Z-23-019 to add 8.15 acres and 45 residential units. The proposed rezoning requests the addition of approximately 4.77 acres and 20 units to the existing development, creating a total of 155 single-family residential units on 31.5 acres. The project is designed to have the buildings located surrounding 3 water management lake features with access to the Crystal Drive Extension and a stabilized emergency only access to Blasingim Road.

Surrounding Uses and Compatibility

The subject property is located in an area with a mix of residential uses and communities along Plantation Road, Penzance Boulevard and Six Mile Cypress Parkway. The area, which historically was predominantly large lot single family homes and horse farms has been transitioning over time due to its central location consistent with the Central Urban future land use designation, to a mix of smaller lot single-family and multi-family developments.

There are several drivers that pushed the transition of the area. The construction and expansion of the hospital as well as the construction of South Fort Myers High School, which added new destinations that necessitated the development of additional nearby residential neighborhoods. The extension of Plantation south of Daniels to Six Mile Cypress Parkway and then north to Colonial Blvd. created the infrastructure and the access that facilitated the development of several area neighborhoods that now include the Windsong, Coral Woods, Portofino, Rookery, Camden Square, Heritage Palms, Cypress Walk, Deer Lake, and the recently approved Parker Lane RPD, which encompasses most of the subject property.

Directly to the south of the subject property across the Crystal Drive extension is the Oak Villages RPD. This development was approved at the end of 2019 for 255 multi-family and 7 single family units on approximately 21 acres. The density of this approved development

is approximately 12 units per acre, significantly higher than the density proposed on the subject property. The Master Concept Plan has been designed for the entry road on the subject property to align with the entry road shown on the Oak Villages RPD Master Concept Plan.

To the west of the subject property is the Windsong development by Neal Communities. This was approved in Z-16-024 as the Blasingim Road RPD. The RPD provides for a similar development to the proposal for the subject property with 120 units on 24 acres.

To the north of the subject property are two large vacant residential lots. To the north of one of the vacant lots is the Coral Woods RPD, which is a multi-family development containing 84 units on approximately 10 acres. The Coral Woods RPD is an older development that, unlike the proposed development, is out of character with the neighborhood.

To the east of the subject property are vacant properties. These vacant properties are in between JV Parker Lane and Six Mile Cypress Blvd.

Impact on Public Services

The subject property is located in an urban future land use category and has urban services available to the site. As noted in the transportation analysis, the change in the zoning will maintain an adequate level of service on the surrounding roadway network. In accordance with the utility letter of availability, utility capacity exists to serve the proposed development.

Compliance with the Comprehensive Plan

The subject property is located in the South Fort Myers Planning Community in Lee County, Florida. The proposed residential use is appropriate given its location, limited size, the proposed density and the surrounding future land use categories. A detailed overview of compliance with the comprehensive plan is below.

POLICY 1.1.3: The Central Urban areas can best be characterized as the “urban core” of the county. These consist mainly of portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close-in areas near these cities; and also the central portions of the city of Bonita Springs, Iona/McGregor, Lehigh Acres, and North Fort Myers. This is the part of the county that is already most heavily settled and which has or will have the greatest range and highest levels of urban service--water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses (see Policy 7.1.6) will continue to predominate in the Central Urban area with future development in this category encouraged to be developed as a mixed use, as described in Objective 11.1, where appropriate. This category has a standard density range from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre) and a maximum total

density of fifteen dwelling units per acre (15 du/acre). The maximum total density may be increased to twenty dwelling units per acre (20 du/acre) utilizing Greater Pine Island Transfer of Development Units.

The proposed Residential Planned Development application is requesting up to 155 single family dwelling units on 29.46 upland acres in the Central Urban land use category (31.46 total acres), approximately 5.3 dwelling units per acre. The request is within the standard density range of 4 du/acre to 10 du/acre for the Central Urban future land use category.

OBJECTIVE 1.5: WETLANDS. Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with F.S. 373.019(27) through the use of the unified state delineation methodology described in FAC Chapter 27-340, as ratified and amended in F.S. 373.4211.

*The subject property contains 2 acres of disturbed hydric land. Wetlands on the project site consist of low areas that have been highly disturbed by exotics. Impacts to these disturbed wetlands will be sufficiently mitigated through the purchase of off-site wetland mitigation bank credits, which is consistent with **Lee Plan Policy 123.1.1**. The density for the proposed project does not include the area of hydric pasture.*

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

The proposed Residential Planned Development represents in-fill development. The subject property has an approved residential planned development contiguous to the property on the south and a built out residential development contiguous to the west. One parcel to the north is a multi-family development. Although there are scattered large lot residential and vacant parcels adjacent and in the area, development exists all around the subject property in all directions. Public services exist in the area and the proposed development will make efficient use of those services.

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

The subject property is located in a future urban area. The proposed rezoning is to change the zoning to residential development consistent with the density range in the Central Urban Future Land Use category.

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, Florida Statutes and the county's Concurrency Management Ordinance.

The subject property is located in an urban area where public services already exist to meet the demands of future development. As the proposed application demonstrates, and the letter from Lee County Utilities confirms, capacity exists with public infrastructure in the area. As the Transportation Impact Statement demonstrates, roadway capacity exists on the surrounding network. There are two fire stations approximately 2 and 3 miles from the subject property. Villas Elementary School, Six Mile Charter Academy and South Fort Myers High School are all located approximately 2.5 miles from the subject property.

OBJECTIVE 4.1: WATER, SEWER, AND ENVIRONMENTAL STANDARDS. Consider water, sewer, and environmental standards during the rezoning process. Ensure the standards are met prior to issuing a local development order.

STANDARD 4.1.1: WATER.

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

The proposed Residential Planned Development is seeking a density of approximately 4.9 dwelling units per acre over the entire 31.46-acre property (29.46 acres for density purposes). The subject property is located in an area served by Lee County Utilities and is on the Lee County Future Water Service Area map. The proposed development will connect to central water service.

STANDARD 4.1.2: SEWER.

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

2. If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 7), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within 1/4 mile from any part of the development.

The proposed Residential Planned Development is seeking a density of approximately 4.9 dwelling units per acre over the entire 31.46-acre property (29.46 acres for density purposes). The subject property is located in an area served by Lee County Utilities and is on the Lee County Future Sewer Service Area map. The proposed development will connect to Lee County's sewer service.

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

The proposed rezoning requests development of a 155-unit residential community. The proposed project represents an attractive, safe neighborhood that will add to the range of prices and housing types in Lee County and specifically in the South Fort Myers community.

POLICY 5.1.1: Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as planned residential developments.

The proposed rezoning is being submitted as a residential planned development (RPD).

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

The subject property is located in an urbanized area with development on all sides. The property will be constructed in accordance with State standards to prevent on-site and off-site flooding and is not located in an area of storm surge or other hazards. As evidenced by the development surrounding the property, soils are stable and there are no other environmental concerns on the subject property.

The property has previously been cleared. Very limited vegetation exists on site. As demonstrated by the environmental analysis, there are no wetlands or other environmental limitations that affect development of the subject property.

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

The subject property is located in an area where the proposed use will be a positive addition to the existing mix of uses. The proposed development is in the South Fort Myers Planning Community which is defined in the Lee Plan as “a core area of the county providing office area for professional services in areas such as financial and medical”. While the proposed development would not be classified as high density, it is well located within 2.5 miles from Paige Field Airport and Gulfcoast Medical Center and just over 1 mile from Metro Parkway, an office/industrial corridor and significant employment area as well as other job centers and public facilities.

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

The subject property is surrounded on all sides by either residential uses or vacant land. The proposed development will protect the surrounding residential neighborhoods.

POLICY 123.1.1: Maintain standards for development, mitigation, and conservation that will protect and integrate wetlands and Rare and Unique upland habitats as defined in this plan.

Impacts to the highly disturbed hydric pasture areas will be mitigated through an offsite mitigation bank, consistent with Policy 123.1.1.

POLICY 123.2.6: Avoid destruction of upland vegetation communities including coastal and interior hammocks through consideration of alternative site design layouts.

The project site will not impact indigenous upland vegetation.

POLICY 123.2.16: Maintain and update an inventory of native plant species that have been threatened through anthropogenic processes. Utilize this inventory to help identify future regulations in order to protect these plant communities from further degradation.

Although not listed as a protected species by Lee County, the common wild pine (Tillandsia fasciculata) was documented on-site to assist Lee County staff in developing future protection measures for state listed plant species consistent with Lee Plan Policy 123.3.16. No listed wildlife species were observed on the project during the protected species survey conducted by the applicant.

GOAL 125: WATER QUALITY. To ensure that water quality is maintained or improved for the protection of the environment and people of Lee County.

The applicant has applied for an environmental resource permit from the South Florida Water Management District (SFWMD). Through that permit process the applicant must demonstrate that water quality is maintained or improved.

OBJECTIVE 125.1: Maintain high water quality, meeting or exceeding state and federal water quality standards.

The applicant and the SFWMD must certify that State and Federal water quality standards are being met or exceeded.

POLICY 125.1.1: Sources of water pollution will be identified, controlled, and eliminated wherever feasible.

The applicant must design their water management features to provide assurance on the removal of nutrients from on-site stormwater. In doing so, pollution will not be increased as a result of the proposed development.

POLICY 125.1.2: New development and additions to existing development must not degrade surface and ground water quality.

The water resources on the subject property will be managed through on-site attenuation features that will cleanse the water and prevent any degradation.

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.

The proposed drainage system includes detention areas and swales that minimize the nutrient loading in offsite discharges and provides a neutral or net positive benefit in the removal of nutrients.

POLICY 125.1.4: Developments which have the potential of lowering existing water quality below state and federal water quality standards will provide standardized appropriate monitoring data.

The proposed development does not have the potential of lowering existing water quality below state and federal water quality standards. Through issuance of the Environmental Resource Permit, the applicant must demonstrate reasonable assurance that state and federal water quality standards are met.

POLICY 125.1.5: No garbage or untreated sewage will be discharged into coastal and interior surface waters.

There is no garbage or untreated sewage proposed for discharge into coastal or interior surface waters.

POLICY 125.1.6: Maintain a wellfield protection program to prevent the contamination of shallow wells by pollutant generating development.

The subject property is not in a wellfield draw-down or travel time zone.

POLICY 125.1.7: Valid permits and inspections will be required prior and subsequent to drilling operations for wells, elevator shafts, foundation holes, and test borings.

The proposed development is not seeking a drilling operation.

POLICY 125.1.8: The county will continue its program of plugging improperly constructed wells which are detrimental to groundwater resources.

The proposed development does not have improperly constructed wells on-site which need to be plugged.

In consideration of the above applicable Lee Plan policies, the proposed Rezoning is consistent with Lee Plan.

Summary:

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

1. The proposed request complies with the Lee Plan.

2. The applicant is compliant with the Land Development Code and other applicable codes or regulations; and the deviations requested both enhance the site plan and protect the health, safety and general welfare of the public;
3. The request is compatible with the existing uses in the surrounding areas
4. The proposed plan provides sufficient access to meet the requested density;
5. Adequate infrastructure exists to accommodate this development;
6. The request will not adversely affect environmentally critical areas and natural resources; and
7. The proposed development will be served by urban services in the area.

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

Exhibit A
SKETCH AND DESCRIPTION ATTACHMENT E
OF A PARCEL OF LAND LYING IN
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

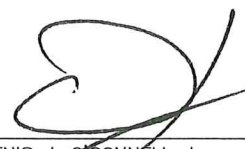
LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE STATE OF FLORIDA, COUNTY OF LEE, ALL OF PRATT'S PRESERVE, RECORDED AS INSTRUMENT No. 2022000383427, PUBLIC RECORDS OF LEE COUNTY, FLORIDA TOGETHER WITH LOT 9, LOT 12 AND A PORTION OF LOT 11 OF THAT CERTAIN UNRECORDED SUBDIVISION KNOWN AS SUBURBAN RANCHETTES, BEING A PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 6"x6" CONCRETE MONUMENT AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE S.00°04'17"E., ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, FOR A DISTANCE OF 1326.11 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHWEST QUARTER; THENCE S.88°50'31"W., ALONG SAID SOUTH LINE ALSO BEING THE CENTERLINE OF CRYSTAL DRIVE, A 60 FOOT RIGHT OF WAY, A DISTANCE OF 1303.76 FEET TO THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID NORTHWEST QUARTER OF SECTION 17; THENCE N.00°39'02"W., ALONG THE WEST LINE OF SAID FRACTION, FOR A DISTANCE OF 30.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 12, THE SOUTHWEST CORNER OF PRATT'S PRESERVE, RECORDED AS INSTRUMENT No. 2022000383427, PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE S.88°50'31"W., ALONG THE SOUTH LINE OF SAID LOT 12, FOR A DISTANCE OF 622.03 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF BLASINGIM ROAD, A 60 FOOT RIGHT OF WAY; THENCE N.00°56'24"W., ALONG SAID EAST RIGHT OF WAY LINE, FOR A DISTANCE OF 458.60 FEET; THENCE N.88°48'09"E., A DISTANCE OF 231.00 FEET; THENCE N.00°56'24"W., A DISTANCE OF 173.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 11 AND THE NORTH LINE OF SAID PRATT'S PRESERVE; THENCE S.88°48'09"W., ALONG SAID NORTH LINE, FOR A DISTANCE OF 231.00 FEET TO THE NORTHWEST CORNER OF SAID PLAT, THE NORTHWEST CORNER OF SAID LOT 11 AND A POINT ON THE EAST RIGHT OF WAY LINE OF SAID BLASINGIM ROAD; THENCE N.00°56'24"W., ALONG SAID EAST RIGHT OF WAY LINE, FOR A DISTANCE OF 661.60 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE N.88°45'48"E., ALONG THE NORTH LINE OF SAID LOT 9, FOR A DISTANCE OF 628.58 FEET TO THE NORTHEAST CORNER OF SAID LOT 9; THENCE S.00°39'02"E., ALONG THE EAST LINE OF SAID LOT 9, FOR A DISTANCE OF 331.03 FEET TO THE SOUTHEAST CORNER OF SAID LOT 9 AND A POINT ON THE NORTH LINE OF SAID PRATT'S PRESERVE; THENCE N.88°46'58"E., ALONG SAID NORTH LINE, FOR A DISTANCE OF 626.91 FEET TO THE NORTHEAST CORNER OF SAID PLAT AND A POINT ON THE WEST RIGHT OF WAY LINE OF JV PARKER LANE, A 60.00 FOOT RIGHT OF WAY; THENCE S.00°21'37"E., ALONG SAID WEST RIGHT OF WAY, FOR A DISTANCE OF 963.79 FEET TO THE SOUTHEAST CORNER OF SAID PLAT; THENCE S.88°50'31"W., ALONG SAID SOUTH LINE, FOR A DISTANCE OF 622.03 FEET TO THE POINT OF BEGINNING.

COMBINED AREA IS 31.46 ACRES, MORE OR LESS.

REVIEWED
DCI2023-00027
Rick Burris, Principal
Planner
Lee County DCD/Planning
9/19/2023

BY: 

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

6/29/2023

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

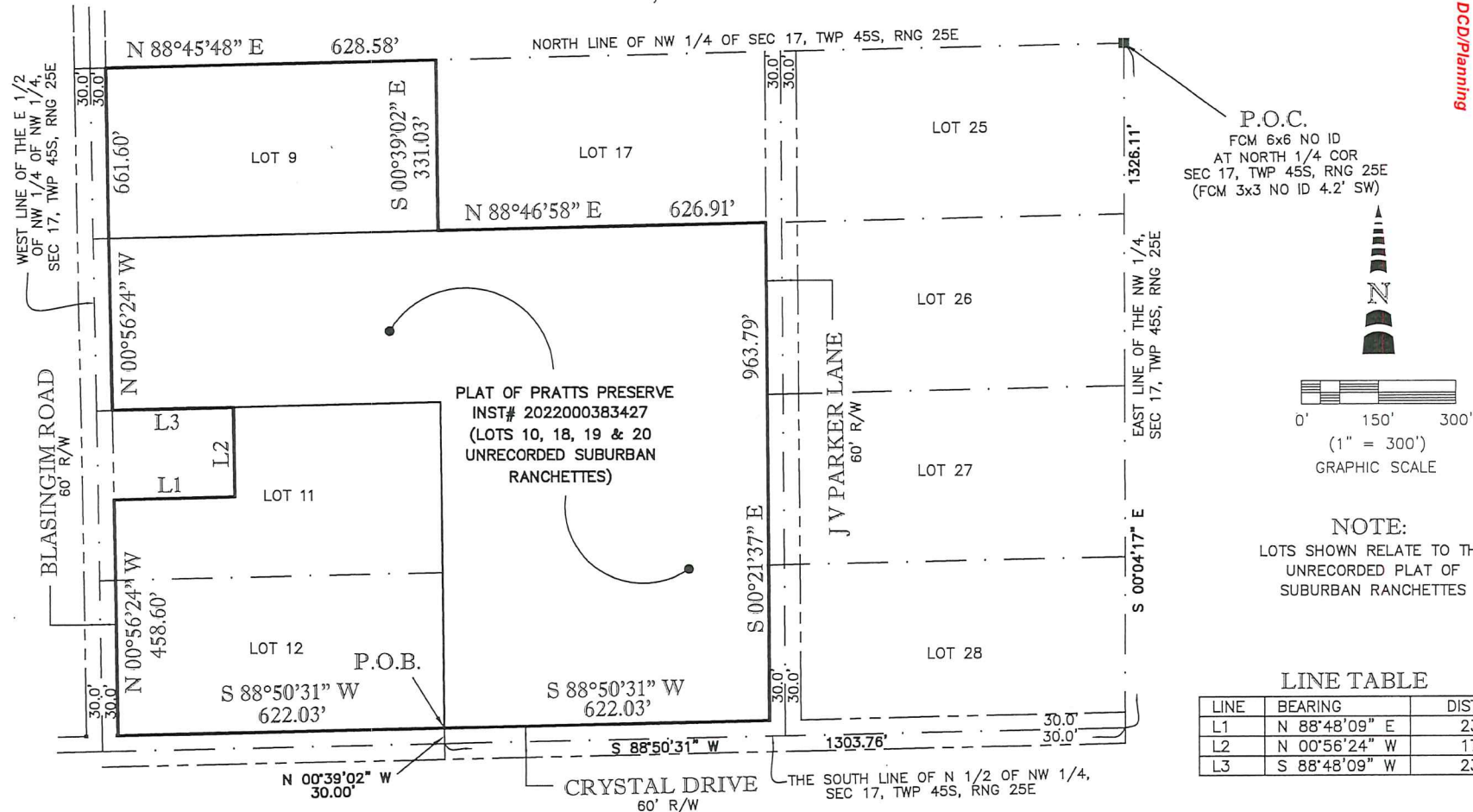
NOTES:

1. BEARINGS ARE BASED ON THE RIGHT OF WAY LINE OF BLASINGIM ROAD AS BEARING N 00°56'24" W
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

TITLE: LEGAL DESCRIPTION				
		METRON SURVEYING & MAPPING, LLC LAND SURVEYORS · PLANNERS LB# 7071		
10970 S. CLEVELAND AVE. SUITE #605 FORT MYERS, FLORIDA 33907 PHONE: (239) 275-8575 FAX: (239) 275-8457 www.metronfl.com				
FILE NAME: 15115sk ZONING 6-23	FIELD BOOK/PAGE: 686/21	PROJECT NO.: 15115/15330	SHEET: 1 OF 2	
EXHIBIT DATE: 6/28/23	DRAWN BY: BUD	SCALE: 1" = 300'	CHECKED BY: DJO	FILE NO. (S-T-R): 17-45-25

SKETCH AND DESCRIPTION OF A PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

REVIEWED
DCI2023-00027
Rick Burris, Principal
Planner
Lee County DCD/Planning
9/19/2023



NOTES:

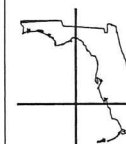
1. BEARINGS ARE BASED ON THE RIGHT OF WAY LINE OF BLASINGIM ROAD AS BEARING N 00°56'24" W
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

LEGEND:

P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
R/W = ROADWAY EASEMENT
FCM = FOUND CONCRETE MONUMENT
SEC = SECTION
TWP = TOWNSHIP
RNG = RANGE
INST = INSTRUMENT

TITLE:

SKETCH OF DESCRIPTION



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

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

www.metronfl.com

FILE NAME: 15115sk ZONING 6-23	FIELD BOOK/PAGE: 686/21	PROJECT NO.: 15115/15330	SHEET: 2 OF 2
EXHIBIT DATE: 6/28/23	DRAWN BY: BUD	CHECKED BY: DJO	FILE NO. (S-T-R): 17-45-25



PRATT'S PRESERVE RPD

SCHEDULE OF DEVIATIONS AND WRITTEN JUSTIFICATIONS

1. Deviation (1) seeks relief from **LDC Section 10-329(d)(1)a.3.**, which requires that no excavation be allowed within 50 feet of any private property line under separate ownership, to allow a minimum setback of 25 feet.

Justification for Deviation:

The purpose of this deviation is to allow for the water management lake to be excavated to within 25 feet of an existing residential use along a western property line of the proposed development. The adjacent property is a large-lot residence contained on approximately 5 acres with an existing home located approximately 453+/- feet from the subject property's boundary as depicted on the Master Concept Plan. The proposed lake will have a containment berm constructed around it which will provide a physical barrier between the proposed lake and the residential parcel. Additionally, a hedge row of shrubs is proposed at the top of the berm as an additional physical barrier between the proposed lake and the adjacent property as depicted on Section A-A of the Master Concept Plan. The proposed berm, vegetation, and distance to the existing home provide physical barriers between the two uses that will protect the public's health, safety, and welfare.

2. Deviation (2) seeks relief from **LDC Section 10-296(e)(1)i.4.iii.**, requiring Crystal Drive to be constructed as an urban minor collector roadway from its current terminus to the project entrance, to allow Crystal Drive to be constructed consistent with the typical section requirements of LDC Section 10-296 (e)(2)h.4 for a suburban minor collector roadway with open drainage in 60 feet of existing right-of-way as depicted on the Master Concept Plan.

Justification for Deviation:

The purpose of the request is to allow the applicant to extend the existing terminus of Crystal Drive to the project's entrance as a suburban roadway typical section with open drainage that will be consistent with the segment of Crystal Drive that connects to Six Mile Cypress Parkway. The property is located in the Central Urban future land use category as depicted by Map 1 of the Comprehensive Plan. The Land Development Code requires minor collectors in the Central Urban future land use category to be constructed with closed drainage curb-and-gutter typical roadway sections. A suburban, open drainage roadway section is more consistent with the general development pattern of the area, which is transitioning to a suburban development pattern. It will also be consistent with existing roads in the area, which are constructed with open swale drainage, including Six Mile Cypress Parkway.



The existing section of Crystal Drive utilizes roadside swales for drainage and provides a pedestrian path along the north side of Crystal Drive. The applicant proposes to utilize the existing 60 feet of right-of-way to extend two travel lanes of 11 feet each with 5 feet of paved shoulders. These are consistent with the Land Development Code requirements for a typical roadway section for a suburban minor collector roadway. Additionally, a 5 feet wide sidewalk on the north side of the road is proposed from the end of the existing sidewalk to the project's entrance. On the south side of the road, west of JV Parker Lane, Oak Villages RPD (Z-18-006) is required to construct a 5' sidewalk along its frontage, which will provide pedestrian facilities on both sides of the road when both projects are developed. Approval of the deviation will allow for Crystal Drive to be constructed in a manner that is consistent with the existing roadway, and will be consistent with the transitioning character of the area. Approval of the deviation will not have a negative impact on the public's health, safety, and welfare.

3. Deviation (3) seeks relief from **LDC Section 10-296(k)(1)**, requiring dead-end streets to be constructed with a circular turnaround for vehicles, to eliminate the requirements for circular turnarounds in four locations depicted on the Master Concept Plan where there is less than 150 feet of roadway from the nearest intersection.

Justification for Deviation:

The applicant is proposing dead-ends roadways at 4 locations where the terminus of each occurs at a single –family lot. In each case, the distance between the end of the road and the nearest intersection of roads is less than 150 feet. The deviation request complies with Section 18.2.3.5.4 of the National Fire Protection Association (NFPA) fire code, which requires approved turning provisions for dead-end roads greater than 150 feet. Adjacent to Blasingim Road, 2 of the locations create a hammerhead type turnaround for emergency and delivery vehicles. Hammerhead turnarounds are commonly used as an alternative to cul-de-sacs. Similar deviations have been approved and constructed on projects in Lee County such as Blasingim Road RPD (Z-16-024) and Bass Road RPD (Z-15-019) without any known negative impacts to the public health, safety, and welfare. A Letter of No Objection has also been received from the Southtrail Fire Department.

4. Deviation (4) seeks relief from **LDC Section 10-703**, which provides illustrations on how to measure lot depth, to allow the lot depth for three dead-end street lots on the Master Concept Plan to be measured as depicted in the detail on Sheet 2 of the Master Concept Plan.

Justification for Deviation:

The applicant is proposing dead-end roadways at 3 locations where the terminus of each roadway occurs at a single –family lot. The illustrations in the Land Development Code depict the side lot lines to be generally perpendicular to the front lot line. However, in these unique instances, the shared side lot line of these lots are in line with the front lot line. The illustrations depicted under Section 10-703 do not include the circumstance proposed by the development for these unique



lots. The deviation provides for an alternative for measuring lot depth for these 3 lots. Approval of the deviation will not have a negative impact on the public's health, safety, or welfare.

5. Deviation (5) seeks relief from **10-291(3)**, which requires 2 means of ingress or egress to any residential subdivision greater than 5 acres, to allow for one means of ingress and egress for the development.

Justification for Deviation:

The subject property abuts existing roads, or right-of-way, along 3 property frontages. However, only one frontage abuts a publicly owned right-of-way that will allow for the roadway improvements required to provide the Code minimums for access. Blasingim Road and Parker Lane are both sub-standard roads that are owned by private entities with access easements recorded over them. The access easements were determined by title research to grant access for the subject property to construct a driveway on either road. However, neither road meets the LDC minimum standards for providing access to a development as described by Section 10-291(2) of the Land Development Code. In the case of Parker Lane, no improved roadway exists along the property frontage, and Blasingim Road does not meet minimum width requirements. The easements granting legal access to the subject property do not also give legal authority to the applicant to make additional improvements to the roads that would be needed to meet Section 10-291(2). Therefore, the development is limited to a single means of ingress and egress that is proposed from an extension of Crystal Drive, which is contained in a publicly owned right-of-way. A secondary gated access is also proposed connecting to Blasingim Road that will be accessible by emergency vehicles only to help protect the public's health, safety, and welfare. A Letter No Objection has been received from Southtrail Fire Department for the single means of access.

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

Justification for Deviation:

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

Additionally, in lieu of herbaceous littoral plantings within the proposed lake (which are not allowed in accordance with the airport operational overlay criteria – See deviation #7 below), the lake bank will be planted with native wetland trees. These trees and their root systems will provide for additional stabilization of the lake bank.



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

7. Deviation from **LDC Section 10-418(2)d**, which requires littoral areas to be planted with herbaceous plant material to allow for the planting of no herbaceous plants on the littorals area on the water management lake.
8. Deviation from **LDC Section 10-418(2)d.3**, which requires that only 25% of the herbaceous plants on littoral areas can be converted to wetland trees to allow for the conversion of 100 percent of the required littoral plantings to wetland trees.

Deviations 7 and 8 are needed in order to comply with water quality standards in the Lee Plan while at the same time protect against creating wildlife attractors in proximity to airport operations. The proposed lake within the project's development area is within 10,000 feet of airport operations. In accordance with FAA guidelines lake area must not contain littoral plantings that may attract birds and contribute to the risk of bird strikes with airplanes. The proposed conversion of littoral plants to wetland plants will help maintain water quality requirements of Lee County and the SFWMD while also minimizing risk of bird strikes with airplanes.

9. Deviation from **LDC Section 10-329(d)(1)a.1.**, which requires a lake to be setback a minimum 25 feet from a local road right-of-way, to allow the proposed lake to be setback a minimum of 20 feet from the right-of-way line.

The purpose of the deviation is to maximize the size of the lake for fill dirt extraction to properly fill the project. This will increase fill from the proposed lake, reduce the need for imported fill, and reduce the number of truck trips on the local roads. With the deviation, as depicted on the Master Concept Plan, there is a minimum of 18 feet between the edge of the road and the start of the 4:1 lake slope where the road abuts to the lake. The lake is located another 15 feet away for a total distance of 33 feet. By FDOT design standards, the clear zone for a new road with a speed limit less than 45 feet is 16 feet for the amount of traffic proposed with the development. Based on the distances proposed with the deviation, there will be no negative impact on the public's health, safety, and welfare.



PRATT'S PRESERVE RPD SCHEDULE OF USES

Accessory Uses and Structures
Administrative Offices
Dwelling Unit:
 Single-Family
Essential Services
Essential Service Facilities, Group I
Excavation, Water retention
Fences, walls
Gates and gatehouses
Home Occupation
Model Home, model unit
Parking Lot, Accessory only
Real Estate Sales Office
Residential Accessory Structures
Recreational Facilities, Personal, Private, on-site
Signs, in accordance with Chapter 30

Property Development Regulations

	Single Family
Minimum Lot Area (SF)	4,500
Minimum Lot Width (Ft.)	40
Minimum Lot Depth (Ft.)	115
Minimum Front Setback (Ft.)	20
Minimum Side Setback (Ft.)	5
Minimum Rear Setback (Ft.)	10
Corner Setback (Ft.)	15
Min. Rear Accessory Setback (Ft.)	5
Maximum Bldg. Height (Ft.)	35
Max Lot Coverage	50%
Water Body Primary Setback (Ft.)	20
Water Body Accessory Setback (Ft.)	20

ATTACHMENT G

RESOLUTION NUMBER Z-21-024

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

WHEREAS, Lennar Homes filed an application on behalf of the property owners, Catherine and David Parker, to rezone a 18.55± acre parcel from Agriculture (AG-2) to Residential Planned Development (RPD) in reference to Parker Lane RPD; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Marie Collins, was advertised and held on December 9, 2021; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case # DCI2021-00010 and recommended APPROVAL of the Request; and

WHEREAS, a second public hearing was advertised and held on February 2, 2022 before the Lee County Board of Commissioners; and,

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

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

SECTION A. REQUEST

The applicant filed a request to rezone a 18.55± acre parcel from AG-2 to RPD, to allow the development of up to 90 dwelling units with accessory uses.

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

SECTION B. CONDITIONS:

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

1. Development of this project must be consistent with the two-page Master Concept Plan (MCP) entitled "Parker Lane RPD," prepared by DeLisi Fitzgerald, Inc., dated September 3, 2021, and attached hereto as Exhibit C, except as modified by the conditions below. Development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

Approved Development Parameters: Project density is limited to a maximum of 90 single-family dwelling units.

2. Permitted Uses and Property Development Regulations

a. Schedule of Uses

Accessory Uses and Structures
Administrative Office
Dwelling Unit, Single-Family
Entrance Gates and Gatehouses
Essential Services
Essential Services Facilities, Group I
Excavation - Water Retention
Fences and Walls
Home Occupation
Models: Model Unit, Model Home, Model Unit (See Condition 3)
Parking Lot, Accessory
Real Estate Sales Office (See Condition 3)
Recreation Facilities, Private, On Site, Personal
Signs
Temporary uses

b. Site Development Regulations

Residential Development

Lot Size

Minimum Lot Area:	4,500 square feet
Minimum Lot Depth:	115 feet
Minimum Lot Width:	40 feet

Setbacks

Development Perimeter	5 feet
Street	20 feet
Street (on corner lots)	15 feet

Side	5 feet
Rear	10 feet
Rear Accessory Setbacks	5 feet
Waterbody	20 feet
Waterbody Accessory Setbacks	20 feet

<u>Maximum Lot Coverage</u>	50%
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<u>Maximum Height</u>	35 feet
-----------------------	---------

3. Model Units/ Real Estate Sales

Real Estate Sales are limited to clubhouses and model units. Hours of operation for model units and real estate sales are limited to Monday through Sunday 8 a.m. to 8 p.m.

4. Project Storm Water Outfall to JV Parker Lane

Developer must design the storm water management system to outfall to the south via JV

Parker Lane.

SECTION C. DEVIATIONS:

1. Excavation Standards Deviation (1) seeks relief from the LDC §10-329(d)(1)a.3. requirement to provide no excavation within 50 feet of a private property line under separate ownership, to allow a minimum setback of 25 feet. This deviation is APPROVED SUBJECT TO the following condition:

A double hedgerow and berm, with a minimum total height of four feet is required where the excavation setback to property under separate ownership is less than 50 feet. In no instance may the setback be less than 25 feet.

2. Street Design and Construction Standards Deviation (2) seeks relief from the LDC §10-296(e)(1)i.4.iii. requiring Crystal Drive to be constructed as an urban minor collector roadway from its current terminus to the project entrance, to allow Crystal Drive to be constructed consistent with the typical section requirements of LDC §10-296 (e)(2)h.4 for a suburban minor collector roadway with open drainage in 60 feet of existing right-of-way as depicted on the Master Concept Plan. This deviation is APPROVED SUBJECT TO the following condition:

Developer must design and construct the required sidewalk inside the property line, parallel, or in close proximity to, the right-of-way to accommodate the roadside drainage swale on Crystal Drive. Developer must provide an easement meeting County standards over the property necessary to support the alternative plan. The County will review alternative on-site locations of the sidewalk and easement during development order review.

3. Street Design and Construction Standards Deviation (3) seeks relief from the LDC §10-296(k)(1), requiring dead-end streets to be constructed with a circular turnaround for vehicles, to eliminate the requirement for circular turnarounds in four locations depicted on the Master Concept Plan where there is less than 150 feet of roadway to the nearest intersection. This deviation is APPROVED.
4. Lot Depth Deviation (4) seeks relief from the LDC §10-703, requirement which illustrates how to measure lot depth, to allow the lot depth for three dead-end street lots on the MCP to be measured consistent with the detail on MCP Sheet 2. This deviation is APPROVED.
5. Required Street Access Deviation (5) seeks relief from the LDC §10-291(3), requiring two means of ingress or egress to any residential subdivision greater than 5 acres, to allow for one means of ingress and egress for the development. This deviation is APPROVED SUBJECT TO the following conditions:

- a. The emergency only access must be designed with a minimum 20 foot clear width. The access must be stabilized and include signage designating the emergency access route. Developer must submit a letter of no objection to the design from Lee County Public Safety, Lee County Sheriff's Office and the Fire District with jurisdiction prior to development order approval.
- b. Developer must record a notice to future property owners in the public records prior to the issuance of a local development order allowing construction of project

access. The notice must articulate the emergency access plan and provide information on where property owners may obtain a copy of the plan.

- c. The development order application must include documentation confirming the developer submitted a Crime Prevention through Environmental Design report to the Lee County Sheriff's Department.
6. Excavation Standards Deviation (6) seeks relief from the LDC §10-329 (d)(4), requiring banks of excavations to be sloped at a ratio not greater than 6:1 to allow for 4:1 lake bank slopes. This deviation is APPROVED.
7. Planted Littoral Shelf/Surface Water Management Systems Deviation (7) seeks relief from the LDC §10-418(2)d, requiring littoral areas to be planted with herbaceous plant material to allow no herbaceous plants in littoral areas on the water management lake. This deviation is APPROVED SUBJECT TO the following condition:

Development order landscape plans must depict 100% of required littorals substituted with native wetland trees planted around surface water management lakes. One native wetland tree must be substituted for 100 littoral plants based on LDC littoral plant calculations. Native wetland trees must be specified at ten-feet-in-height, two-inch caliper, and a four-foot canopy spread.

8. Planted Littoral Shelf/Surface Water Management Systems Deviation (8) seeks relief from the LDC §10-418(2)d.3, requiring a maximum of 25 percent of required herbaceous plants on littoral areas to be converted to wetland trees, to allow for the conversion of 100 percent of required littoral plantings to wetland trees. This deviation is APPROVED SUBJECT TO the following condition:

Development order landscape plans must depict 100% of required littorals substituted with native wetland trees planted around surface water management lakes. One native wetland tree must be substituted for 100 littoral plants based on LDC littoral plant calculations. The native wetland trees must be specified at ten-feet-in-height, two-inch caliper, and a four-foot canopy spread.

9. Excavation Standards Deviation (9) seeks relief from the LDC §10-329(d)(1)a.1., requiring lakes to be setback a minimum 25 feet from local road rights-of-way, to allow the proposed lake to be set back a minimum of 20 feet from the right-of-way. This deviation is APPROVED SUBJECT TO the following condition:

Where the excavation setback from a local road right-of-way is less than 25 feet, developer must implement measures to prevent wayward vehicles using guardrails, berms, swales, vegetation or other methods determined suitable by the Director.

SECTION D. EXHIBITS:

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

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

SECTION E. FINDINGS AND CONCLUSIONS:

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

1. The requested rezoning to RPD complies with the Lee Plan. Lee Plan Goals 2, 4, 5, 60, 61, 77, 135; Objectives 1.5, 2.1, 2.2, 4.1, 5.1, 60.3, 77.1, 77.3, 126.2; Policies 2.1.2, 2.2.1, 5.1.1, 5.1.2, 5.1.7, 135.1.9, 135.9.5, 135.9.6; Lee Plan Maps 1, 6, 7.
2. As conditioned, the Parker Lane RPD:
 - a. Meets the LDC and other County regulations or qualifies for deviations. LDC §§10-474, 34-145(d), 34-341, 34-378, 34-411, 34-413, 34-491, 34-612(2), 34-932;
 - b. Is compatible with existing and planned uses. Lee Plan Objectives 2.1, 2.2, Policies 5.1.5, 135.9.5, 135.9.6; LDC §34-411.
 - c. Provides access sufficient to support the proposed development intensity. Expected impacts to transportation facilities will be addressed by the conditions of approval and County regulations. Lee Plan Policies 39.1.1; LDC §§2-261 *et seq.*, 10-287, 34-411(d).
 - d. Will not adversely affect environmentally critical/sensitive areas and natural resources. Lee Plan Goals 77, 125; Objectives 77.1, 77.3, 126.2; Policies 61.3.1, 61.3.6, 61.3.11, 126.2.1, Standard 4.1.4; and LDC §34-411(h).
 - e. Will be served by urban services adequate to serve the proposed land use. Lee Plan Glossary, Lee Plan Maps 6, 7, Goals 2, 4, Objectives 2.1, 2.2, 4.1, and Standards 4.1.1 and 4.1.2; LDC §34-411(d).
3. The proposed mix of uses is appropriate at the proposed location. Lee Plan Goals 2, 5; Policies 2.1.1, 2.2.2, 5.1.2, 5.1.3, 5.1.5, 135.1.9.
4. The recommended conditions and applicable regulations provide sufficient safeguards to protect the public interest. Lee Plan Policies: 5.1.5, 5.1.6, 126.2.1 and 135.9.6; LDC §34-411.
5. The recommended conditions are reasonably related to the impacts expected from the proposed development. Lee Plan Policies 5.1.5, 135.9.6; LDC §34-932.
6. The nine requested deviations, as conditioned:
 - a. Enhance the objectives of the planned development, and
 - b. Preserve and promote protection of public health, safety and welfare.

SECTION F. SCRIVENER'S ERRORS

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

hearing.

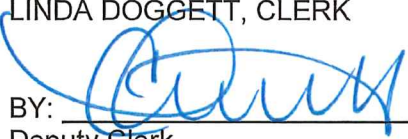
Commissioner Ruane made a motion to adopt the foregoing resolution, seconded by Commissioner Hamman. The vote was as follows:

Adopted by unanimous consent.

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

DULY PASSED AND ADOPTED this 2nd day of February 2022.

ATTEST:
LINDA DOGGETT, CLERK

BY: 
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 
Cecil L Pendergrass, Chair



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY


David W. Halverson
Assistant County Attorney
County Attorney's Office

RECEIVED
MINUTES OFFICE
2022 FEB 10 AM 8:57

NOT PART OF
THIS SURVEY

NOT PART OF
THIS SURVEY

P.O.C.
THE NORTHWEST CORNER OF THE SOUTH HALF OF THE
WESTINGHOUSE QUARTER OF THE NORTHWEST QUARTER OF THE
NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 45 SOUTH
RANGE 25 EAST, LEE COUNTY, FLORIDA.

P.O.B.
OF PART OF SECTION 17, TOWNSHIP 45 SOUTH,
RANGE 25 EAST, LEE COUNTY, FLORIDA.

PARCEL SURVEYED
CONTAINING 18.55 ACRES
(A/C DOES NOT INCLUDE FARM EXCISEMENT A/C'S)
12001 MAGNOLIA ROAD

NOT PART OF
THIS SURVEY

NOT PART OF
THIS SURVEY

MAP OF MINNESOTA COUNTY OF HAST OF SECTION 27, TOWNSHIP 46 NORTH, RANGE 25 EAST,
1/4 CORNER, SURVEY, FOR LEGAL DESCRIPTION PURPOSES (ENCL) "C", BY FILE
CORRECTION PUBLIC LAW, FOR PUBLIC LAW FINAL DATED APRIL 12, 2021.

PREPARED FOR: LEMMON POWER, LLC

CERTIFY TO: LEMMON POWER, LLC
CRANFORD TITLE INSURANCE COMPANY
CRANFORD TITLE, INC.
CRANFORD, ILLINOIS

THE FILING WAS COMPLETED ON AUGUST 17, 2020.

DATE OF FILE ON MAP: AUGUST 26, 2020

OWNER'S COPIES/COPIES REMOVED AND
REGISTERED CHANGES AND NEW SURVEYS
SENT: PUBLICS BUREAU, BUREAU, STATE, CO, (273) 469-4240
HAWAII, FLORIDA, SAISON

John P.
Maloney,
PSM
LS#4493

[illegible]

REVIEWED
DCI2021-00010
Rick Burris, Principal
Planner
Lee County DCD/Planning
11/23/2021

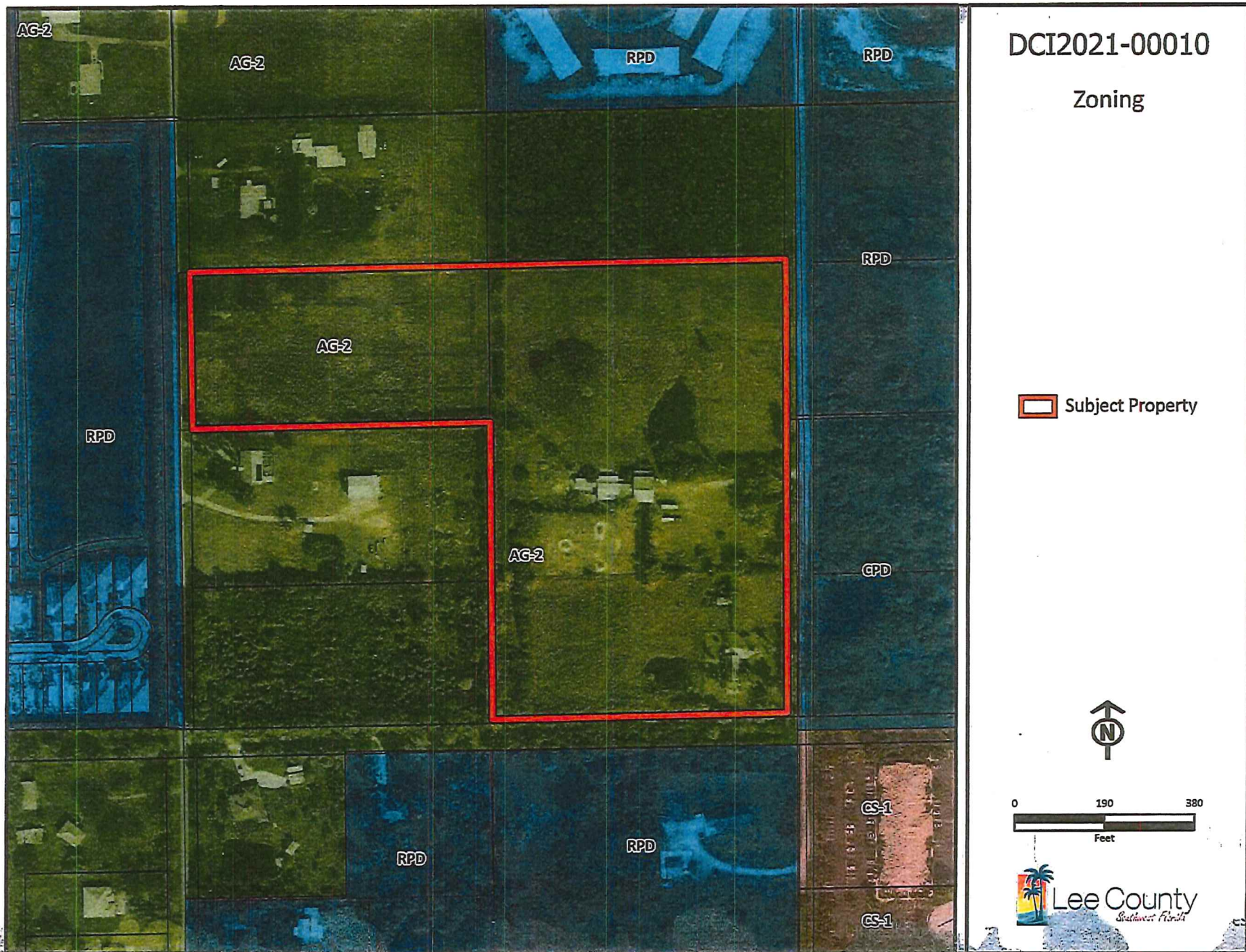
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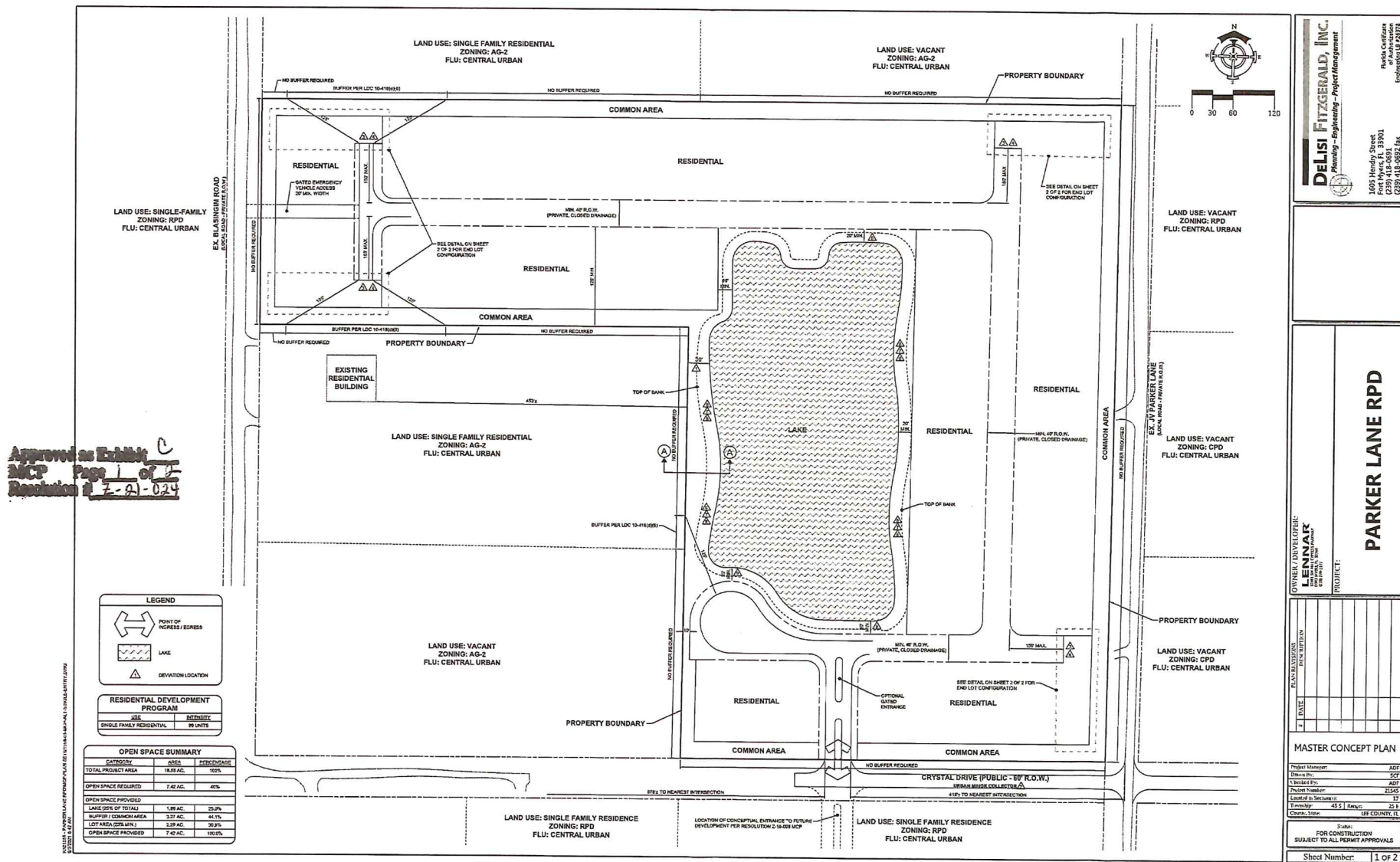
Stantec
8001 Preston Bay Boulevard, Suite 200, Naples, Florida 34103
Phone 239-441-4043 • Fax 239-443-5716
stantec.com • stantec.com • 1-800-527-8888

MAP OF BOUNDARY SURVEY
OF PART OF SECTION 17, TOWNSHIP 45 SOUTH
RANGE 73 EAST, 11TH COUNTY, FLORIDA.

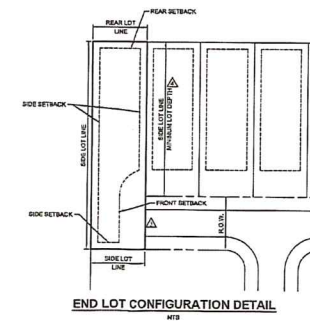
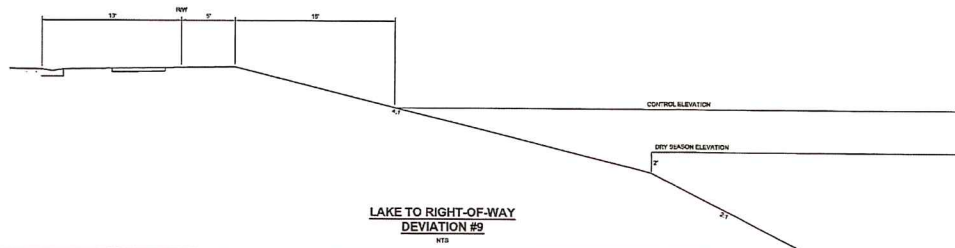
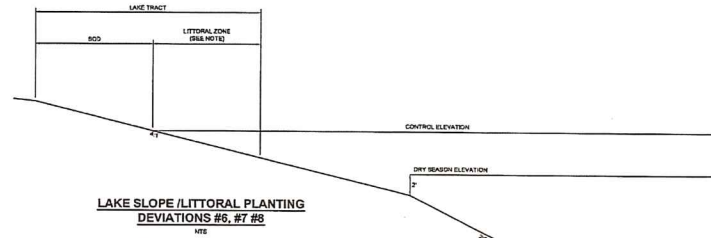
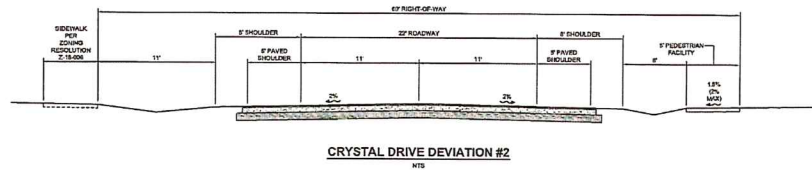
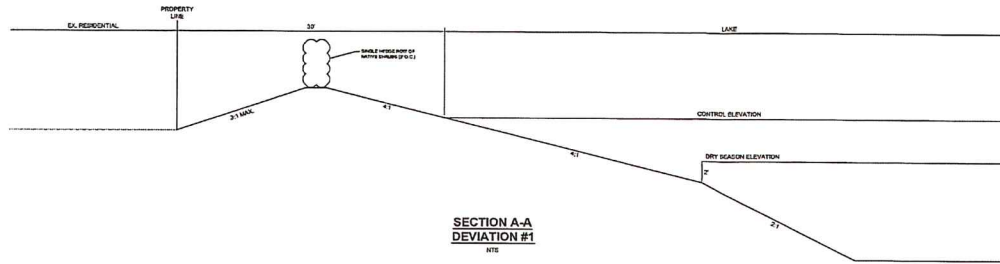
DATE 02/20	CLIENT LENNAR HOMES, LLC
TIME 1:00 - 6:00	
OWNER/PERFORMER FILE NO.	PROJECT NO. VIRADAGUO
	SHEET NUMBER 1 OF 1
	FILE NO. 216615000-C01

Exhibit B





Additional info dated 09-03-2021



Approved as Exhibit C
NCCP Page 2 of 2
Revision # 2-21-024

DeLisi Fitzgerald, Inc.
Planning - Engineering - Project Management
1605 Hardy Street
Fort Myers, FL 33901
(941) 835-9931
(941) 418-0092 fax
Florida Certificate
of Professional
Engineering 17428

OWNER / DEVELOPER:
LENNAR
SUNSHINE STATE
CONSTRUCTION, INC.

PARKER LANE RPD

FUND BALANCES	
GENERAL FUND	
SALES TAX	
STATE TAX	
FEDERAL TAX	
OTHER TAXES	
GRANTS	
FEES	
INDEBTEDNESS	
RESERVE FUNDS	
OTHER FUNDS	
MASTER CONCEPT PLAN DETAILS	
Project Name:	ADD
Drawn By:	501
Checked By:	ADD
Project Number:	2343
Location in Section:	17
Tract:	422 24.4
County:	LEE COUNTY, FL
FOR CONSTRUCTION SUBJECT TO PERMIT APPROVALS	
Sheet Number:	2 OF 2

ATTACHMENT H

RESOLUTION NUMBER Z-23-019

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

WHEREAS, Daniel DeLisi of DeLisi, Inc., filed an application on behalf of the property owners, Mark Freeman, Trustee of the Mark Freeman Revocable Living Trust Dated 10/14/2003, and Lennar Homes, LLC, to rezone a 26.7± acre parcel from Residential Planned Development (RPD) and Agricultural (AG-2) to RPD in reference to Pratts Preserve RPD; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Amanda L. Rivera, was advertised and held on April 20, 2023; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2022-00055 and recommended APPROVAL of the Request with conditions; and

WHEREAS, a second public hearing was advertised and held on June 21, 2023 before the Lee County Board of Commissioners; and,

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

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

SECTION A. REQUEST

The applicant filed a request to rezone a 26.7± acre parcel from RPD and AG-2 to RPD, to allow for development of 135 dwelling units with accessory uses.

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

SECTION B. CONDITIONS:

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

1. Master Concept Plan (MCP) and Development Intensity
 - a. MCP. Development must be consistent with the two-page MCP entitled "Parker Lane RPD," prepared by DeLisi Fitzgerald, Inc., dated 12/19/2022 except as modified by the conditions below.
 - b. Land Development Code (LDC) and Lee Plan. Development must comply with the LDC and Lee Plan at time of development order approval, except where deviations are granted herein. Subsequent amendments to this zoning resolution and MCP may be subject to further development approvals.

- c. Development Parameters. The RPD is limited to a maximum of 135 single-family dwelling units and accessory uses.

2. Uses and Development Regulations

a. Schedule of Uses

Accessory Uses and Structures
Administrative Office
Dwelling Unit, Single-Family
Entrance Gates and Gatehouses
Essential Services
Essential Services Facilities, Group I
Excavation - Water Retention
Fences and Walls
Home Occupation
Models: Model Unit, Model Home, Model Unit (See Condition 3)
Parking Lot, Accessory
Real Estate Sales Office (See Condition 3)
Recreation Facilities, Private, On Site, Personal
Signs
Temporary uses

b. Site Development Regulations

Lot Size

Minimum Lot Area:	4,500 square feet
Minimum Lot Depth:	115 feet
Minimum Lot Width:	40 feet

Setbacks

Development Perimeter	5 feet
Street	20 feet
Street (on corner lots)	15 feet

Side	5 feet
Rear	10 feet
Rear Accessory Setbacks	5 feet
Waterbody	20 feet
Waterbody Accessory setbacks	20 feet

<u>Maximum Lot Coverage</u>	50 percent
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<u>Maximum Height</u>	35 feet
-----------------------	---------

3. Model Units/Real Estate Sales

Real Estate Sales are limited to clubhouses and model units. Hours of operation for model units/real estate sales are limited to 8 a.m. to 8 p.m., daily.

4. Open Space

Development order plans must depict 40% (10.68 acres) of open space.

5. State and Federal Permits

- a. Generally. County development permits do not create rights to obtain permits from state or federal agencies and do not create liability on the part of the County if applicant fails to obtain requisite approvals or fulfill obligations imposed by state/federal agencies or if applicant undertakes actions resulting in a violation of state or federal law. Applicant must obtain applicable state/federal permits prior to commencing development.
- b. State Wetland Permits. Developer may not commence construction on development impacting wetlands until issuance of required state permits. Development activity must comply with state wetland permits and applicable local development permits.

If the State does not approve wetland impacts or if State wetland permits are not consistent with proposed wetland impacts reflected in County development permits, then Developer must amend County development permit approvals to be consistent with state wetland permits and applicable Lee Plan and LDC regulations regarding development within wetlands.

SECTION C. DEVIATIONS:

1. Excavation Standards.

Deviation (1) seeks relief from the LDC § 10-329(d)(1)a.3., which requires no excavation within 50 feet of a private property line under separate ownership, to allow a minimum setback of 25 feet. This deviation is APPROVED SUBJECT TO the condition that a double hedgerow and berm, with a minimum total height of four feet is required where the excavation setback to property under separate ownership is less than 50 feet. In no instance may the setback be less than 25 feet.

2. Street Design and Construction Standards.

Deviation (2) seeks relief from the LDC § 10-296(e)(1)i.4.iii., requiring Crystal Drive to be constructed as an urban minor collector roadway from its current terminus to the project entrance, to allow Crystal Drive to be constructed consistent with the typical section requirements of LDC § 10-296(e)(2)h.4 for a suburban minor collector roadway with open drainage in 60 feet of existing right-of-way as depicted on the MCP. This deviation is APPROVED SUBJECT TO the condition that the developer must design and construct the required sidewalk inside the property line, parallel, or in close proximity to, the right-of-way to accommodate the roadside drainage swale on Crystal Drive. Developer must provide an easement meeting County standards over the property necessary to support the alternative plan. The County will review alternative on-site locations of the sidewalk and easement during development order review.

3. Street Design and Construction Standards.

Deviation (3) seeks relief from the LDC § 10-296(k)(1), requiring dead-end streets to be constructed with a circular turnaround for vehicles, to eliminate the requirement for circular turnarounds in four locations depicted on the MCP where there is less than 150 feet of roadway to the nearest intersection. This deviation is APPROVED.

4. Lot Depth.

Deviation (4) seeks relief from the LDC § 10-703, which illustrates how to measure lot depth, to allow the lot depth for three dead-end street lots on the MCP to be measured consistent with the detail on MCP Sheet 2. This deviation is APPROVED.

5. Required Street Access.

Deviation (5) seeks relief from the LDC § 10-291(3), which requires two means of ingress or egress to any residential subdivision greater than 5 acres, to allow for one means of ingress and egress for the development. This deviation is APPROVED SUBJECT TO the following conditions:

- a. The emergency only access must be designed with a minimum 20-foot clear width. The access must be stabilized and include signage designating the emergency access route. Developer must submit a letter of no objection to the design from Lee County Public Safety, Lee County Sheriff's Office and the Fire District with jurisdiction prior to development order approval.
- b. Developer must record a notice to future property owners in the public records prior to the issuance of a local development order allowing construction of project access. The notice must articulate the emergency access plan and provide information on where property owners may obtain a copy of the plan.
- c. The development order application must include documentation confirming the developer submitted a Crime Prevention through Environmental Design report to the Lee County Sheriff's Department.

6. Excavation Standards.

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

7. Planted Littoral Shelf/Surface Water Management Systems.

Deviation (7) seeks relief from the LDC § 10-418(2)d, which requires littoral areas to be planted with herbaceous plant material to allow no herbaceous plants in littoral areas on the water management lake. This deviation is APPROVED SUBJECT TO the condition that the development order landscape plans must depict 100% of required littorals substituted with native wetland trees planted around surface water management lakes. One native wetland tree must be substituted for 100 littoral plants based on LDC littoral plant calculations. Native wetland trees must be specified at ten-feet-in-height, two-inch caliper, and a four-foot canopy spread.

8. Planted Littoral Shelf/Surface Water Management Systems.

Deviation (8) seeks relief from the LDC § 10-418(2)d.3, which permits a maximum of 25 percent of required herbaceous plants on littoral areas to be converted to wetland trees, to allow for the conversion of 100 percent of required littoral plantings to wetland trees. This deviation is APPROVED SUBJECT TO the condition that the development order landscape plans must depict 100% of required littorals substituted with native wetland trees planted around surface water management lakes. One native wetland tree must be substituted for 100 littoral plants based on LDC littoral plant calculations. The native wetland trees must be specified at ten-feet-in-height, two-inch caliper, and a four-foot canopy spread.

9. Excavation Standards.

Deviation (9) seeks relief from the LDC § 10-329(d)(1)a.1., which requires lakes to be setback a minimum 25 feet from local road rights-of-way, to allow the proposed lake to be set back a minimum of 20 feet from the right-of-way. This deviation is APPROVED SUBJECT TO the condition that where the excavation setback from a local road right-of-way is less than 25 feet, developer must implement measures to prevent wayward vehicles using guardrails, berms, swales, vegetation or other methods determined suitable by the Director.

SECTION D. EXHIBITS:

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

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

SECTION E. FINDINGS AND CONCLUSIONS:

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

1. The requested rezoning to RPD complies with the Lee Plan. Lee Plan Goals 2, 4, 5, 60, 61, 77, 135; Objectives 1.5, 2.1, 2.2, 4.1, 5.1, 60.3, 77.1, 77.3, 126.2; Policies 2.1.2, 2.2.1, 5.1.1, 5.1.2, 5.1.7, 135.1.9, 135.9.5, 135.9.6; Lee Plan Maps 1, 6, 7.
2. *As conditioned*, the Pratts Preserve RPD:
 - a. Meets the LDC and other County regulations or qualifies for deviations. LDC §§ 10-474, 34-145(d), 34-341, 34-378, 34-411, 34-413, 34-491, 34-612(2), 34-932.
 - b. Is compatible with existing and planned uses. Lee Plan Objectives 2.1, 2.2, Policies 5.1.5, 135.9.5, 135.9.6; LDC § 34-411.
 - c. Provides access sufficient to support the proposed development intensity. Expected impacts to transportation facilities will be addressed by the conditions of approval and County regulations. Lee Plan Policies 39.1.1; LDC §§ 2-261 *et seq.*, 10-287, 34-411(d).

- d. Will not adversely affect environmentally critical/sensitive areas and natural resources. Lee Plan Goals 77, 125; Objectives 77.1, 77.3, 126.2; Policies 61.3.1, 61.3.6, 61.3.11, 126.2.1, Standard 4.1.4; and LDC § 34-411(h).
 - e. Will be served by urban services adequate to serve the proposed land use. Lee Plan Glossary, Lee Plan Maps 6, 7, Goals 2, 4, Objectives 2.1, 2.2, 4.1, and Standards 4.1.1 and 4.1.2; LDC § 34-411(d).
- 3. The proposed mix of uses is appropriate at the proposed location. Lee Plan Goals 2, 5; Policies 2.1.1, 2.2.2, 5.1.2, 5.1.3, 5.1.5, 135.1.9.
- 4. The recommended conditions and applicable regulations provide sufficient safeguards to protect the public interest. Lee Plan Policies: 5.1.5, 5.1.6, 126.2.1 and 135.9.6; LDC § 34-411.
- 5. The recommended conditions are reasonably related to the impacts expected from the proposed development. Lee Plan Policies 5.1.5, 135.9.6; LDC § 34-932.
- 6. The requested deviations, as conditioned:
 - a. Enhance the objectives of the planned development, and
 - b. Preserve and promote protection of public health, safety, and welfare.

SECTION F. SCRIVENER'S ERRORS

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

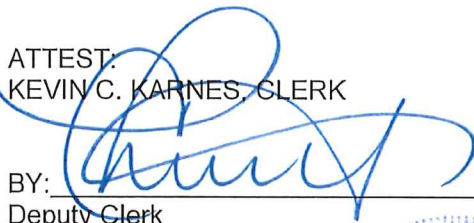
Commissioner Ruane made a motion to adopt the foregoing resolution, seconded by Commissioner Greenwell. The vote was as follows:

Adopted by unanimous consent.

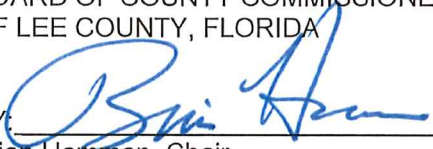
Kevin Ruane	Aye
Cecil L Pendergrass	Aye
Raymond Sandelli	Aye
Brian Hamman	Aye
Mike Greenwell	Aye

DULY PASSED AND ADOPTED this 21st day of June 2023.

ATTEST:
KEVIN C. KARNES, CLERK

BY: 
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 
Brian Hamman, Chair



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY


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

RECEIVED
MINUTES OFFICE

2023 JUN 26 PM 4:35



Exhibit A

SKETCH AND DESCRIPTION OF A PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

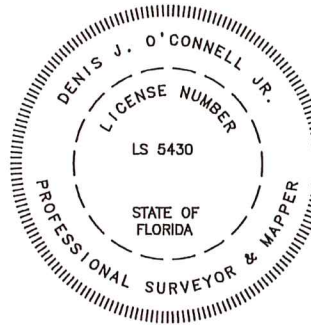
LEGAL DESCRIPTION:

LOT 10, LOT 12, LOT 18, LOT 20 AND A PORTION OF LOT 11 OF THAT CERTAIN UNRECORDED SUBDIVISION KNOWN AS SUBURBAN RANCHETTES, BEING A PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 6"x6" CONCRETE MONUMENT AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE S.00°04'17"E., ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, FOR A DISTANCE OF 1326.11 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHWEST QUARTER; THENCE S.88°50'31"W., ALONG SAID SOUTH LINE ALSO BEING THE CENTERLINE OF CRYSTAL DRIVE, A 60 FOOT RIGHT OF WAY, A DISTANCE OF 1303.76 FEET TO THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID NORTHWEST QUARTER OF SECTION 17; THENCE N.00°39'02"W., ALONG THE WEST LINE OF SAID FRACTION, FOR A DISTANCE OF 30.00' TO THE SOUTHEAST CORNER OF SAID LOT 12 AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE S.88°50'31"W., ALONG THE SOUTH LINE OF SAID LOT 12, FOR A DISTANCE OF 622.03 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF BLASINGIM ROAD, A 60 FOOT RIGHT OF WAY; THENCE N.00°56'24"W., ALONG SAID EAST RIGHT OF WAY LINE, FOR A DISTANCE OF 458.60 FEET; THENCE N.88°48'09"E., A DISTANCE OF 231.00 FEET; THENCE N.00°56'24"W., A DISTANCE OF 173.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 11; THENCE S.88°48'09"W., ALONG SAID NORTH LINE, FOR A DISTANCE OF 231.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 11 AND A POINT ON THE EAST RIGHT OF WAY LINE OF SAID BLASINGIM ROAD; THENCE N.00°56'24"W., ALONG SAID EAST RIGHT OF WAY LINE, FOR A DISTANCE OF 330.80 FEET TO THE NORTHWEST CORNER OF SAID LOT 10; THENCE N.88°46'58"E., ALONG THE NORTH LINE OF SAID LOT 10 AND LOT 18, FOR A DISTANCE OF 1253.82 FEET TO THE NORTHEAST CORNER OF SAID LOT 18 AND THE WEST RIGHT OF WAY LINE OF JV PARKER LANE, A 60.00 FOOT RIGHT OF WAY; THENCE S.00°21'37"E., ALONG SAID WEST RIGHT OF WAY, FOR A DISTANCE OF 963.79 FEET TO THE SOUTHEAST CORNER OF SAID LOT 20; THENCE S.88°50'31"W., ALONG THE SOUTH LINE OF SAID LOT 20, FOR A DISTANCE OF 622.03 FEET TO THE POINT OF BEGINNING.

TOTAL COMBINED AREA OF PARCELS SURVEYED IS 26.695 ACRES, MORE OR LESS.

REVIEWED
DCI2022-00055
Rick Burris, Principal
Planner
Lee County DCD/Planning
3/31/2023



Denis
O'Connell
II

Digitally signed
by Denis
O'Connell
Date:
2022.11.10
11:09:55 -05'00'

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

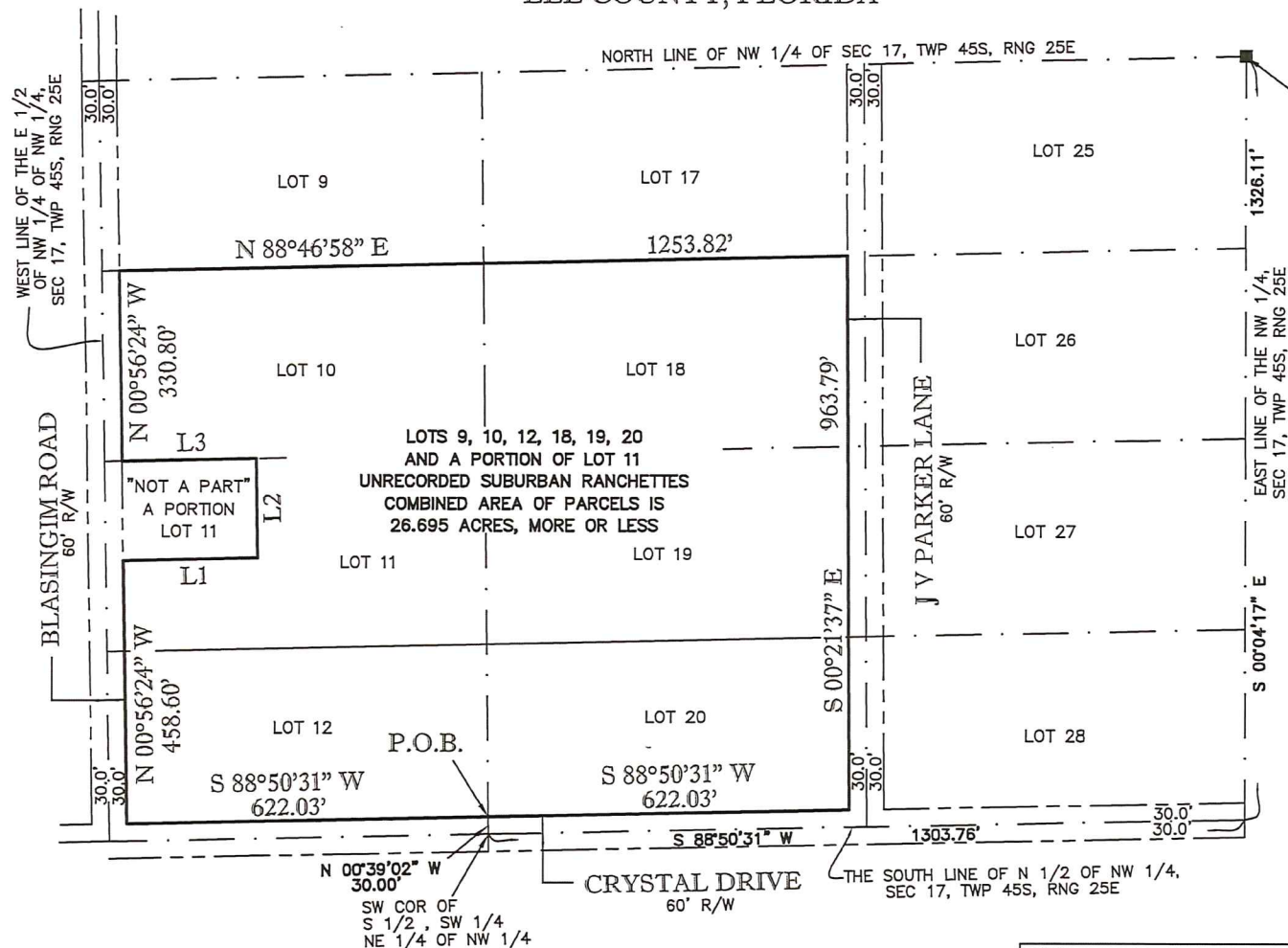
NOT VALID WITHOUT THE SIGNATURE AND
THE ORIGINAL RAISED SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER.

NOTES:

1. BEARINGS ARE BASED ON THE RIGHT OF WAY LINE OF BLASINGIM ROAD AS BEARING N 00°56'24" W
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

TITLE: LEGAL DESCRIPTION			
		METRON SURVEYING & MAPPING, LLC LAND SURVEYORS-PLANNERS LB# 7071	
		10970 S. CLEVELAND AVE. SUITE #605 FORT MYERS, FLORIDA 33907 PHONE: (239) 275-8575 FAX: (239) 275-8457 www.metronfl.com	
FILE NAME: 15330sk.dwg	FIELD BOOK/PAGE: 686/21	PROJECT NO.: 15330	SHEET: 1 OF 2
EXHIBIT DATE: 11/09/22	DRAWN BY: BUD	SCALE: 1" = 300'	CHECKED BY: DJO
		FILE NO. (S-T-R)	17-45-25

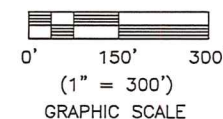
SKETCH AND DESCRIPTION OF A PARCEL OF LAND LYING IN SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 88°48'09" E	231.00'
L2	N 00°56'24" W	173.00'
L3	S 88°48'09" W	231.00'

P.O.C.
FCM 6x6 NO ID
NE CORNER OF THE NW 1/4
SEC 17, TWP 45S, RNG 25E
(FCM 3x3 NO ID 4.2' SW)



REVIEWED
DCI2022-00055
Rick Burris, Principal
Planner
Lee County DCD/Planning
3/31/2023

NOTE:
LOTS SHOWN RELATE TO THE
UNRECORDED PLAT OF
SUBURBAN RANCHETTES

NOTES:

1. BEARINGS ARE BASED ON THE RIGHT OF WAY LINE OF BLASINGIM ROAD AS BEARING N 00°56'24" W
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

LEGEND:

P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING
R/W = ROADWAY EASEMENT
FCM = FOUND CONCRETE MONUMENT
SEC = SECTION
TWP = TOWNSHIP
RNG. = RANGE

TITLE:

SKETCH OF DESCRIPTION



METRON
SURVEYING & MAPPING, LLC

LAND SURVEYORS-PLANNERS

LB# 7071

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

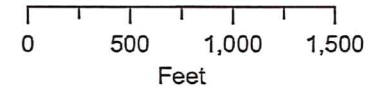
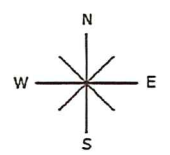
www.metronfl.com

FILE NAME: 15330sk.dwg	FIELD BOOK/PAGE: 686/21	PROJECT NO.: 15330	SHEET: 2 OF 2
EXHIBIT DATE: 11/09/22	DRAWN BY: BUD	SCALE: 1" = 300'	CHECKED BY: DJO
		FILE NO. (S-T-R) 17-45-25	

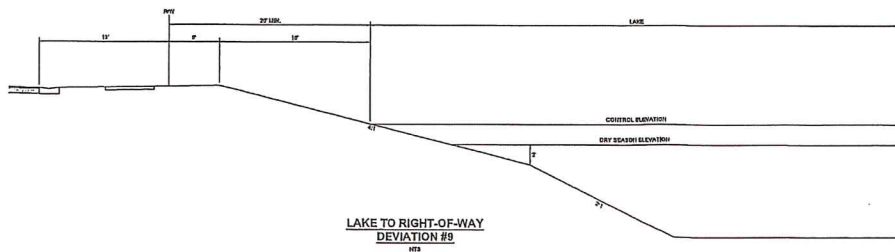
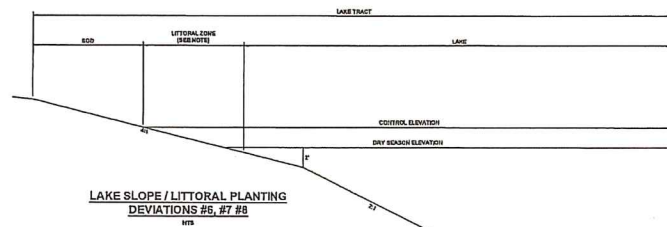
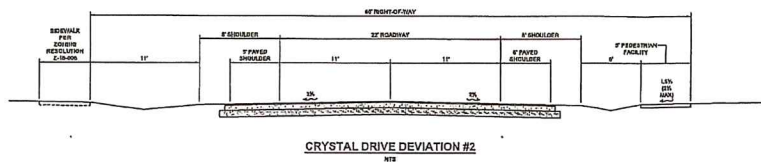
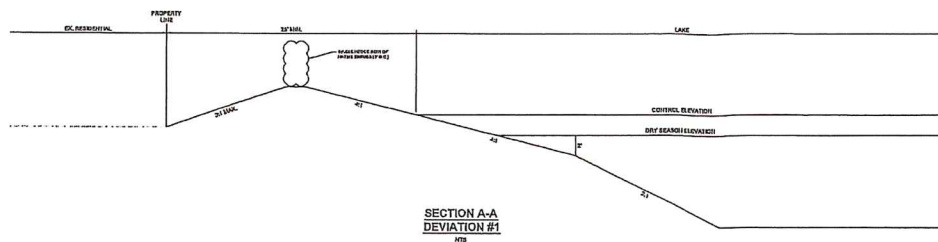


DCI2022-00055
Zoning

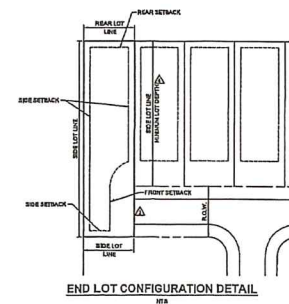
-  Subject Property
-  City Limits







Approved as Exhibit C
 H&CP Page 2 of 2
 Identification # 2-23-019

[illegible]

ATTACHMENT I

RESOLUTION NUMBER Z-16-024

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

WHEREAS, Blasingim Road Property LLC, filed an application on behalf of the property owner, Nicholas R. Cameratta, to rezone a 24.11± acre parcel from Agriculture District, (AG-2) to Residential Planned Development, (RPD) in reference to Blasingim Road RPD; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Marie Collins, was advertised and held on November 10, 2016; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2016-00011 and recommended Approval of the Request; and

WHEREAS, a second public hearing was advertised and held on January 25, 2017 before the Lee County Board of Commissioners; and,

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

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

SECTION A. REQUEST

The applicant filed a request to rezone a 24.11± acre parcel from AG-s to RPD, to permit development of 120 dwelling units consisting of single-family and two-family attached housing types.

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

SECTION B. CONDITIONS:

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

1. Master Concept Plan & Development Parameters

Development of this project must be consistent with the two-page Master Concept Plan (MCP) entitled "Blasingim Road RPD," prepared by Barraco and Associates, Inc., stamped received SEP 27 2016, and attached hereto as Exhibit C, except as modified by the conditions below. Development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary. The approved development parameters are up to 120 dwelling units and an amenity center/facility up to 7,000 square feet in floor area.

2. Permitted Uses and Site Development Regulations

a. Schedule of Uses

Entrance Gates and Gatehouses
Essential Services
Essential Services Facilities – Group I
Excavation, Water Retention
Fences, Walls
Home Occupation
Models:
 Model Display Center
 Model Display Group
 Model Homes
Parking Lot:
 Accessory
Real Estate Sales Office
Residential:
 Single-family, Two-Family attached
Residential Accessory Uses and Structures
Signs in accordance with LDC Chapter 30
Temporary Construction Trailer
Recreational Facilities, Private (located at Amenity Site, Max. Floor Area 7,000 s.f.)
 Accessory Uses and Structures Club (private)
 Community Gardens Clubhouse/Amenity Areas
 Administrative Offices
Consumption on Premises
 Health Clubs or Spas, as part of the private club: volleyball, tennis, pickle ball, bocce courts, swimming pool, piers, playground, fire pit.

NOTE:

The alcoholic beverages may be consumed indoors and outdoors at the amenity center.

b. Site Development Regulations

	SINGLE FAMILY	TWO-FAMILY ATTACHED	AMENITY
Minimum lot Width:	40'	30'	80'
Minimum lot Depth:	125'	125'	125'
Minimum lot Area:	5,000 s.f.	3,750 s.f.	10,000 s.f.
Max. Building Area:	N/A	N/A	7,000 s.f.
Max. Building Height:	35'	35'	35'
Max. lot Coverage:	60%	60%	40%
Minimum Setbacks:			
Front (right-of-way):	20'(*)	20'(*)	20'
Side Yard:	5'	5'/0'(**)	6'
Rear Yard (principal):	10'	10'	10'
Rear Yard (accessory):	5'	5'	0'
Preserve(principal):	20'	20'	N/A
Preserve (accessory):	15'	15'	N/A

NOTE: * Setback shall be reduced to 15 feet for side entry garages.

** 0-foot setback to apply to internal lot line.

NOTES:

1. "Front (right-of-way) setback" is the same as Street setback.
2. Side entry garages are permitted for single-family and two-family attached residential dwelling units.

3. Sidewalk

The developer must construct a sidewalk along at least one side of internal project roadways.

4. Vehicular/Pedestrian Impacts

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

5. Lee Plan Consistency

Zoning approval does not guarantee local development order approval. Future development order must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1 (b), as well as the remainder of the Lee Plan.

6. Concurrency

Zoning approval does not constitute a finding that the proposed project meets the concurrency requirements of the Lee Plan or LDC. The Developer must demonstrate compliance with concurrency requirements prior to issuance of a local development order.

7. Development Permits

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

SECTION C. DEVIATIONS:

1. Lot Lines. Deviation (1) seeks relief from the LDC §10-254(c) requirement to provide side lot lines be at right angles to straight street lines and radial to curve street lines, to allow the lot design shown on the MCP in certain areas. This deviation is APPROVED.
2. Street Design and Construction Standards. Deviation (2) seeks relief from LDC §10-296(p)(1) to eliminate the requirement that dead-end streets be closed at one end by a circular turnaround, to allow an alternative turnaround configuration. This deviation is APPROVED SUBJECT TO the following condition:

Alternative Turnaround

The developer must submit the proposed turnaround design for the dead end roadway in the southwest corner of the property for review

by the local fire district. The developer must obtain a letter of no objection to the design from the fire district and include the letter with the application materials for a local development order. If the fire district objects to the alternative design, the developer must install a code compliant cul-de-sac.

3. Lot Depth. Deviation (3) seeks relief from LDC §10-703 to allow lot size to be measured as indicated on the MCP. This deviation is APPROVED.
4. Required Street Access. Deviation (4) seeks relief from the LDC §10-291(3), which requires developments of more than five acres to provide more than one means of ingress or egress to allow one primary access to Penzance Boulevard and one emergency stabilized access to Blasingim Road. This deviation is APPROVED SUBJECT TO the following condition:

Vehicular Access

- a. Prior to recording the plat, the developer must record a notice to future property owners in the public records of Lee County articulating the emergency access plan and provide information on where residents may obtain a copy of the plan from the developer or its successor.
 - b. Prior to development order approval, the developer must demonstrate:
 - i. Measures to prevent unauthorized access to the stabilized access point, and
 - ii. The party responsible for maintaining and regulating use of the stabilized access point.
 - c. If the project will include an entrance gate, the developer must demonstrate compliance with code required turnaround radii at the time of development order application.
 - d. This planned development approval must be amended through the public hearing process to change the Blasingim Road access from "emergency only" to a secondary project entrance.
 - e. Construction traffic must access the site from Penzance Road.
5. Open Space. Deviation (5) seeks relief from LDC §10-415(d)(2)c., which allows up to 25% of required open space to be provided by water management lakes to allow 100% of the proposed lake to count towards

open space requirements. This deviation is APPROVED SUBJECT TO the following conditions:

1. Developer must provide the following information with the development order application for vertical construction:
 - i. Details illustrating the initial drainage canal revisions to accommodate discharge from the property and a maintenance plan to maintain the drainage canal in perpetuity;
 - ii. The development order drawing must identify the 1.8 acres of additional lake area; and
 - iii. The drainage calculations must reflect a reduction in the discharge rate lower than the 64 CSM required by the LDC, but in no instance will the County require the developer to lower the discharge rate below 50 CSM.
2. The landscape drawings submitted with the development order application for vertical construction must illustrate and provide calculations for the following:
 - i. The planted littoral shelf shoreline length calculated at 50% of the total linear feet of the lake at control elevation;
 - ii. Deep lake trees calculated at two trees per 100 linear feet; and
 - iii. At least 50% of the required general trees must be installed adjacent to Blasingim Road and the proposed lake.

3. Native Hedge

The development order landscape plans must reflect a native hedge along the perimeter water management berm to be installed at 36 inches in height, planted four foot on center. The developer must install the hedge prior to the issuance of the first development order for vertical construction. The developer must integrate the perimeter water management berm plantings with the irrigation system for the project infrastructure.

Once installed, the hedge must be maintained at a height of 60 inches post installation.

6. Open Space. Deviation (6) seeks relief from LDC §10-415(c), which requires minimum preservation width of 40 feet to allow the preserve to

have a minimum width of eight feet. This deviation is APPROVED SUBJECT TO the following condition:

Native Hedge

The development order landscape plans must reflect a native hedge along the perimeter water management berm to be installed at 36 inches in height, planted four foot on center. The developer must install the hedge prior to the issuance of the first development order for vertical construction. The developer must integrate the perimeter water management berm plantings with the irrigation system for the project infrastructure.

Once installed, the hedge must be maintained at a height of 60 inches post installation.

7. Parking. Deviation (7) seeks relief from LDC §§ 34-2015(2)(d), and 34-2013(a) which requires vehicles exiting a parking lot to enter a right-of-way in a forward motion, to allow back-out parking into a right of way. This deviation is APPROVED SUBJECT TO the following condition:

Back-out Parking

If the project roadway south of the amenity center is not connected to Blasingim Road for daily vehicle use, the amenity center parking spaces farthest from that project roadway must be located no closer than 22 feet from the edge of the right-of-way/easement.

If the project roadway south of the amenity center is ever connected to Blasingim Road for daily vehicle use, the amenity center parking area must be relocated to meet the requirements of the LDC.

8. Open Space. Deviation (8) seeks relief from LDC §10-415(b)(5), which requires a 50 foot right-of-way tree preservation buffer along collector roads to allow tree replanting. This deviation is APPROVED SUBJECT TO the following condition:

Northern Buffer

The developer must install a 15 foot wide right-of-way buffer along the north property line with the following enhancements prior to the issuance of the first development order for vertical construction consistent with the following:

- a. Five trees and 18 shrubs per 100 linear feet within the 15 foot wide right-of-way buffer along the north property line;
- b. Trees must be installed 14 feet from overhead power lines; and
- c. Landscape materials must be native.

SECTION D. EXHIBITS:

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

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

SECTION E. FINDINGS AND CONCLUSIONS:

1. The request for RPD zoning on the 24.11 acre parcel is consistent with the Lee Plan. See, Lee Plan Vision Statement - Paragraph 15 (South Fort Myers Planning Community), Goals 4, 5, 11, 77, 135; Objectives 1.3, 2.1, 2.2, and Policies 1.1.3, 1.7.6, 2.1.1, 2.2.1, 4.1.1, 115.1.3 and 135.1.9; Lee Plan Tables 1(b). Lee Plan Maps 1 and 16.
2. As conditioned, the RPD zoning designation:
 - a. is consistent with County regulations. See, LDC §§ 34-341(a), 34-373(a), 34-377(a)(2), 34-411, 34-413, 34-491, 34-612(2), 34-931(b), 34-934, 34-936, and 34-2175(b)(1);
 - b. is compatible with existing or planned uses in the surrounding area. See, Lee Plan Goal 5; Objectives 2.1, 2.2, and Policies 1.3.4, 2.1.1, 5.1.5, 5.2.4; *and*
 - c. will not adversely affect environmentally sensitive areas or natural resources. See, Lee Plan Objectives 61.3, 77.1, 117.2, Policies 4.1.1, 61.3.1, 61.3.11, 117.2.1; LDC §34-411(g).
3. The expected impacts on transportation facilities will be addressed by County regulations and conditions of approval. See, Lee Plan Goal 11, Standard 11.3; Policies 4.1.2, 38.1.6, 39.1.1;
4. Urban services are available to serve the development. These services include public water and sewer, paved streets, parks and recreational facilities, police, fire, and emergency services, urban surface water

management, schools, employment and commercial centers and libraries. See, Lee Plan Goal 11, Standards 11.1, 11.2, 11.3; Objectives 2.1 and 2.2; Policies 2.2.1, 2.2.2, 5.1.3, 53.1.5, 56.1.5, and Maps 6 and 7.

5. Residential development is appropriate at the proposed location. See, Lee Plan Goals 5; Policies 1.1.1, 1.1.3, 2.1.1, 2.2.2, 5.1.2, 5.1.3, 5.1.5, 5.1.7, 135.9.5, and 135.9.6.
6. County regulations and recommended conditions of approval provide sufficient safeguards to protect the public interest. See, Lee Plan Policies 5.1.5; LDC §§ 34-411, and 34-932(c).
7. The recommended conditions are reasonably related to the impacts expected from the proposed development. See, Lee Plan Objective 4.1, Policies 2.12.1, LDC §§ 34-145(d)(4)a.2.(b), 34-411(c), (e), (i), and (k).
8. The requested deviations enhance the planned development and preserve the intent of the LDC to protect the public health, safety and welfare. See, LDC §34-377(a)(4).

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

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

DULY PASSED AND ADOPTED this 25TH day of January, 2017.

ATTEST:
LINDA DOGGETT, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Michelle Miller
Deputy Clerk

BY: John Manning
John Manning, Chair



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

Michael D. Jacob
Michael D. Jacob
Managing Assistant County Attorney
County Attorney's Office

RECEIVED
MINUTES OFFICE
mm
2017 FEB -1 AM 11:37

DESCRIPTION

Parcel in
Sections 8 and 17, Township 45 South, Range 25 East
Lee County, Florida

A tract or parcel of land lying in Sections 8 and 17, Township 45 South, Range 25 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southwest Corner of said Section 8 run $N01^{\circ}12'02''W$ along the West line of the Southwest Quarter (SW 1/4) of said Section 8 for 745.78 feet to an intersection with Southerly right of way line of Penzance Boulevard (60 feet wide); thence run $S87^{\circ}12'17''E$ along said Southerly right of way line for 329.03 feet to an intersection with the East line of the West Half (W 1/2) of the West Half (W 1/2) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 8; thence run $S01^{\circ}16'56''E$ along said East line for 722.81 feet to an intersection with the North line of said Section 17; thence run $N88^{\circ}47'29''E$ along said North line for 299.26 feet to an intersection with the West line of the East 30 feet of the West Half (W 1/2) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of said Section 17, also being the West right of way line of Blasingim Road; thence run $S00^{\circ}56'24''E$ along said West line for 1,293.71 feet to an intersection with the North line of the South 30 feet of the West Half (W 1/2) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of said Section 17; thence run $S88^{\circ}50'32''W$ along said North line for 621.99 feet to an intersection with the West line of the Northwest Quarter (NW 1/4) of said Section 17; thence run $N01^{\circ}13'44''W$ along said West line for 1,293.14 feet to the POINT OF BEGINNING.
Containing 24.11 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2007) and are based on the West line of the Northwest Quarter (NW 1/4) of Section 17 to bear $N01^{\circ}13'44''W$.

Applicant's Legal Checked
by BSJ 6/2/16
Page 1 of 2

Scott A. Wheeler
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\23370\Survey\Descriptions\Sketch\23370SK01.doc

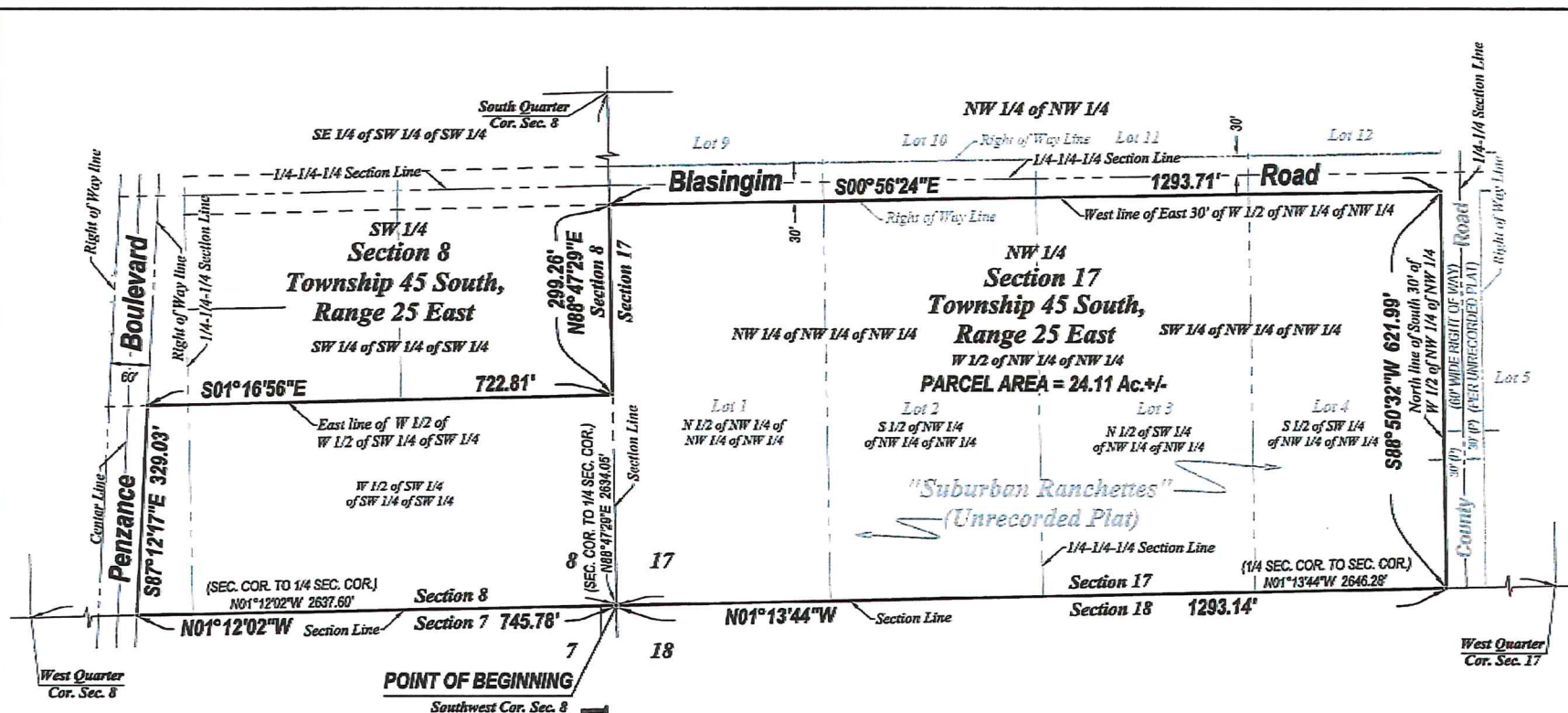
DCI 2016-00011

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169

EXHIBIT A



P81



NOTES:

- ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
- D.B. - DENOTES DEED BOOK.
- D.E. - DENOTES DRAINAGE EASEMENT.
- INST. No. - DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
- O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
- (P) - DENOTES PLAT.
- P.B. - DENOTES PLAT BOOK.
- PG. - DENOTES PAGE.
- BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 17 TO BEAR N01°13'44"W.
- DESCRIPTION IS ATTACHED.

DCI 2016-00011

(NSRS2007)
NAD 1983
FLORIDA PLANE
COORDINATE SYSTEM
(WEST ZONE)

0 100 200
SCALE IN FEET

RECEIVED
JUN 01 2016

COMMUNITY DEVELOPMENT

THIS IS NOT A SURVEY

SCOTT A. WHEELER (FOR THE FIRM - LB-6940)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5949

DATE SIGNED:

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

Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2071 IMPREGATOR BLVD., SUITE 100
FORT MYERS, FLORIDA 33908-0000
PHONE: 888-360-7772
FAX: 239-461-0288
FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING: 1255 - SURVEYING: LB-6940

CAMERATTA
COMPANIES

TITLE EXAMINATION
ARCHITECTURAL REVIEW
PLANNING REVIEW
ENGINEERING REVIEW
FACILITY REVIEW

A PARCEL
OF LAND IN
SECTIONS 8 & 17,
TOWNSHIP 45 SOUTH,
RANGE 25 EAST,
LEE COUNTY,
FLORIDA

PROJECT LOCATION
PROJECT NUMBER
PROJECT DATE
PROJECT DESCRIPTION

FILE NAME
DATE
LOCATION
PROJECT NUMBER
PROJECT DESCRIPTION
PROJECT DATE
PROJECT DESCRIPTION

PROJECT NUMBER
PROJECT DATE
PROJECT DESCRIPTION

PROJECT NUMBER
PROJECT DATE
PROJECT DESCRIPTION

PROJECT NUMBER
PROJECT DATE
PROJECT DESCRIPTION

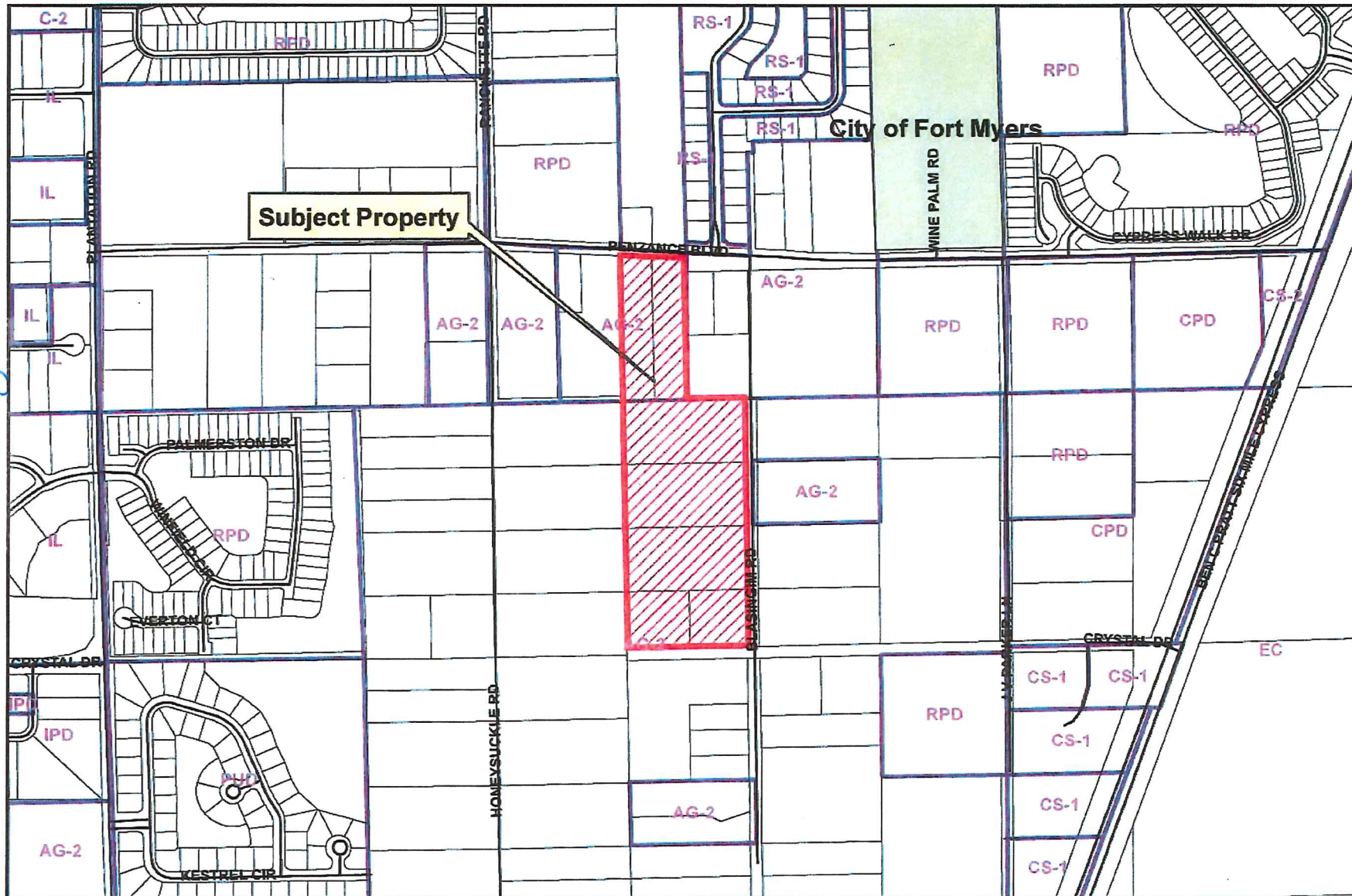
PROJECT NUMBER
PROJECT DATE
PROJECT DESCRIPTION

2 OF 2

DCI2016-00011

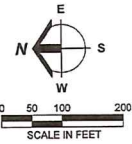
ZONING

EXHIBIT 3

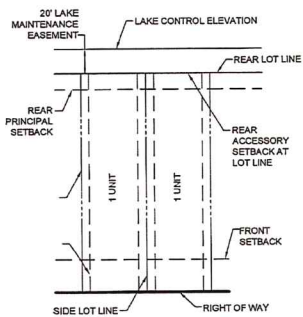
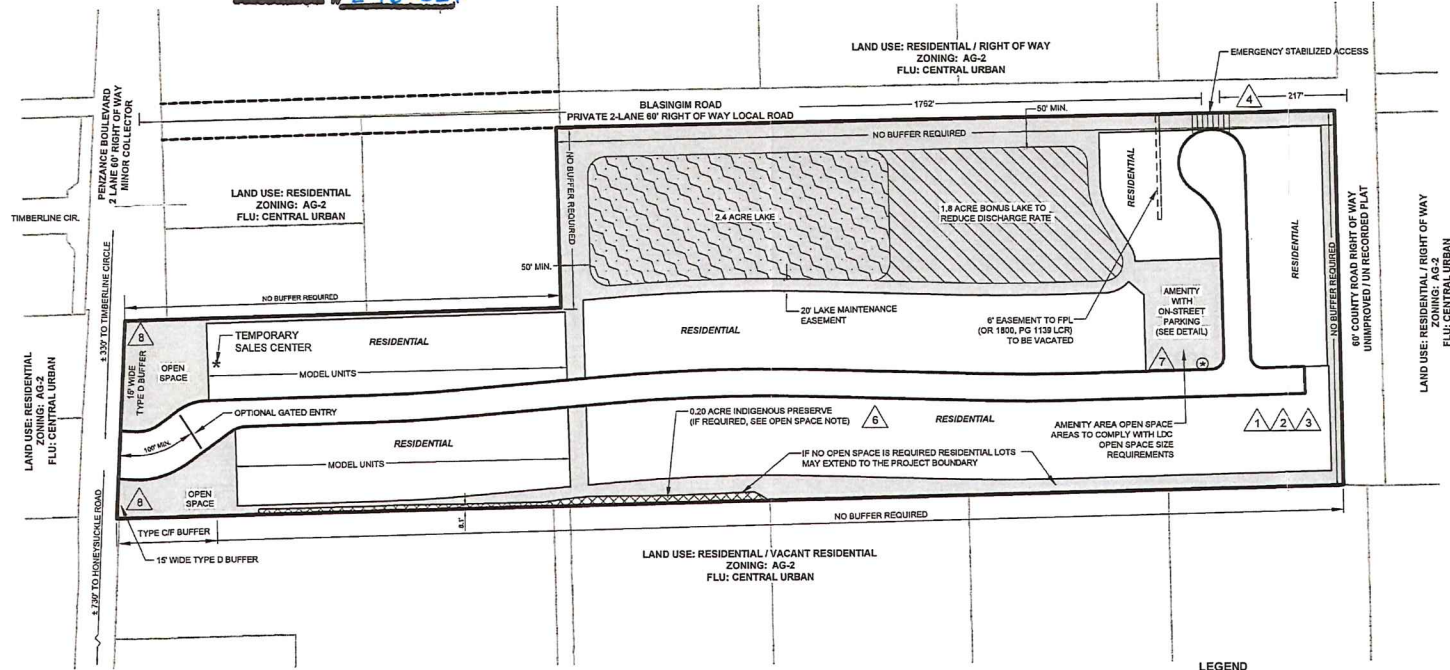


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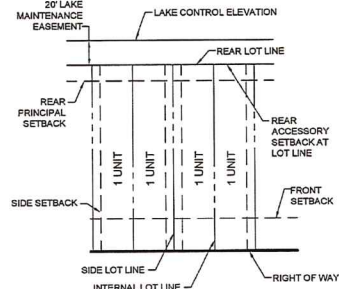
DCI 2016-00011



Approved as Exhibit C
MCP Page 1 of 2
Resolution # 2-16-024



SINGLE FAMILY
TYPICAL LOT DETAIL



SINGLE FAMILY ATTACHED
TYPICAL LOT DETAIL

LEGEND

	LAKE		COMMON OPEN SPACE AREAS
	BONUS LAKE TO REDUCE DISCHARGE		DEVIATION REQUEST
	INDIGENOUS PRESERVE		LOADING AREA

OPEN SPACE CALCULATIONS

REQUIRED OPEN SPACE

24.11 @ 40% = 9.60 AC

PROVIDED OPEN SPACE

PRESERVE	0.20 AC
LAKE & BONUS LAKE (9.6 @ 44%)	4.22 AC
LAKE SLOPE	0.99 AC
AMENITY	0.47 AC
REAR YARD DRAINAGE & PERIMETER BERM	3.72 AC
TOTAL	9.60 AC

REQUIRED INDIGENOUS PRESERVE

9.60 @ 50% = 4.80 AC

PROVIDED INDIGENOUS PRESERVE

PROVIDED = 0.20 AC

NOTE:
NO OPEN SPACE OR INDIGENOUS PRESERVE IS REQUIRED IF THE FOLLOWING CONDITIONS ARE MET:
1. MINIMUM SINGLE FAMILY DETACHED LOT SIZE = 6500 SF
2. MINIMUM TWO-FAMILY ATTACHED LOT SIZE = 3750 SF
3. MAXIMUM LOT COVERAGE RESIDENTIAL LOT COVERAGE = 40%
IF ABOVE CRITERIA IS MET DEVIATION 5 AND ASSOCIATED CONDITIONS OF DEVIATION 5 ARE NOT APPLICABLE.

Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
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2271 McCREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169

FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7895 - SURVEYING LB-6840

PREPARED FOR

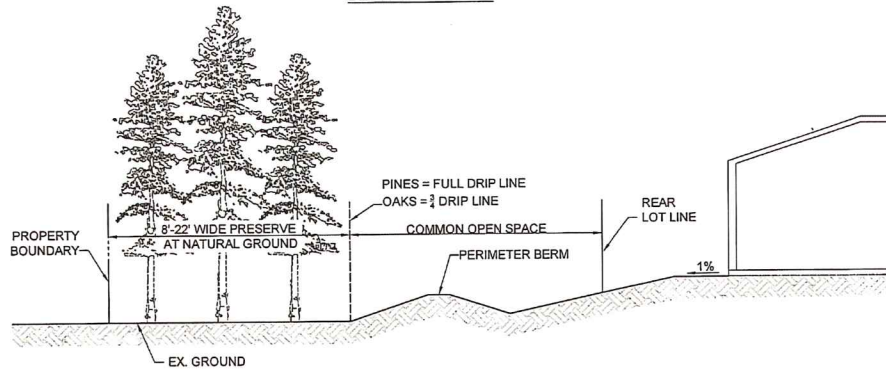
**BLASINGIM
PROPERTY
LLC.**

7750 TOWN CENTRE DRIVE
SUITE 100
BROADVIEW HEIGHTS, OHIO 44147
PHONE (440) 838-1900 EXT. 103
FAX (440) 838-0598
WWW.CAMERATTA-PROPERTIES.COM

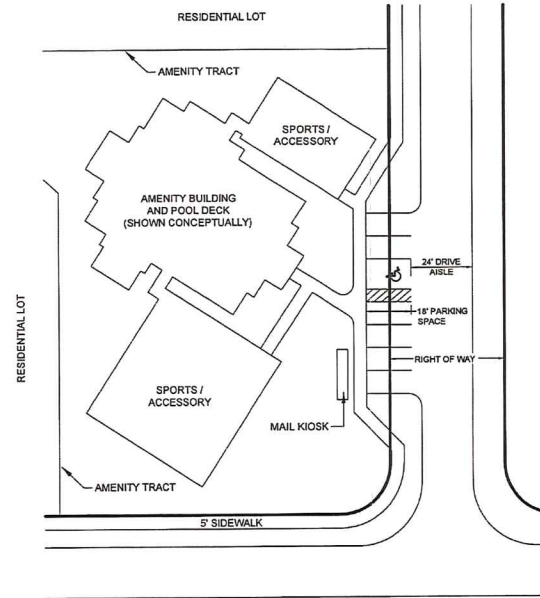
PROJECT DESCRIPTION

DCI 2016-00011

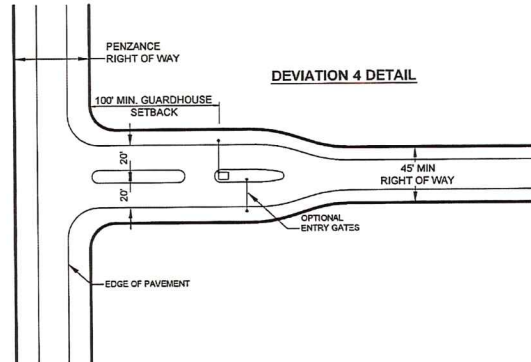
DEVIATION 6 DETAIL



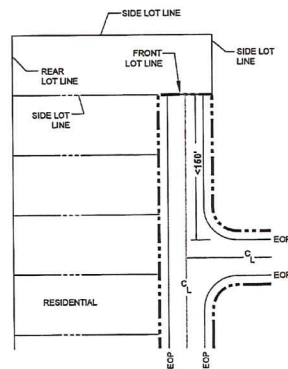
DEVIATION 7 DETAIL



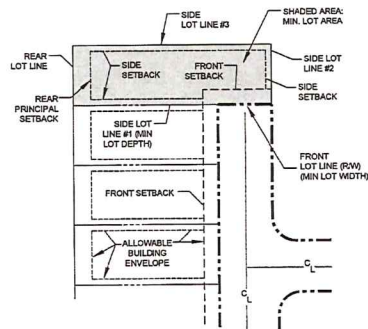
DEVIATION 4 DETAIL



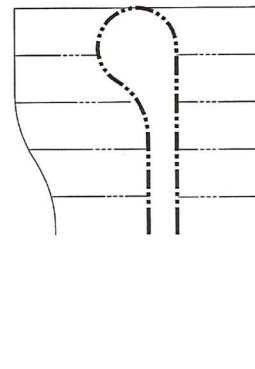
DEVIATION 1 RIGHT ANGLE SIDE LOT LINE
DEVIATION 2 DEAD-END DETAIL



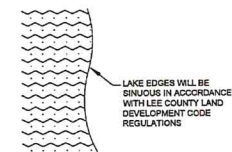
DEVIATION 3 LOT SIZE DETAIL



CUL-DE-SAC DESIGN DETAIL



SINUOUS LAKE
SHORELINE DETAIL



Approved as Exhibit C
MCP Page 2 of 2
Resubmission # 2-16-024

Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net

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PHONE (239) 461-3170
FAX (239) 461-3180

FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-4540

PREPARED FOR

**BLASINGIM
PROPERTY
LLC.**

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SUITE 100
BROADVIEW HEIGHTS, OHIO 44147
PHONE (440) 838-1900 EXT. 103
FAX (440) 838-0508
WWW.CAMERATTA-PROPERTIES.COM

PROJECT DESCRIPTION

ADMINISTRATIVE AMENDMENT (PD) ADD2018-10017

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Neal Communities of Southwest Florida LLC filed an application for an administrative amendment to a Residential Planned Development on a project known as Windsong to modify the master concept plan to allow the lake to be located a minimum of 25 feet from Blasingim Road right-of-way instead of the minimum of 50 feet; and

WHEREAS, the site is located in South Fort Myers, described more particularly as STRAP Number: 17-45-25-L1-2200L.00CE

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in resolution number Z-16-024; and

WHEREAS, the subject property is located in the Central Urban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the subject property has an approved development order DOS2017-00094; and

WHEREAS, granting of this administrative deviation will reduce the planting area but will not reduce the general tree quantity required per Condition 5 of Z-16-024 and as approved in DOS2017-00094; and

WHEREAS, a minor change to DOS2017-00094 will be required to reflect the setback changes and adjustments to the plant material proposed (**see Exhibit B**); and

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

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

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

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Residential Planned Development is **APPROVED subject to the following conditions:**

1. **The Development must be in compliance with the amended Master Concept Plan, dated June 29, 2018. Master Concept Plan for ADD2018-10017 is hereby APPROVED and adopted. A reduced copy is attached hereto as Exhibit C.**
2. **The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended in this action.**
3. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 8/27/2018 by

Audra Ennis, Zoning Manager
Lee County Community Development

Attachments:

- | | |
|-----------|---|
| Exhibit A | Legal Description |
| Exhibit B | Easement Exhibit dated July 13, 2018 |
| Exhibit C | Master Concept Plan dated July 29, 2018 |

EXHIBIT A

CASE NUMBER: ADD2018-10017

LEGAL DESCRIPTION

WINDSONG, ACCORDING TO THE PLAT THEREOF, AS RECORDED
IN INSTRUMENT 2018000148213, OF THE PUBLIC RECORDS OF
LEE COUNTY, FLORIDA

REVIEWED
ADD2018-10017
Daniel Munt, Planner
Lee County DCD
8/7/2018

ADMINISTRATIVE AMENDMENT (PD) ADD2018-10017

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Neal Communities of Southwest Florida LLC filed an application for an administrative amendment to a Residential Planned Development on a project known as Windsong to modify the master concept plan to allow the lake to be located a minimum of 25 feet from Blasingim Road right-of-way instead of the minimum of 50 feet; and

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Duly passed, adopted, and electronically signed on 8/27/2018 by

Audra Ennis, Zoning Manager
Lee County Community Development

Attachments:

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- Exhibit B Easement Exhibit dated July 13, 2018
- Exhibit C Master Concept Plan dated July 29, 2018

EXHIBIT A

CASE NUMBER: ADD2018-10017

LEGAL DESCRIPTION

WINDSONG, ACCORDING TO THE PLAT THEREOF, AS RECORDED
IN INSTRUMENT 2018000148213, OF THE PUBLIC RECORDS OF
LEE COUNTY, FLORIDA

REVIEWED
ADD2018-10017
Daniel Munt, Planner
Lee County DCD
8/7/2018

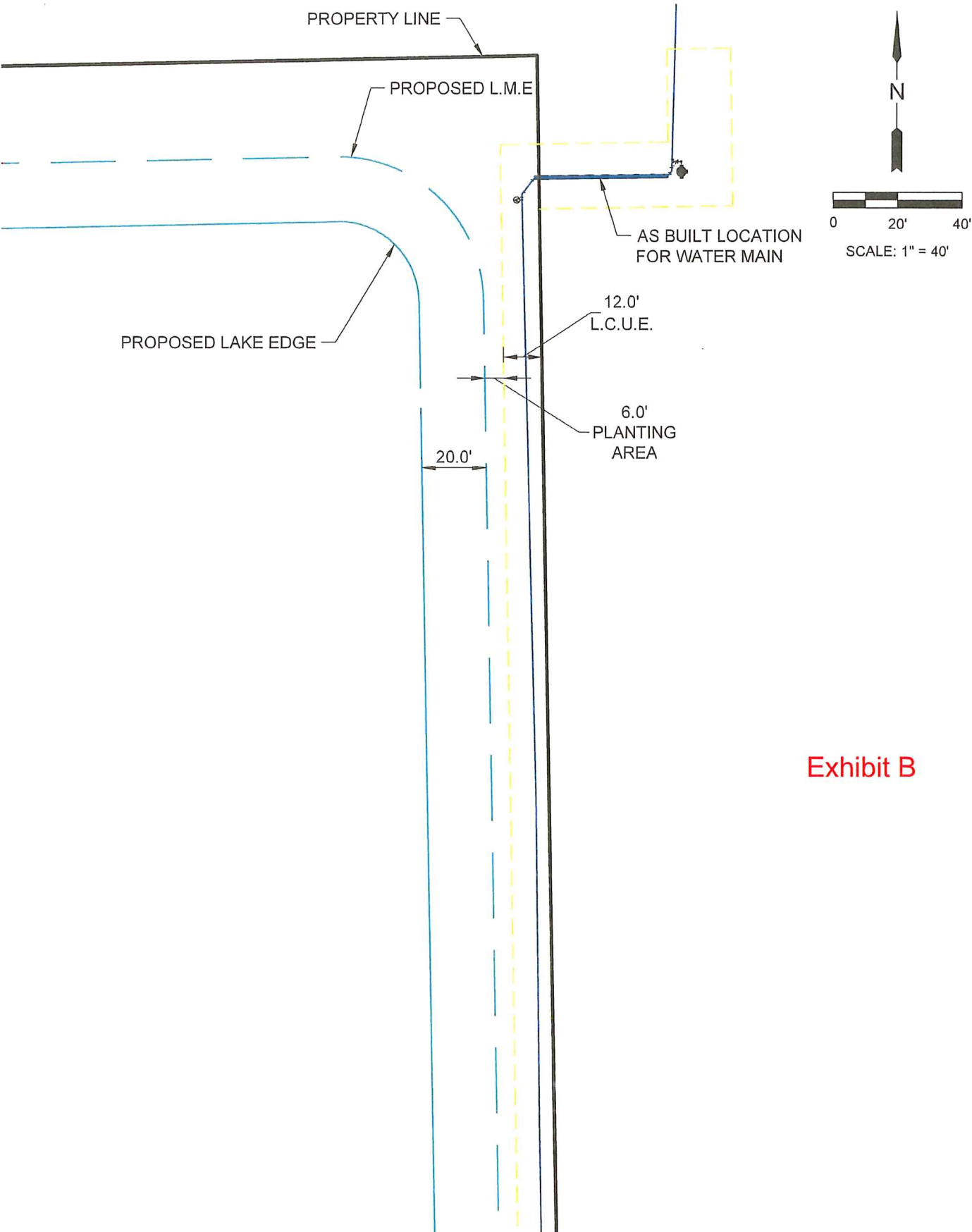
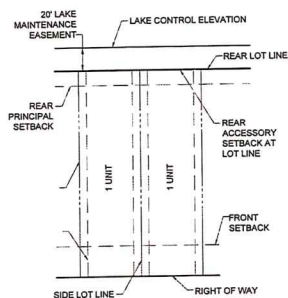
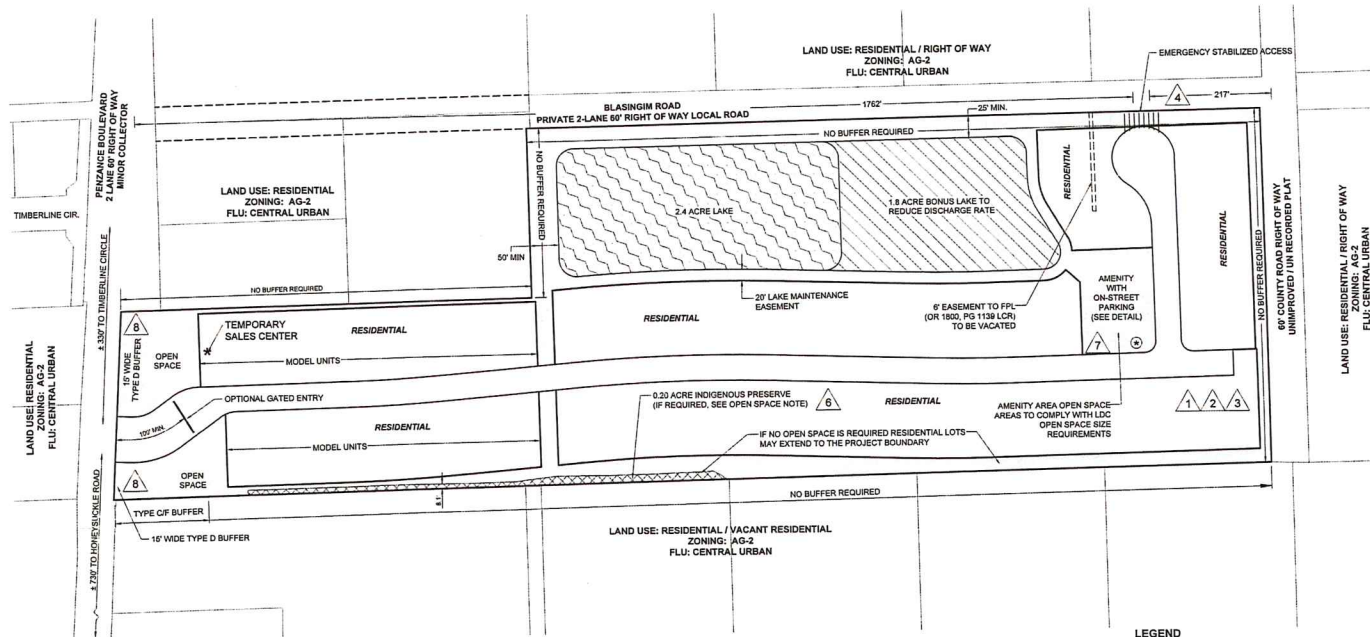
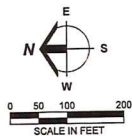
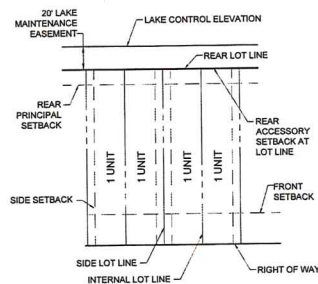


Exhibit B



SINGLE FAMILY
TYPICAL LOT DETAIL



SINGLE FAMILY ATTACHED
TYPICAL LOT DETAIL

OPEN SPACE CALCULATIONS

REQUIRED OPEN SPACE

24.11 @ 40% = 9.60 AC

PROVIDED OPEN SPACE

PRESERVE 0.20 AC
LAKE & BONUS LAKE 4.22 AC
(9.6 @ 44%) 5
LAKE SLOPE 0.99 AC
AMENITY 0.47 AC
REAR YARD DRAINAGE & PERIMETER BERM 3.72 AC
TOTAL 9.60 AC

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IF ABOVE CRITERIA IS MET DEVIATION 5 AND ASSOCIATED CONDITIONS OF DEVIATION 5 ARE NOT APPLICABLE.

LEGEND

	LAKE		COMMON OPEN SPACE AREAS
	BONUS LAKE TO REDUCE DISCHARGE		DEVIATION REQUEST
	INDIGENOUS PRESERVE		LOADING AREA

J.R. EVANS ENGINEERING, P.A.
9381 CORNWELL ROAD, SUITE 102
DADE COUNTY, FL 33126
PHONE: (305) 405-9148
FAX: (305) 405-9148
WWW.JREVAENGINEERING.COM

J.R. EVANS
ENGINEERING

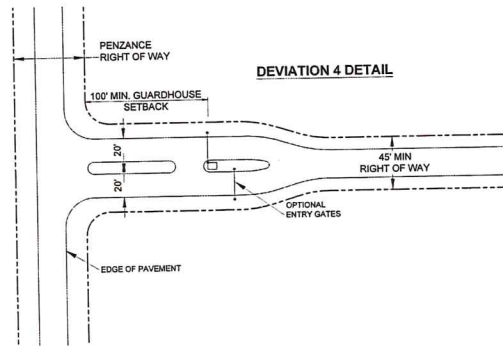
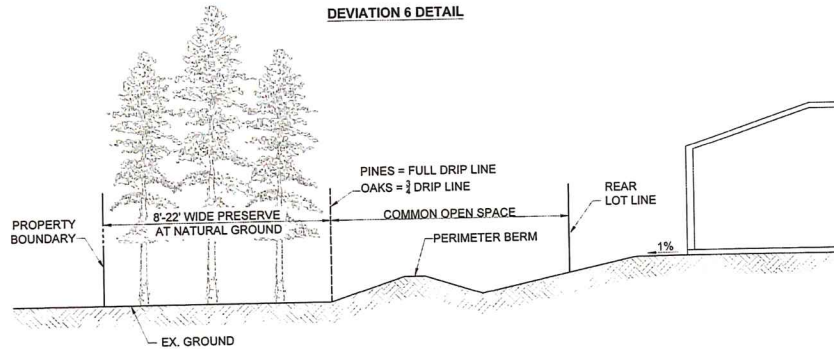
BLASINGIM ROAD RPD

MASTER CONCEPT PLAN

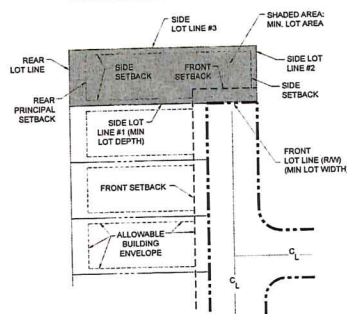
DATE	BY	REVISION
1	DATE	REVISION
2	DATE	REVISION
3	DATE	REVISION
4	DATE	REVISION
5	DATE	REVISION

CHRISTOPHER R. MITCHELL, P.E.
FL LICENSE NO. 36740
FL CDA # 20229
PROJECT # 28800E0301
SHEET: 1 OF 2

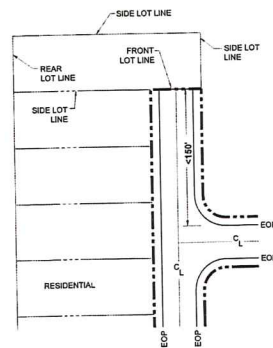
Exhibit C



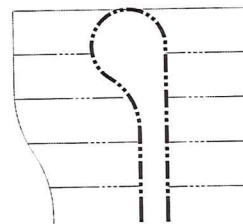
DEVIATION 3 LOT SIZE DETAIL



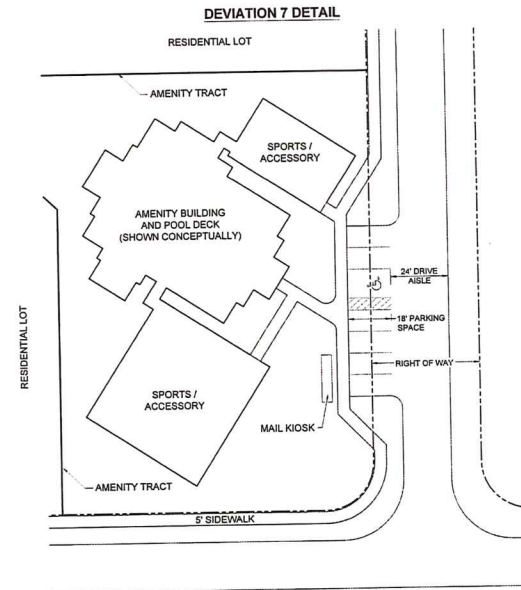
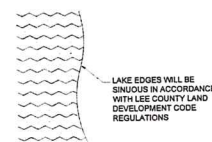
**DEVIATION 1 RIGHT ANGLE SIDE LOT LINE
DEVIATION 2 DEAD-END DETAIL**



CUL-DE-SAC DESIGN DETAIL



SINUOUS LAKE SHORELINE DETAIL



J.R. EVANS ENGINEERING, P.A.
9351 CONROVER ROAD, SUITE 102
FORT MYERS, FL 33903
PHONE (239) 405-2148
FAX (239) 405-2149
WWW.JREVAENGINEERING.COM

**J.R. EVANS
ENGINEERING**

BLASINGIM ROAD RPD

DETAILS AND DEVIATIONS

#	DATE	REVISION
1	01/11/16	PER LEE COUNTY
2	02/01/16	SECOND REVISION
3	03/01/16	THIRD REVISION
4	04/01/16	FOURTH REVISION

CHRISTOPHER R. MITCHELL, P.E.
FL. LICENSE NO. 90743
FL. CEA # 23224
PROJECT #: 2860000302
SHEET: 2 OF 2

ATTACHMENT J

RESOLUTION NUMBER Z-18-006

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

WHEREAS, Quattrone & Associates, Inc., filed an application on behalf of the property owners, listed in attached Exhibit A, to rezone a 20.96± acre parcel from Residential Planned Development (RPD) and Agricultural (AG-2) to RPD in reference to Oak Villages RPD; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Laura B. Belflower, was advertised and held on February 22, 2018. On February 22, 2018, at the request of the Applicant, the Hearing Examiner continued the hearing until May 3, 2018. On May 3, 2018, at the request of the Applicant, the Hearing Examiner continued the hearing until June 5, 2018. On June 5, 2018, June 8, 2018, July 20, 2018 and August 13, 2018, the public hearing was held. At the conclusion of the hearing, the Hearing Examiner left the record open and requested Staff and the Applicant to submit written submissions to her Office on or before September 14, 2018; and

WHEREAS, the Hearing Examiner gave full consideration to the request and the evidence in the record for Case #DCI2017-00010 and recommended APPROVAL with conditions; and

WHEREAS, a second public hearing was advertised for December 5, 2018 before the Lee County Board of Commissioners. On December 5, 2018, at the request of the applicant, the Lee County Board of Commissioners continued the hearing until February 6, 2019. On February 6, 2019, the public hearing was held; and

WHEREAS, the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons, remanded the case back to the Hearing Examiner for further consideration; and

WHEREAS, a third public hearing before the Lee County Zoning Hearing Examiner, Amanda L. Rivera, was advertised and held on May 1, 2019. On May 1, 2019, the Hearing Examiner continued the hearing for additional time on May 2, 2019. On May 2, 2019, the public hearing was held; and

WHEREAS, the Hearing Examiner gave full consideration to the revised request and the evidence in the record and recommended APPROVAL of the Request with conditions; and

WHEREAS, a fourth public hearing was advertised and held on December 4, 2019 before the Lee County Board of Commissioners; and

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

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

SECTION A. REQUEST

The applicant filed a request to rezone a 20.96± acre parcel from RPD and AG-2 to RPD, to allow 262 residential dwelling units (255 multi-family units and 7 single-family units, inclusive of 52 bonus density units).

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

SECTION B. CONDITIONS:

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

1. Master Concept Plan/Development Parameters

a. Master Concept Plan

Development of this project must be consistent with the two-page Master Concept Plan (MCP) entitled "Master Concept Plan and Open Space Exhibit," prepared by Quattrone & Associates, Inc., date stamped received December 9, 2019, and attached hereto as Exhibit D, except as modified by the conditions below. Development must comply with all requirements of the LDC and the Lee Plan at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

b. Approved Development Parameters

The development approved herein is as follows:

- i. Maximum of 262 dwelling units (7 single-family and 255 multi-family), and a 6,000 square foot clubhouse. The approval includes 52 bonus density units. At the time of local development order, the developer must demonstrate how bonus density units are being achieved in accordance with the LDC and Lee County Administrative Code.
- ii. Area B is limited to 66 dwelling units.
- iii. Proposed changes to the location or use of single-family parcels must go through the public hearing process.

2. Uses and Site Development Regulations

a. Permitted Uses within this Planned Development:

Accessory Uses and Structures

Administrative Office

Club, private (limited to Clubhouse only)

Community Garden

Dwelling unit:

Single-family (limited to two existing and five proposed single-family lots in Area B)

Multi-family (not permitted on single-family lots)

Townhouse (not permitted on single-family lots)

Entrance Gates and Gatehouse

Essential Services

Essential Services Facilities, Group I

Excavation: Water retention
 Fences and Walls
 Home Occupation
 Models: Model Unit (not permitted on single-family lots)
 Parking Lot: accessory
 Real Estate Sales Office (not permitted on single-family lots)
 Recreational Facilities: Personal and Private- On-site
 Residential Accessory Uses
 Signs
 Stable - private (limited to the two existing single-family lots)
 Temporary Uses, limited to construction trailers during construction

b. Site Development Regulations:

Minimum Lot Area and Dimensions:

Lot Area:	Single-Family	11,000 square feet
	Multiple-Family	10,000 square feet
	Townhouse	2,000 square feet

Lot Width:	Single-Family	75 feet
	Multiple-Family	100 feet
	Townhouse	20 feet

Lot Depth:	Single-Family	150 feet
	Multiple-Family	80 feet
	Townhouse	80 feet

Maximum Building Height:

Development Area A	45 feet
Development Area B	35 feet

Maximum Lot Coverage:

Single-Family	40%
Multiple-Family	60%
Townhouse	50%

Minimum Building Separation:

one-half the height of the taller of the two adjacent buildings, or 20 feet, whichever is greater

Minimum Setbacks:

Street:	25 feet
Side:	50 feet (5 new lots on Blasingim Rd)
	7.5 feet
	20 feet
	7.5 feet
Rear:	20 feet
Water Body:	25 feet

Development Perimeter (not street right-of-way or easement): 20 feet

3. Open Space

Development order plans must illustrate a minimum of 8.04 acres of open space, inclusive of 0.97 acres of indigenous open space, in the multi-family development area.

4. Indigenous Preserve Plantings

Prior to development order approval, landscape plans must demonstrate indigenous preserve plantings meet a modified Type B buffer planting that contains 5 trees per 100 linear feet and 18 shrubs per 100 linear feet. The shrubs must be maintained at a minimum height of 36 inches.

5. Dry Retention Areas

Prior to development order approval, landscape plans must depict the dry detention areas planted to include Cypress (*Taxodium* spp.), Laurel Oak (*Quercus laurifolia*), and Green Buttonwood (*Conocarpus erectus*). The trees must be planted 10 feet in height, 2-inch caliper with a 4-foot spread and installed 10-foot on center. General tree credits can be applied at a one-to-one ratio for trees installed in the dry detention areas.

6. Littoral Plants

To implement Deviations 3 and 4, trees must be substituted for up to 100% of the total number of required herbaceous littoral plants. One tree (minimum 10 foot in height, 2-inch caliper, with a 4-foot spread) may be substituted for 100 littoral plants. The 5-foot compensatory littoral shelf must be incorporated into the planted littoral shelf.

7. Compensatory Littoral Plants

Prior to development order approval, compensatory littoral plants must be substituted for up to 100% of the total number of required herbaceous plants. One tree (minimum 10-foot in height, 2-inch caliper, with a 4 foot spread) may be substituted for 100 littoral plants. The 5 foot compensatory littoral shelf must be incorporated into the planted littoral shelf.

8. FAA Wildlife Hazardous Buffer Zone

Prior to development order approval, all landscape plants shown on the landscape plan must meet the Lee County Port Authority Compatible and Non-Compatible Plant List updated April 2016.

9. Development Permits

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

10. Crystal Drive

Oak Villages RPD may not be administratively amended nor may its development order authorize improvements (road construction, widening, or sidewalks) to Crystal Drive west of the project's Crystal Drive entrance, except as required by the LDC.

11. Construction Traffic

Construction traffic for the multi-family development area must use Six Mile Cypress Parkway to Crystal Drive to access the property.

12. Sidewalks

The project must have internal and external sidewalks as depicted on the MCP to connect to bike paths on Six Mile Cypress Parkway. This condition is in addition to LDC requirements.

13. Maintenance of JV Parker Lane

The developer must maintain the portions of JV Parker Lane adjacent to the property until such time that a maintenance entity is created to maintain all of JV Parker Lane.

14. Vehicular Access to Blasingim Road

Access to Blasingim Road is limited to single-family lots. No access to Blasingim Road is permitted from the multi-family portion of the development.

15. Lakes

Prior to development order approval, proposed engineer drawings for the project's lakes must include the following:

- a. Lake bank slopes must be 4:1;
- b. Cross-section drawn to same scale as the engineer drawings depicting the 4:1 lake bank slope and the reinforcement mechanism to ensure stability; and
- c. Lake maintenance plan.

SECTION C. DEVIATIONS:

1. Driveway Separation

Deviation (1) seeks relief from the LDC §10-285(a) requiring all connections of streets, access roads or accessways to be in accordance with minimum standards of Lee Plan Policy 40.1.2 Table 1 requiring a minimum driveway separation of 330 for Collector Roads, to allow 310 feet from the eastern edge of pavement of the project entrance to the western edge of pavement of JV Parker Lane. This deviation is APPROVED.

2. Lake Bank Sloping

Deviation (2) seeks relief from the LDC §10-329(d)(4) requiring shorelines of excavations for retention and detention areas 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 shorelines of excavations for retention and detention areas within the Airport Wildlife Hazard Protection Zone to be sloped at a ratio of four horizontal to one vertical from the top of bank to a water depth two feet below the dry season water table with enhanced stabilization methods such as geosynthetic turf reinforcement mat or other appropriate slope protection. This deviation is APPROVED SUBJECT TO condition 15.

3. Littoral Shelf Plantings

Deviation (3) seeks relief from the LDC §10-418(2) requiring all surface water management systems to provide a planted littoral shelf that mimics the function of a natural marsh, and to deviate from LDC §10-418(2)(d)(3), to allow 100% of herbaceous plants to be substituted for native wetland trees. This deviation is APPROVED SUBJECT TO condition 6.

4. Hardened Shoreline Structures

Deviation (4) seeks relief from the LDC §10-418(3) requiring hardened shorelines to be compensated with littoral zones equal to the linear footage of the shoreline structure and 5 foot-wide with herbaceous wetland plants, to eliminate the requirement for additional littoral zones. This deviation is APPROVED SUBJECT TO condition 6.

5. Bikeways and Pedestrian Ways

Deviation (5) seeks relief from the LDC §10-256 (Bikeways and Pedestrian Ways) and LDC §10-296(e)(l) (Street Design and Construction Standards, Road Design, Urban Roadway), requiring new developments to construct bikeway and pedestrian facilities and for Urban Local Streets in Residential Central Urban land use areas to have 20 feet of pavement (10 foot lane widths), Shared On-Road Bicycle Facility, 6-foot Planting Strip, and a 5 foot wide Pedestrian Facility (sidewalk), to allow Blasingim Road to be a minimum of 18 feet wide (9 foot lane widths), to not require additional improvements for on-road bicycle facilities, to provide a 6-foot wide planting strip but to not require plantings, and to not require a 5-foot wide pedestrian facility (sidewalk). This deviation is DENIED.

SECTION D. EXHIBITS:

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

- Exhibit A: List of Property Owners
- Exhibit B: Legal description of the property
- Exhibit C: Zoning Map (with the subject parcel indicated)
- Exhibit D: The Master Concept Plan

SECTION E. FINDINGS AND CONCLUSIONS:

1. The requested RPD complies with the Lee Plan. See Lee Plan Goals 2, 4, 5, and 135; Objectives 2.1, 2.2, and Policies 1.1.3, 1.7.6, 2.1.1, 2.1.2, 2.2.1, 4.1.1, 4.1.2, 5.1.3, 135.1.4; Lee Plan Vision Statement Paragraph 15, Map 1, Map 16, Table 1(b);
2. As conditioned, the RPD zoning designation:
 - a. Will meet the standards set forth in the LDC and other applicable County regulations. See Lee Plan Goals 2, 4, 5, 135; Objectives 2.1, 2.2, and Policies 2.1.1, 2.2.1, 4.1.1, 4.1.2, 5.1.3, 5.1.6, 135.1.4; LDC §34-411 *et seq.*;
 - b. Is compatible with existing and planned uses in the surrounding area. See Lee Plan Objectives 2.1, 2.2, and Policies 1.7.6, 2.1.1; and LDC §§ 34-411(c),(i);
 - c. Will not adversely affect environmentally critical or sensitive areas or natural resources. See LDC §§ 34-411(g-h);

- d. Will be served by urban services including public water and sewer, paved streets, and public transit. See Lee Plan Objectives 2.1, 2.2, and 4.1; Policies 2.2.1, 5.1.3; and Standards 4.1.1, 4.1.2;
- e. Will provide sufficient access to support the proposed development intensity. See Lee Plan Policies 2.2.1, 39.2.1; and LDC §34-411(d);
- f. The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval. See LDC §34-411(d);
- g. The proposed uses are appropriate at the proposed location. See Lee Plan Goal 5, Policies 2.1.1, 2.1.2, 5.1.3; and LDC §§ 34-411(k),(n);
- 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. See LDC §§ 34-932 (b-c); 34-83(a)(4)(a)(3); and
- i. The deviations, as conditioned:
 - i. Enhance the objectives of the planned development; and
 - ii. Preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

SECTION F. SCRIVENER'S ERRORS

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

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

John Manning	Aye
Cecil Pendergrass	Nay
Raymond Sandelli	Aye
Brian Hamman	Aye
Frank Mann	Nay

DULY PASSED AND ADOPTED this 4th day of December 2019.

ATTEST:
LINDA DOGGETT, CLERK

BY: *Melissa Butler*
Deputy Clerk



BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: *[Signature]*
Brian Hamman, Chair

Frank Mann V. Chas
APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

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

RECEIVED
MINUTES OFFICE
MB
2020 JAN -2 PM 2:24

Oak Village FKA Cypress Villages

RPD Rezoning

STRAP#: 17-45-25-01-00000.0210, 17-45-25-01-00000.013A,

17-45-25-01-00000.015A, 17-45-25-01-00000.0140

12270 J V Parker Lane, Fort Myers FL 33966

12291, 12345, 12361 Blasingim Rd. Fort Myers, FL 33966

Multi Owner List

1. Cadet Hangar LLC
16575 Gator Rd.
Fort Myers, FL 33966
Philip Destaven
Acquired: 01/27/2016
2. Stephen B + LuAnn Moss
12291 Blasingim Rd
Fort Myers, FL 33966
239-565-7873
Steve.moss@lenhar.com
Acquired: 09/18/1999
3. Kenneth E + Karen E Trask
12345 Blasingim Rd
Fort Myers, FL 33966
(239)980-1495
ken@trasksurveying.com
Acquired: 05/28/1998
4. Cypress Villages LLC
4301 Veronica Shoemaker
Fort Myers, FL 33916
Al Quattrone
Al@qainc.net
Acquired: 03/29/2016

EXHIBIT

A

UCI 2017-00010



Trask Surveying, P.A.

Land Surveyors

Applicant's Legal Checked
by DR 12/18/19

A PARCEL OF LAND LYING IN
SECTION 17, T-45-S, R-25-E,
LEE COUNTY, FLORIDA.

(OVERALL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEING A PART OF LOTS 13, 14 & 15, 21 & 22 UNRECORDED SUBURBAN RANCHETTES SUBDIVISION AND BEING THE PARCELS AS DESCRIBED IN OFFICIAL RECORDS INSTRUMENT 2016000032649, OFFICIAL RECORDS BOOK 4762, PAGE 647, OFFICIAL RECORDS INSTRUMENT 2013000094707, OFFICIAL RECORDS INSTRUMENT 2013000252780, OFFICIAL RECORDS BOOK 3079, PAGE 1412 AND OFFICIAL RECORDS BOOK 2966, PAGE 2062, LEE COUNTY, FLORIDA PUBLIC RECORDS, AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE N.88°53'57"E. ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER FOR 1290.72 FEET; THENCE N.00°40'27"W. ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 330.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.00°40'27"W. ALONG SAID FRACTION LINE FOR 330.86 FEET; THENCE N.88°53'56"E. ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 647.58 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, BEING THE CENTERLINE OF JV PARKER LANE (60' WIDE INGRESS-EGRESS EASEMENT); THENCE N.00°22'25"W. ALONG SAID EAST LINE AND THE CENTERLINE OF JV PARKER LANE, FOR 632.10 FEET; THENCE S.88°53'12"W. ALONG THE SOUTH LINE OF CRYSTAL DRIVE, PARALLEL WITH AND 30 FEET SOUTHERLY OF (AS MEASURED ON A PERPENDICULAR) THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 961.71 FEET; THENCE S.00°46'48"E., ALONG THE COMMON BOUNDARY OF SAID PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3079, PAGE 1412 AND THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS INSTRUMENT 2014000058107, SAID PUBLIC RECORDS, FOR 301.00 FEET; THENCE S.88°53'59"W. ALONG THE SOUTH LINE OF THE NORTH HALF OF NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 310.13 FEET TO THE EAST LINE OF BLASINGIM ROAD (60' WIDE INGRESS-EGRESS EASEMENT); THENCE S.00°57'52"E. ALONG SAID EAST LINE, PARALLEL WITH AND 30.00 FEET EASTERLY OF (AS MEASURED ON A PERPENDICULAR) THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17 (BEING THE CENTERLINE OF BLASINGIM ROAD), FOR 661.73 FEET; THENCE N.88°53'52"E. ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 617.04 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 913197.30 SQUARE FEET OR 20.96 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTHWEST ONE QUARTER OF SAID SECTION 17 AS BEARING N.88°53'49"E.

TRASK SURVEYING, P.A.
FLORIDA LICENSED BUSINESS LB8082

Kenneth E. Trask
KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE LS4684

AUGUST 15, 2018

SHEET 1 OF 2

12345 Blasingim Road • Fort Myers, FL 33966

EXHIBIT B

DCI 2017-00010

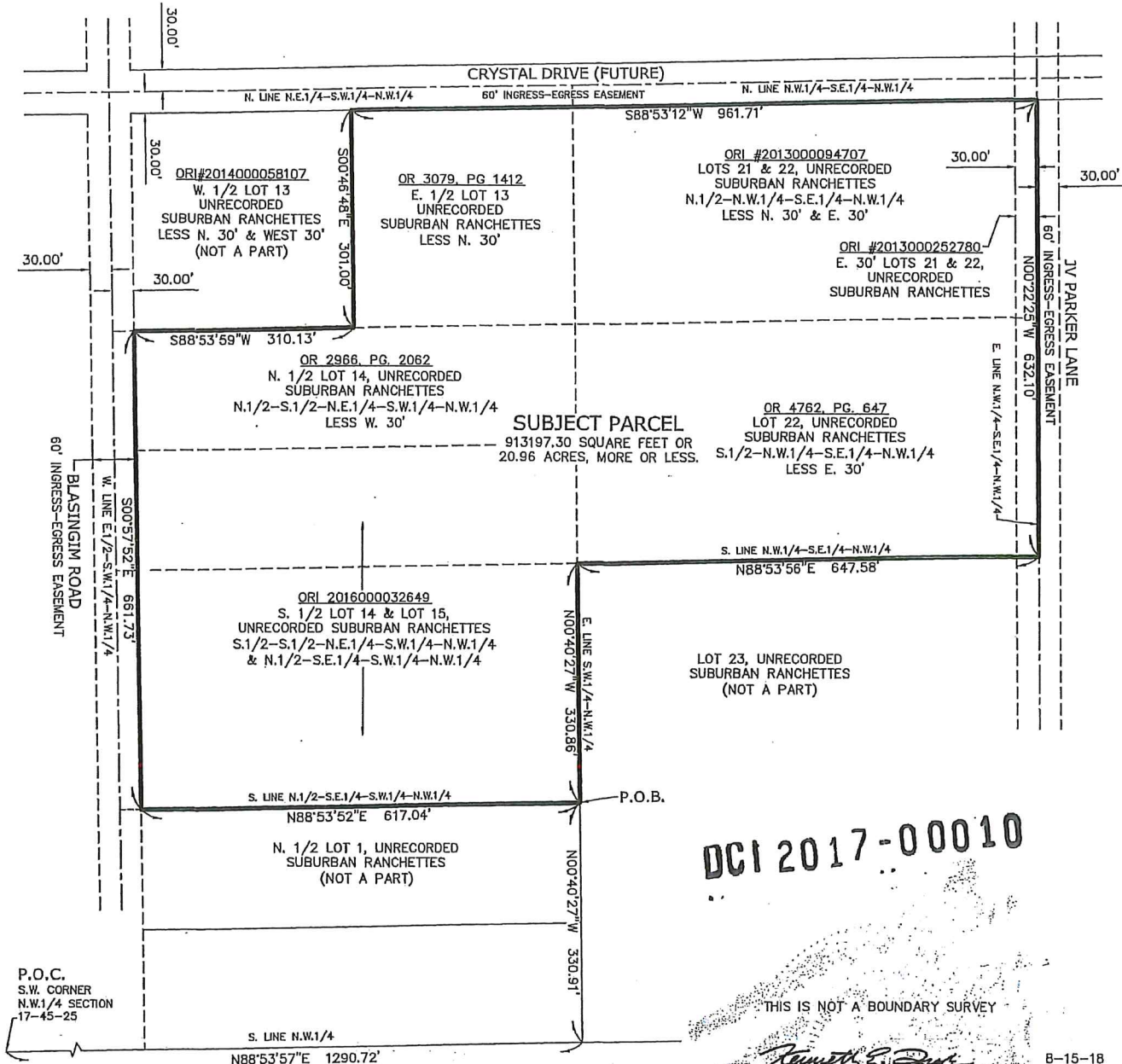
Applicant's Legal Checked

by DM 12/18/17



SKETCH TO ACCOMPANY DESCRIPTION

OF A PARCEL LYING IN
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA.



DCI 2017-00010

THIS IS NOT A BOUNDARY SURVEY

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

8-15-18
DATE

LEGEND

LS LICENSED SURVEYOR
LB LICENSED BUSINESS
OR OFFICIAL RECORDS BOOK
PG PAGE
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT

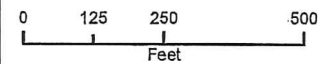
Trask Surveying, P.A.				
Land Surveyors				
Florida Licensed Business No. LB8082				
12345 Blasingim Road				
Fort Myers, Florida 33966				
(239) 980-1495				
date	deg	scale	job#	sheet
8-15-18	15-79SK-BND	1"=200'	15-79	2 OF 2



DCI2017-00010 Zoning

Legend

-  Subject Parcel
-  Parcel Boundary



OAK VILLAGES RPD (FKA CYPRESS VILLAGES)

LOCATED IN SECTION 17, TOWNSHIP 45-S, RANGE 25-E, LEE COUNTY, FLORIDA

MASTER CONCEPT PLAN

PROJECT SUMMARY:

REZONING REQUEST

RPD & AG2 TO RPD

STRAP #'s

17-45-25-01-00000.013A; .0140; .015A; 0210

PROJECT ACREAGE

20.96 AC. TOTAL PROJECT AREA

PROJECT INTENSITY

210 BASE UNITS (208 MULTIFAMILY + 2 SINGLE FAMILY)
52 BONUS DENSITY UNITS
262 TOTAL UNITS (255 MULTIFAMILY + 7 SINGLE FAMILY) (12.50 U/A)

REQUIRED OPEN SPACE BREAKDOWN

20.95 AC. TOTAL PROJECT AREA
3.78 AC. LESS SINGLE FAMILY LOT AREA
0.44 AC. LESS JV PARKER ACCESS EASEMENT
16.74 AC. MULTIFAMILY AREA
6.70 AC. 40% OPEN SPACE REQUIREMENT
8.04 AC. 48% TOTAL OPEN SPACE PROVIDED

PROVIDED OPEN SPACE BREAKDOWN

3.61 AC. INDIGENOUS REQUIRED = 50% OF OPEN SPACE
0.97 AC. INDIGENOUS OPEN SPACE PROVIDED

DEVIATIONS

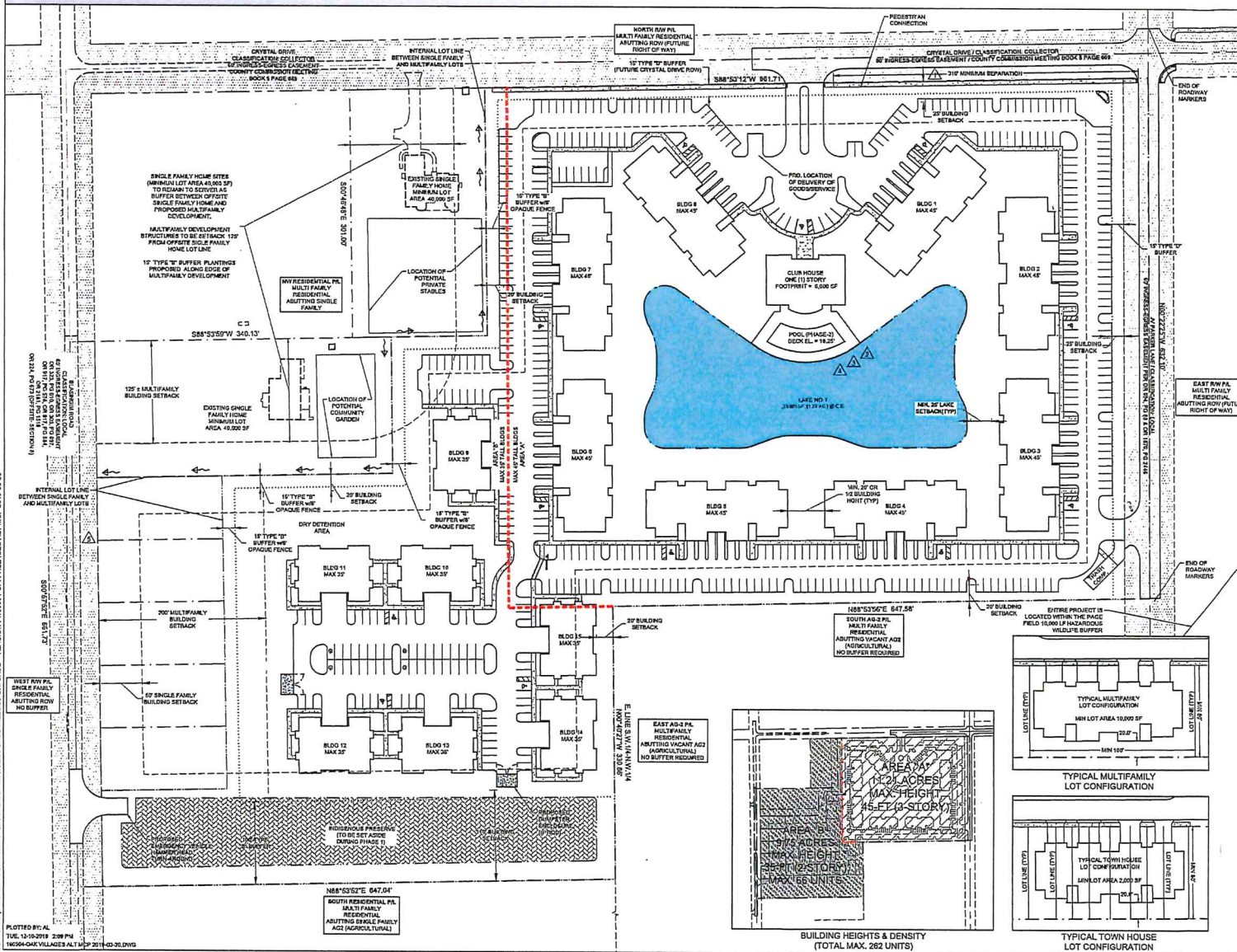
- 1) LDC 10-285(a) DRIVEWAY SEPARATION
- 2) LDC 10-329(d)(4) BANK SLOPES
- 3) LDC 10-418(2) PLANTED LITTORAL SHELF
- 4) LDC 10-418(3) HARDENED SHORELINE
- 5) LDC 10-296(e)(1) STREET DESIGN & CONSTRUCTION STANDARDS

Approved as Exhibit D
MCP Page 1 of 2
Revision # 2-18-2019

LEGEND:



Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
4301 Veronica Shoremaker Blvd. | Fort Myers, FL 33916 | 239.936.5222 | QAssoc.com



PUD16 PREPARED BY QUATTRONE & ASSOCIATES, INC. FOR THE LEE COUNTY BOARD OF COUNTY COMMISSIONERS. DATE: 12/04/2019. TIME: 2:29 PM. PROJECT: OAK VILLAGES RPD. MAP: 17-45-25-01-00000.013A; .0140; .015A; 0210.

LOCATED IN SECTION 17, TOWNSHIP 45-S, RANGE 25-E, LEE COUNTY, FLORIDA

PROJECT SUMMARY:

RPD & AG2 TO RPD

STRAP #'s

17-45-25-01-00000.013A; .0140; .015A; 0210

PROJECT ACREAGE

20.96 AC. TOTAL PROJECT AREA

PROJECT INTENSITY

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52 BONUS DENSITY UNITS

262	TOTAL UNITS (255 MULTIFAMILY + 7 SINGLE FAMILY) (12.50 U/A)
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REQUIRED OPEN SPACE BREAKDOWN

20.96 AC. TOTAL PROJECT AREA

3.78 AC. LESS SINGLE FAMILY LOT AREA

0.44 AC. LESS JV PARKER ACC

16.74 AC. MULTIFAMILY AREA

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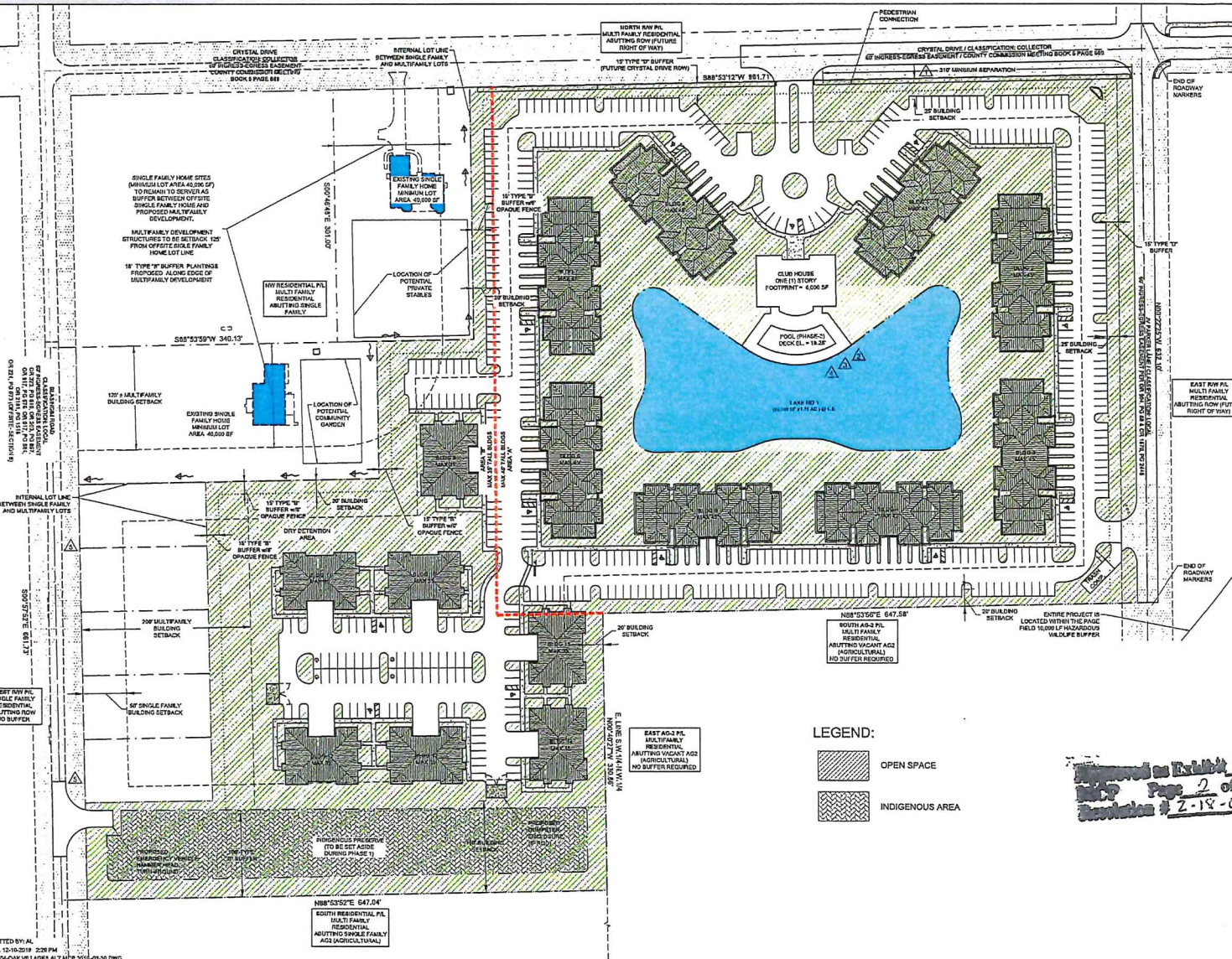
PROVIDED OPEN SPACE BREAKDOWN

3.61 AC. INDIGENOUS REQUIRED = 50% OF OPEN SPACE

0.97 AC. INDIGENOUS OPEN SPACE PROVIDED

DEVIATIONS

- 1) LDC 10-285(a) DRIVEWAY SEPARATION
- 2) LDC 10-329(d)(4) BANK SLOPES
- 3) LDC 10-418(2) PLANTED LITTORAL SHELF
- 4) LDC 10-418(3) HARDENED SHORELINE
- 5) LDC 10-296(c)(1) STREET DESIGN & CONSTRUCTION STANDARDS



2016 Projects\160504 OAK VILLAGES PHASE 3 - ACTIVE\01-CADD FILES\00-QAJ CADD - VERSION F1160504-OAK VILLAGES ALT NCP 2019-03-30

PLOTTED BY: AL
 TUE, 12-16-2015 2:20 PM
 160354-OAK VILLAGES ALT M CP 2015-03-30.DWG

RECEIVED
DEC 09 2019

COMMUNITY DEVELOPMENT

DCI 20 17-00 010 PLAN VIEW SCALE

Q **Quattrone & Associates, Inc.**
Engineers, Planners, & Development Consultants
4101 Veronica Shoemaker Blvd. | Fort Myers, FL 33916 | 239.916.5222 | QAInc.net

ADMINISTRATIVE AMENDMENT (PD) ADD2020-00036

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Quattrone & Associates, Inc. filed an application for an administrative amendment to a Residential Planned Development (RPD) on a project known as Oak Villages RPD to propose revised Master Concept Plans, and include three additional deviations from the Land Development Code (LDC):

- Deviation #6 from LDC Section 30-181(a), which requires off-site directional signs for residential projects to be set back from a right-of-way, be non-illuminated, be within 500 feet of the nearest intersection involving a turning movement to locate the development, and no greater than 64 square feet in area, to allow an off-site directional sign within the Crystal Drive right-of-way pursuant to the terms of a lease agreement executed with Lee County.
- Deviation #7 from LDC Section 34-2015(2), which does not provide for the stacking of vehicles (one vehicle behind the other) within a multifamily development, other than townhouses where each dwelling unit has a garage or driveway appurtenant to it, to allow the stacking of one vehicle behind a covered garage space when both spaces are assigned to the same rental unit within a multifamily apartment development.
- Deviation #8 from LDC Section 34-2020(a)(3), which requires a driveway, as measured from the garage structure, or the end of the stacked parking space farthest from the access way edge of pavement, to be a minimum of 27 feet, to instead allow each parking space to meet a length requirement of 18 feet.

WHEREAS, the applicant has indicated the property's current STRAP numbers are 17-45-25-01-00000.013A, 17-45-25-01-00000.0140, 17-45-25-01-00000.015A and 17-45-25-01-00000.0210 (see Exhibit "A"); and

WHEREAS, the property was originally rezoned by resolution Z-15-017 (with subsequent amendments in Case Number ADD2016-00008 and Resolution Z-18-006); and

WHEREAS, the subject property is located in the Central Urban Future Land Use Category as designated by the Lee County Comprehensive Plan (Lee Plan); and

WHEREAS, the LDC provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the applicant has provided a request statement explaining the nature of the request with supporting justification for the proposed amendment (see Exhibit "E"); and

WHEREAS, the applicant requests to amend the MCP adopted by Resolution Z-18-006 by reducing the number of multifamily buildings from 15 to 8, modifying internal circulation and completing other minor modifications (see Exhibit "B"); and

WHEREAS, the applicant also proposes a similar optional MCP with a configuration of 11 multifamily buildings (see Exhibit "C"); and

WHEREAS, the applicant has provided corresponding Open Space Exhibits to demonstrate each proposed MCP is in compliance with the open space and landscape requirements set forth in the conditions of the current zoning approval (see Attachment "D"); and

WHEREAS, there will be no change to the setback conditions, building heights, maximum density, or allocation of density within the project, as depicted by Areas "A" and "B" on the original MCP (see Exhibit "G"); and

WHEREAS, the resulting internal modifications will not result in external impact as considered from the project perimeter; and

WHEREAS, LDC Section 30-4 sets forth the applicability of general sign regulations in Chapter 30 for unincorporated Lee County; and

WHEREAS, Chapter 30 is not applicable to community identification signs located within the right-of-way when approved by the Lee County Department of Transportation; and

WHEREAS, the applicant has obtained a lease agreement for a community identification sign to be located in the county right-of-way, subject to the terms and conditions of the lease agreement (see Exhibit "F"); and

WHEREAS, the applicant requests a deviation from LDC Section 30-181(a) for the sole purpose of associating the community identification sign to the project's zoning approval; and

WHEREAS, two additional deviations are proposed to facilitate the stacking of vehicle parking (one garage space in front of one uncovered space) in association with the MCP attached hereto as Exhibit "B"; and

WHEREAS, each set of stacked parking spaces (two parking spaces) will be assigned to the same rental unit within the multifamily development; and

WHEREAS, the applicant proposes additional on-site parking beyond the LDC's requirement, at a ratio of 10% of the stacked parking spaces, so as to accommodate the potential shuffling of vehicles; and

WHEREAS, the applicant proposes to increase the minimum required width of the stacked parking spaces from 8 feet to 11 feet for greater maneuverability and clear zone sight distance; and

WHEREAS, Lee County Environmental Sciences, Development Services and the Department of Transportation have reviewed the proposed amendment and have found the case to be in compliance with county regulations; and

WHEREAS, the requested deviations enhance the achievement of the objectives of the planned development and preserve and promote the general intent of the LDC to protect the health, safety and public welfare; and

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

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

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to a Residential Planned Development on a project known as Oak Villages RPD to propose revised Master Concept Plans, and grant deviations from the following Land Development Code Sections:

- LDC Section 30-181(a)
- LDC Section 34-2015(2)
- LDC Section 34-2020(a)(3)

is **APPROVED** subject to the following conditions:

1. **The Development must be in compliance with the amended Master Concept Plan attached hereto as Exhibit "B" or the Alternative Master Concept Plan attached hereto as Exhibit "C." Each MCP must also be in compliance with the corresponding Open Space Exhibits attached hereto as Exhibit "D."**
2. **Deviation #6 from LDC Section 30-181(a) is approved to allow an off-site directional sign within the Crystal Drive right-of-way pursuant to the terms of the lease agreement executed by Lee County and attached hereto as Exhibit "F."**

3. **Deviations #7 and #8 from Sections 34-2015(2) and 34-2020(a)(3) are approved to allow stacked parking spaces within the multifamily development with a minimum length of 18 feet for each space, subject to the following conditions:**
 - **Stacked parking spaces are hereby limited to the deviation locations keyed to the Master Concept Plan attached hereto as Exhibit "B."**
 - **Each set of stacked parking spaces must be assigned to the same rental unit within the multifamily development.**
 - **Additional on-site parking spaces (beyond the minimum code requirement) is required at a ratio of 10% of the total sum of stacked parking spaces. These spaces may not be stacked.**
 - **All stacked parking spaces must have a minimum width of 11 feet.**
4. **The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.**
5. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 3/19/2021

Anthony R. Rodriguez, AICP, Zoning Manager

Attachments: Exhibit "A" Legal STRAP Number
Exhibit "B" Amended Master Concept Plan
Exhibit "C" Alternative Master Concept Plan
Exhibit "D" Open Space Exhibits
Exhibit "E" Applicant's Request Statement
Exhibit "F" Off-Site Sign Lease Agreement
Exhibit "G" Resolution Z-18-006

EXHIBIT A

CASE NUMBER: ADD2020-00036

STRAP NUMBERS

17-45-25-01-00000.013A

17-45-25-01-00000.0140

17-45-25-01-00000.015A

17-45-25-01-00000.0210

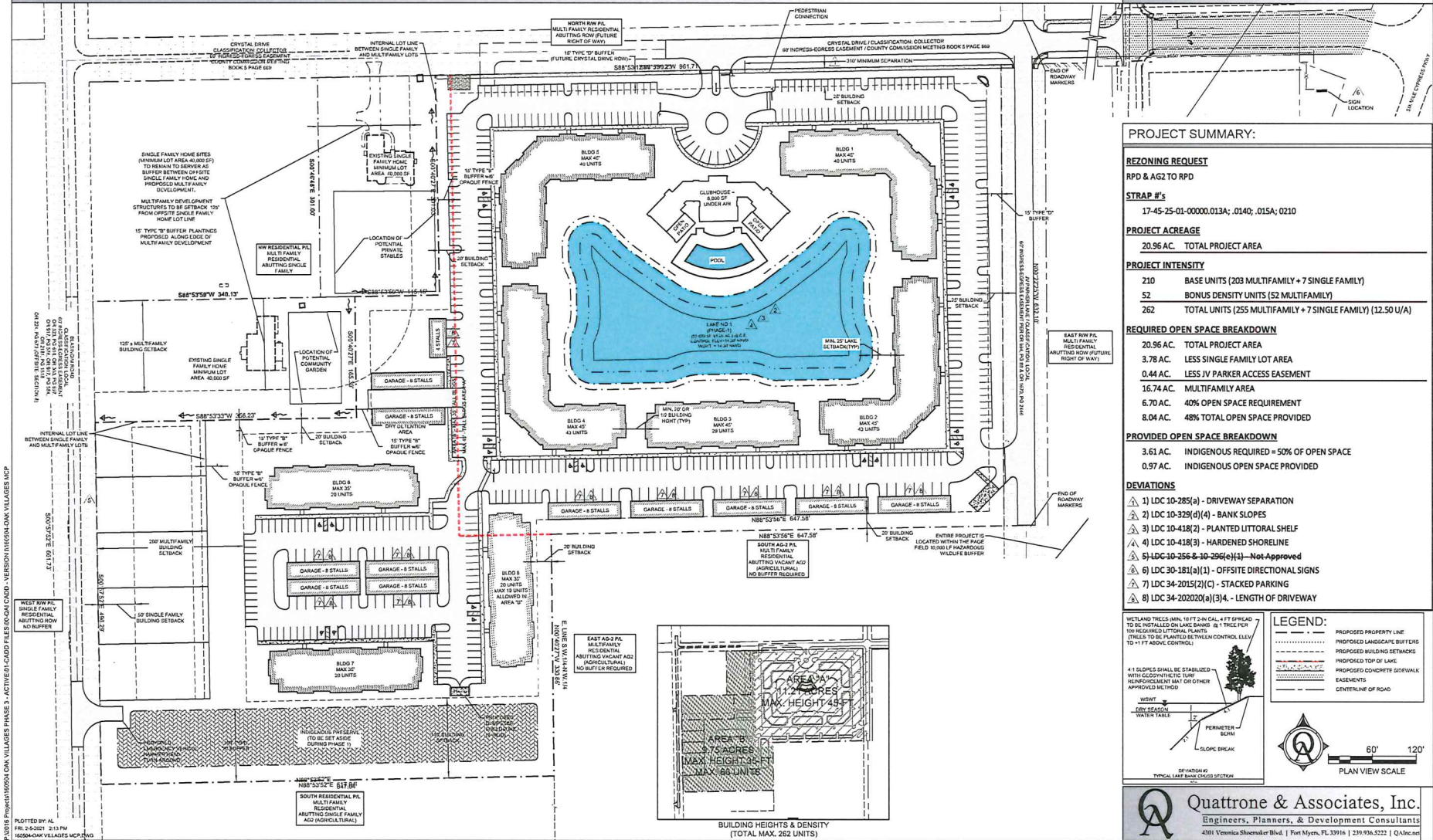
REVIEWED
ADD2020-00036
Daniel Munt, Planner
Lee County DCD
4/6/2020

OAK VILLAGES RPD (FKA CYPRESS VILLAGES)

LOCATED IN SECTION 17, TOWNSHIP 45-S, RANGE 25-E, LEE COUNTY, FLORIDA

Exhibit B

MASTER CONCEPT PLAN



PROJECT: 17-45-25-01-00000.013A OAK VILLAGES PHASE 3 - ACTIVE/SHARED FILES FOR CADD - VERSION 11/20/2020 OAK VILLAGES MCP
NOTED BY: AL
P.L. 2-5-2021 2:13 PM
100504-OAK VILLAGES MCP-RV0

Exhibit C

OAK VILLAGES RPD (FKA CYPRESS VILLAGES)

LOCATED IN SECTION 17, TOWNSHIP 45-S, RANGE 25-E, LEE COUNTY, FLORIDA

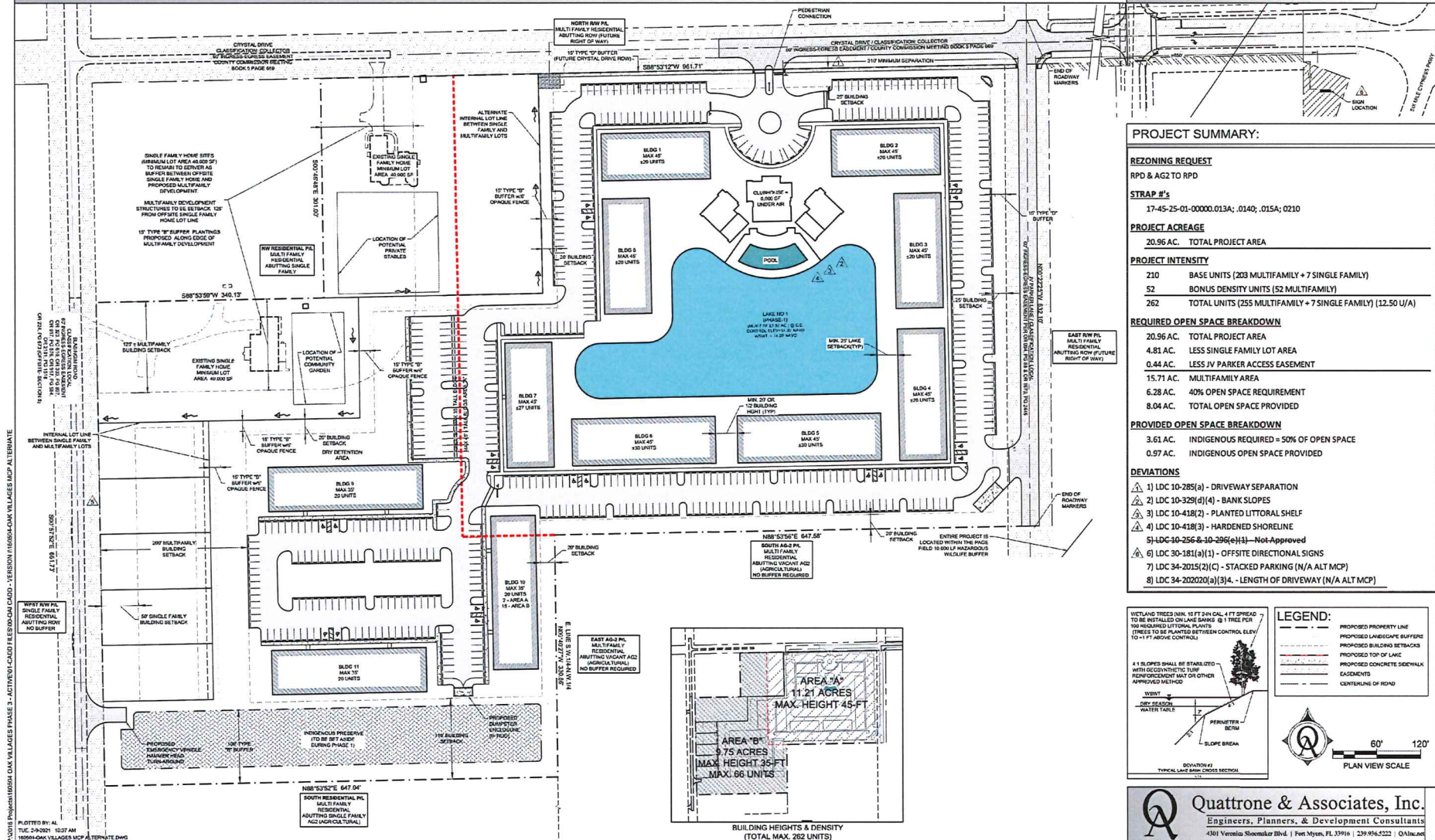
ALTERNATE
MASTER CONCEPT PLAN

Exhibit D

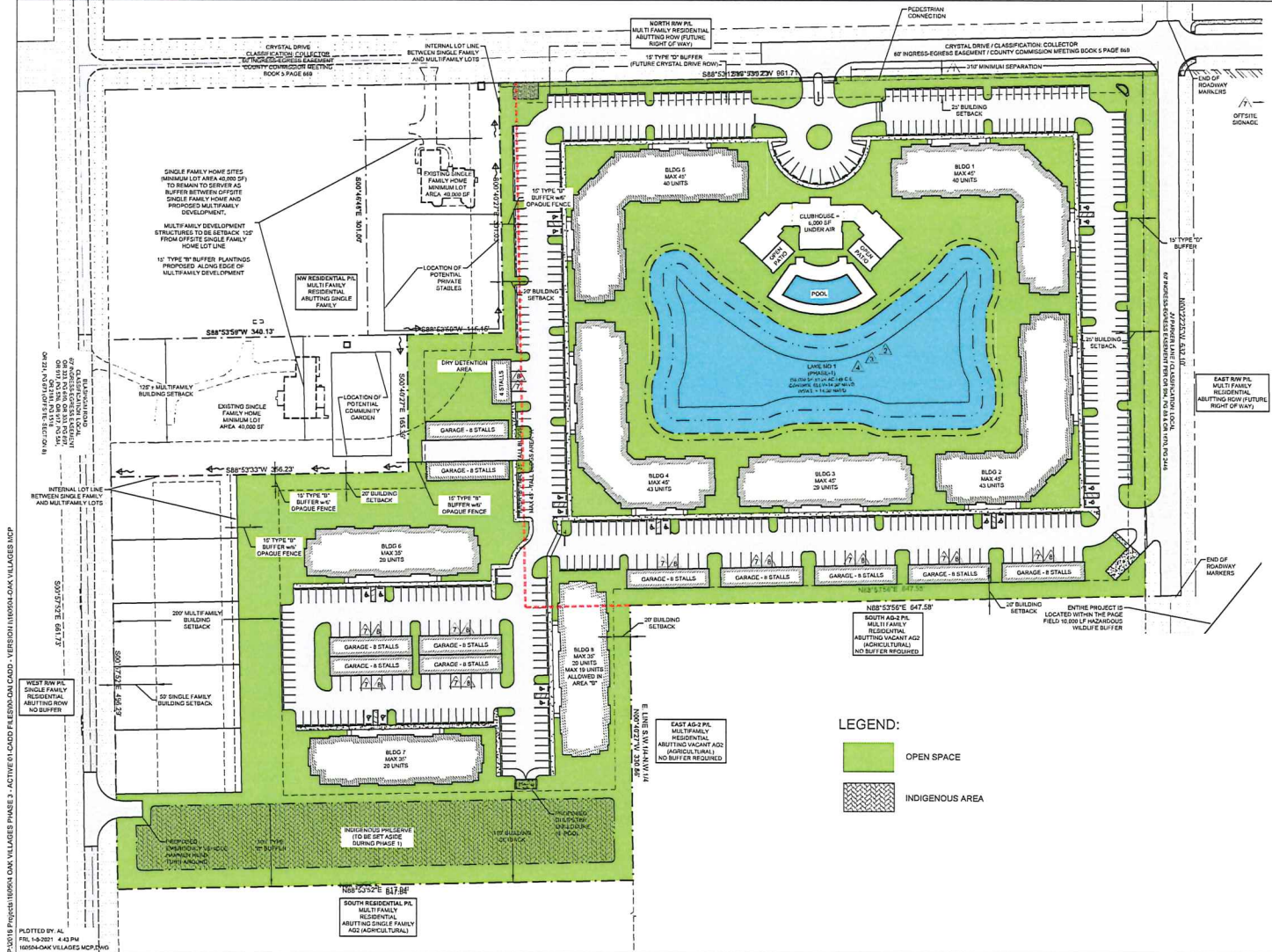
OAK VILLAGES RPD (FKA CYPRESS VILLAGES)

LOCATED IN SECTION 17, TOWNSHIP 45-S, RANGE 25-E, LEE COUNTY, FLORIDA

OPEN SPACE EXHIBIT

PROJECT SUMMARY:

REZONING REQUEST	
RPD & AG2 TO RPD	
STRAP #'s	
17-45-25-01-00000.013A; .014Q; .015A; 0210	
PROJECT ACREAGE	
20.96 AC.	TOTAL PROJECT AREA
PROJECT INTENSITY	
210	BASE UNITS (203 MULTIFAMILY + 7 SINGLE FAMILY)
52	BONUS DENSITY UNITS (52 MULTIFAMILY)
262	TOTAL UNITS (255 MULTIFAMILY + 7 SINGLE FAMILY) (12.50 U/A)
REQUIRED OPEN SPACE BREAKDOWN	
20.96 AC.	TOTAL PROJECT AREA
3.78 AC.	LESS SINGLE FAMILY LOT AREA
0.44 AC.	LESS JV PARKER ACCESS EASEMENT
16.74 AC.	MULTIFAMILY AREA
6.70 AC.	40% OPEN SPACE REQUIREMENT
8.04 AC.	48% TOTAL OPEN SPACE PROVIDED
PROVIDED OPEN SPACE BREAKDOWN	
3.61 AC.	INDIGENOUS REQUIRED = 50% OF OPEN SPACE
0.97 AC.	INDIGENOUS OPEN SPACE PROVIDED
DEVIATIONS	
1) LDC 10-285(a) - DRIVEWAY SEPARATION	
2) LDC 10-329(d)(4) - BANK SLOPES	
3) LDC 10-418(2) - PLANTED LITTORAL SHELF	
4) LDC 10-418(3) - HARDENED SHORELINE	
5) LDC 10-256 & 10-256(e)(3) - Not Approved	
6) LDC 30-181(a)(1) - OFFSITE DIRECTIONAL SIGNS	
7) LDC 34-2015(2)(C) - STAKED PARKING	
8) LDC 34-2020(a)(3) 4 - LENGTH OF DRIVEWAY	



OAK VILLAGES RPD (FKA CYPRESS VILLAGES)

LOCATED IN SECTION 17, TOWNSHIP 45-S, RANGE 25-E, LEE COUNTY, FLORIDA

OPEN SPACE EXHIBIT

PROJECT SUMMARY:

REZONING REQUEST

RPD & AG2 TO RPD

STRAP #'s

17-45-25-01-00000.013A; .0140; .015A; 0210

PROJECT ACREAGE

20.96 AC. TOTAL PROJECT AREA

PROJECT INTENSITY

210	BASE UNITS (203 MULTIFAMILY + 7 SINGLE FAMILY)
52	BONUS DENSITY UNITS (52 MULTIFAMILY)
262	TOTAL UNITS (255 MULTIFAMILY + 7 SINGLE FAMILY) (12.50 U/A)

REQUIRED OPEN SPACE BREAKDOWN

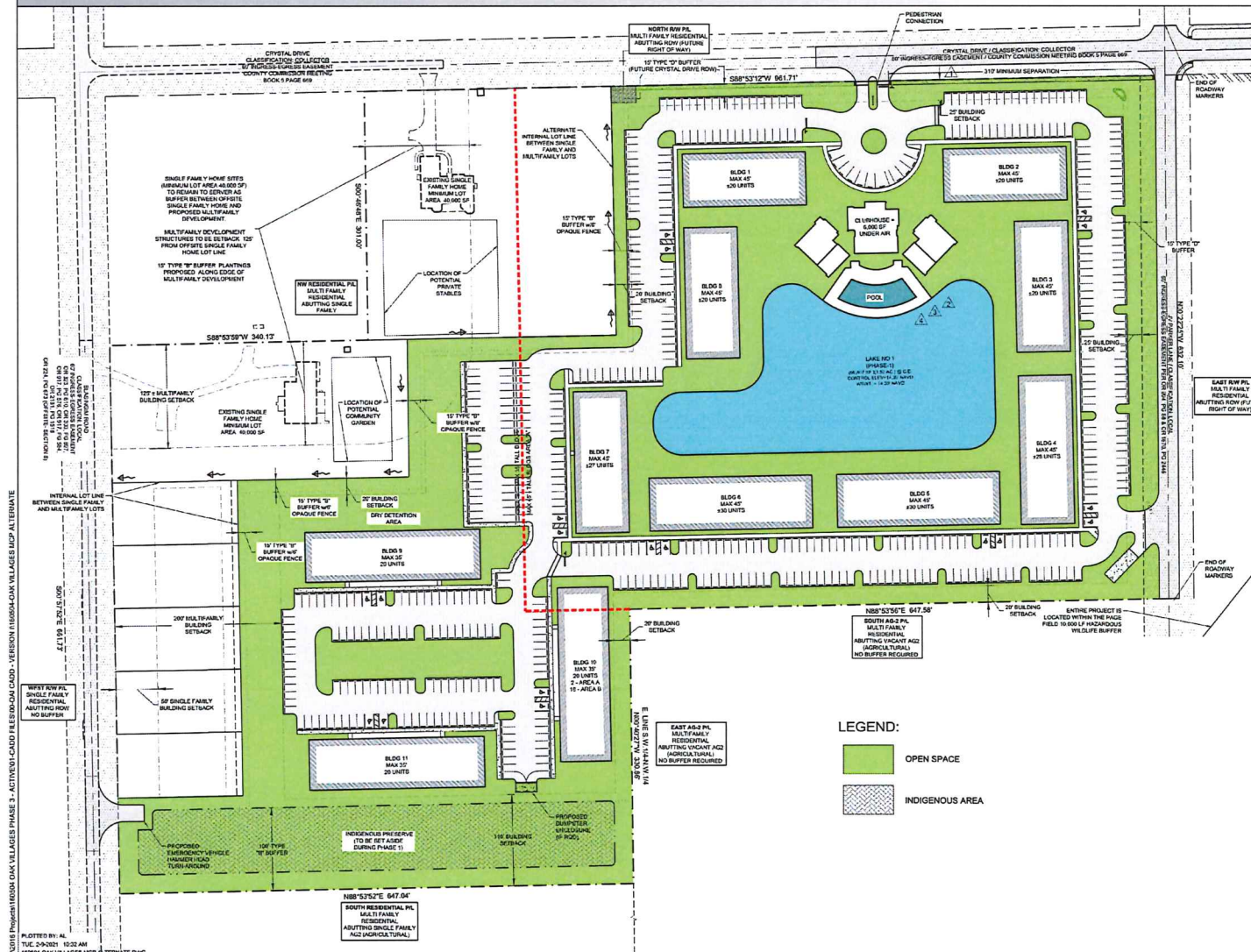
20.96 AC.	TOTAL PROJECT AREA
4.81 AC.	LESS SINGLE FAMILY LOT AREA
0.44 AC.	LESS JV PARKER ACCESS EASEMENT
15.71 AC.	MULTIFAMILY AREA
6.28 AC.	40% OPEN SPACE REQUIREMENT
8.04 AC.	TOTAL OPEN SPACE PROVIDED

PROVIDED OPEN SPACE BREAKDOWN

3.61 AC.	INDIGENOUS REQUIRED = 50% OF OPEN SPACE
0.97 AC.	INDIGENOUS OPEN SPACE PROVIDED

DEVIATIONS

- 1) LDC 10-285(a) - DRIVEWAY SEPARATION
- 2) LDC 10-329(d)(4) - BANK SLOPES
- 3) LDC 10-418(2) - PLANTED LITTORAL SHELF
- 4) LDC 10-418(3) - HARDENED SHORELINE
- 5) LDC 10-256-8-10-256(e)(3) - Not Approved
- 6) LDC 30-181(a)(1) - OFFSITE DIRECTIONAL SIGNS
- 7) LDC 34-2015(2)(C) - STACKED PARKING (N/A ALT MCP)
- 8) LDC 34-2020(a)(3)4. - LENGTH OF DRIVEWAY (N/A ALT MCP)



LEGEND:

- OPEN SPACE
- INDIGENOUS AREA



Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
4301 Venable Shomaker Blvd. | Fort Myers, FL 33916 | 239.936.5222 | QACad.com

Exhibit E

REQUEST STATEMENT

OAK VILLAGES

RPD Rezoning

STRAP#: 17-45-25-01-00000.013A; 17-45-25-01-00000.0140;

17-45-25-01-00000.015A; 17-45-25-01-00000.0210

12270 J V Parker Lane, Fort Myers FL 33966

12291, 12345, 12361 Blasingim Rd. Fort Myers, FL 33966

REQUEST NARRATIVE

The applicant, Cypress Villages, LLC, is requesting Administrative Approval to modify the Oak Villages RPD (Z-18-006 / DCI2017-00010). The intent of this application is to revise the master concept plan and include three new deviations (offsite signage, stacked parking & length of driveway). The general configuration is staying the same with the applicant primarily wanting to reduce the number of multifamily buildings from 15 to 8 and incorporating an option for standalone garages. Since the project will not result in an increase in intensity, an increase in building height, a reduction of open space or indigenous space, or a reduction of buffers; the project is still in compliance with the Goals and Objectives of the Lee County Comp Plan that were presented during the original zoning request and meets the requirements of section 34-174(j)(2) for an administrative zoning amendment.

DEVIATIONS

DEVIATION 1 – LDC §10-285(a) - *(Previously Approved)*

DEVIATION 2 - LDC §10-329(d)(4) - *(Previously Approved)*

DEVIATION 3 - LDC §10-418(2) - *(Previously Approved)*

DEVIATION 4 - LDC §10-418(3) - *(Previously Approved)*

DEVIATION 5 - LDC §10-256 & §10-296(e)(1) - *(Previously Denied)*

DEVIATION 6 - LDC §30-181(a)(1) – Off-site Directional Signs (Proposed)

Deviate from the requirement that offsite directional signs may not be illuminated, must be within 500 feet of the nearest intersection involving a turning movement to locate the development and shall not be closer than 50 feet from the intersection to allow the sign to be illuminated, to be within 650 feet of the nearest intersection (JV Parker Lane & Crystal Drive), and to allow the sign to be within 30 feet of the intersection.

JUSTIFICATION:

The intent of the Off-Site Direction Sign is to allow the traveling public who will access the project from Six Mile Cypress Parkway to easily locate the project and know to turn on Crystal Drive to get to the project. Allowing the sign to be illuminated will assist the public with finding the project at night, which is just as important as locating the sign and project during the day. The lighting will comply with the Lee County Land Development Code. The 650' spacing from the intersection allows the sign to be located at the intersection of Six Mile Cypress Parkway and Crystal Drive for visibility. The reduction to a setback of 30' from the intersection will help with physical placement, avoid conflicts with any potential future onsite signs, and help with avoiding confusion as to what project the sign is serving. The requested

deviation enhances the achievement of the objectives of the planned development; and preserves and promotes the general intent of this Code to protect the public health, safety, and welfare.

DEVIATION 7 - LDC §34-2015(2)(c) – Stacked Parking (Proposed)

Deviate from the requirement that stacking of vehicles (one behind the other) will be permitted only for single-family, duplex, two-family, and townhouses where each dwelling unit has a garage or driveway appurtenant to it, to allow the proposed apartment project to have stacked parking. The proposed stacked parking is only permitted where a paved parking stall is in front of a garage unit and where both the parking stall and the garage unit are assigned to the same rental unit. In addition, the project shall provide additional parking at a rate of 10% of the number of stacked parking stalls (i.e. 76 parking stalls in front of 76 garages shall provide eight (8) additional parking spaces) to accommodate the potential need for moving shuffling vehicles out of the parking stalls in front of the garage units.

JUSTIFICATION:

The intent of the deviation is to give the proposed apartment project the same flexibility as townhouse projects which is to allow the project to have garage units with an associated stacked parking space (driveway). It is becoming more common with apartment projects to provide garages as an amenity. The additional 10% parking of the stacked stalls would minimize concerns that are associated with shuffling cars to exit the garage. However, please note this same concern would exist for duplexes, two-family homes, and townhouses, which are not required to provide additional parking for shuffling of cars. The requested deviation enhances the achievement of the objectives of the planned development; and preserves and promotes the general intent of this Code to protect the public health, safety, and welfare.

DEVIATION 8 - LDC §34-2020(a)(3)4. – Length of Driveway (Proposed)

Deviate from the requirement that the length of the driveway, as measured from the garage structure or the end of the stacked parking space farthest from the street or access way must be a minimum of 22 feet to the edge of a private street right-of-way or easement line OR 27 feet to the edge of pavement of an access way to allow the proposed parking stalls to be the same length as a standard parking stall of 18 feet with the condition that each parking stall is 11 feet wide as opposed to the minimum required width of 9 feet and that the additional 10% parking of the stacked stalls is provided.

JUSTIFICATION:

The intent of the deviation is to be a companion request to Deviation #7. The stacked parking stalls in front of the garages are designed to function exactly like a regular parking stall which is 18 feet. This length allows cars to park in the parking stall and to be clear of the drive aisle. The wider parking stall of 11 feet will provide additional maneuvering room in front of the garage units and will provide added clear zone sight distance that is not even provided in a standard parking stall. The requested deviation enhances the achievement of the objectives of the planned development; and preserves and promotes the general intent of this Code to protect the public health, safety, and welfare.

In accordance with requirements of LDC Section 10-104 (b):

- I. The above alternatives proposed to the standards contained herein are based on sound engineering practices;

2. The alternatives are no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested;
3. Division 7 of Article III of this chapter – Not Applicable;
4. The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision;
5. Sections [10-352](#) and [10-353](#) – Not Applicable;
6. Sections [10-329\(f\)](#) and [10-418\(4\)](#) – Not Applicable

In accordance with requirements of LDC Section 34-174(j)(2):

- a. The above requested deviation and MCP revisions do not increase height, density or intensity of the development.
- b. The above requested deviation and MCP revisions do not result in the substantial underutilization of public resources and public infrastructure committed to the support of the development;
- c. The above requested deviation and MCP revisions do not result in a reduction of total open space provided on the master concept plan;
- d. The above requested deviation and MCP revisions do not decrease the amount of indigenous native vegetation preservation or open space areas below the amount required by the Code;
- e. The above requested deviation and MCP revisions do not reduce buffer or landscape areas that were originally depicted on the approved Master Concept Plan and proposed buffering or landscaping areas are equivalent (by comparison with the approved Master Concept Plan) to the original approvals;
- f. The above request deviation and MCP revisions do not adversely impact surrounding land uses; and
- g. The above request deviation and MCP revisions are consistent with all applicable provisions of the Lee Plan and land development regulations in effect at the time of the amendment request.

Exhibit F

COMMUNITY RESIDENTIAL SIGN LICENSE AGREEMENT (OAK VILLAGES)

THIS COMMUNITY RESIDENTIAL SIGN LICENSE AGREEMENT (this "License"), made and entered into this 16th day of June 2020, by and between LEE COUNTY BOARD OF COUNTY COMMISSIONERS, a political subdivision of the State of Florida, with an address of P. O. Box 398, Fort Myers, FL 33902-0398, herein referred to as "COUNTY," and CYPRESS VILLAGES, LLC, a Florida limited liability company, with an address of 4301 Veronica Shoemaker Boulevard, Fort Myers, FL 33916 herein referred to as "LICENSEE," (collectively referred to as the "Parties") recites and provides as follows:

RECITALS

WHEREAS, the COUNTY is the owner of a parcel of unimproved real estate located in Lee County, Florida, more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Site"); and

WHEREAS, the County desires to enter into this Agreement pursuant to the authority granted to it under Chapter 125, Fla. Stat., and,

WHEREAS, LICENSEE is the owner of a parcel of land located along N Parker Lane and Crystal Drive, approved for multi-family development on a parcel which is zoned Residential Planned Development (RPD) and more particularly described in Exhibit B attached hereto and incorporated herein by reference ("Multi-Family Parcel"); and

WHEREAS, the Land Development Code (LDC) provides for off-site project directional signs to be placed so that the traveling public can be safely made aware of a project's location which is set back from a main road and which was found to be a public benefit; and

WHEREAS, Administrative Code 11-19 permits the placement of privately sponsored Community Place Name Signs on County Right-of-Way; and,

WHEREAS LICENSEE intends to construct, operate, repair and maintain an off-premise sign identifying the name of the Community, in accordance with the attached Exhibit "C" and the terms of this Agreement (the "Sign"); and

WHEREAS, the Parties now desire to set forth the terms pursuant to which COUNTY shall License COUNTY's site to LICENSEE.

TERMS OF LICENSE

NOW, THEREFORE, for and in consideration of the mutual agreements set forth below and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

I. RECITALS. The recitals set forth above are true and correct and incorporated herein by this reference, and constitute a material component of this Agreement.

2. LICENSE OF SITE.

a. Subject to and in accordance with the provisions of this License, COUNTY hereby Licenses to LICENSEE the Site as described and shown on Exhibit A attached hereto and made a part hereof and designated as the "Site."

b. COUNTY hereby grants to LICENSEE the right of access to install, construct, repair and maintain the Sign within the Crystal Drive right-of-way. COUNTY hereby grants to LICENSEE the right to install, construct, repair and maintain provision of power to the Sign. COUNTY shall preapprove location of installation of power to the Sign and access to the Site.

3. USE OF LICENSED SITE.

a. LICENSEE shall use the Site solely for construction, operation, repair and maintenance of the Sign and said Sign shall be used as a Community identification and direction sign solely for the Multi-Family Parcel. The Parties agree and understand that the Sign is not, and may not be used as, an off-premise advertising sign. The Parties agree and understand that the text and graphics on the Sign must be in substantial compliance with Exhibit "C". Notwithstanding, changes to the sign that only concern the Project name or minor changes to the design may be permitted without further amendment to this License Agreement.

b. COUNTY reserves the right to use the Site for those uses that are not inconsistent with the Sign.

4. TERM. The term hereof shall be for an initial term of fifteen (15) years commencing on the date the building permit is issued for construction of Sign (the Commencement Date). The License may be terminated within the initial term, subject to the following:

a. the COUNTY must provide, no less than one hundred eighty (180) days, advance written notice of its intent to terminate this License (Notice of Termination);

b. the COUNTY's reason for termination may only be due to reasonable concerns that the Sign would interfere with the County's ability to extend Crystal Drive or interfere with any county transportation or utility project within the right of way adjacent to the Sign or if the LICENSEE has defaulted under the terms of this Agreement and has failed to cure the default in accordance with this Agreement;

c. During the first 150 days of the Notice of Termination Period, LICENSEE may provide and COUNTY will review in good faith LICENSEE'S effort to cure the interference: to include by way of example but not limited to: relocation of sign to a mutually agreeable location, modification to design of Sign (size, height, width).

1) If COUNTY accepts LICENSEE'S cure, the Notice of Termination shall be revoked and LICENSE shall continue for the duration of the applicable term (initial term or extensions).

2) If COUNTY rejects LICENSEE'S effort to cure, Notice of Termination remains in effect and LICENSE terminates on date set forth in Notice of Termination.

d. After the Initial term, the License shall terminate unless the Parties agree in writing to an additional extension. If this License is renewed then all covenants, conditions and terms will remain the same. The COUNTY'S right to terminate the License is solely within the COUNTY'S discretion

5. TERMINATION. Once the License is terminated, the LICENSEE must remove the Sign and all improvements and return the site to its original condition within 30 days from the date Notice is sent to the LICENSEE. If the Sign is not removed, the COUNTY may remove and dispose of the Sign and all improvements found on the site, without compensation to the LICENSEE. Furthermore, within 45 days from receipt of an invoice, LICENSEE shall be required to reimburse the COUNTY for all expenses associated with removal and disposal of the sign.

6. LICENSE FEE. Prior to issuance of a building permit for construction of the Sign, LICENSEE will cause to be delivered to COUNTY a License Fee of \$7,000 to be paid annually thereafter for the term of the License and any extensions thereto.

7. INSURANCE REQUIREMENTS.

a. All property of the LICENSEE, its employees, agents, business invitees, licensees, customers, clients, guests or trespassers, in and on the Site shall be and remain at the sole risk of such party, and COUNTY shall not be liable to them for any damage to, or loss of such personal property arising from any act of God or any persons, nor from any other reason, nor shall the COUNTY be liable for the interruption or loss to LICENSEE'S business arising from any of the above described acts or causes. The COUNTY shall not be liable for any personal injury to the LICENSEE, its employees, agents, business invitees, licensees, customers, clients, students, family members, guests or trespassers, arising from the use, occupancy and condition of the Site unless such injury is caused by the gross negligence or willful act or failure to act on the part of the COUNTY or its employees.

b. During the term, LICENSEE will maintain a policy of commercial general liability insurance insuring the COUNTY and LICENSEE against liability arising out of the use, operation or maintenance of the Site and the installation, repair, maintenance, operation, replacement and removal of the Base Station. The insurance will be maintained for personal injury and property damage liability, adequate to protect COUNTY against liability for injury or death of any person in connection with the use, operation and condition of the Site that are a result of LICENSEE'S responsibilities or LICENSEE'S actions in an amount not less than TWO MILLION DOLLARS (\$2,000,000.00) per occurrence/aggregate. During the term, LICENSEE shall also maintain workers' compensation and employers' liability insurance, and such other insurance relating to the installation, repair, maintenance, operation, replacement and removal of the Sign, and the ownership, use, occupancy or maintenance of the Site as COUNTY may reasonably require. The limits of the insurance will not limit the liability of LICENSEE. If the LICENSEE fails to maintain the required insurance the COUNTY may, but does not have to, maintain the insurance at LICENSEE'S expense. The policy shall expressly provide that it is not subject to invalidation of the COUNTY'S interest by reason of any act or omission on the part of LICENSEE.

c. The COUNTY shall be named as an "additional insured" on LICENSEE's liability policies.

d. LICENSEE, and its successors in interest, agrees to indemnify and hold harmless the COUNTY against any and all claims, losses, damages, liabilities, penalties, expenses, reasonable legal fees and costs of any kind or amount whatsoever, which result from, or in connection with, the design, use, operation, maintenance of the Sign and condition of the Site.

8. REAL ESTATE TAXES, UTILITIES, MAINTENANCE.

a. LICENSEE shall be solely responsible for all costs and expenses relating to connection, disconnection, consumption and use of any utilities and/or services in connection with LICENSEE's construction, installation, operation and maintenance of the Sign on the Site including without limitation any electric consumption by its equipment.

b. LICENSEE shall be responsible for the payment of applicable taxes, if any, that are attributable to this Agreement and the Sign.

c. LICENSEE shall at all times during the term of this License at its own expense maintain the Sign and the Site in proper operating condition and maintain the same in reasonably good condition and will repair any damage except that caused by COUNTY, its agents or servants. LICENSEE shall keep the Site free of debris at all times. LICENSEE shall be solely responsible for keeping the Sign at all times in reasonably good order, condition and repair and in compliance with the applicable laws and ordinances.

d. LICENSEE shall cause construction of the Sign to be commenced as soon as the building permit is issued and shall diligently and continuously prosecute such work to final completion in a timely manner.

9. NO PARTNERSHIP. Nothing contained in this License shall be deemed or construed to create a partnership or joint venture of or between COUNTY and LICENSEE, or to create any other relationship between the parties hereto other than that of COUNTY and LICENSEE.

10. NOTICES. All notices, payments, demands and requests hereunder shall be in writing and shall be deemed to have been properly given when mailed by the United States Postal Service by First Class, Registered or Certified Mail, postage prepaid, or by nationally recognized overnight courier, and addressed to the COUNTY as follows:

To COUNTY:

Lee County Board of County Commissioners
P. O. Box 398
Fort Myers, FL 33902-0398
Attention: Chairperson of the Board

To LICENSEE:

Cypress Villages, LLC
4301 Veronica Shoemaker Boulevard
Fort Myers, FL 33916
Attn: Al Quattrone, Manager

or to such other addresses as either of the parties may designate from time to time by giving written notice as herein required.

11. GOVERNING LAW. The execution, performance and enforcement of this License shall be governed by the laws of Florida without application of conflicts of law principles.

12. MISCELLANEOUS. This License plus the Exhibits hereto contain the entire agreement between the parties and may not be amended, altered or otherwise changed except by a subsequent writing signed by the parties to this License. The invalidation of any one of the terms or provisions of this License by judgment or court order shall in no way affect any of the other terms of this License which shall remain in full force and effect. COUNTY and LICENSEE agree to execute any additional documents necessary to further implement the purposes and intent of this License. Time is of the essence with respect to each provision of this License.

13. BINDING EFFECT. This License shall bind and inure to the benefit of the parties hereto and their respective successors and permitted assigns.

14. NO WAIVER. No waiver of any condition or agreement in this License by either COUNTY or LICENSEE will imply or constitute a further waiver by such party of the same or any other condition or agreement. No act or thing done by COUNTY during the term of this License will be deemed an acceptance of surrender of the Site, and no agreement to accept the surrender will be valid unless in writing signed by COUNTY.

15. AUTHORITY. Each of the persons executing this License on behalf of LICENSEE warrants to COUNTY that LICENSEE is a duly organized and existing limited liability company under Florida law, that LICENSEE is authorized to do business in the State of Florida, that LICENSEE has full right and authority to enter into this License, and that each and every person signing on behalf of LICENSEE is authorized to do so. Upon COUNTY's request, LICENSEE will provide evidence satisfactory to COUNTY confirming these representations.

16. ENTIRE AGREEMENT. This License plus the Exhibits hereto contain the entire agreement between the parties and may not be amended, altered or otherwise changed except by a subsequent writing signed by the parties to this License.

17. DEFAULT.

a. Each of the following shall be an event of default by LICENSEE under this License:

i. If LICENSEE or its assigns so fail or neglect to keep and perform every one of the terms of this License and such failure and neglect continues for more than forty (40) days or for such longer period as may be reasonable provided LICENSEE is attempting a cure with all due diligence not to exceed one hundred twenty (120) days plus any period of where cure is prevented by force majeure after COUNTY gives written notice specifying the default. NOTWITHSTANDING, UPON TERMINATION IN ACCORDANCE WITH THIS AGREEMENT, LICENSEE SHALL NOT BE ENTITLED TO ADDITIONAL TIME TO CURE REMOVAL OF THE SIGN IN ACCORDANCE WITH PARAGRAPH 5 ABOVE.

ii. Any material breach by LICENSEE or its assigns of its obligations under this License provided LICENSEE receives notice from COUNTY of such material breach and fails to cure such breach within thirty (30) days of receipt of notice.

b. In the case of any event of default which is not timely cured, COUNTY shall have the right to give LICENSEE written notice of its intentions to terminate this License on the date of the notice or on any later date specified in the notice and on the date specified in the notice LICENSEE's right to possess this Site. LICENSEE's right to possession of the Site will cease and this License will be terminated as if the date fixed in the notice were the end of the term and together with any additional rights and remedies that may be available at law or equity.

18. SUCCESSORS AND ASSIGNS. COUNTY understands and agrees that LICENSEE may assign this License as long as LICENSEE provides to COUNTY at least thirty (30) days after the transfer of the Site before the proposed transfer (a) the name and address of the assignee, and (b) a document executed by the assignee by which it acknowledges the assignment and assumption of all of LICENSEE's obligations hereunder in a format attached as Exhibit D.

19. VENUE. Venue is in Lee County, Florida.

20. EFFECTIVE DATE. The Effective Date of this License is the date approved by the Board of County Commissioners.

Dated this 16th day of June, 2020.

COUNTY:

ATTEST:
LINDA DOGGETT, CLERK

LEE COUNTY, FLORIDA, by its Board of County Commissioners

By: Joyce S. Gaudin
Deputy Clerk

By: Bryan Hamman, Chair Frank B. Mann, Vice-Chair

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

By: [Signature]
Lee County Attorney's Office

LICENSEE:
CYPRESS VILLAGES, LLC, a Florida
limited liability company

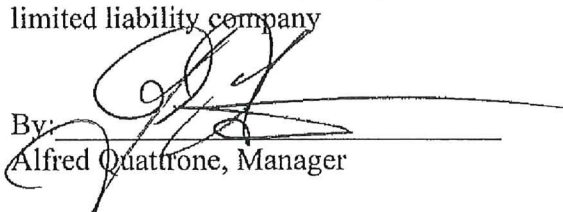
By: 
Alfred Quattrone, Manager

EXHIBIT A
COUNTY's Parcel

[Attached]

EXHIBIT "A" PAGE 1 OF 2

Tract No. 47100-017

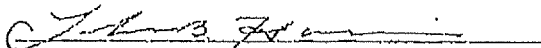
DESCRIPTION: (PER D.R. BOOK 1956, PAGE 2309)

A TRACT OR PARCEL OF LAND LYING IN THE SOUTH HALF (S1/2) OF THE NORTH-EAST QUARTER (NE1/4), SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA WHICH TRACT OR PARCEL IS DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF SAID FRACTION RUN SOUTHERLY ALONG THE WEST LINE OF SAID FRACTION FOR 30 FEET TO THE SOUTH LINE OF A COUNTY ROAD RIGHT-OF-WAY AS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORD BOOK 1141 AT PAGE 1315, LEE COUNTY RECORDS AND THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING RUN EASTERLY ALONG SAID SOUTHERLY LINE FOR 75.26 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF SIX MILE PARKWAY (250 FEET WIDE) AS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORD BOOK 1141 AT PAGE 1316 OF SAID PUBLIC RECORDS; THENCE RUN S.20°01'31"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE RUN NORTHERLY ALONG SAID WEST LINE FOR 205.36 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.18 ACRES, MORE OR LESS.

BEARINGS HEREIN ABOVE MENTIONED ARE BASED ON THE CENTERLINE SURVEY OF SIX MILE PARKWAY.



JOHN B. HARRIS

PLS #4631

FEBRUARY 12, 2009

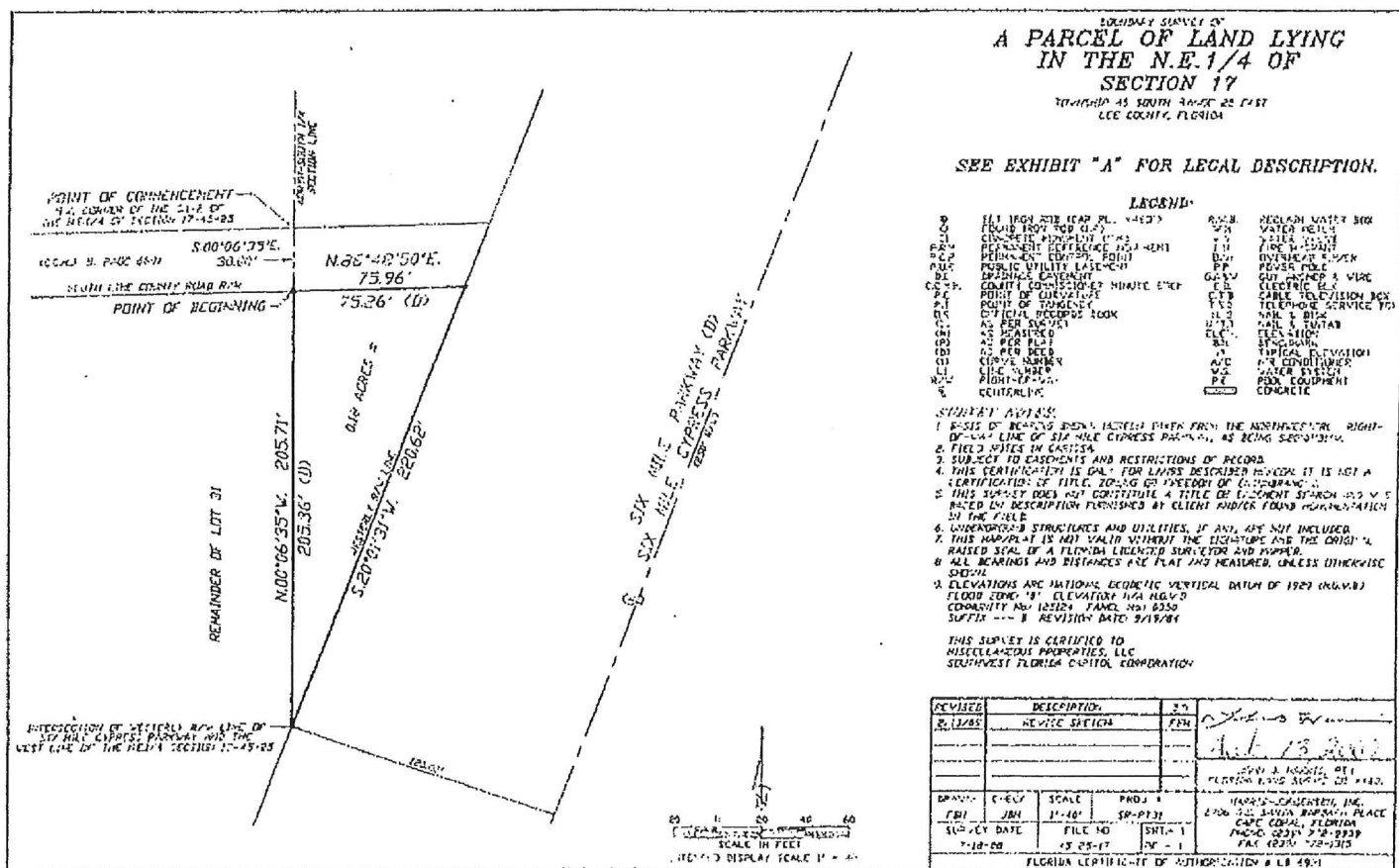
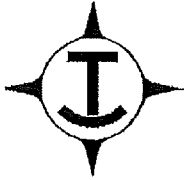


EXHIBIT B

LICENSEE's Parcel

[Attached]



Trask Surveying, P.A.

Exhibit B - Page 1/2

Land Surveyors

A PARCEL OF LAND LYING IN
SECTION 17, T-45-S, R-25-E,
LEE COUNTY, FLORIDA.

(OVERALL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEING A PART OF LOTS 13, 14 & 15, 21 & 22 UNRECORDED SUBURBAN RANCHETTES SUBDIVISION AND BEING THE PARCELS AS DESCRIBED IN OFFICIAL RECORDS INSTRUMENT 2016000032649, OFFICIAL RECORDS BOOK 4762, PAGE 647, OFFICIAL RECORDS INSTRUMENT 2013000094707, OFFICIAL RECORDS INSTRUMENT 2013000252780, OFFICIAL RECORDS BOOK 3079, PAGE 1412 AND OFFICIAL RECORDS BOOK 2966, PAGE 2062, LEE COUNTY, FLORIDA PUBLIC RECORDS, AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE N.88°53'57"E. ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER FOR 1290.72 FEET; THENCE N.00°40'27"W. ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 330.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.00°40'27"W. ALONG SAID FRACTION LINE FOR 330.86 FEET; THENCE N.88°53'56"E. ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 647.58 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, BEING THE CENTERLINE OF JV PARKER LANE (60' WIDE INGRESS-EGRESS EASEMENT); THENCE N.00°22'25"W. ALONG SAID EAST LINE AND THE CENTERLINE OF JV PARKER LANE, FOR 632.10 FEET; THENCE S.88°53'12"W. ALONG THE SOUTH LINE OF CRYSTAL DRIVE, PARALLEL WITH AND 30 FEET SOUTHERLY OF (AS MEASURED ON A PERPENDICULAR) THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 961.71 FEET; THENCE S.00°46'48"E. ALONG THE COMMON BOUNDARY OF SAID PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3079, PAGE 1412 AND THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS INSTRUMENT 2014000058107, SAID PUBLIC RECORDS, FOR 301.00 FEET; THENCE S.88°53'59"W. ALONG THE SOUTH LINE OF THE NORTH HALF OF NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 310.13 FEET TO THE EAST LINE OF BLASINGIM ROAD (60' WIDE INGRESS-EGRESS EASEMENT); THENCE S.00°57'52"E. ALONG SAID EAST LINE, PARALLEL WITH AND 30.00 FEET EASTERLY OF (AS MEASURED ON A PERPENDICULAR) THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17 (BEING THE CENTERLINE OF BLASINGIM ROAD), FOR 661.73 FEET; THENCE N.88°53'52"E. ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 617.04 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 913197.30 SQUARE FEET OR 20.96 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTHWEST ONE QUARTER OF SAID SECTION 17 AS BEARING N.88°53'49"E.

TRASK SURVEYING, P.A.
FLORIDA LICENSED BUSINESS LB8082

AUGUST 15, 2018

KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE LS4684

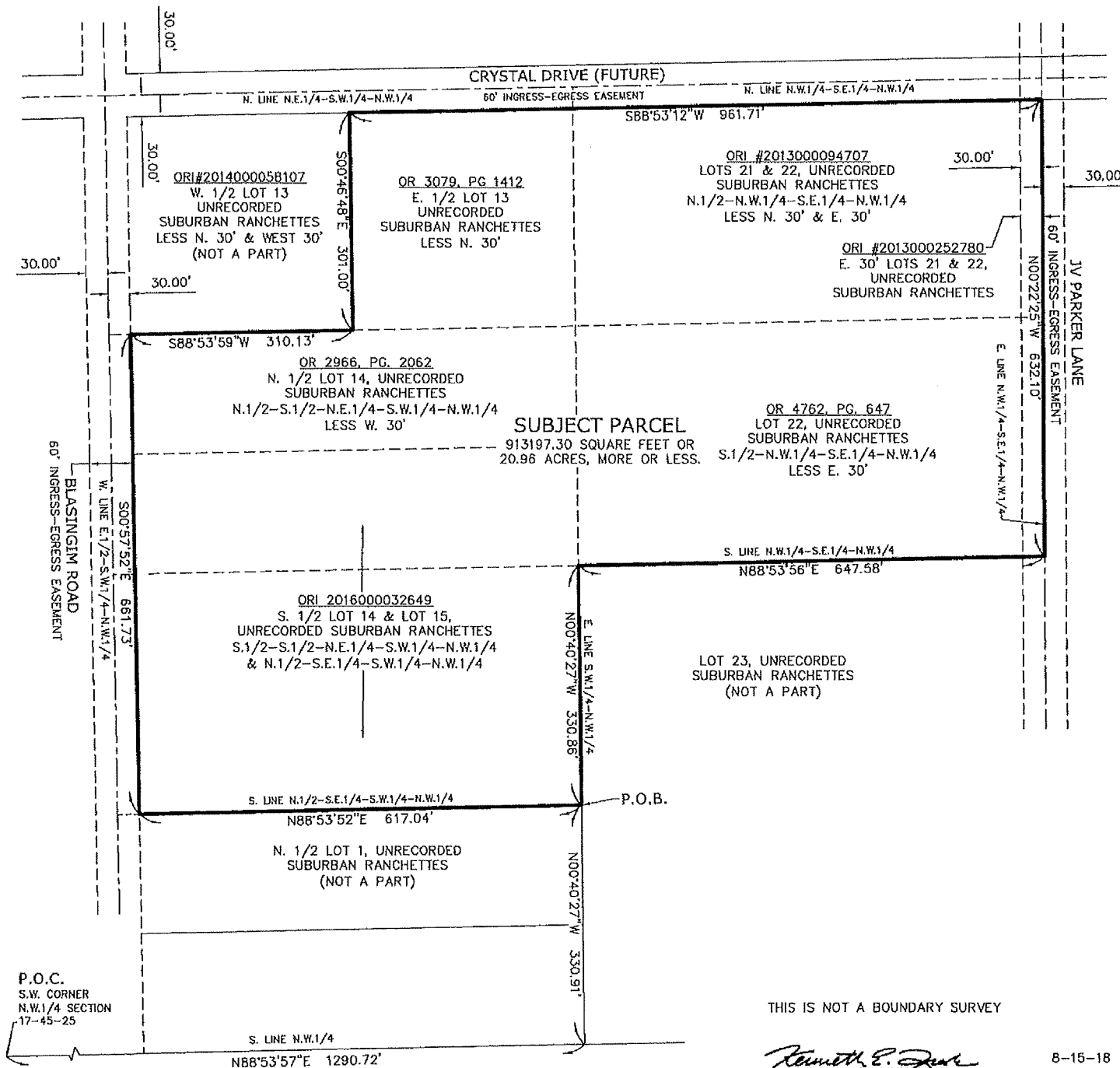
SHEET 1 OF 2

12345 Blasingim Road • Fort Myers, FL 33966



SKETCH TO ACCOMPANY DESCRIPTION

OF A PARCEL LYING IN
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA.



LEGEND

LS LICENSED SURVEYOR
LB LICENSED BUSINESS
OR OFFICIAL RECORDS BOOK
PG PAGE
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT

THIS IS NOT A BOUNDARY SURVEY

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

8-15-18
DATE



Trask Surveying, P.A.

Land Surveyors

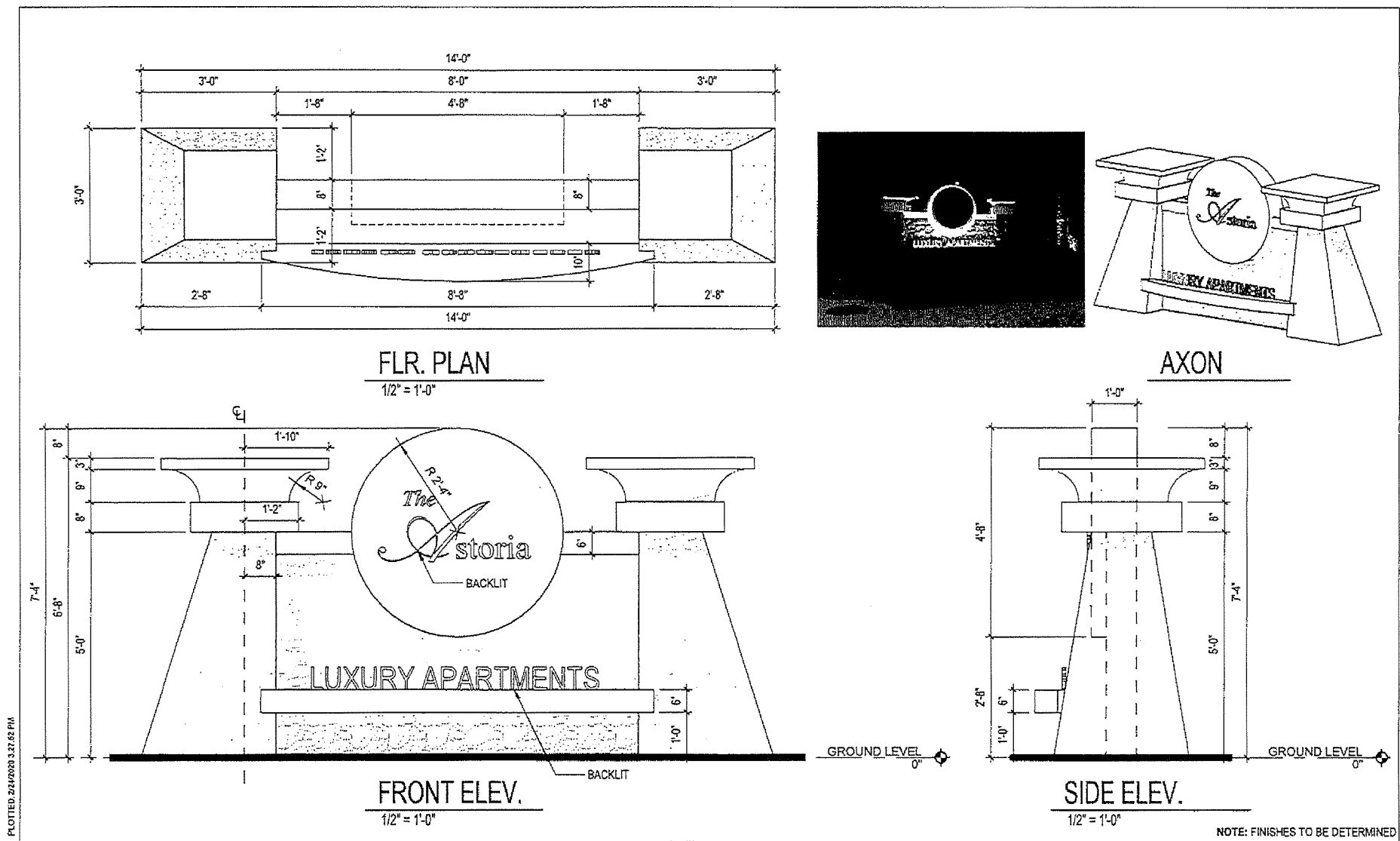
Florida Licensed Business No. LB8082
12345 Blasingim Road
Fort Myers, Florida 33966
(239) 980-1495

date	dwg	scale	job#	sheet
8-15-18	15-79SK-BND	1"=200'	15-79	2 of 2

EXHIBIT C

Sign Conceptual Design

[Attached]



PLOTTED 2/24/2020 3:27:52 PM



© 2018 FUGLEBERG KOCH

2555 TEMPLETRAIL

WINTER PARK, FLORIDA 32789

TEL: 407-629-0595

SIGNAGE

PROJECT No: 0000

DATE: 02/20/20

FL Myers

The Astoria

FAX: 407-628-1057

AA26002103

WWW.FUGLEBERGKoch.COM

Exhibit C

© 2018. These documents and their contents are the property of FUGLEBERG KOCH - AA26002103. and are issued only for the specific project noted on these drawings. Any reproductions, revisions, or modifications of these documents without the expressed written consent of Fugleberg Koch is prohibited by law.

EXHIBIT D

FORM Assignment and Assumption Agreement

[Attached]

EXHIBIT D
ASSIGNMENT OF LICENSE

This Assignment of License ("Assignment") is made as of the ____ day of _____, 20____, by and between CYPRESS VILLAGES, LLC, a Florida limited liability company, ("Assignor"), and _____ ("Assignee")

RECITALS

WHEREAS, Assignor is the current licensee under the Site Lease / Real Property Agreement between Assignor and Lee County Board of County Commissioners, a political subdivision of the State of Florida, for the premises ("Premises") described in Exhibit A and dated _____, 2020 ("License"); and

WHEREAS, Assignor has agreed to sell multi-family portion of its Residential Planned Development (RPD) and assign the Licensee to Assignee in accordance with this Assignment and other agreements between Assignor and Assignee; and

WHEREAS, Assignor and Assignee intend this Assignment shall also benefit Lee County as the Licenser under the License assigned hereby.

NOW, THEREFORE, for and in consideration of the foregoing premises and of the mutual covenants and conditions contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each party to the other, it is agreed as follows:

1. Incorporation of Recitals. The foregoing Recitals incorporated by reference the same as if fully set forth herein.

2. Assignment and Assumption of License. Assignor hereby assigns, sets over, and transfers to Assignee all its rights, interests and obligations to and under the License. Assignee hereby accepts this Assignment and assumes and agrees to fulfill all Licensee obligations, terms and conditions of the License from this date forward for the remainder of the term hereof to the same extent as if it had been the original licensee under the License.

3. Notices. Notices in Paragraph 10 of License to Licensee shall be issued to

[insert name and address of Assignee]

4. Execution and Counterparts. This Assignment may be executed in counterparts, each of which shall be original, all of which taken together shall constitute one and same Assignment.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the undersigned have set their hands and seals as of the date and year first written above.

Witnessed by:

Assignor:

Print Name: _____

CYPRESS VILLAGES, LLC, a Florida limited liability company

Print Name: _____

By: _____
Al Quattrone, Manager

Print Name: _____

Assignee:

Entity Yet To Be Determined, a _____

Print Name: _____

By: _____
Printed Name: _____
Its: _____

Exhibit G

RESOLUTION NUMBER Z-18-006

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

WHEREAS, Quattrone & Associates, Inc., filed an application on behalf of the property owners, listed in attached Exhibit A, to rezone a 20.96± acre parcel from Residential Planned Development (RPD) and Agricultural (AG-2) to RPD in reference to Oak Villages RPD; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Laura B. Belflower, was advertised and held on February 22, 2018. On February 22, 2018, at the request of the Applicant, the Hearing Examiner continued the hearing until May 3, 2018. On May 3, 2018, at the request of the Applicant, the Hearing Examiner continued the hearing until June 5, 2018. On June 5, 2018, June 8, 2018, July 20, 2018 and August 13, 2018, the public hearing was held. At the conclusion of the hearing, the Hearing Examiner left the record open and requested Staff and the Applicant to submit written submissions to her Office on or before September 14, 2018; and

WHEREAS, the Hearing Examiner gave full consideration to the request and the evidence in the record for Case #DCI2017-00010 and recommended APPROVAL with conditions; and

WHEREAS, a second public hearing was advertised for December 5, 2018 before the Lee County Board of Commissioners. On December 5, 2018, at the request of the applicant, the Lee County Board of Commissioners continued the hearing until February 6, 2019. On February 6, 2019, the public hearing was held; and

WHEREAS, the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons, remanded the case back to the Hearing Examiner for further consideration; and

WHEREAS, a third public hearing before the Lee County Zoning Hearing Examiner, Amanda L. Rivera, was advertised and held on May 1, 2019. On May 1, 2019, the Hearing Examiner continued the hearing for additional time on May 2, 2019. On May 2, 2019, the public hearing was held; and

WHEREAS, the Hearing Examiner gave full consideration to the revised request and the evidence in the record and recommended APPROVAL of the Request with conditions; and

WHEREAS, a fourth public hearing was advertised and held on December 4, 2019 before the Lee County Board of Commissioners; and

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

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

SECTION A. REQUEST

The applicant filed a request to rezone a 20.96± acre parcel from RPD and AG-2 to RPD, to allow 262 residential dwelling units (255 multi-family units and 7 single-family units, inclusive of 52 bonus density units).

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

SECTION B. CONDITIONS:

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

1. Master Concept Plan/Development Parameters

a. Master Concept Plan

Development of this project must be consistent with the two-page Master Concept Plan (MCP) entitled "Master Concept Plan and Open Space Exhibit," prepared by Quattrone & Associates, Inc., date stamped received December 9, 2019, and attached hereto as Exhibit D, except as modified by the conditions below. Development must comply with all requirements of the LDC and the Lee Plan at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

b. Approved Development Parameters

The development approved herein is as follows:

- i. Maximum of 262 dwelling units (7 single-family and 255 multi-family), and a 6,000 square foot clubhouse. The approval includes 52 bonus density units. At the time of local development order, the developer must demonstrate how bonus density units are being achieved in accordance with the LDC and Lee County Administrative Code.
- ii. Area B is limited to 66 dwelling units.
- iii. Proposed changes to the location or use of single-family parcels must go through the public hearing process.

2. Uses and Site Development Regulations

a. Permitted Uses within this Planned Development:

Accessory Uses and Structures

Administrative Office

Club, private (limited to Clubhouse only)

Community Garden

Dwelling unit:

Single-family (limited to two existing and five proposed single-family lots in Area B)

Multi-family (not permitted on single-family lots)

Townhouse (not permitted on single-family lots)

Entrance Gates and Gatehouse

Essential Services

Essential Services Facilities, Group I

Excavation: Water retention
 Fences and Walls
 Home Occupation
 Models: Model Unit (not permitted on single-family lots)
 Parking Lot: accessory
 Real Estate Sales Office (not permitted on single-family lots)
 Recreational Facilities: Personal and Private- On-site
 Residential Accessory Uses
 Signs
 Stable - private (limited to the two existing single-family lots)
 Temporary Uses, limited to construction trailers during construction

b. Site Development Regulations:

Minimum Lot Area and Dimensions:

Lot Area:	Single-Family	11,000 square feet
	Multiple-Family	10,000 square feet
	Townhouse	2,000 square feet

Lot Width:	Single-Family	75 feet
	Multiple-Family	100 feet
	Townhouse	20 feet

Lot Depth:	Single-Family	150 feet
	Multiple-Family	80 feet
	Townhouse	80 feet

Maximum Building Height:

Development Area A	45 feet
Development Area B	35 feet

Maximum Lot Coverage:

Single-Family	40%
Multiple-Family	60%
Townhouse	50%

Minimum Building Separation:

one-half the height of the taller of the two adjacent buildings, or 20 feet, whichever is greater

Minimum Setbacks:

Street:	25 feet
Single-Family	50 feet (5 new lots on Blasingim Rd)
Side:	
Single-Family	7.5 feet
Multiple-Family	20 feet
Townhouse	7.5 feet
Rear:	20 feet
Water Body:	25 feet

Development Perimeter (not street right-of-way or easement): 20 feet

3. Open Space

Development order plans must illustrate a minimum of 8.04 acres of open space, inclusive of 0.97 acres of indigenous open space, in the multi-family development area.

4. Indigenous Preserve Plantings

Prior to development order approval, landscape plans must demonstrate indigenous preserve plantings meet a modified Type B buffer planting that contains 5 trees per 100 linear feet and 18 shrubs per 100 linear feet. The shrubs must be maintained at a minimum height of 36 inches.

5. Dry Retention Areas

Prior to development order approval, landscape plans must depict the dry detention areas planted to include Cypress (*Taxodium* spp.), Laurel Oak (*Quercus laurifolia*), and Green Buttonwood (*Conocarpus erectus*). The trees must be planted 10 feet in height, 2-inch caliper with a 4-foot spread and installed 10-foot on center. General tree credits can be applied at a one-to-one ratio for trees installed in the dry detention areas.

6. Littoral Plants

To implement Deviations 3 and 4, trees must be substituted for up to 100% of the total number of required herbaceous littoral plants. One tree (minimum 10 foot in height, 2-inch caliper, with a 4-foot spread) may be substituted for 100 littoral plants. The 5-foot compensatory littoral shelf must be incorporated into the planted littoral shelf.

7. Compensatory Littoral Plants

Prior to development order approval, compensatory littoral plants must be substituted for up to 100% of the total number of required herbaceous plants. One tree (minimum 10-foot in height, 2-inch caliper, with a 4 foot spread) may be substituted for 100 littoral plants. The 5 foot compensatory littoral shelf must be incorporated into the planted littoral shelf.

8. FAA Wildlife Hazardous Buffer Zone

Prior to development order approval, all landscape plants shown on the landscape plan must meet the Lee County Port Authority Compatible and Non-Compatible Plant List updated April 2016.

9. Development Permits

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

10. Crystal Drive

Oak Villages RPD may not be administratively amended nor may its development order authorize improvements (road construction, widening, or sidewalks) to Crystal Drive west of the project's Crystal Drive entrance, except as required by the LDC.

11. Construction Traffic

Construction traffic for the multi-family development area must use Six Mile Cypress Parkway to Crystal Drive to access the property.

12. Sidewalks

The project must have internal and external sidewalks as depicted on the MCP to connect to bike paths on Six Mile Cypress Parkway. This condition is in addition to LDC requirements.

13. Maintenance of JV Parker Lane

The developer must maintain the portions of JV Parker Lane adjacent to the property until such time that a maintenance entity is created to maintain all of JV Parker Lane.

14. Vehicular Access to Blasingim Road

Access to Blasingim Road is limited to single-family lots. No access to Blasingim Road is permitted from the multi-family portion of the development.

15. Lakes

Prior to development order approval, proposed engineer drawings for the project's lakes must include the following:

- a. Lake bank slopes must be 4:1;
- b. Cross-section drawn to same scale as the engineer drawings depicting the 4:1 lake bank slope and the reinforcement mechanism to ensure stability; and
- c. Lake maintenance plan.

SECTION C. DEVIATIONS:

1. Driveway Separation

Deviation (1) seeks relief from the LDC §10-285(a) requiring all connections of streets, access roads or accessways to be in accordance with minimum standards of Lee Plan Policy 40.1.2 Table 1 requiring a minimum driveway separation of 330 for Collector Roads, to allow 310 feet from the eastern edge of pavement of the project entrance to the western edge of pavement of JV Parker Lane. This deviation is APPROVED.

2. Lake Bank Sloping

Deviation (2) seeks relief from the LDC §10-329(d)(4) requiring shorelines of excavations for retention and detention areas 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 shorelines of excavations for retention and detention areas within the Airport Wildlife Hazard Protection Zone to be sloped at a ratio of four horizontal to one vertical from the top of bank to a water depth two feet below the dry season water table with enhanced stabilization methods such as geosynthetic turf reinforcement mat or other appropriate slope protection. This deviation is APPROVED SUBJECT TO condition 15.

3. Littoral Shelf Plantings

Deviation (3) seeks relief from the LDC §10-418(2) requiring all surface water management systems to provide a planted littoral shelf that mimics the function of a natural marsh, and to deviate from LDC §10-418(2)(d)(3), to allow 100% of herbaceous plants to be substituted for native wetland trees. This deviation is APPROVED SUBJECT TO condition 6.

4. Hardened Shoreline Structures

Deviation (4) seeks relief from the LDC §10-418(3) requiring hardened shorelines to be compensated with littoral zones equal to the linear footage of the shoreline structure and 5 foot-wide with herbaceous wetland plants, to eliminate the requirement for additional littoral zones. This deviation is APPROVED SUBJECT TO condition 6.

5. Bikeways and Pedestrian Ways

Deviation (5) seeks relief from the LDC §10-256 (Bikeways and Pedestrian Ways) and LDC §10-296(e)(l) (Street Design and Construction Standards, Road Design, Urban Roadway), requiring new developments to construct bikeway and pedestrian facilities and for Urban Local Streets in Residential Central Urban land use areas to have 20 feet of pavement (10 foot lane widths), Shared On-Road Bicycle Facility, 6-foot Planting Strip, and a 5 foot wide Pedestrian Facility (sidewalk), to allow Blasingim Road to be a minimum of 18 feet wide (9 foot lane widths), to not require additional improvements for on-road bicycle facilities, to provide a 6-foot wide planting strip but to not require plantings, and to not require a 5-foot wide pedestrian facility (sidewalk). This deviation is DENIED.

SECTION D. EXHIBITS:

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

- Exhibit A: List of Property Owners
- Exhibit B: Legal description of the property
- Exhibit C: Zoning Map (with the subject parcel indicated)
- Exhibit D: The Master Concept Plan

SECTION E. FINDINGS AND CONCLUSIONS:

1. The requested RPD complies with the Lee Plan. See Lee Plan Goals 2, 4, 5, and 135; Objectives 2.1, 2.2, and Policies 1.1.3, 1.7.6, 2.1.1, 2.1.2, 2.2.1, 4.1.1, 4.1.2, 5.1.3, 135.1.4; Lee Plan Vision Statement Paragraph 15, Map 1, Map 16, Table 1(b);
2. As conditioned, the RPD zoning designation:
 - a. Will meet the standards set forth in the LDC and other applicable County regulations. See Lee Plan Goals 2, 4, 5, 135; Objectives 2.1, 2.2, and Policies 2.1.1, 2.2.1, 4.1.1, 4.1.2, 5.1.3, 5.1.6, 135.1.4; LDC §§34-411 *et seq.*;
 - b. Is compatible with existing and planned uses in the surrounding area. See Lee Plan Objectives 2.1, 2.2, and Policies 1.7.6, 2.1.1; and LDC §§ 34-411(c),(i);
 - c. Will not adversely affect environmentally critical or sensitive areas or natural resources. See LDC §§ 34-411(g-h);

- d. Will be served by urban services including public water and sewer, paved streets, and public transit. See Lee Plan Objectives 2.1, 2.2, and 4.1; Policies 2.2.1, 5.1.3; and Standards 4.1.1, 4.1.2;
- e. Will provide sufficient access to support the proposed development intensity. See Lee Plan Policies 2.2.1, 39.2.1; and LDC §34-411(d);
- f. The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval. See LDC §34-411(d);
- g. The proposed uses are appropriate at the proposed location. See Lee Plan Goal 5, Policies 2.1.1, 2.1.2, 5.1.3; and LDC §§ 34-411(k),(n);
- 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. See LDC §§ 34-932 (b-c); 34-83(a)(4)(a)(3); and
- i. The deviations, as conditioned:
 - i. Enhance the objectives of the planned development; and
 - ii. Preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

SECTION F. SCRIVENER'S ERRORS

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

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

John Manning	Aye
Cecil Pendergrass	Nay
Raymond Sandelli	Aye
Brian Hamman	Aye
Frank Mann	Nay

DULY PASSED AND ADOPTED this 4th day of December 2019.

ATTEST:
LINDA DOGGETT, CLERK

BY: *Melissa Butler*
Deputy Clerk



BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: *Brian Hamman*
Brian Hamman, Chair

Frank Mann V. Chaves
APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

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

RECEIVED
MINUTES OFFICE
MB
2020 JAN -2 PM 2:24

Oak Village FKA Cypress Villages

RPD Rezoning

STRAP#: 17-45-25-01-00000.0210, 17-45-25-01-00000.013A,

17-45-25-01-00000.015A, 17-45-25-01-00000.0140

12270 J V Parker Lane, Fort Myers FL 33966

12291, 12345, 12361 Blasingim Rd. Fort Myers, FL 33966

Multi Owner List

1. Cadet Hangar LLC
16575 Gator Rd.
Fort Myers, FL 33966
Philip Destaven
Acquired: 01/27/2016

2. Stephen B + LuAnn Moss
12291 Blasingim Rd
Fort Myers, FL 33966
239-565-7873
Steve.moss@lenhar.com
Acquired: 09/18/1999

3. Kenneth E + Karen E Trask
12345 Blasingim Rd
Fort Myers, FL 33966
(239)980-1495
ken@trasksurveying.com
Acquired: 05/28/1998

4. Cypress Villages LLC
4301 Veronica Shoemaker
Fort Myers, FL 33916
Al Quattrone
Al@qaInc.net
Acquired: 03/29/2016

DCI 2017-00010

EXHIBIT A

Land Surveyors

by JH 12/18/19

(OVERALL)

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE N.88°53'57"E. ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER FOR 1290.72 FEET; THENCE N.00°40'27"W. ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 330.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N.00°40'27"W. ALONG SAID FRACTION LINE FOR 330.86 FEET; THENCE N.88°53'56"E. ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 647.58 FEET TO THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, BEING THE CENTERLINE OF JV PARKER LANE (60' WIDE INGRESS-EGRESS EASEMENT); THENCE N.00°22'25"W. ALONG SAID EAST LINE AND THE CENTERLINE OF JV PARKER LANE, FOR 632.10 FEET; THENCE S.88°53'12"W. ALONG THE SOUTH LINE OF CRYSTAL DRIVE, PARALLEL WITH AND 30 FEET SOUTHERLY OF (AS MEASURED ON A PERPENDICULAR) THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 961.71 FEET; THENCE S.00°46'48"E., ALONG THE COMMON BOUNDARY OF SAID PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3079, PAGE 1412 AND THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS INSTRUMENT 2014000058107, SAID PUBLIC RECORDS, FOR 301.00 FEET; THENCE S.88°53'59"W. ALONG THE SOUTH LINE OF THE NORTH HALF OF NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 310.13 FEET TO THE EAST LINE OF BLASINGIM ROAD (60' WIDE INGRESS-EGRESS EASEMENT); THENCE S.00°57'52"E. ALONG SAID EAST LINE, PARALLEL WITH AND 30.00 FEET EASTERLY OF (AS MEASURED ON A PERPENDICULAR) THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17 (BEING THE CENTERLINE OF BLASINGIM ROAD), FOR 661.73 FEET; THENCE N.88°53'52"E. ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 617.04 FEET TO THE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTHWEST ONE QUARTER OF SAID SECTION 17 AS BEARING N.88°53'49"E.

AUGUST 15, 2018

Kenneth E. Trask
KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE LS4684

12345 Blasingim Road • Fort Myers, FL 33966

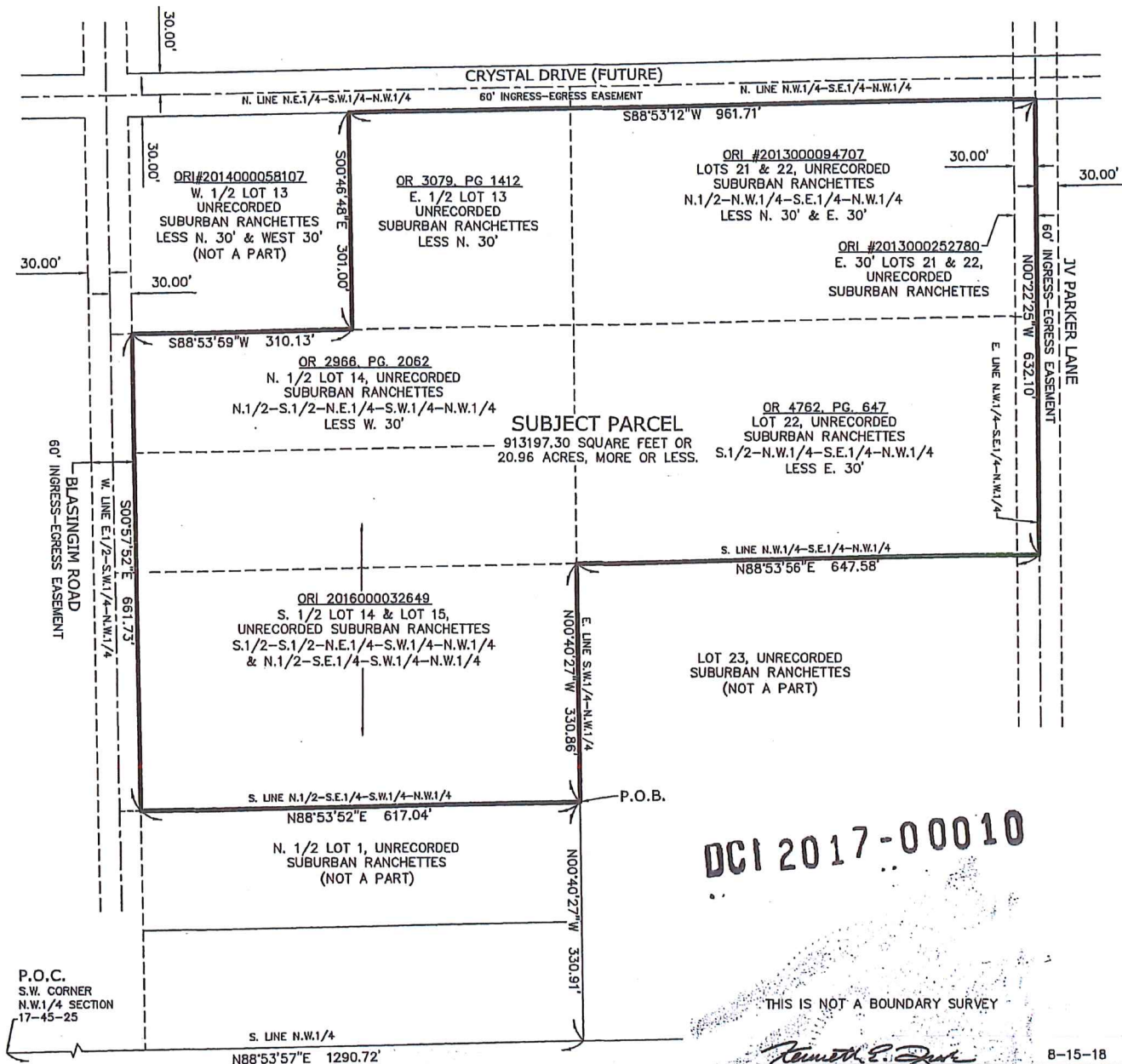
EXHIBIT B

By DM 12/18/19



SKETCH TO ACCOMPANY DESCRIPTION

OF A PARCEL LYING IN
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA.



LEGEND

LS	LICENSED SURVEYOR
LB	LICENSED BUSINESS
OR	OFFICIAL RECORDS BOOK
PG	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT

DCI 2017-00010

THIS IS NOT A BOUNDARY SURVEY

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

8-15-18
DATE

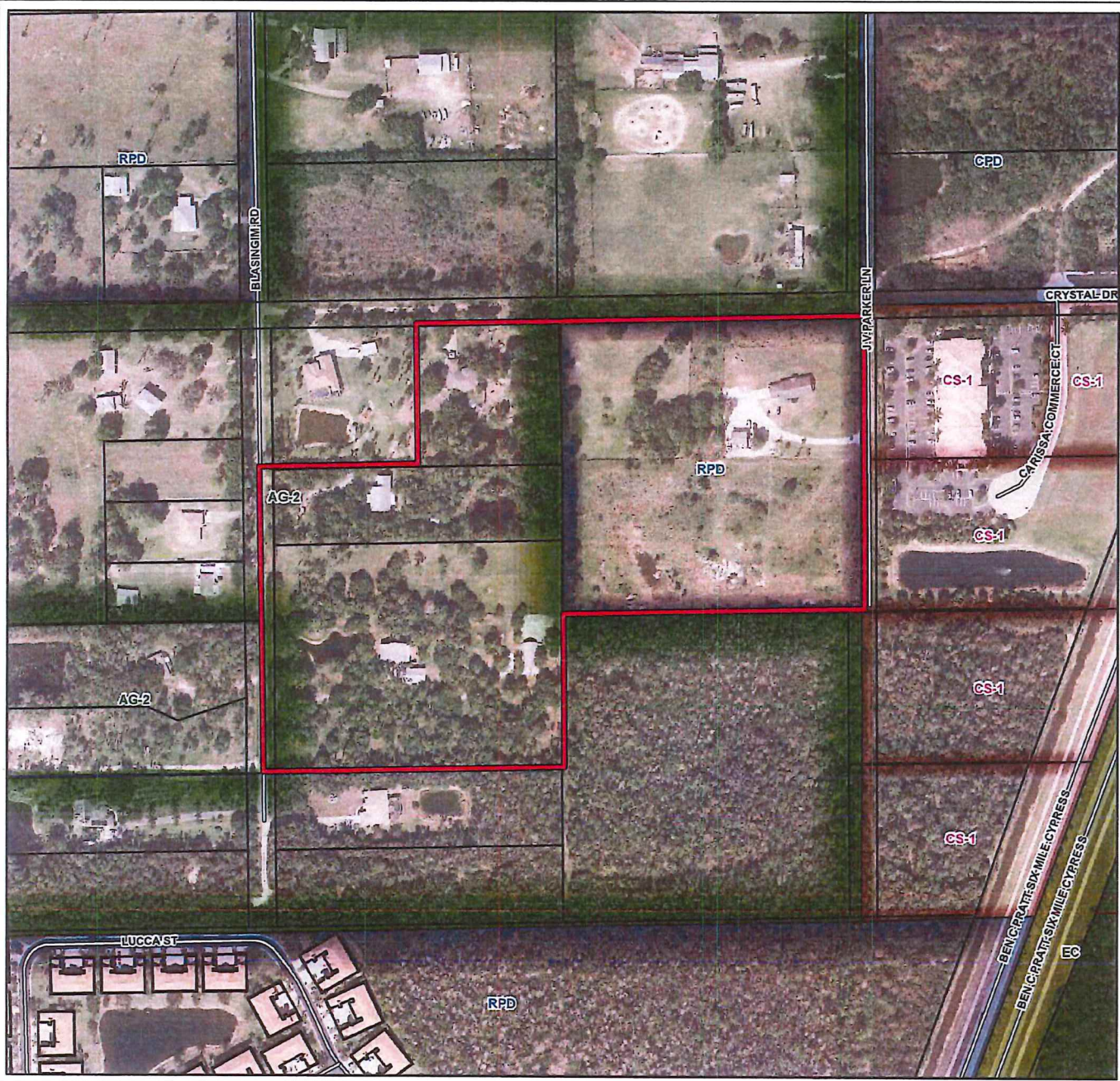


Trask Surveying, P.A.

Land Surveyors
da Licensed Business No. LB8082
12345 Blasingm Road
Fort Myers, Florida 33966
(239) 980-1495

date	dwg	scale	job#	sheet
8-15-18	15-79SK-BND	1"=200'	15-79	2 OF 2

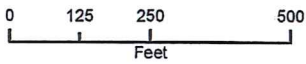
EXHIBIT C



DCI2017-00010
Zoning

Legend

- Subject Parcel
- Parcel Boundary



ATTACHMENT K

RESOLUTION NUMBER Z-21-006

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

WHEREAS, an application was filed by the property owner, Carissa, LLC, to rezone a 19.96± acre parcel from Commercial Planned Development (CPD) to Residential Planned Development (RPD) in reference to Carissa Minor RPD; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Marie Collins, was advertised and held on May 6, 2021; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case # DCI2020-00013 and recommended APPROVAL of the Request with conditions; and

WHEREAS, a second public hearing was advertised and held on June 16, 2021 before the Lee County Board of Commissioners; and,

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

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

SECTION A. REQUEST

The applicant filed a request to rezone a 19.96± acre parcel from CPD to RPD to allow a multifamily community with up to 260 dwelling units.

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

SECTION B. CONDITIONS:

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

1. Development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Carissa Minor RPD," prepared by Banks Engineering, date stamped submitted March 12, 2021, and attached hereto as Exhibit C, except as modified by the conditions below. Development must comply with all requirements of the Lee Plan and LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

The site may be developed with up to 260 multifamily dwelling units, which may include a maximum of 87 bonus density units, associated accessory uses and structures. Maximum building height is 50 feet.

2. Permitted Uses and Property Development Regulations

a. Schedule of Uses

Accessory Uses, Buildings and Structures

Entrance gate, gatehouses

Residential Accessory Uses

Administrative Offices

Clubs, Private

Dwelling Unit

Multiple-Family

Essential Services

Essential Service Facilities – Group I

Excavation, Water Retention

Fences, Walls

Home Occupation, No Outside Help

Models

Model Unit

Recreation Facilities

Personal

Private–On-site

Signs

Temporary Uses

b. Property Development Regulations

Minimum Lot Area and Dimensions

Lot Width 100 feet

Lot Depth 100 feet

Lot Area 10,000 sq. ft.

Minimum Setbacks

Street (Public/Private) 25 feet/20 feet

Side Yard 20 feet

Rear Yard 20 feet

Waterbody (Principal/Accessory) 20 feet/5 feet*

Accessory Structures

Rear 5 feet

Side 5 feet

Maximum building height 50 feet

Maximum lot coverage 45%

*Swimming Pool Deck: 0 feet with hardened shoreline

3. Environmental Conditions

- a. Development order plans must depict 3.99 acres of indigenous open space (3.96 acres of wetland and 0.03 acres of upland) consistent with the MCP.

- b. Developer must submit a point map corresponding to staking in the field depicting the internal roadway between Preserves A, B and C prior to County issuance of a Vegetation Removal Permit.
- c. Developer must submit the payment receipt from Panther Island Mitigation Bank for the purchase of 7.23 acres of freshwater herbaceous credits with the first development order application.

4. Water Quality Monitoring

- a. Developer must submit a Water Quality Monitoring Plan with the first development order application. The Water Quality Monitoring Plan must be reviewed and approved by Lee County Division of Natural Resources prior to issuance of a development order. At a minimum, the Water Quality Monitoring Plan must establish:
 - i. Goals and Objectives of the Water Quality Monitoring Plan;
 - ii. An outfall monitoring schedule during the "wet" season of June through October, for Field Temperature, Total Kjeldahl Nitrogen, Total Nitrogen, Chlorophyll A, Nitrite, Nitrate, Phosphorus, Turbidity and Stage;
 - iii. A baseline monitoring event to be part of the monitoring plan that must be completed prior to commencement of construction; and
 - iv. A contingency plan to be implemented upon discovery of an exceedance of State Water Quality Standards. The plan must include notification to impacted residents and authorities.
- b. Developer must provide water quality monitoring data to the Division of Natural Resources annually for a minimum of 5 years. The data must include a report with a comparison of state water quality standards, plots of parameters, and recommendations. Results must be reported as an Electronic Data Deliverable (EDD), in a format approved by the Division of Natural Resources.

If the project meets or exceeds state water quality monitoring standards for five consecutive years, developer may request to amend the water quality monitoring and reporting schedule. The request must be in writing and is subject to the review and approval of the Division of Natural Resources.

SECTION C. DEVIATIONS:

1. Refuse and Solid Waste Disposal Facilities.

Deviation (1) seeks relief from the LDC §10-261(a) requirement for a new multifamily residential development to provide sufficient on-site space for garbage and recyclable materials collection containers at a rate of 216 square feet for the first 25 units plus 8 square feet for each additional dwelling unit, to allow a minimum of 100 square feet for collection containers.

This deviation is APPROVED.

2. Location and Design of Parking Spaces.

Deviation (2) seeks relief from the LDC §34-2015(2)c which permits vehicle stacking for single-family, duplex, two-family, and townhouses where each dwelling unit has an appurtenant garage or driveway, to allow vehicle stacking in front of garages within the multifamily development.

This deviation is APPROVED SUBJECT TO the following conditions:

- a. Vehicle stacking is limited to locations noted on the MCP and must be in substantial compliance with the stacking detail depicted on the MCP; and
- b. Each set of stacked parking spaces must be assigned to the same unit.

SECTION D. EXHIBITS:

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

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

SECTION E. FINDINGS AND CONCLUSIONS:

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

1. The request for RPD zoning complies with the Lee Plan. Lee Plan Goals 2, 4, 5, 60, 61, 77, 135; Objectives 2.1, 2.2, 4.1, 5.1, 61.3, 77.1, 77.3, and Policies 2.1.2, 2.2.1, 5.1.5, 5.1.7, 39.2.1, 135.9.5, 135.9.6; Lee Plan Vision Statement Paragraph 10, Map 16 and Table 1(b).
2. As conditioned herein, the RPD zoning designation:
 - a. Meets the standards set forth in the LDC and other regulations or qualifies for deviations. See LDC §§ 34-373, 34-411, 34-413, 34-491;
 - b. Is compatible with existing and planned uses in the surrounding area. See Lee Plan Objectives 2.1, 2.2, and Policies 1.7.6, 2.1.1, 5.1.5, 135.9.5; and LDC §34-411(j);
 - c. Will provide access to support the proposed development intensity. See Lee Plan Policies 39.2.1, 39.1.3; and LDC §34-411(d);
 - d. Existing regulations and conditions of approval address the expected impacts on transportation facilities. See Lee Plan Policy 135.9.6; LDC §§ 2-261 *et seq.*, 10-7(b);
 - e. Will not adversely affect environmentally critical areas or natural resources. See Lee Plan Objectives 77.1, 77.3, Policies 5.1.6, 54.1.3, 60.4.1, 60.4.2, 61.2.4, 61.3.6, 61.3.8, 61.3.10, 61.3.11, 77.3.4, 77.3.8, 123.2.3, 123.2.10, 126.2.1, 135.9.6, and Standard 4.1.4; and LDC §34-411(h); and

- f. Will be served by urban services including public water and sewer, paved streets, transit, police, fire and emergency services, and urban surface water management. Lee Plan Objectives 2.1, 2.2, 4.1 and 5.1; Policies 2.2.1, 5.1.3; and Standards 4.1.1, 4.1.2.
- 3. The proposed uses are appropriate at the location and constitutes infill development. Lee Plan Policies 2.1.1, 2.2.2, 5.1.3, 5.1.5; and LDC §34-411.
- 4. The recommended conditions of approval and applicable regulations provide sufficient safeguards to protect the public interest. Lee Plan Policy 135.9.6; See LDC §34-411.
- 5. The recommended conditions are reasonably related to the impacts expected from the proposed development.
- 6. The deviations recommended for approval:
 - a. Enhance the objectives of the planned development; and
 - b. Promote the intent of the LDC to protect public health, safety and welfare.

SECTION F. SCRIVENER'S ERRORS

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

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

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

DULY PASSED AND ADOPTED this 16th day of June 2021.

ATTEST:
LINDA DOGGETT, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Missy Flint
Deputy Clerk

BY: [Signature]
Kevin Ruane, Chair



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

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

RECEIVED
MINUTES OFFICE
2021 JUN 21 PM 4:30



Professional Engineers, Planners & Land Surveyors

DESCRIPTION
OF
A PARCEL OF LAND LYING IN
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH ONE QUARTER CORNER OF SAID SECTION 17; THENCE S.00°06'35"E. ALONG THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 17, FOR 658.74 FEET; THENCE S.88°56'52"W. ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17, FOR 654.76 FEET; THENCE S.00°22'36"E. ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 17 AND THE CENTERLINE OF A 60.00 FOOT WIDE INGRESS AND EGRESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 4609, PAGE 4248, LEE COUNTY PUBLIC RECORDS, FOR 664.60 FEET; THENCE N.88°48'50"E. ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE CENTERLINE OF A 60.00 FOOT WIDE VIEWER'S ROAD AS DESCRIBED IN COUNTY COMMISSIONERS MINUTE BOOK 5, PAGE 669, SAID PUBLIC RECORDS, FOR 651.68 FEET; THENCE N.00°06'35"W. ALONG SAID NORTH-SOUTH QUARTER SECTION LINE OF SECTION 17, FOR 30.00 FEET TO THE NORTH LINE OF SAID 60.00 FOOT WIDE VIEWER'S ROAD; THENCE N.88°52'35"E. ALONG SAID NORTH LINE FOR 98.08 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SIX MILE CYPRESS PARKWAY (250.00 FEET WIDE); THENCE N.20°01'31"E. ALONG SAID WESTERLY RIGHT OF WAY LINE, FOR 1389.14 FEET; THENCE S.88°29'12"W. ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, FOR 576.42 FEET TO THE **POINT OF BEGINNING**.

SUBJECT PARCEL CONTAINS: 19.96 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE WESTERLY RIGHT OF WAY LINE OF SIX MILE CYPRESS PARKWAY (A.K.A. BEN C. PRATT) AS BEARING N 20°01'31" E.

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

DESCRIPTION PREPARED: 08-05-2020



Digitally signed by A.
Lee Hayne
Date: 2020.08.27
09:34:37 -04'00'

A. LEE HAYNE, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATION NO. 6338
DATE SIGNED 08-05-2020
S:\Jobs\29XX\2961F\Surveying\Descriptions\2961F CARISSA LGL.doc
S:\Jobs\29XX\2961F\Surveying\Descriptions\2961F CARISSA SKT.dwg

REVIEWED
DCI2020-00013
Rick Burris, Principal
Planner
Lee County DCD/Planning
12/28/2020

SHEET 1 OF 2
• SERVING THE STATE OF FLORIDA •

10511 Six Mile Cypress Parkway • Suite 101 • Fort Myers, Florida 33966
Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

EXHIBIT A

10511 SIX MILE CYPRESS PARKWAY, SUITE 101
FT. MYERS, FLORIDA 33908
PHONE (239)938-5480 FAX (239)839-2523
ENGINEERING LICENSE # EB 8469
SURVEY LICENSE # LB 6850
WWW.BANKSENG.COM

OF
A PARCEL OF LAND LYING IN
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA



- P.G. INDICATES PAGE
C. INDICATES CENTERLINE
A.K.A. INDICATES ALSO KNOWN AS
O.R. INDICATES OFFICIAL RECORDS
P.I. INDICATES POINT OF INTERSECTION
LI INDICATES LINE DATA; SEE LINE TABLE
I.E.E. INDICATES INGRESS AND EGRESS EASEMENT
P.C.M. INDICATES PROFESSIONAL SURVEYOR AND MAPPER
C.C.M.B. INDICATES COUNTY COMMISSIONERS MINUTES BOOK
- S:\JOBS\204X\2061\SURVEYING\DESCRIPTIONS\2061 CARISSA LGL.DWG
S:\JOBS\204X\2061\SURVEYING\DESCRIPTIONS\2061 CARISSA SKT.DWG

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°06'35" W	30.00'
L2	N 88°52'35" E	98.08'

SEE SHEET 1 OF 2 FOR COMPLETE
METES AND BOUNDS DESCRIPTION.
THIS SKETCH OF DESCRIPTION
IS NOT A BOUNDARY SURVEY


 Digitally signed by
 A. Lee Hayne
 Date: 2020.08.27
 09:35:13 -04'00'

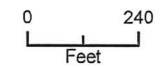
A. LEE HAYNE, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATION NO. 6338
 -- DATE SIGNED: 08-05-2020
 -- THIS SKETCH OF DESCRIPTION IS NOT VALID
 WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF
 A FLORIDA LICENSED SURVEYOR AND MAPPER.

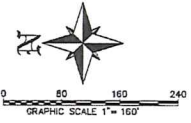
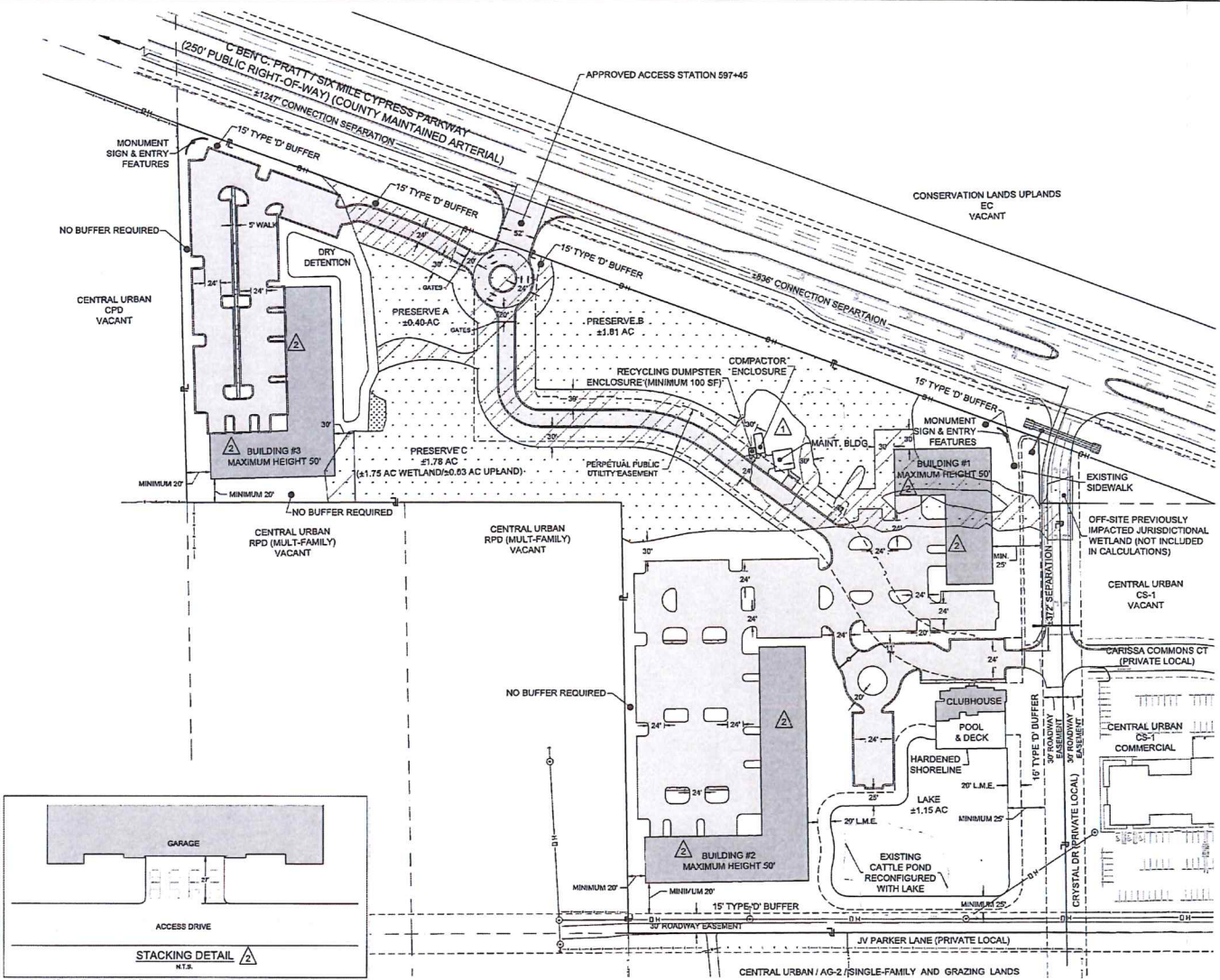


DCI2020-00013 Zoning

Legend

-  Subject Parcel
-  City Limits





LEGEND:

- EXISTING/PROPOSED WETLAND IMPACTS
- PERMITTED JURISDICTIONAL WETLAND LINE (6.62 AC WITHIN PROPERTY BOUNDARY)
- PRESERVED UPLANDS
- DEVIATION

PARKING CALCULATION:
 DEVELOPMENT WILL COMPLY WITH LDC PARKING REQUIREMENTS.

DENSITY CALCULATION:

SITE AREA =	18.57 AC
EASEMENT/POTENTIAL R/W =	1.39 AC
TOTAL SITE AREA =	19.96 AC
TOTAL WETLAND IMPACTS =	2.66 AC
TOTAL SITE AREA (LESS IMPACTS) =	17.30 AC

NOTES:

SITE AREA: 19.96 AC
 OPEN SPACE REQUIRED: 40%
 19.96 X 0.4 = 7.98 ACRES REQUIRED
 INDIGENOUS OPEN SPACE REQUIRED: 3.99 AC

PROVIDED:

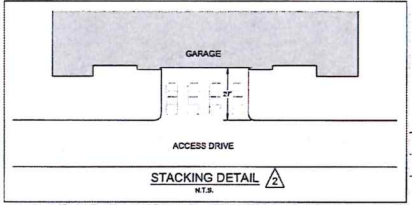
LAKE: 1.15 AC (MAX 25% OF OPEN SPACE REQUIRED)
 PRESERVES: 3.96 AC WETLAND + 0.03 AC UPLAND = 3.99 AC
 OTHER OPEN SPACE: MINIMUM 2.84 AC
 MINIMUM OPEN SPACE PROVIDED: 7.98 AC

DENSITY:

STANDARD DENSITY: 10 DU/AC
 17.30 @ 10: 173
 2.66 @ 1/20: 0.13

BONUS UP TO 15 DU/AC
 17.30 @ 5: = 86.5
 TOTAL: 260 DU

Approved as Exhibit C
 MCP Page 1 of 7
 Resolution # E-21-0016



DCI 2020-00013

NO.	DATE	REVISION DESCRIPTION	BY	CHK
1	03/12/2021	REVISED FOR PARKING DEVIATION WITHDRAWAL	ML	ML
2	3/25/2021	REVISED FOR PARKING DEVIATION WITHDRAWAL	ML	ML
3	03/25/2021	POST SUFFICIENCY SUBMITTAL	ML	ML

BANKS ENGINEERING

Professional Engineers, Planners, & Land Surveyors
 Serving The State Of Florida

10911 SIX MILE CYPRESS PARKWAY
 FORT WORTH, TEXAS 76126
 PHONE: (328) 928-5489 FAX: (328) 928-2522
 ENGINEERING LICENSE # 38 6469
 SURVEY LICENSE # 48 4869
 WWW.BANKSENG.COM

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
9/08/2020	2961F	DRAWING_MCP	SEH	SDJ	SEH	1"=160'	1

S:\JCS\2020\00013\DCI2020-00013\DCI2020-00013.dwg 3/11/2021 11:33 AM STEVE JOHNSON

ATTACHMENT L

RESOLUTION NUMBER Z-13-025

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

WHEREAS, Quattrone & Associates, Inc. filed an application on behalf of the property owner, Parker Lane Developments LLC, to rezone a 9.53 acre parcel from Agriculture (AG-2) to Residential Planned Development (RPD), in reference to Cypress Village; and,

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner was advertised and held on September 18, 2013; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2012-00045 and recommended APPROVAL; and

WHEREAS, a second public hearing was advertised and held on November 18, 2013 before the Lee County Board of Commissioners; and,

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

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

SECTION A. REQUEST

The applicant filed a request to rezone a 9.53 acre parcel in the South Fort Myers Planning Community from AG-2 to RPD. The property is located in the Central Urban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions specified in Section B below.

SECTION B. CONDITIONS:

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

1. Master Concept Plan Development must be substantially consistent with the single-page Master Concept Plan (MCP) entitled "Cypress Village," date-stamped "Received AUG 07 2013 Community Development," attached hereto as Exhibit "C," *except as modified by the conditions below.*

Development must comply with all requirements of the LDC at time of local development order approval, except as granted by deviation in the resolution of approval. If changes to the MCP are subsequently pursued, further review and approvals will be necessary.

2. Schedule of Uses and Site Development Regulations

- a. Schedule of Uses

Accessory uses and structures

Dwelling units: Townhouse

Multiple-family

(Up to a maximum of 92 units)

Entrance gates and gatehouse

Residential accessory uses

Excavation: Water retention

Timeshare units

- b. Site Development Regulations

Minimum Lot Size: 10,000 square feet

Minimum Lot depth: 100 square feet

Minimum Lot width: 100 square feet

Minimum Setbacks:

Street – public: 25 feet

Street – private: 20 feet

Side: 20 feet

Rear: 20 feet

Waterbody: 25 feet

Accessory Structures:

Side: 5 feet

Rear: 5 feet

Maximum lot coverage: 45%
Minimum open space: 40%

Maximum height: 40 feet

Minimum building separation: Buildings exceeding 35 feet in height must maintain additional building separation and setbacks consistent with §§34-2174(a) and 34-935(e)(4).

3. Environmental Conditions

- a. Protected Species and Management Plans. The application for local development approval must include a Big Cypress Fox Squirrel (BCFS) management plan prepared in accordance with §10-474. The BCFS plan must require the following:
 - (1) The property will be resurveyed for stick nests prior to any site clearing; and
 - (2) If potential nests/daybeds are located, the developer must conduct a five day BCFS survey to determine if the species is actively nesting; and
 - (3) If BCFS are actively nesting, no clearing or construction may occur within 125-feet of the nest tree (or the distance approved by the latest Florida Fish and Wildlife Conservation Commission (FWC) guidelines) until the nesting is deemed completed and approved by FWC or Lee county staff if the FWC is not able to respond in a timely manner.
- b. American Alligator/Wading Birds. The application for local development order approval must include American alligator and listed wading bird species management plans prepared in accordance with §10-474. Management plans must include an informational brochure for residents on living with American alligators and wading birds as well as the importance of the littoral areas and adjacent preserves for providing nesting and foraging habitat. The development order plans must also reflect the placement and details of signage that will be located between residential buildings and the lakes and preserves that will warn 1) alligators may be present, and 2) it is dangerous and illegal to feed or harass alligators. Similar warnings must be included in the deed restrictions.

- c. Landscape Plan. The landscape plan submitted with the application for local development order must depict:
 - (1) Type D buffer plantings along JV Parker Lane consistent with the MCP; and
 - (2) Preservation or on-site relocation of sabal palms and preservation or replacement of heritage trees in accordance with §10-415(b); and
 - (3) SFWMD required enhancements to the on-site preserved wetland area; and
 - (4) Dry detention areas abutting preserved wetlands planted with herbaceous native vegetation in accordance with §10-418(4). Plantings may be clustered to maintain the function of the water management system.
- 4. Natural Resources Conditions The application for local development order must include the following information:
 - a. Proof of positive hydraulic gradient for the offsite discharge and hydraulic capacity of the receiving drainage system (e.g., off-site culvert, ditch, swale, etc.); and
 - b. Evidence of attempts to secure agreement from downstream owners for cooperative long term maintenance of offsite drainage system.
- 5. Traffic Conditions
 - a. The connection separation between the driveways on JV Parker Lane must be 125 feet from edge of pavement to edge of pavement.
 - b. At the time of local development order approval, the plans must indicate that JV Parker Lane from the southern property line to Penzance Boulevard complies with the roadway design criteria set forth in §10-296. If portions of JV Parker Lane do not comply with these standards, they must be improved to meet LDC standards prior to the issuance of the first Certificate of Occupancy.
- 6. Vehicular/Pedestrian Impacts. Approval of this RPD zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

7. Lee Plan Consistency. Approval of this RPD zoning request does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1 (b), as well as the remainder of the Lee Plan.
8. Concurrency. Approval of this RPD rezoning request does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee Plan. The developer must demonstrate compliance with concurrency requirements prior to issuance of a local development order.
9. Agricultural Uses. Existing bona fide agricultural uses in the form of cattle grazing may continue, subject to the following:
 - a. The bona fide agricultural use of 9.53 acres in existence when the applicant filed this request for rezoning may continue in the areas depicted on Exhibit "D," until a local development order is approved for the area containing the agricultural uses.
 - b. Clearing or injury of native trees or other native vegetation, including understory, in agricultural areas is prohibited. Existing areas of bona fide agricultural use that include existing grass pasture(s) may be mowed, but those areas may not be cleared or expanded. Violations of this condition will require restoration in accordance with §10-423. This prohibition of clearing or expansion of agricultural use is not intended to preclude County approved requests for removal of invasive exotic vegetation.
 - c. Prior to issuance of a local development order for the portion of the site that contains the agricultural use, the property owner must provide written proof, subject to approval by the County Attorney's Office, of the following:
 - (1) Termination of agricultural use on the property included in the development order application/approval. Proof must include a sworn affidavit from the person/entity holding title to the property setting forth:
 - a) the date the agricultural uses ceased;
 - b) the legal description of the property subject to the development order approval;
 - c) an affirmative statement acknowledging that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the county that they will not allow agricultural uses on the property until the property is rezoned to permit agricultural uses; and,

- d) that the affidavit constitutes a covenant between the owner and the County that is binding on the owner, their assignees and successors in interest.

The affidavit must be properly recorded in the public of the County at the owner's expense.

- (2) Proof of termination of the agricultural tax exemption for the portion of the property included in the development order application/approval. Proof of termination must include a copy of the owner's request to terminate the tax exemption provided to the Property Appraiser.
10. Solid Waste Management. The development order plans for vertical development must include facilities in compliance with §10-261 and Lee County Solid Waste Ordinance No. 11-27 for the pick-up/disposal of solid waste and recyclables. The minimum area required for, and specific locations of, these facilities will be reviewed at the time of local development order application.

SECTION C. EXHIBITS:

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

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

SECTION D. FINDINGS AND CONCLUSIONS:

- 1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
- 2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;
 - c. is compatible with existing or planned uses in the surrounding area;

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

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

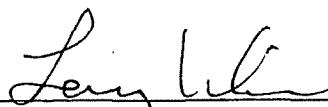
John Manning	Aye
Cecil L Pendergrass	Aye
Larry Kiker	Aye
Brian Hamman	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 18th day of November, 2013.

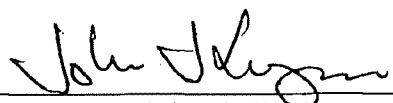
ATTEST:
LINDA DOGETT, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 
Deputy Clerk

BY: 
Larry Kiker, Chair

Approved as to form by:


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



RECEIVED
MINUTES OFFICE
2013 NOV 21 AM 11:19



E.F. GAINES SURVEYING SERVICES, INC.

NOV 09 2012

COMMUNITY DEVELOPMENT

DCI 2012-00045

Description of part of Lot 25 and part of Lot 26, Suburban Ranchettes (unrecorded),
being part of the NE 1/4 of the NE 1/4 of the NW 1/4 of
Section 17, Township 45 South, Range 25 East, Lee County, Florida

All that part of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of Section 17, Township 45 South, Range 25 East, Lee County, Florida being more particularly described as follows:

BEGINNING at the northeast corner of the Northwest one-quarter of said Section 17;
Thence along the east line of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17, S.00°03'52"E. for 662.91 feet to the south line of the south half of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17;
Thence along said south line S.88°48'51"W. for 625.11 feet to a line lying 30 feet easterly of and parallel with (as measured at right angles to) the west line of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17;
Thence along said parallel line N.00°21'18"W. for 662.55 feet to the north line of the north half of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17;
Thence along said north line N.88°47'12"E. for 628.47 feet to the Point of Beginning of the Parcel herein described;

Bearings are based on the north line of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17 being N.88°47'12"E.

Parcel contains 9.535 Acres, more or less.

Prepared by:

E.F. Gaines Surveying Services, Inc.

11.19.12

APPROVED

LEGAL

WAT

Elizabeth F. Gaines, PSM
Florida License No. LS4576

Ref.: E.F.Gaines Drawing No. 0310-004 (sketch)

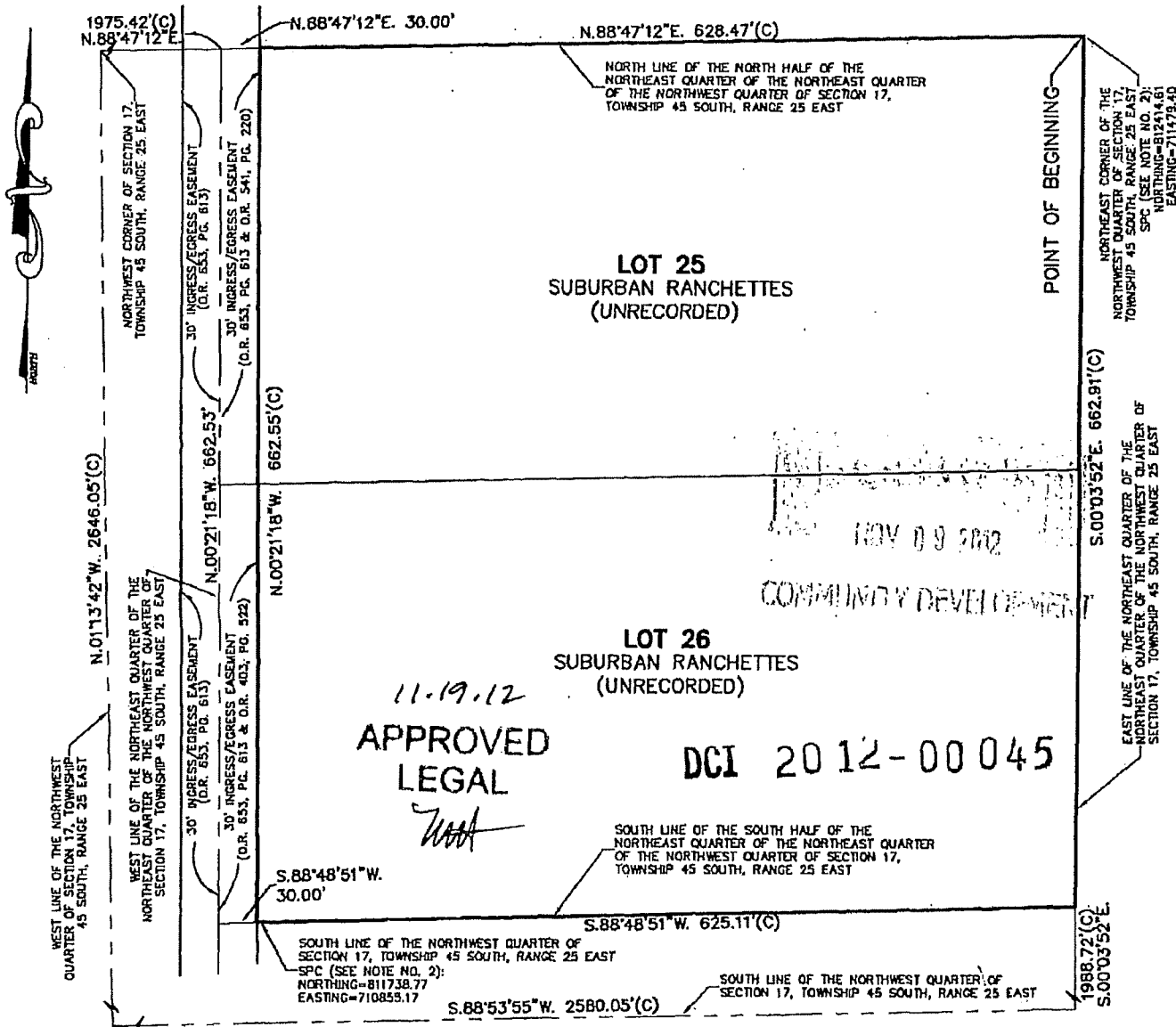
Not valid without the signature and original raised seal of the above named Florida Professional Surveyor and Mapper

M:\EFG Survey Projects\0310 JV Parker Lane\Documents\0310 Legal Desc 110712.docx

E.F. Gaines Surveying Services, Inc. - 5235 Ramsey Way, Suite 10 - Fort Myers, Florida 33907
P: 239-418-0126 - F: 239-418-0127 - www.EFGaines.com

NOTES:

1. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR ZONING, EASEMENTS, RIGHTS-OF-WAY, OWNERSHIP, RESTRICTIONS OR SETBACKS.
2. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE (SPC) SYSTEM, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTMENT. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. THIS IS A SKETCH TO ACCOMPANY A LEGAL DESCRIPTION (SEE ATTACHED). THIS IS NOT A BOUNDARY SURVEY.



THIS IS A SKETCH OF PART OF LOTS 25 AND 26, SUBURBAN RANCHETTES (UNRECORDED) LOCATED IN SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY FLORIDA (SEE ATTACHED FOR LEGAL DESCRIPTION). THIS SKETCH WAS PREPARED FOR THE BENEFIT OF PARKER LANE DEVELOPMENTS AND QUATTRONE & ASSOCIATES, INC.

PREPARED BY:

Elizabeth F. Gaines

ELIZABETH F. GAINES, PSM FL LICENSE NO. LS 4576

NOT VALID WITHOUT THE SIGNATURE & ORIGINAL RAISED SEAL OF THE ABOVE FLORIDA PROFESSIONAL SURVEYOR & MAPPER.

E.F. Gaines Surveying Services, Inc.

5235 Ramsey Way, Suite 10

Fort Myers, Florida 33907

Phone: 239-418-0126 Fax: 239-418-0127

CLIENT: PARKER LANE DEVELOPMENTS

DATE: NOVEMBER 7, 2012

SCALE: 1"= 120'

PROJECT NUMBER: 0310

DRAWING FILE: 0310-004

REVISIONS/DATE:

SHEET 1 OF 1

DCI2012-00045

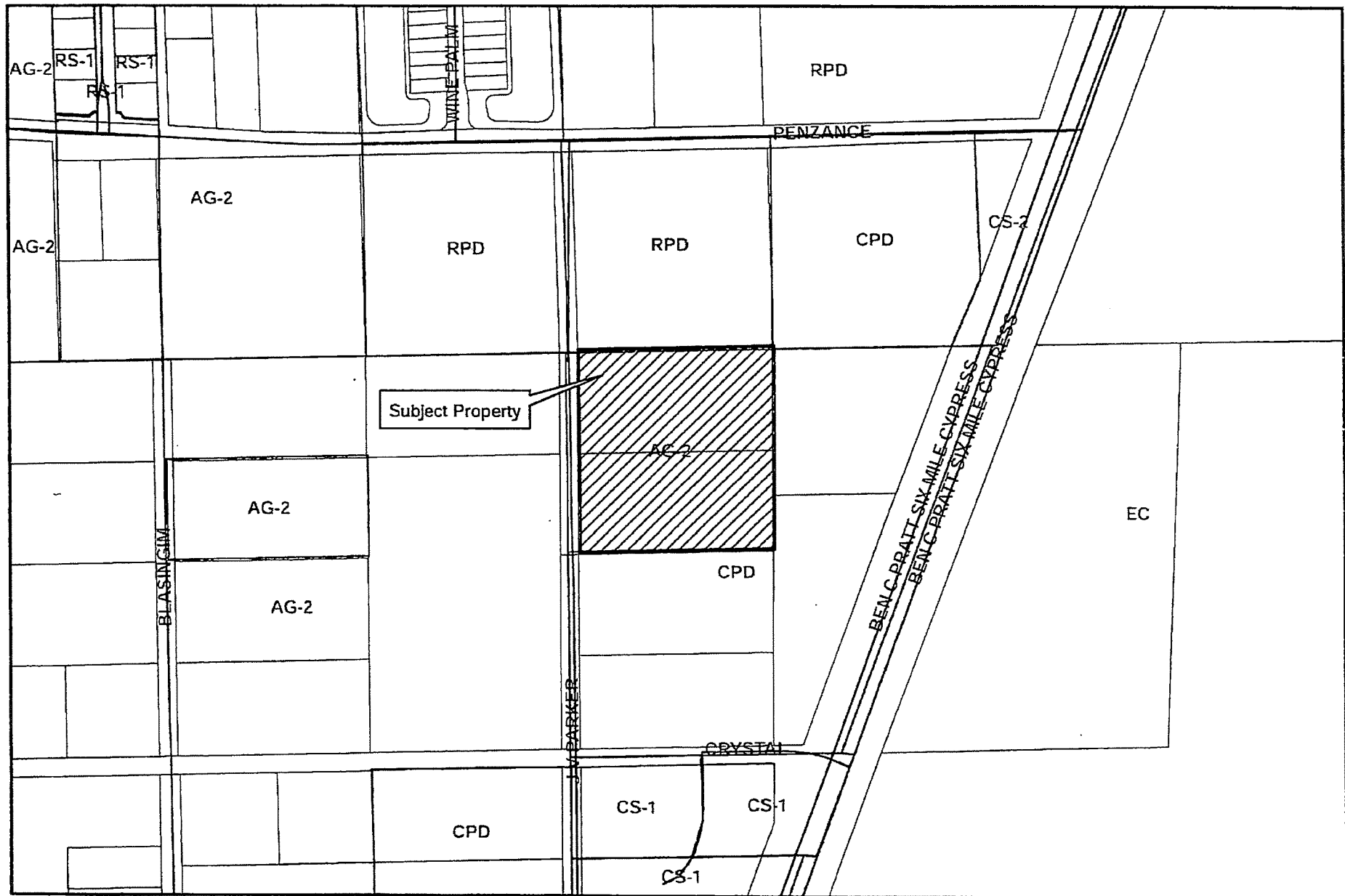
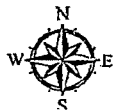


EXHIBIT B

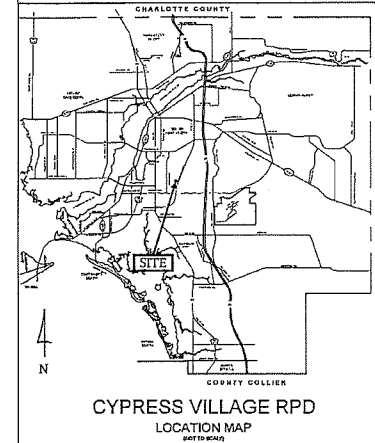
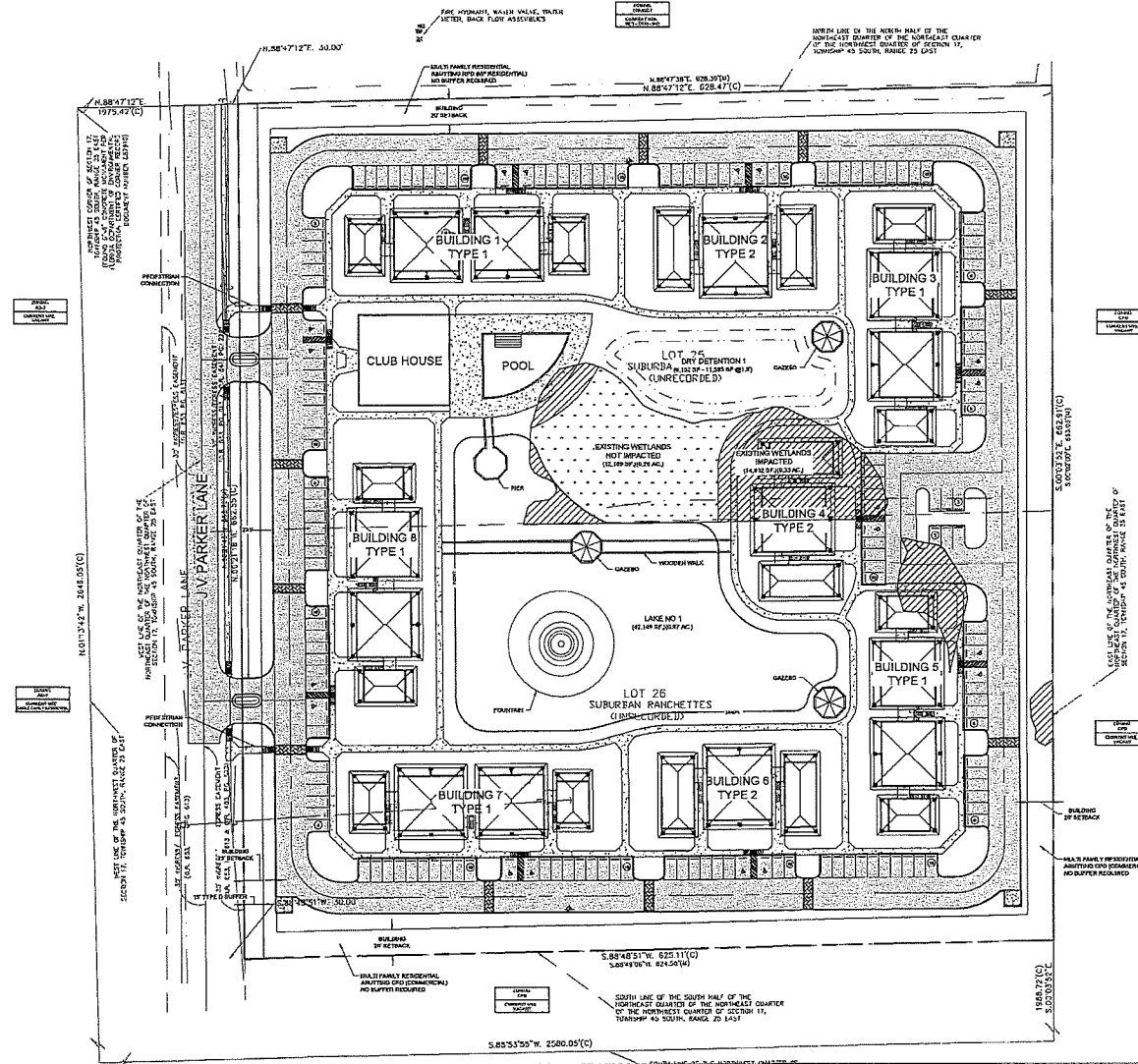


0 200 400 Feet

CYPRESS VILLAGE

LOCATED IN SECTION 17, TOWNSHIP 45-S, RANGE 25-E, LEE COUNTY, FLORIDA

D-7-M
MASTER CONCEPT PLAN
DCI2012-00045



PROJECT SUMMARY

ZONING/REZONING
AG-2 to RPD
STRAP #'S
17-45-25-01-00000,0250 & 17-45-25-01-00000,0260

PROJECT ACREAGE
9.53 ACRES (415,326 SF)

PROJECT INTENSITY
BUILDINGS: 92 UNITS / 48,900 SF FOOTPRINT

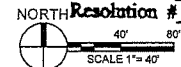
OPEN SPACE REQUIRED
40.0% = 166,130 SF (3.81)

DEVIATIONS
NONE REQUESTED

RECEIVED
AUG 07 2013

COMMUNITY DEVELOPMENT
DCI2012-00045

Approved as Exhibit C
MCP Page 1 of 1
Resolution # E-13-025



Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
4391 Yonkers Chaseville Blvd. | Fort Myers, FL 33916 | (239) 916-5222 | QAC@aol.com

EXHIBIT C

AGRICULTURAL USES AT TIME OF ZONING APPLICATION

The undersigned swears or affirms under oath, deposes and says:

1. that he is the fee owner, trustee, managing member or authorized representative of the property commonly known as STRAP# 17-45-25-01-00000.0250 & 17-45-25-01-00000.0260 and legally described in Exhibit "A".
2. that livestock pasture currently exists on the property occupying 9.53 acres, or the entire parcel as identified by the sketch accompanying legal description.

FURTHER AFFIANT SAYETH NAUGHT. Parker Lane Developments, LLC.

BY: Ramstar Select Developments, Inc., Its Manager

BY:

R. Nicolucci
Signature of Owner or Representative

X Roy Nicolucci, PRES
Printed Name and Title

X
Name of Entity/Corporation

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 29 day of OCTOBER, 2012, by Roy Nicolucci, who is personally known to me ~~or who has produced~~ as President of Ramstar Select Developments, Inc., as Manager of Parker Lane Developments, LLC, on behalf of the company ~~as identification.~~

Derek Sorrenti
Signature of person taking oath or affirmation

DEREK SORRENTI
Name typed, printed or stamped

NOTARY PUBLIC - ONTARIO
Title or rank

N/A
Serial number, if any

EXHIBIT D

NOV 09 2012
001 2012-00045
COMMUNITY DEVELOPMENT



E.F. GAINES SURVEYING SERVICES, INC.

NOV 14 2012
COMMUNITY DEVELOPMENT
DCI 2012-00045

Description of part of Lot 25 and part of Lot 26, Suburban Ranchettes (unrecorded),
being part of the NE 1/4 of the NE 1/4 of the NW 1/4 of
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BEGINNING at the northeast corner of the Northwest one-quarter of said Section 17;
Thence along the east line of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17, S.00°03'52"E. for 662.91 feet to the south line of the south half of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17;
Thence along said south line S.88°48'51"W. for 625.11 feet to a line lying 30 feet easterly of and parallel with (as measured at right angles to) the west line of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17;
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Bearings are based on the north line of the Northeast one-quarter of the Northeast one-quarter of the Northwest one-quarter of said Section 17 being N.88°47'12"E.

Parcel contains 9.535 Acres, more or less.

Prepared by:

E.F. Gaines Surveying Services, Inc.

Elizabeth F. Gaines, PSM
Florida License No. LS4576

11.19.12
APPROVED
LEGAL



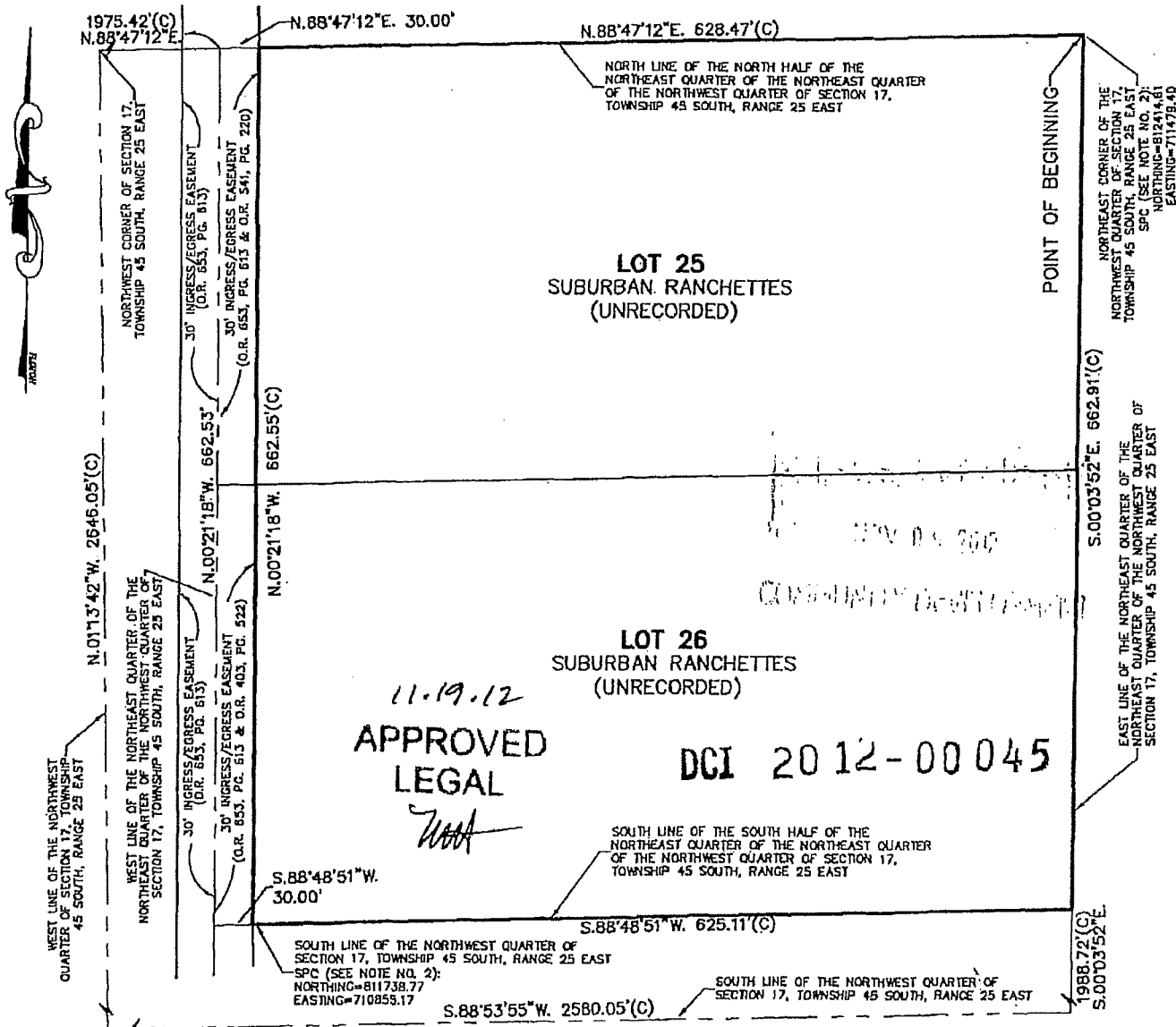
Ref.: E.F.Gaines Drawing No. 0310-004 (sketch)

Not valid without the signature and original raised seal of the above named Florida Professional Surveyor and Mapper

M:\EFG Survey Projects\0310 JV Parker Lane\Documents\0310 Legal Desc 110712.docx

NOTES:

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PREPARED BY:

ELIZABETH F. GAINES, PSM FL LICENSE NO. LS 4576

NOT VALID WITHOUT THE SIGNATURE & ORIGINAL RAISED SEAL OF THE ABOVE FLORIDA PROFESSIONAL SURVEYOR & MAPPER.

E.F. Gaines Surveying Services, Inc.

**5235 Ramsey Way, Suite 10
Fort Myers, Florida 33907**

Phone: 239-418-0126 Fax: 239-418-0127

CLIENT: PARKER LANE DEVELOPMENTS

DATE: NOVEMBER 7, 2012

SCALE: 1" = 120'

PROJECT NUMBER: 0310

DRAWING FILE: 0310-004

REVISIONS/DATE:

SHEET 1 OF 1

ATTACHMENT M

PRATT'S PRESERVE
ZONING AMENDMENT
TRAFFIC IMPACT STATEMENT
July 14, 2023

Prepared By:
David Plummer & Associates, Inc.

Prepared For:
Lenar

Date Prepared:
July 14, 2023

DPA Job #:
23513

PRATT'S PRESERVE
ZONING AMENDMENT
TRAFFIC IMPACT STATEMENT

Overview

The Pratt's Preserve (f.k.a. Parker Lane) residential development (hereafter referred to as the Project) is an approved residential planned development located between Blasingim Road and JV Parker Lane, west of Six Mile Cypress Parkway in Lee County, Florida (Exhibit 1).

The purpose of this traffic impact statement (ZTIS) is to support the rezoning amendment application for the currently approved Parker Lane RPD. The ZTIS has been prepared to be consistent with Lee County AC-13-17, Traffic Study Guidelines for Planned Development Rezonings (Appendix A) and standard practices accepted by Lee County for zoning requests that are projected to generate more than 100 peak hour trips ends.

Executive Summary

The conclusions of this traffic study are as follows.

1. The proposed rezoning amendment will add 20 single-family (SF) dwelling units to the approved 135 SF dwelling units, for a total of 155 SF dwelling units.
2. The trip generation of the proposed Project is estimated to be 111 external trips in the AM peak hour and 150 trips in the PM peak hour. The overall daily trip generation is 1,510 trips.
3. All roadways and intersections within the area of significance will operate above level of service standards coincident with the buildout of the Project.
4. The Project will fully mitigate its transportation impacts through the payment of Lee County Road Impact Fees and provide for site-related improvements at the Project's external access point. The collected road impact fees by the County should be utilized to fund the future Crystal Drive Extension.

Development Parameters

The development parameter summary by land use and size associated with the development scenario are as follows, along with the site plan in Exhibit 2. The buildout of Pratt's Preserve is anticipated to be in year 2024.

Pratt's Preserve Development Parameters			
Scenario	Land Use	Units	Amended Development
Approved Development	Single-Family Residential	Dwelling Units	135 d.u.
Proposed Addition	Single-Family Residential	Dwelling Units	20 d.u.
Proposed Plus Approved	Single-Family Residential	Dwelling Units	155 d.u.

Trip Generation

The trip generation estimate for the Project was based on trip generation rates and equations from the Institute of Transportation Engineers (ITE), Trip Generation, 11th Edition, using ITE Land Use Code 210 – Single-Family Detached (General Urban/ Suburban) (Appendix B).

The calculated trip generation for the Project is presented in Exhibit 3 and is summarized below.

Pratt's Preserve Trip Generation ⁽¹⁾									
Land Use	LUC	Size	AM			PM			Daily
			In	Out	Total	In	Out	Total	
Single-Family Detached	210	155 d.u.	29	82	111	95	55	150	1,510

Footnote:

(1) ITE, Trip Generation, 11th Edition.

Project Access

The primary access of the Project is located at the southern border of the property which will connect to the future Crystal Drive extension. Coincident with the construction of the Project entrance, the portion of the Crystal Drive corridor will be built from the proposed Project entrance to the current eastern terminus, located just west of Carissa Commerce Court. The applicant is currently working with Lee County DOT on details for extending the portion of Crystal Drive to enable Project traffic to reach Six Mile Cypress Parkway. An emergency only access off Blasingim Road has been planned and also depicted on the site plan.

Project Trip Distribution / Assignment

Project trips were distributed to the external road network as depicted in Exhibit 4. The resultant PM peak hour trip assignment at the Project entrances is summarized in Exhibit 5.

Roadways Under Study

The adjacent roadway network is presented in Exhibit 1 and further discussed below.

Crystal Drive (west) is a major collector road that currently extends from US 41 and terminates at Plantation Road. The section of Crystal Drive (east) currently exists from Carissa Commerce Court

to Six Mile Parkway at a distance of approximately 350 feet. The intersection of Crystal Drive (east) and Six Mile Parkway provides for full-movement of vehicles at all three approaches.

Crystal Drive Extension is a future roadway identified in the Lee County MPO 2045 Cost Feasible Plan (Appendix C). This planned extension will connect the current west terminus of Crystal Drive at Plantation Road with the east terminus of Crystal Drive and Carissa Commerce Court. The Crystal Drive Extension will provide direct access for adjacent properties, including this Project.

Six Mile Cypress Parkway is a four-lane controlled access, north-south arterial roadway that enables travel between the eastern areas of Fort Myers and central Lee County.

Traffic Volumes

Existing roadway LOS was determined based on the 2022 Public Facilities Level of Service and Concurrency Report. Future traffic volumes for the roadways under study are provided in Exhibit 6, and further discussed below.

Existing Roadway Volumes

The peak season, peak hour, peak direction (K₁₀₀) segment volumes and roadway service volumes reported in the 2022 Public Facilities Level of Service and Concurrency Report are presented in Exhibit 6 and documented in Appendix D. The existing LOS reported for the segment of Six Mile Cypress adjacent to the Project is above the adopted LOS standard, as seen in the table below.

Future Roadway Volumes

The projection of future traffic volumes coincident with horizon year 2025 (Project buildout of 2024 plus 1 year) was developed based on historic growth trends of the nearest permanent count station (PCS 18, Appendix D).

A linear annual traffic growth of 3.56% (Appendix D) was applied to the existing traffic volumes on Crystal Drive (east) and Six Mile Cypress as shown in the roadway segment analysis (Exhibit 6). These assumed growth rates are based on growth trends reflective of historic AADT volumes (Appendix D). Below is a table summarizing the existing and future roadway segments level of service (LOS).

Pratt's Preserve Road Segment Analysis				
Roadway	From	To	Existing LOS	Future LOS
Crystal Drive Extension	Project Entrance	Carissa Commerce Court	N/A	C
Crystal Drive (east)	Carissa Commerce Court	Six Mile Cypress	N/A	C
Six Mile Cypress	Daniels Parkway	Crystal Drive (east)	B	C
	Crystal Drive (east)	Winkler Extension	B	C

Intersection Analysis

AC-13-17 states that all proposed projects generating more than 100 peak hour trips, shall provide an analysis for all site accesses and all intersections within one quarter of a mile of the project. Upon buildout of the Project the only external intersection located within a quarter of a mile of the Project will be Six Mile Cypress Parkway and Crystal Drive Extension.

AM and PM peak hour turning movement counts were conducted at this intersection September 21, 2022 (Appendix E.1a & E.1b). Turning movement counts were converted to peak season using a 1.22 peak season conversion factor (Appendix E) reported in the FDOT 2022 Peak Season Factor Category Report for Lee County (Appendix E.2a, E.2b). The projection of future intersection volumes coincident with horizon year 2025 (Project buildout of 2024 plus 1 year) without the Project were developed based on the historic 3.56% growth trend for all movements (Appendix E.3a & E.3b). Finally, project traffic was added to the future intersection, as seen in Appendix E.4a & E.4b, along with an analysis of the project entrance at buildout in Appendix E.5a and E.5b.

The resultant AM and PM peak hour analysis is summarized below, with detailed analysis in Appendix E.

Pratts Preserve Intersection LOS Summary								
Peak Hour	Without Project				With Project			
	Project Entrance & Crystal Drive		Six Mile Cypress Parkway & Crystal Drive		Project Entrance & Crystal Drive		Six Mile Cypress Parkway & Crystal Drive	
	LOS	% Of Intersection Volumes	LOS	% Of Intersection Volumes	LOS	% Of Intersection Volumes	LOS	% Of Intersection Volumes
AM	N / A	N / A	C / A ⁽¹⁾	0%	A	100%	C / F ⁽¹⁾	4%
PM	N / A	N / A	B / F ⁽¹⁾	0%	A	100%	B / F ⁽¹⁾	5%

Footnote:

(1) Major / Minor Street left-turn LOS.

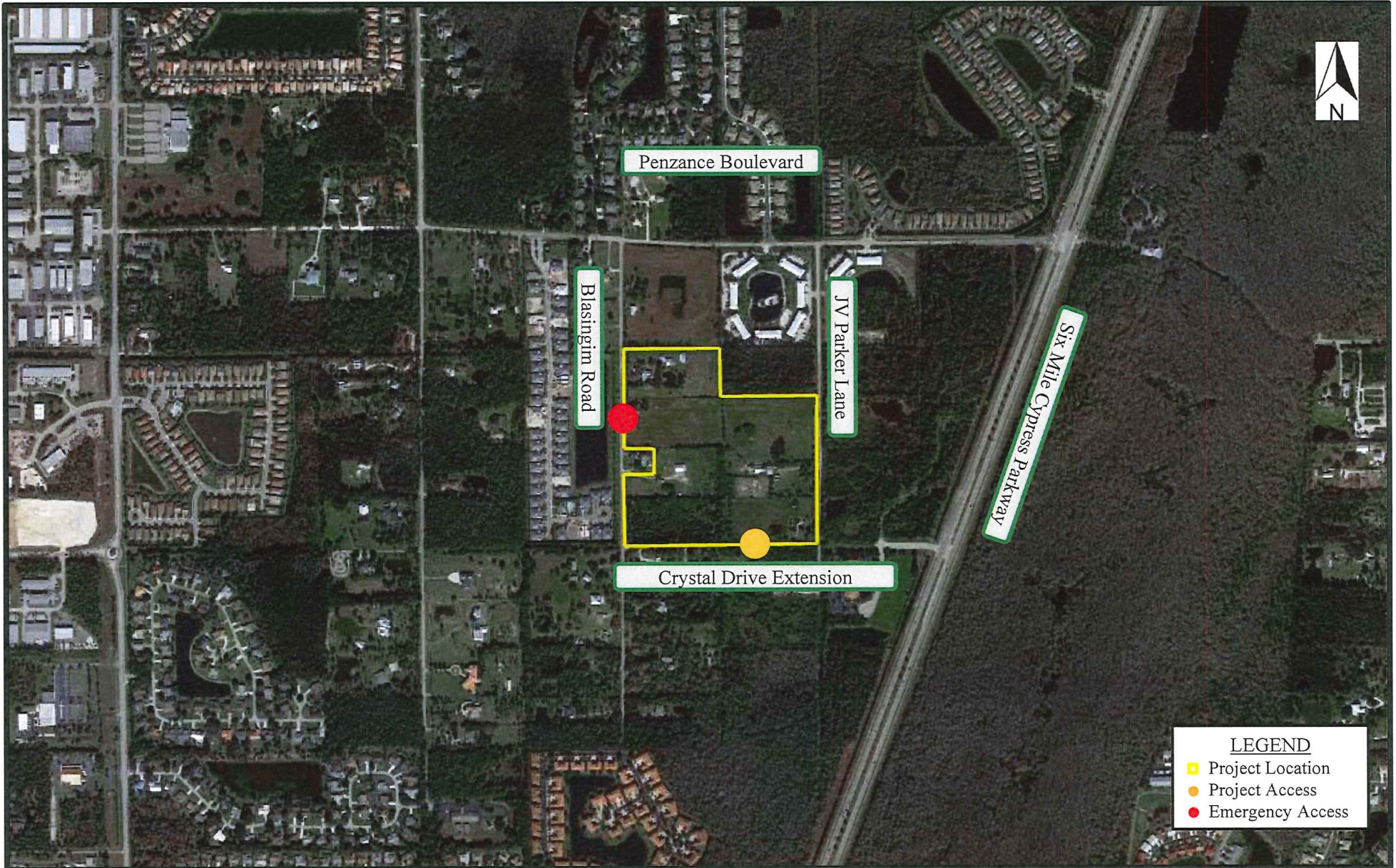
Mitigation Plan

Mitigation attributed to the Project will be through the payment of Lee County road impact fees. The collected road impact fees from the area should be directed to the future improvements of the Crystal Drive Extension.

Summary of Conclusions

The conclusions of this traffic study are as follows.

1. The proposed rezoning amendment will add 20 single-family (SF) dwelling units to the approved 135 SF dwelling units, for a total of 155 SF dwelling units.
2. The trip generation of the proposed Project is estimated to be 111 external trips in the AM peak hour and 150 trips in the PM peak hour. The overall daily trip generation is 1,510 trips.
3. All roadways and intersections within the area of significance will operate above level of service standards coincident with the buildout of the Project.
4. The Project will fully mitigate its transportation impacts through the payment of Lee County Road Impact Fees and provide for site-related improvements at the Project's external access point. The collected road impact fees by the County should be utilized to fund the future Crystal Drive Extension.



LEGEND

- Project Location
- Project Access
- Emergency Access



PARKER LANE RPD

PROJECT LOCATION

23517/0623

EXHIBIT 1

EXHIBIT 3
PRATT'S PRESERVE
ZONING AMENDMENT
TRIP GENERATION SUMMARY ⁽¹⁾

PALERMO RPD PHASE 4	LIUC	SIZE	UNITS	AM PEAK HOUR					PM PEAK HOUR					DAILY							
				Rate/Equation	In	Out	Total	%	Rate/Equation	In	Out	Total	%	Rate/Equation	In	Out	Total	%			
Residential																					
Single-Family Detached Housing (General Urban/Suburban)	210	155	Dwelling Units	Fitted Curve	26%	29	74%	82	111	Fitted Curve	63%	95	37%	55	150	Fitted Curve	50%	755	50%	755	1,510
Trips						29		82	111			95		55	150			755		1,510	
NCHRP Internal Capture ⁽²⁾						0		0	0	0%		0		0	0	0%		0	0	0	0%
Non-NCHRP Internal Capture ⁽⁴⁾						0		0	0	0%		0		0	0	0%		0	0	0	0%
External						29		82	111			95		55	150			755		755	1,510
Pass-by						0		0	0	0%		0		0	0	0%		0	0	0	0%
Net New External						29		82	111			95		55	150			755		755	1,510

EXHIBIT 6
CAPACITY REVIEW FOR ADJACENT ROAD SEGMENTS
FUTURE TRAFFIC WITH PROJECT

Roadway	From	To	# of	LOS	Existing	Future	Peak Direction (4)	Project Trips (5)		Total Volume (6)	Directional Generalized Service Volumes (7)					LOS	V/C	% SV @			
			Lanes (1)	Std. (2)	K ₁₀₀ (2)	K ₁₀₀ (4)		NB/EB	SB/WB	NB/EB	LOS A	LOS B	LOS C	LOS D	LOS E		Ratio	LOS C			
			2021/2022			2025															
Crystal Drive Extension	Project Entrance	Carissa Commerce Court	2LN	E	0	0	WB	55	95	95	*	*	310	660	740	C	0.13	31%			
	Carissa Commerce Court	Six Mile Cypress	2LN	E	54 (3)	60	EB	55	95	115	*	*	310	660	740	C	0.16	31%			
Six Mile Cypress	Daniels Parkway	Crystal Drive	4LN	E	951	1,110	NB	47	27	951	*	270	1,970	2,100	2,100	C	0.45	2%			
	Crystal Drive	Winkler Extension	4LN	E	951	1,110	NB	28	48	951	*	270	1,970	2,100	2,100	C	0.45	2%			

Footnotes:

- (1) Existing number of lanes.
(2) Per Lee County 2022 Public Facilities Level of Service and Concurrency Report, Appendix D.
(3) Data from intersection turning movement counts conducted on September 21, 2022 (Appendix E.2b) converted to peak season.
(4) Growth Rate and Peak Direction Per Lee County PCS 18 - Six Mile Cypress at Winkler Road, Appendix D.
(5) Based on the projected Pratt's Preserve PM peak hour trip generation and assignment, Exhibit 5.
(6) Total volume equals background peak hour directional volume plus Pratt's Preserve traffic.
(7) Generalized Peak Hour Directional Service Volumes, Appendix D.

APPENDIX A
ZTIS GUIDELINES FOR PD REZONINGS

**ADMINISTRATIVE CODE
BOARD OF COUNTY COMMISSIONERS**

CATEGORY:

Development/Planning/Zoning

CODE NUMBER:

AC-13-17

TITLE:

Traffic Study Guidelines for
Planned Development Rezoning

ADOPTED:

4/15/92

AMENDED:

ORIGINATING DEPARTMENT:

Community Development/DOT

PURPOSE/SCOPE:

GUIDELINES FOR ZONING TRAFFIC STUDIES

The scope of the Zoning Traffic Study (ZTS) is dependent upon vehicle trips generated, existing road network, location within Lee County, access points, and proposed facilities. It is recommended that these criteria be discussed with representatives of Lee County's Department of Transportation and Engineering (DOT&E), Department of Community Development (DCD), Division of Development Review (DDR) and other Lee County personnel (hereinafter Staff) as applicable prior to starting the preparation of the ZTS.

This administrative code replaces Chapter 1 of the Guidelines for Traffic Impact Statements written on December 11, 1989.

POLICY/PROCEDURE:

These guidelines are intended to be used by transportation professionals for determining impacts of non-DRI zoning applications only. The ZTS' are not applicable for Development Orders or Concurrency determinations. The applicant should be aware that the ZTS is utilized for a general impact analysis for the proposed project and not as a basis for a traffic mitigation plan. Modifications of specific requirements contained within these guidelines may be approved by the Director of Zoning or his/her designee only after a written request by the applicant stating the reasons for said modifications. An approval of a request for modification of these guidelines must be in writing and rendered within 30 calendar days of receipt of a fully documented written request.

Trip Generation

Trip generation calculations are necessary to determine the degree of analysis necessary for a given project; therefore, they are the minimum requirement for all projects required to produce a ZTS. Calculation of trip ends shall be made using the sources listed below in the order of preference:

- 1) Institute of Transportation Engineers (ITE) current edition of Trip Generation; or
- 2) Generation rates derived from observation of trips at similar developments as outlined in the Independent Fee Calculation Administrative Code; or

- 3) Trip generation as approved by Staff in a methodology meeting as requested by the applicant.

Trip generation rates shall be calculated using the linear regression equation, unless it can be shown using ITE's "Guidelines for Determining Whether to Use Trip Generation, Rates or Equations" that average trip generation rates provide a more accurate estimate of project impacts. Trip ends shall include annual daily traffic (ADT's) and peak hour traffic (PHT's) for a typical week day. Weekends should be included if applicable. The ADT is defined as the weighted average vehicle trip generation rate during the applicable 24-hour period. The peak hours (AM and PM) are defined as the highest one-hour weighted average vehicle trip generation rate between 7 and 9 AM or between 4 and 6 PM when the adjacent street traffic is at its peak.

Capacity calculations require the projection of peak hour, peak Season traffic volumes. Background traffic shall be calculated from DOT&E traffic counts, or traffic counts made in accordance with ITE guidelines or other methods approved by Staff. Growth projections shall be calculated in accordance with DOT&E guidelines or other methods as approved by Staff.

Analysis

All rezoning requested required to produce a ZTS shall provide the following, minimum information:

- 1) The intensity of development (number of units, gross floor area of each proposed use, etc.) and the projected build out date;
- 2) ADT's, AM PHT's, and PM PHT's for each proposed use category and for the total proposed project, along with the source and methods from which the figures were derived;
- 3) A graphic depiction locating the project's access point(s) and the location of all other access points within 660' for project entrances on an arterial roadway, 330' for project entrances on a collector roadway, and 125' for project entrances on a local roadway;
- 4) The existing and project background traffic on all roadway facilities accessed by the proposed project at time of build out; and
- 5) The traffic/directional splits entering and exiting the proposed project at the proposed access points.

For requests projected to generate 100 trip ends or more, the ZTS shall provide the following additional information:

- 1) Level of Service' (LOS) analysis shall be performed using methodology as listed below:
 - a) If the project generates between 100 and 300 peak hour trips, a link, level of service analysis for all links within the area of influence shall be made based upon the Lee County Generalized Peak Hour Service Volume Tables from the 1990 Lee Plan as amended. (Exhibit IX-1, Pages IX-3 through IX-7, -Traffic Circulation Element, Volume 1 of 3)

The site accesses and all intersections within one quarter of a mile area shall be analyzed using the 1985 Highway Capacity Manual either as a signalized or unsignalized intersection.
 - b) If the project generates over 300 peak hour trips, an urban or suburban arterial analysis shall be made utilizing entrances and all other intersections and roadway links within the area of influence.
- 2) Should the LOS analysis result in service levels below adopted minimums, an analysis of the improvements necessary to offset the added traffic impacts; and

- 3) An exhibit showing the area of influence, defined as that **area in** which the **development-generated** traffic is found to have significant impact. **Significant** impact is defined as 10% or more of the total peak hour intersection volume (the summation of all four approaches) and 10% of the LOS "C" service volumes for the **links** at build out.
- 4) **Any** additional **information or analysis** which the applicant feels is necessary **to fully** demonstrate the impacts of the proposed development.
- 5) A methodology **meeting** with members of Staff is required for a ZTS projecting more than 300 trips and is strongly recommended for a ZTS projecting less than 300 trips, but that is the option of the applicant.

APPENDIX B
ITE LUC 210

Land Use: 210

Single-Family Detached Housing

Description

A single-family detached housing site includes any single-family detached home on an individual lot. A typical site surveyed is a suburban subdivision.

Specialized Land Use

Data have been submitted for several single-family detached housing developments with homes that are commonly referred to as patio homes. A patio home is a detached housing unit that is located on a small lot with little (or no) front or back yard. In some subdivisions, communal maintenance of outside grounds is provided for the patio homes. The three patio home sites total 299 dwelling units with overall weighted average trip generation rates of 5.35 vehicle trips per dwelling unit for weekday, 0.26 for the AM adjacent street peak hour, and 0.47 for the PM adjacent street peak hour. These patio home rates based on a small sample of sites are lower than those for single-family detached housing (Land Use 210), lower than those for single-family attached housing (Land Use 251), and higher than those for senior adult housing -- single-family (Land Use 251). Further analysis of this housing type will be conducted in a future edition of *Trip Generation Manual*.

Additional Data

The technical appendices provide supporting information on time-of-day distributions for this land use. The appendices can be accessed through either the ITETripGen web app or the trip generation resource page on the ITE website (<https://www.ite.org/technical-resources/topics/trip-and-parking-generation/>).

For 30 of the study sites, data on the number of residents and number of household vehicles are available. The overall averages for the 30 sites are 3.6 residents per dwelling unit and 1.5 vehicles per dwelling unit.

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Arizona, California, Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Minnesota, Montana, New Jersey, North Carolina, Ohio, Ontario (CAN), Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Vermont, Virginia, and West Virginia.

Source Numbers

100, 105, 114, 126, 157, 167, 177, 197, 207, 211, 217, 267, 275, 293, 300, 319, 320, 356, 357, 367, 384, 387, 407, 435, 522, 550, 552, 579, 598, 601, 603, 614, 637, 711, 716, 720, 728, 735, 868, 869, 903, 925, 936, 1005, 1007, 1008, 1010, 1033, 1066, 1077, 1078, 1079

Single-Family Detached Housing (210)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 174

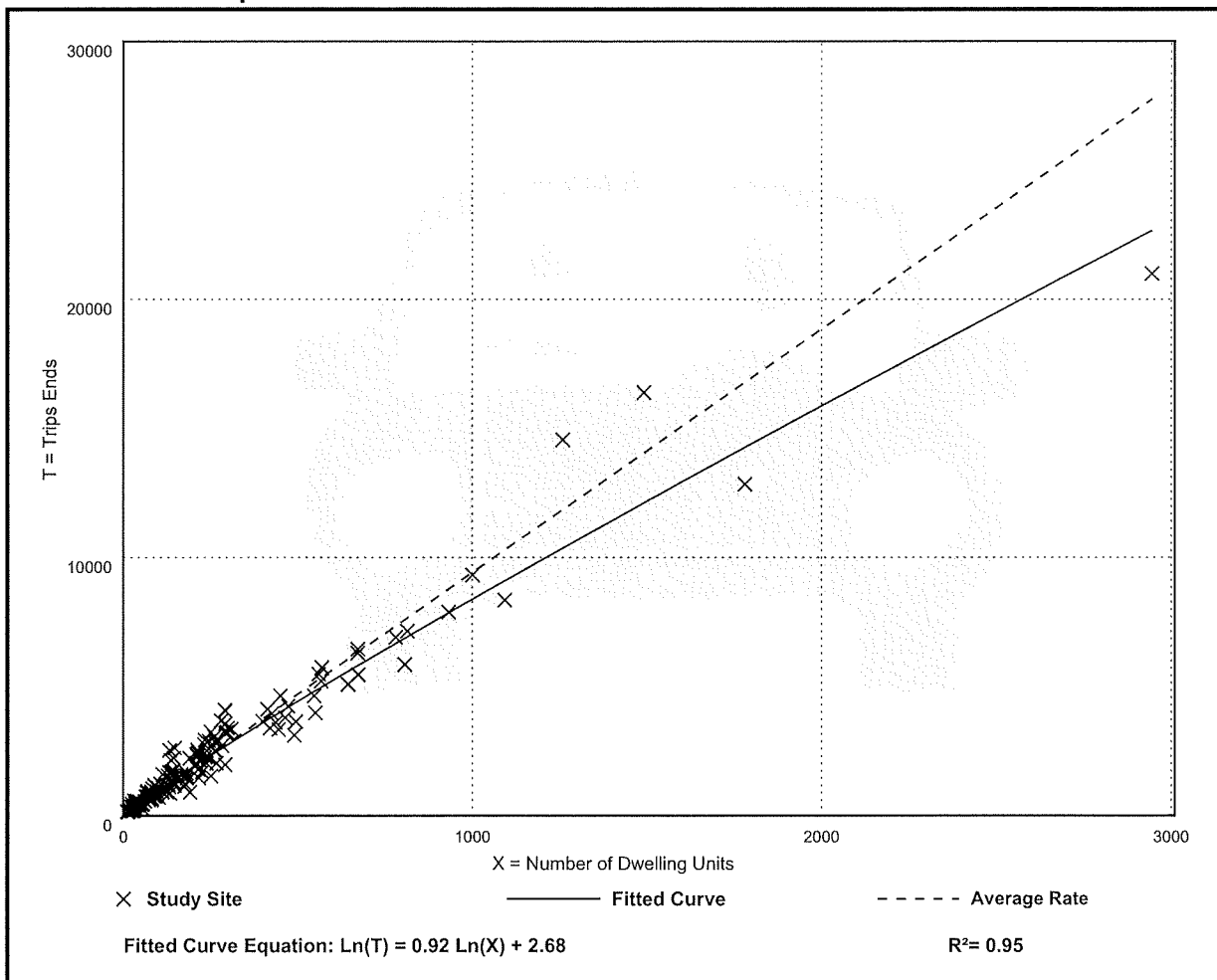
Avg. Num. of Dwelling Units: 246

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
9.43	4.45 - 22.61	2.13

Data Plot and Equation



Single-Family Detached Housing (210)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 192

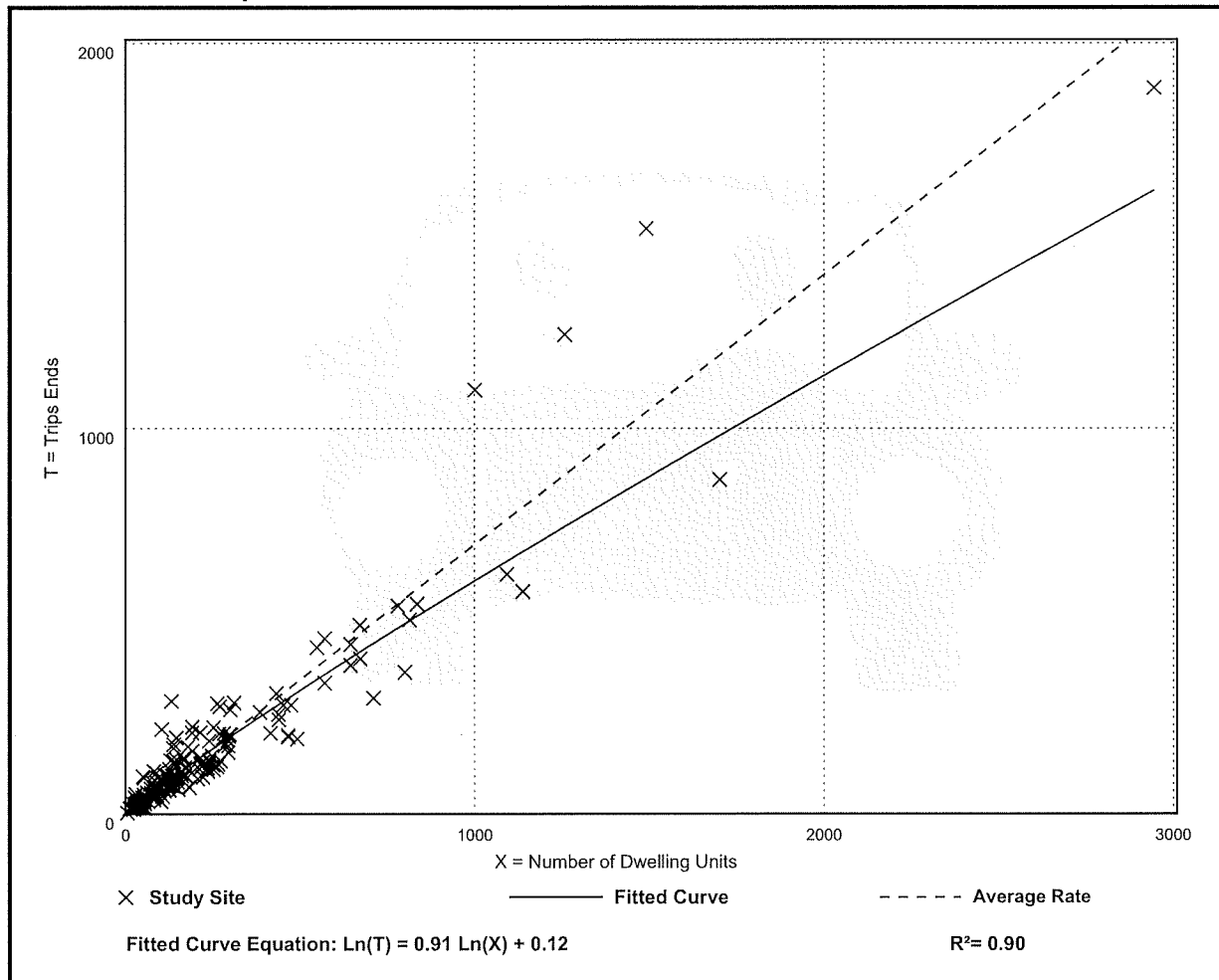
Avg. Num. of Dwelling Units: 226

Directional Distribution: 26% entering, 74% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.70	0.27 - 2.27	0.24

Data Plot and Equation



Single-Family Detached Housing (210)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 208

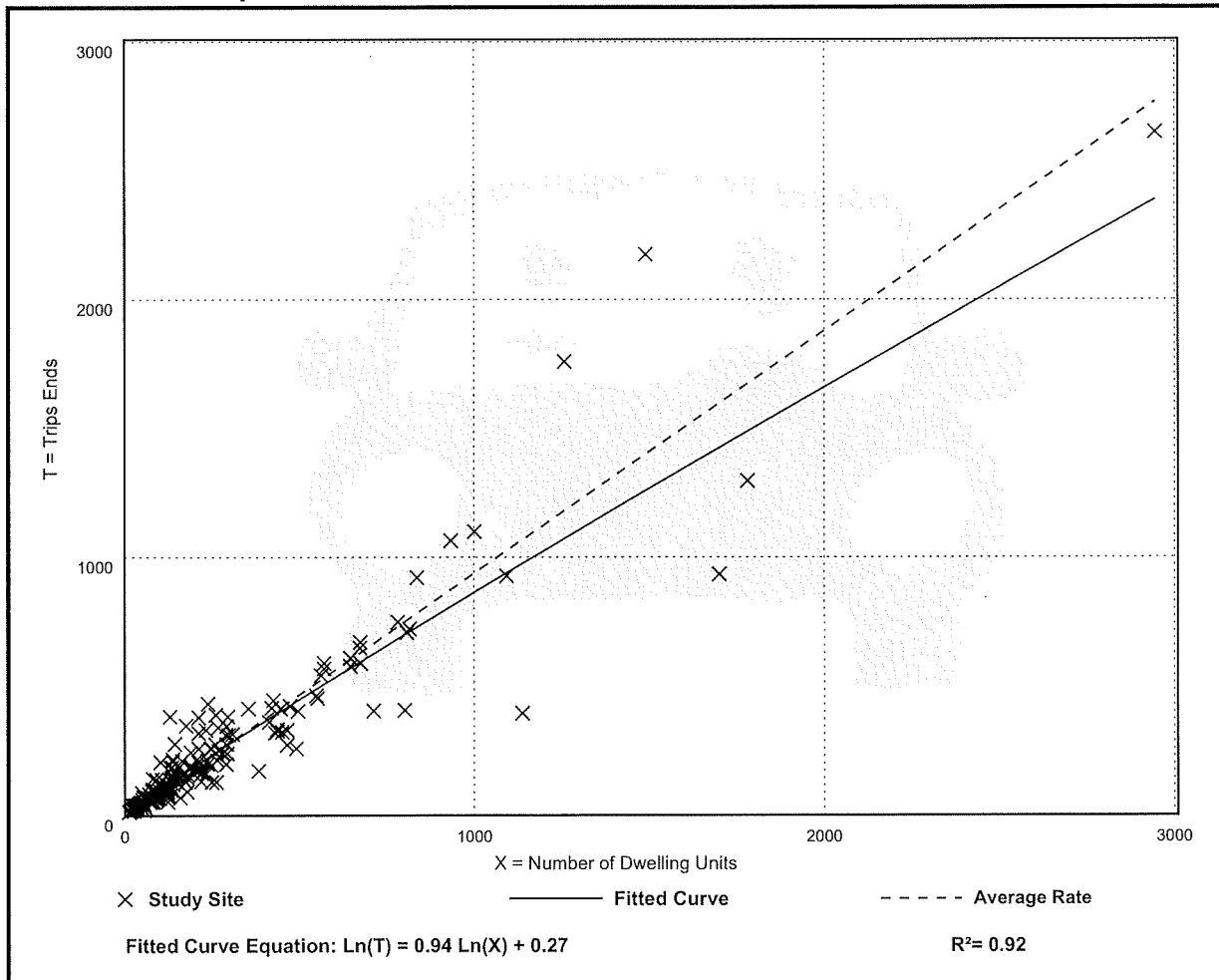
Avg. Num. of Dwelling Units: 248

Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.94	0.35 - 2.98	0.31

Data Plot and Equation



APPENDIX C
2045 COST FEASIBLE PLAN

Map 4-3: Roadway Capacity Needs Plan, 2020–2045

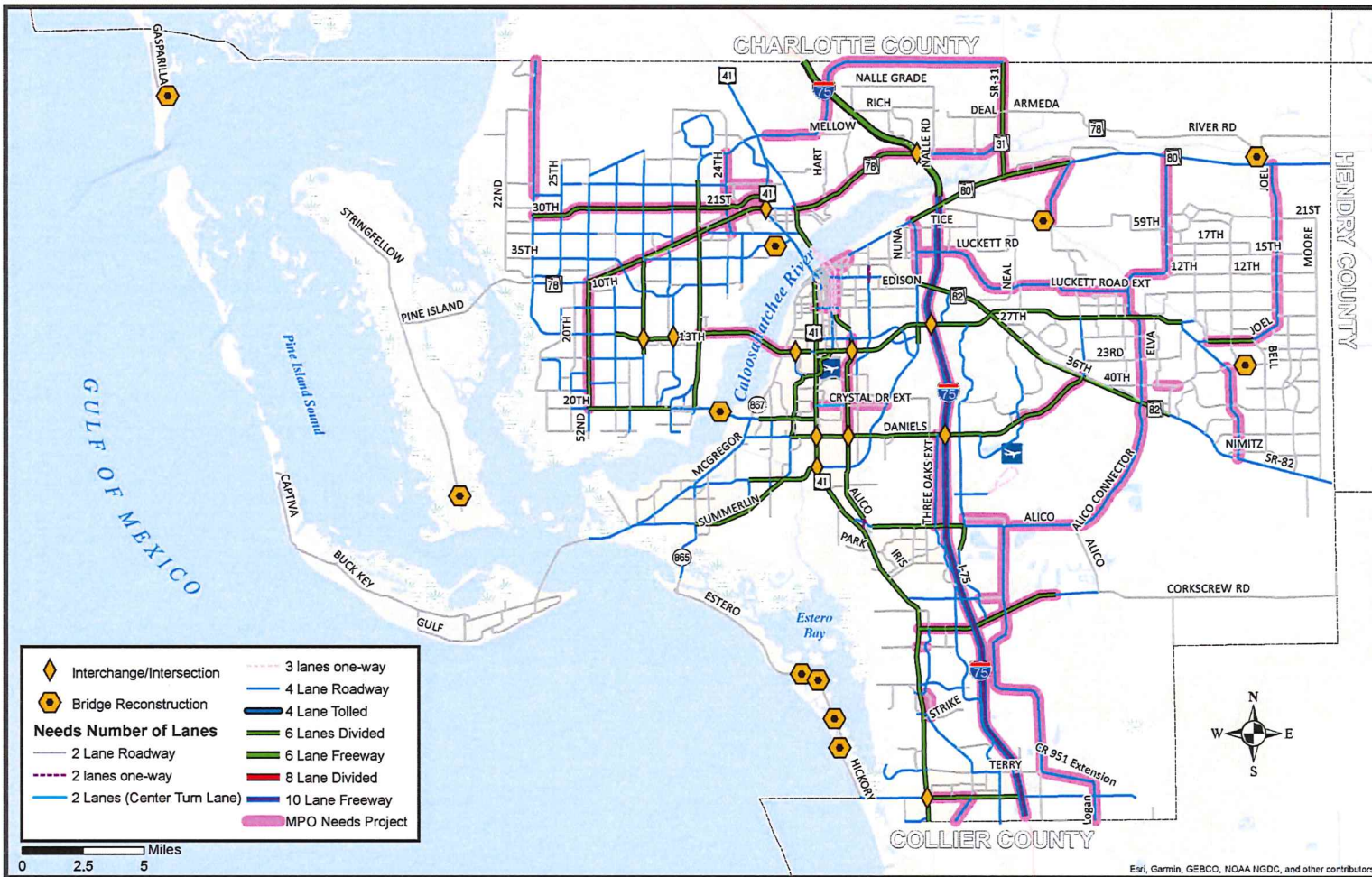


Table 4-1: Roadway Needs List (\$ Millions, 2020 Present Day Cost)

Project #	Rank	Facility	From	To	Jurisdiction	Improvement	Unweighted Score	Weighted Score	Cost	Length (miles)
1	18	1 st Street	Fowler St	Palm Beach Blvd	Fort Myers	Two way	40	3.7	\$ 2.50	1.00
2	47	2nd Street	Fowler St	Palm Beach Blvd	Fort Myers	Two way	30	2.28	\$ 2.50	1.00
3	54	40 th Street	End of 40th Street	Alabama	County	New 2L	10	1.6	\$ 4.51	0.20
4	56	Airport Haul Rd Ext	Corkscrew Road	Alico Road	County	New 4 lanes	24	1.33	\$ 93.60	3.70
5	53	Alico Road/Alico Road Connector	Airport Haul Road	SR 82	County	2 to 4 lanes/New 4 L.	29	1.68	\$ 96.88	9.20
6	24	Bonita Beach Rd	US 41	Old US 41	County	4 to 6 lanes	32	3.23	\$ 27.70	1.70
7	30	Buckingham Road	Orange River Blvd.	SR 80	County	2 to 4 lanes	30	3	\$ 50.30	2.60
8	14	Burnt Store Road	Van Buren Parkway	Charlotte Co. Line	County	2 to 4 lanes	45	3.9	\$ 57.09	5.50
9	39	Chiquita Blvd.	Cape Coral Parkway	Pine Island Road	Cape Coral	4 to 6 lanes	31	2.75	\$ 98.50	5.50
10	1	Colonial	McGregor	US 41	County	Intersections	50	5.28	\$ 44.45	1.20
11	5	Corkscrew Road	US 41	Three Oaks Pkwy	County	4 to 6 lanes	48	4.68	\$ 18.20	1.30
12	7	Corkscrew Road	Three Oaks	I-75	County	4 to 6 lanes	50	4.58	\$ 7.70	1.00
13	63	CR 951 Extension	Lee Co/L.	Corkscrew Road	County	New 4 lanes	10	0.85	\$ 426.00	11.80
14	36	Crystal Drive	US 41	Metro Pkwy	County	2 to 3 lanes	30	2.83	\$ 10.25	1.20
15	61	Crystal Drive Ext.	Plantation	Six Mile Cypress	County	New 2L	15	1.03	\$ 8.10	1.00
16	23	Daniels Parkway	Gateway Blvd	SR 82	County	4 to 6 lanes	30	3.28	\$ 38.00	2.80
17	71	Del Prado Extension	e/o US 41	e/o Prairie Pines	County	2 to 4 lanes	7	0.55		3.00
18	65	Del Prado Extension	e/o Prairie Pines	I-75	County	New 4 lanes	12	0.73		1.30
19	60	Del Prado Extension	I-75	SR 31	County	New 4 lanes	17	1.05	\$ 263.20	6.80
20	51	Diplomat Parkway	Burnt Store Road	US 41	Cape Coral	4 to 6 lanes	18	1.98	\$ 49.11	8.80
21	72	East West	Ben Hill Griffin	Airport Haul Road	Developer	New 2 lane	7	0.48	\$ 46.90	2.60
56	50	Edison Ave Extension	Arcadia Street	Ortiz Avenue	Fort Myers	New 2 lanes	32	2.03		
22	73	Estero Ext.	Ben Hill Griffin	Airport Haul Ext	County	New 2 lanes	7	0.48	\$ 34.50	1.20
23	10	Fowler Street	Metro/Fowler	SR 82	State	Reconstruct 3/2	43	4.08		
24	57	Hanson Street	US 41	Fowler St	Fort Myers	2 to 4 lanes	20	1.28	\$ 13.60	0.60
25	49	Homestead Road	SR 82	Milwaukee	County	2 to 4 lanes	20	2.1	\$ 36.41	2.30
26	48	Homestead Road	Milwaukee	Sunrise	County	2 to 4 lanes	20	2.1	\$ 21.30	1.60
27	37	I-75	Collier Co. Line	SR80	State	Managed Lanes	29	2.8	\$1,534.00	
28	28	I-75	at Daniels Parkway		State	Interchange	32	3.1	\$ 19.30	0.50
29	34	I-75	SR 78		State	Interchange	37	2.85	\$ 40.00	1.00
30	46	Joel Blvd	17th St	Palm Beach Blvd	County	2 to 4 lanes	25	2.35	\$ 60.30	3.25
61	Not Ranked	Joel Blvd	Leeland Heights	East 17th Street	County	Reconstruction			\$33.69	4.5
31	33	Leeland Heights Boulevard	Lee Blvd	Bell Blvd	County	4 to 6 lanes	38	2.88	\$ 39.40	1.70
32	68	Luckett Road ext.	e/o I-75	Buckingham Rd	County	New 4 lanes	12	0.73	\$ 124.90	3.90
33	66	Luckett Road ext.	Buckingham Rd	Gunnery Rd	County	New 4 lanes	12	0.73	\$ 67.20	2.10
34	67	Luckett Road ext.	Gunnery Rd	Sunshine Blvd	County	2 to 4 lanes	12	0.73	\$ 34.00	1.90
35	26	Metro Parkway	Daniels Parkway	South of Winkler Avenue	State	4 to 6 lanes	42	3.18	\$ 101.10	4.10
36	27	MidPoint Bridge	Del Prado	W. of Summerlin	County	4 to 6 lanes	34	3.18	\$ 106.00	3.30
37	52	NE 24th Avenue	Pondella Road	NE 28th Street	Cape Coral	2 to 4 lanes	21	1.78	\$ 53.10	2.50
38	44	NE 24th Avenue	NE 28th Street	Del Prado Boulevard	Cape Coral	New 4 lanes	28	2.48	\$ 32.10	0.80

APPENDIX D
ROAD SEGMENT ANALYSIS
DOCUMENTS



PUBLIC FACILITIES LEVEL OF SERVICE AND CONCURRENCY REPORT

2022 - INVENTORY AND PROJECTIONS



November, 2022

Infrastructure Planning Section
Department of Community Development

Table 21 b): Link-Level Service Volumes and LOS Table

Table 21 b) 5 of 7

LEE COUNTY ROAD LINK VOLUMES (County- and State-Maintained Roadways)														
Link No.	NAME	ROADWAY LINK		F. Class	ROAD TYPE	PERFORMANCE STANDARD		2021 100TH HIGHEST HOUR			FUTURE FORECAST (2026)			Notes
		FROM	TO			LOS	DIRECTIONAL CAPACITY	LOS	VOL	V/C	LOS	VOL	V/C	
19400	ORANGE RIVER BLVD	STALEY RD	BUCKINGHAM RD	Maj. Col	2LN	E	1,000	D	477	0.48	D	511	0.51	
19500	ORIOLE RD	SAN CARLOS BLVD	ALICO RD	Maj. Col	2LN	E	860	C	129	0.15	C	136	0.16	
19600	ORTIZ AVE	COLONIAL BLVD	SR 82	Controlled xs	2LN	E	900	B	716	0.80	B	753	0.84	
19700	ORTIZ AVE	SR 82	LUCKETT RD	P. Art	2LN	E	900	B	745	0.83	B	784	0.87	4 Ln design & ROW
19800	ORTIZ AVE	LUCKETT RD	SR 80	P. Art	2LN	E	900	B	309	0.34	B	325	0.36	4 Ln design & ROW
19900	PALM BEACH BLVD (SR 8) PROSPECT AVE		ORTIZ AVE	State	4LD	D	2,100	C	1,089	0.52	C	1,240	0.59	
20000	PALM BEACH BLVD (SR 8) ORTIZ AVE		I-75	State	6LD	D	3,171	C	1,242	0.39	C	1,391	0.44	
20100	PALM BEACH BLVD (SR 8) I-75		SR 31	State	6LD	D	3,171	C	1,616	0.51	C	2,001	0.63	
20200	PALM BEACH BLVD (SR 8) SR 31		BUCKINGHAM RD	State	4LD	D	2,100	D	2,043	0.97	F	2,495	1.19	
20300	PALM BEACH BLVD (SR 8) BUCKINGHAM RD		WERNER DR	State	4LD	D	3,280	B	1,426	0.43	C	1,802	0.55	
20330	PALM BEACH BLVD (SR 8) WERNER DR		JOEL BLVD	State	4LD	C	2,210	B	1,179	0.53	C	1,531	0.69	
20400	PALM BEACH BLVD (SR 8) JOEL BLVD		HENDRY CO. LINE	State	4LD	C	2,210	B	1,053	0.48	B	1,343	0.61	
20500	PALOMINO LN	DANIELS PKWY	PENZANCE BLVD	Min. Col	2LN	E	860	C	380	0.44	C	403	0.47	
20600	PARK MEADOWS DR	SUMMERLIN RD	US 41	Maj. Col	2LN	E	860	C	205	0.24	C	216	0.25	
20800	PENZANCE BLVD	RANCHETTE RD	SIX MILE PKWY	Maj. Col	2LN	E	860	C	148	0.17	C	160	0.19	
20900	PINE ISLAND RD	STRINGFELLOW RD	BURNT STORE RD	P. Art	2LN	E	950	E	594	0.63	E	644	0.68	Constrained
21400	PINE ISLAND RD (SR 78)	CITY LIMITS E OF BARRETT RD	US 41	State	4LD	D	2,100	C	1,821	0.87	F	2,171	1.03	
21500	PINE ISLAND RD (SR 78)	US 41	BUS 41	State	4LD	D	2,100	C	1,590	0.76	C	1,754	0.84	
21600	PINE RIDGE RD	SAN CARLOS BLVD	SUMMERLIN RD	Maj. Col	2LN	E	860	C	515	0.60	D	587	0.68	*
21700	PINE RIDGE RD	SUMMERLIN RD	GLADIOLUS DR	Maj. Col	2LN	E	860	C	245	0.28	C	405	0.47	Heritage Isle*
21800	PINE RIDGE RD	GLADIOLUS DR	MCGREGOR BLVD	Maj. Col	2LN	E	860	C	245	0.28	C	257	0.30	
21900	PLANTATION RD	SIX MILE PKWY	DANIELS PKWY	M. Art	2LN	E	860	C	267	0.31	C	369	0.43	Intermed Park
22000	PLANTATION RD	DANIELS PKWY	IDLEWILD ST	M. Art	2LN	E	860	D	692	0.80	D	728	0.85	FDOT Metro Pkwy 6-laning
22050	PLANTATION RD	IDLEWILD ST	COLONIAL BLVD	M. Art	4LN	E	1,790	C	687	0.38	C	722	0.40	
22100	PONDELLA RD	SR 78	ORANGE GROVE BLVD	P. Art	4LD	E	1,890	B	1,012	0.54	B	1,063	0.56	*
22200	PONDELLA RD	ORANGE GROVE BLVD	US 41	P. Art	4LD	E	1,890	B	1,405	0.74	B	1,480	0.78	
22300	PONDELLA RD	US 41	BUS 41	P. Art	4LD	E	1,890	B	1,052	0.56	B	1,105	0.58	
22400	PRITCHETT PKWY	SR 78	RICH RD	Maj. Col	2LN	E	860	C	73	0.08	C	541	0.63	old count, Stoneybrook North(2009)
22500	RANCHETTE RD	PENZANCE BLVD	IDLEWILD ST	Maj. Col	2LN	E	860	C	93	0.11	C	98	0.11	
22600	RICH RD	SLATER RD	PRITCHETT PKWY	Maj. Col	2LN	E	860	C	55	0.06	C	62	0.07	old count projection(2009)
22700	RICHMOND AVE	LEELAND HEIGHTS	E 12TH ST	Maj. Col	2LN	E	860	C	82	0.10	C	94	0.11	
22800	RICHMOND AVE	E 12TH ST	GREENBRIAR BLVD	Maj. Col	2LN	E	860	C	82	0.10	C	86	0.10	
23230	SAN CARLOS BLVD	US 41	THREE OAKS PKWY	Maj. Col	2LN	E	860	C	401	0.47	C	422	0.49	*
23000	SAN CARLOS BLVD (SR 8) MANTANZAS PASS B.		MAIN ST	State	2LD	D	970	F	1,051	1.08	F	1,176	1.21	Constrained
23100	SAN CARLOS BLVD (SR 8) MAIN ST		SUMMERLIN RD	State	4LD	D	2,100	C	1,051	0.50	C	1,176	0.56	PD&E Study
23180	SAN CARLOS BLVD (SR 8) SUMMERLIN RD		KELLY RD	State	2LD	D	970	C	772	0.80	C	795	0.82	
23200	SAN CARLOS BLVD (SR 8) KELLY RD		GLADIOLUS DR	State	4LD	D	2,100	C	772	0.37	C	795	0.38	
23260	SANIBEL BLVD	US 41	LEE RD	Maj. Col	2LN	E	860	C	489	0.57	C	514	0.60	
23300	SANIBEL CAUSEWAY	SANIBEL SHORELINE	TOLL PLAZA	P. Art	2LN	E	1,140	E	987	0.87	E	1,037	0.91	
23400	SHELL POINT BLVD	MCGREGOR BLVD	PALM ACRES	Maj. Col	2LN	E	860	C	231	0.27	C	243	0.28	*
23600	SIX MILE CYPRESS	METRO PKWY	DANIELS PKWY	Controlled xs	4LD	E	2,000	B	1,371	0.69	B	1,441	0.72	Unincorporated LC
23700	SIX MILE CYPRESS	DANIELS PKWY	WINKLER EXT.	Controlled xs	4LD	E	1,900	B	951	0.50	B	1,154	0.61	Unincorporated LC
23800	SIX MILE CYPRESS	WINKLER EXT.	CHALLENGER BLVD	Controlled xs	4LD	E	1,900	B	1,061	0.56	B	1,115	0.59	Incorporated LC
23900	SIX MILE CYPRESS	CHALLENGER BLVD	COLONIAL BLVD	Controlled xs	6LD	E	2,860	A	1,061	0.37	A	1,115	0.39	Incorporated LC
23500	SIX MILE PKWY (SR 739)	US 41	METRO PKWY	State	4LD	D	2,100	C	1,941	0.92	F	2,243	1.07	
24000	SLATER RD	SR 78	NALLE GRADE RD	M. Art	2LN	E	1,010	C	376	0.37	C	395	0.39	*
24100	SOUTH POINTE BLVD	CYPRESS LAKE DR	COLLEGE PKWY	Maj. Col	2LD	E	910	D	602	0.66	D	633	0.70	*
24200	SR 31 (ARCADIA RD)	SR 80	SR 78	State	2LN	D	970	C	763	0.79	F	989	1.02	PD&E/SEIR Study

County-Maintained Collector Roadway - Unincorporated Lee County

County-Maintained Collector Roadway - Incorporated Lee County

County-Maintained Arterial Roadway - Unincorporated Lee County

County-Maintained Arterial Roadway - Incorporated Lee County

State-Maintained Arterial Roadway - Unincorporated Lee County

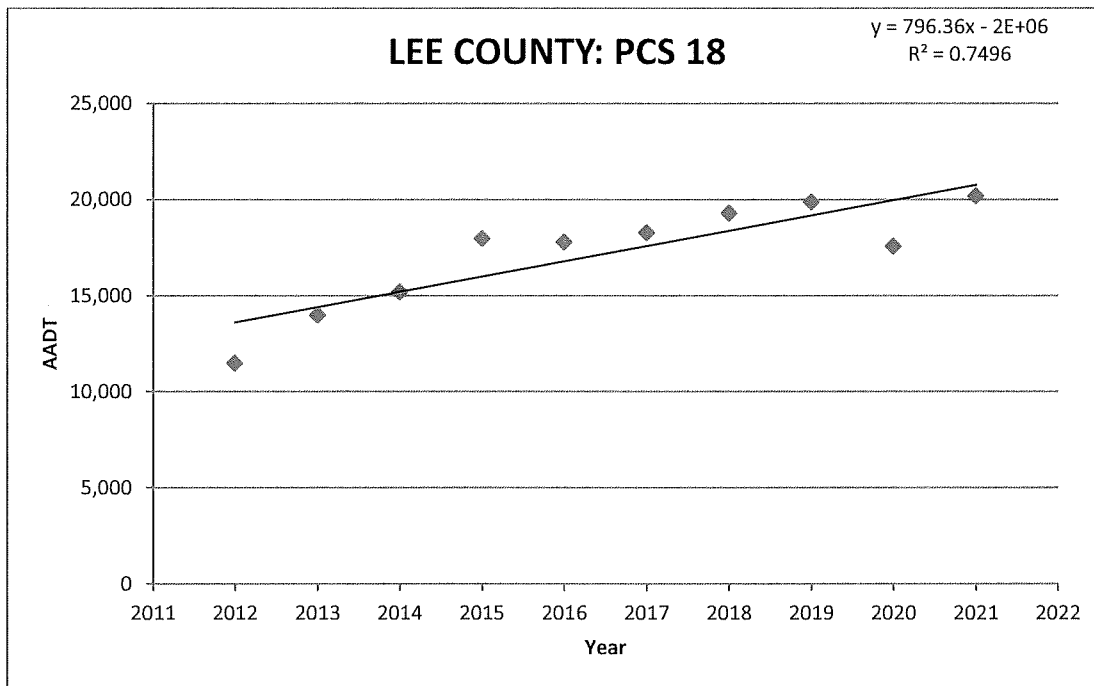
County Maintained Controlled Access Arterial Facility

County Maintained Expressway

Updated 5/3/2023			Daily Traffic Volume (AADT)									
STREET	LOCATION	Station #	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
PONDELLA RD	E OF BETMAR BLVD	34	18000	19000	20000	21000	21300	21600	22000	20800	23600	24900
PONDELLA RD	W OF BUSINESS 41	374	17100	17100		19800					24500	
RAY AVE	N OF MEADOW RD	533							4900			
RIVER RANCH RD	S OF CORKSCREW RD	466									2200	
SAN CARLOS BLVD	S OF PRESCOTT ST	8	22500	22800	22400	22400	22800	22000	22100	22700	24000	
SAN CARLOS BLVD	S OF PINE RIDGE	127								23200	28000	28400
SANIBEL BLVD	E OF US 41	467		7300		8900		9400				9700
SANTA BARBARA BV	S OF SW 22 TERR	54	21800	22800	24900	25000	24400	23900	24200	29700		
SANTA BARBARA BV	S OF SW 28 ST	55	22600	23400	24800	25200	25700	26100	26300	24700	26500	26800
SIX MILE CYPRESS PKWY	E OF US 41	386	29300									
SIX MILE CYPRESS PKWY	E OF METRO PKWY	387	26900	26700		30600		32700		29600		32500
SIX MILE CYPRESS PKWY	N OF DANIELS PKWY	388	15400	17000	18200	20200	20500	21900	23300	19400		23500
SIX MILE CYPRESS PKWY	N OF WINKLER AVE	18	14000	15200	18000	17800	18300	19300	19900	17600	20200	20700
SLATER RD	N OF BAYSHORE RD (SR 78)	389	6600		7600		7600					
STALEY RD	S OF ORANGE RIVER BLVD	398	3400		2600		3900		4300			
STRINGFELLOW BLVD	N OF CASTILE RD	27	4000	4200	4400	4500	4600	4600	4600	4500	4400	5000
STRINGFELLOW BLVD	S OF PINE ISLAND RD	400										9400
STRINGFELLOW BLVD	N OF AVENUE C	399	8000	8100	8700	8400	9300	9400	8600	10900		
SUMMERLIN RD	E OF JOHN MORRIS RD	36	18900	19700	20800	21200	21600	21800				18900
SUMMERLIN RD	E OF PINE RIDGE RD	19	32100	33500	32000	31800	35700	35000	34200	33800	38100	38700

LEE COUNTY: PCS 18
SIX MILE CYPRESS PARKWAY, NORTH OF WINKLER AVENUE

Year	AADT ⁽¹⁾	Equation		Calculated Growth	Six Mile Cypress		Six Mile Cypress	
					K ₁₀₀ Growth		K ₁₀₀ Growth	
2022	20,700	y ₁	x ₁	3.56% per year	Year	Trips	Year	Trips
2021	20,200	21,286	2022		2021	951 ⁽²⁾	2022	54 ⁽³⁾
2020	17,600				2022	985	2023	56
2019	19,900	y ₂	x ₂		2023	1,019	2024	58
2018	19,300	23,558	2025		2024	1,052	2025	60
2017	18,300				2025	1,086		
2016	17,800							
2015	18,000							
2014	15,200							
2013	14,000							
2012	11,500							



Footnotes:

- (1) Lee County Traffic Count Report PCS 18
- (2) Per Lee County 2022 Public Facilities Level of Service and Concurrency Report, Appendix D.
- (3) Traffic Counts Conducted September 2022.

**Lee County
Generalized Peak Hour Directional Service Volumes
Urbanized Areas**

April 2016

c:\input5

Uninterrupted Flow Highway						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	130	420	850	1,210	1,640
2	Divided	1,060	1,810	2,560	3,240	3,590
3	Divided	1,600	2,720	3,840	4,860	5,380
Arterials						
Class I (40 mph or higher posted speed limit)						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	140	800	860	860
2	Divided	*	250	1,840	1,960	1,960
3	Divided	*	400	2,840	2,940	2,940
4	Divided	*	540	3,830	3,940	3,940
Class II (35 mph or slower posted speed limit)						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	*	330	710	780
2	Divided	*	*	710	1,590	1,660
3	Divided	*	*	1,150	2,450	2,500
4	Divided	*	*	1,580	3,310	3,340
Controlled Access Facilities						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	160	880	940	940
2	Divided	*	270	1,970	2,100	2,100
3	Divided	*	430	3,050	3,180	3,180
Collectors						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	*	310	660	740
1	Divided	*	*	330	700	780
2	Undivided	*	*	730	1,440	1,520
2	Divided	*	*	770	1,510	1,600
Note: the service volumes for I-75 (freeway), bicycle mode, pedestrian mode, and bus mode should be from FDOT's most current version of LOS Handbook.						

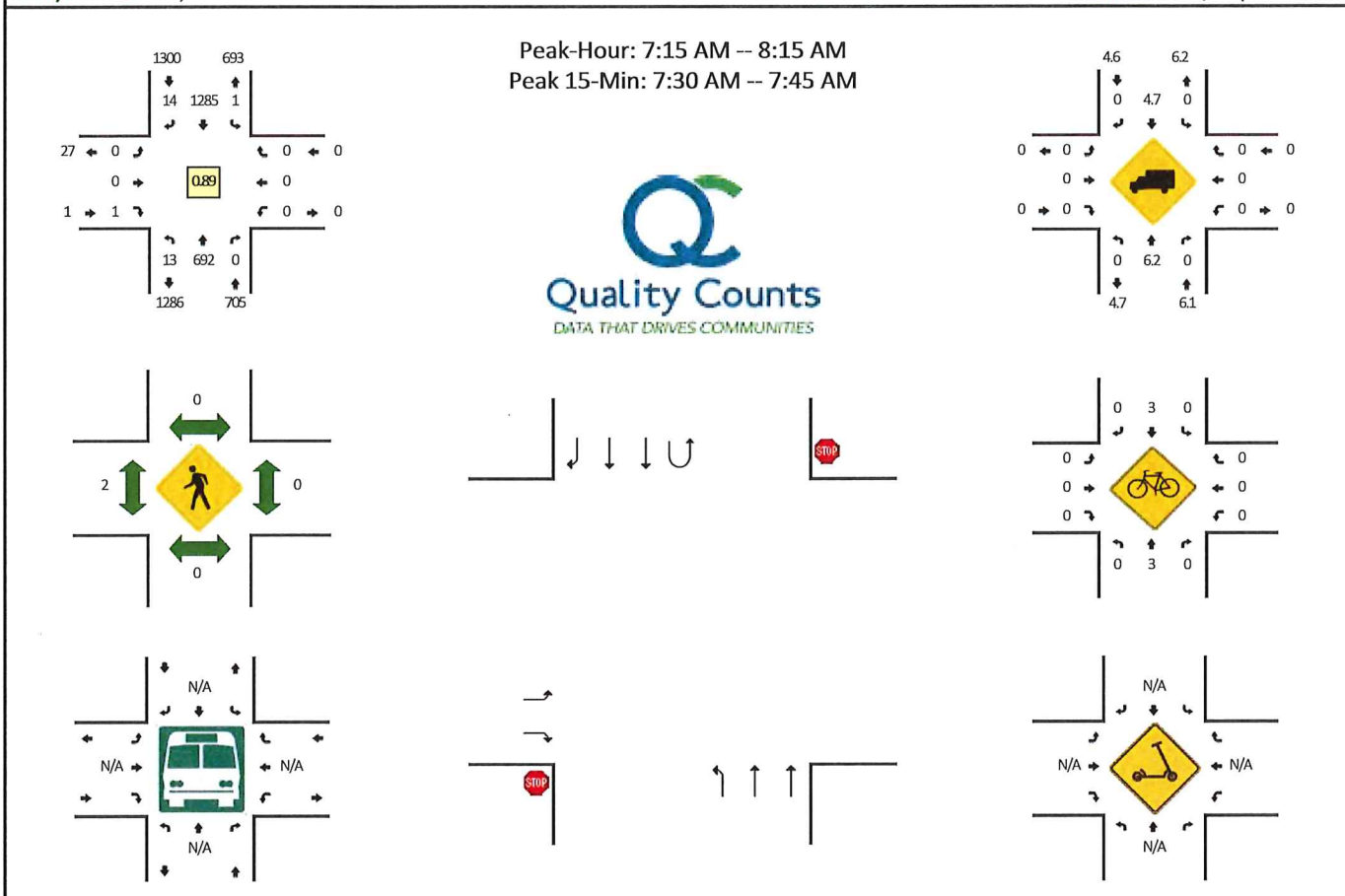
APPENDIX E
INTERSECTION ANALYSIS
DOCUMENTS

Type of peak hour being reported: Intersection Peak

Method for determining peak hour: Total Entering Volume

LOCATION: Six Mile Cypress Pkwy -- Crystal Dr
CITY/STATE: Lee, FL

QC JOB #: 15948601
DATE: Wed, Sep 21 2022



15-Min Count Period Beginning At	Six Mile Cypress Pkwy (Northbound)				Six Mile Cypress Pkwy (Southbound)				Crystal Dr (Eastbound)				Crystal Dr (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
7:00 AM	3	113	0	0	0	283	0	0	0	0	0	0	0	0	0	0	399	
7:15 AM	1	143	0	0	0	355	3	0	0	0	0	0	0	0	0	0	502	
7:30 AM	1	176	0	0	0	386	2	1	0	0	0	0	0	0	0	0	566	
7:45 AM	2	187	0	0	0	297	5	0	0	0	0	0	0	0	0	0	491	1958
8:00 AM	9	186	0	0	0	247	4	0	0	0	1	0	0	0	0	0	447	2006
8:15 AM	13	155	0	0	0	250	9	1	0	0	0	0	0	0	0	0	428	1932
8:30 AM	7	149	0	0	0	242	6	0	0	0	1	0	0	0	0	0	405	1771
8:45 AM	7	199	0	0	0	251	7	0	0	0	3	0	0	0	0	0	467	1747
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	4	704	0	0	0	1544	8	4	0	0	0	0	0	0	0	0	2264	
Heavy Trucks	0	36	0	0	0	60	0	0	0	0	0	0	0	0	0	0	96	
Buses																		
Pedestrians		0				0				0				0			0	
Bicycles	0	0	0		0	8	0		0	0	0		0	0	0		8	
Scooters																		

Comments:

Report generated on 11/2/2022 6:31 AM

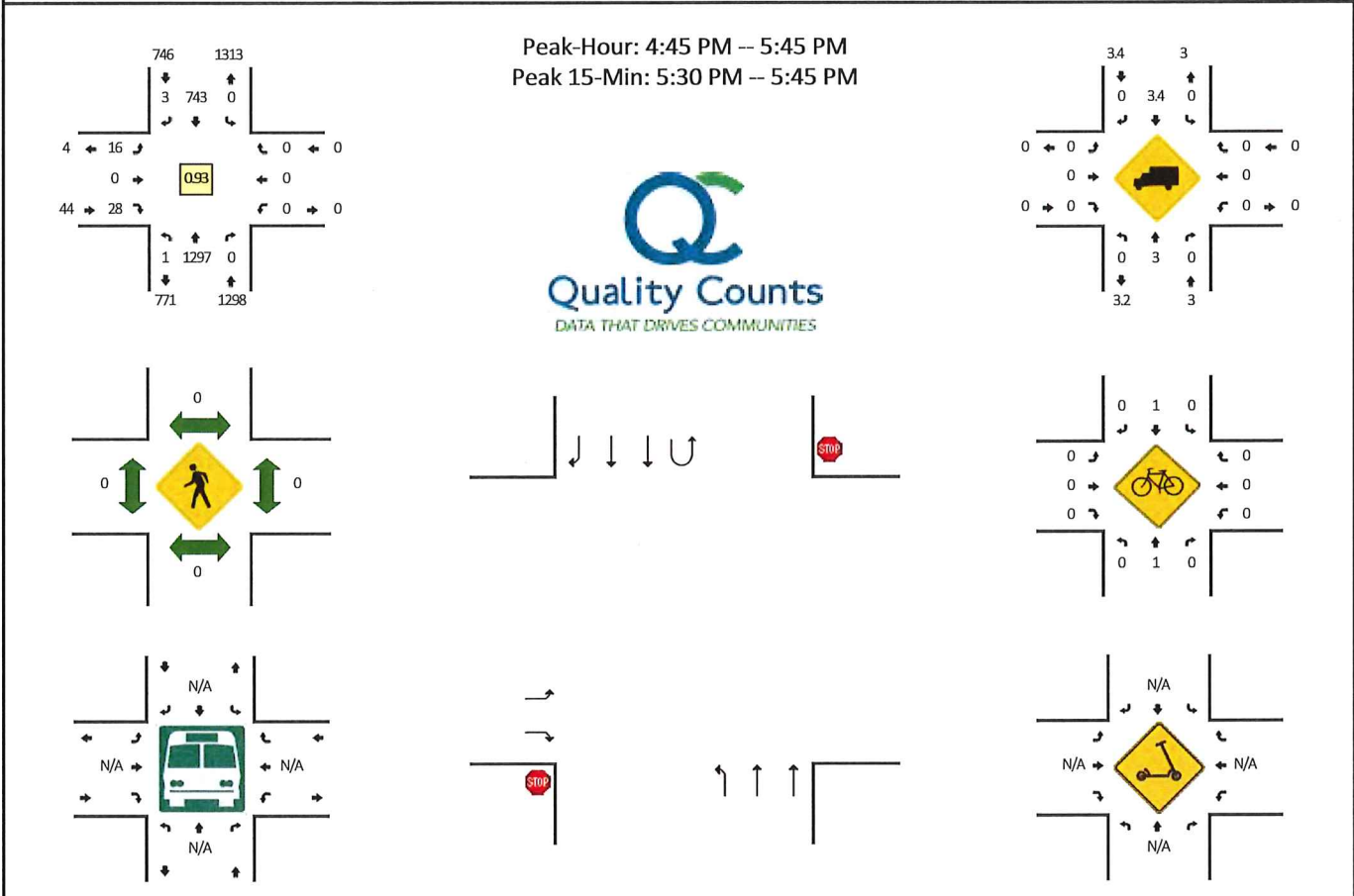
SOURCE: Quality Counts, LLC (<http://www.qualitycounts.net>) 1-877-580-2212

Type of peak hour being reported: Intersection Peak

Method for determining peak hour: Total Entering Volume

LOCATION: Six Mile Cypress Pkwy -- Crystal Dr
CITY/STATE: Lee, FL

QC JOB #: 15948602
DATE: Tue, Sep 20 2022



15-Min Count Period Beginning At	Six Mile Cypress Pkwy (Northbound)				Six Mile Cypress Pkwy (Southbound)				Crystal Dr (Eastbound)				Crystal Dr (Westbound)				Total	Hourly Totals
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
4:00 PM	0	280	0	0	0	195	0	1	1	0	0	0	0	0	0	0	477	
4:15 PM	0	282	0	0	0	198	0	1	3	0	2	0	0	0	0	0	486	
4:30 PM	0	296	0	1	0	186	0	0	2	0	1	0	0	0	0	0	486	
4:45 PM	0	308	0	0	0	177	0	0	0	0	4	0	0	0	0	0	489	1938
5:00 PM	0	317	0	0	0	203	2	0	5	0	10	0	0	0	0	0	537	1998
5:15 PM	1	323	0	0	0	174	0	0	1	0	4	0	0	0	0	0	503	2015
5:30 PM	0	349	0	0	0	189	1	0	10	0	10	0	0	0	0	0	559	2088
5:45 PM	0	309	0	0	0	163	1	0	1	0	6	0	0	0	0	0	480	2079
Peak 15-Min Flowrates	Northbound				Southbound				Eastbound				Westbound				Total	
	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U	Left	Thru	Right	U		
All Vehicles	0	1396	0	0	0	756	4	0	40	0	40	0	0	0	0	0	2236	
Heavy Trucks	0	44	0	0	0	24	0	0	0	0	0	0	0	0	0	0	68	
Buses																		
Pedestrians	0	0			0	0			0	0			0	0			0	
Bicycles	0	0	0		0	4	0		0	0	0		0	0	0		4	
Scooters																		

Comments:

Report generated on 11/2/2022 6:35 AM

SOURCE: Quality Counts, LLC (<http://www.qualitycounts.net>) 1-877-580-2212

2022 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL
 CATEGORY: 1200 LEE COUNTYWIDE

WEEK	DATES	SF	MOCF: 0.92 PSCF
1	01/01/2022 - 01/01/2022	1.02	1.11
2	01/02/2022 - 01/08/2022	1.00	1.09
3	01/09/2022 - 01/15/2022	0.99	1.08
4	01/16/2022 - 01/22/2022	0.97	1.05
* 5	01/23/2022 - 01/29/2022	0.95	1.03
* 6	01/30/2022 - 02/05/2022	0.94	1.02
* 7	02/06/2022 - 02/12/2022	0.92	1.00
* 8	02/13/2022 - 02/19/2022	0.90	0.98
* 9	02/20/2022 - 02/26/2022	0.90	0.98
*10	02/27/2022 - 03/05/2022	0.90	0.98
*11	03/06/2022 - 03/12/2022	0.90	0.98
*12	03/13/2022 - 03/19/2022	0.90	0.98
*13	03/20/2022 - 03/26/2022	0.91	0.99
*14	03/27/2022 - 04/02/2022	0.92	1.00
*15	04/03/2022 - 04/09/2022	0.93	1.01
*16	04/10/2022 - 04/16/2022	0.94	1.02
*17	04/17/2022 - 04/23/2022	0.95	1.03
18	04/24/2022 - 04/30/2022	0.96	1.04
19	05/01/2022 - 05/07/2022	0.98	1.07
20	05/08/2022 - 05/14/2022	0.99	1.08
21	05/15/2022 - 05/21/2022	1.00	1.09
22	05/22/2022 - 05/28/2022	1.02	1.11
23	05/29/2022 - 06/04/2022	1.03	1.12
24	06/05/2022 - 06/11/2022	1.05	1.14
25	06/12/2022 - 06/18/2022	1.06	1.15
26	06/19/2022 - 06/25/2022	1.06	1.15
27	06/26/2022 - 07/02/2022	1.06	1.15
28	07/03/2022 - 07/09/2022	1.06	1.15
29	07/10/2022 - 07/16/2022	1.06	1.15
30	07/17/2022 - 07/23/2022	1.06	1.15
31	07/24/2022 - 07/30/2022	1.06	1.15
32	07/31/2022 - 08/06/2022	1.06	1.15
33	08/07/2022 - 08/13/2022	1.07	1.16
34	08/14/2022 - 08/20/2022	1.07	1.16
35	08/21/2022 - 08/27/2022	1.09	1.18
36	08/28/2022 - 09/03/2022	1.11	1.21
37	09/04/2022 - 09/10/2022	1.13	1.23
38	09/11/2022 - 09/17/2022	1.15	1.25
39	09/18/2022 - 09/24/2022	1.12	1.22
40	09/25/2022 - 10/01/2022	1.09	1.18
41	10/02/2022 - 10/08/2022	1.07	1.16
42	10/09/2022 - 10/15/2022	1.04	1.13
43	10/16/2022 - 10/22/2022	1.03	1.12
44	10/23/2022 - 10/29/2022	1.03	1.12
45	10/30/2022 - 11/05/2022	1.02	1.11
46	11/06/2022 - 11/12/2022	1.02	1.11
47	11/13/2022 - 11/19/2022	1.01	1.10
48	11/20/2022 - 11/26/2022	1.01	1.10
49	11/27/2022 - 12/03/2022	1.01	1.10
50	12/04/2022 - 12/10/2022	1.01	1.10
51	12/11/2022 - 12/17/2022	1.02	1.11
52	12/18/2022 - 12/24/2022	1.00	1.09
53	12/25/2022 - 12/31/2022	0.99	1.08

* PEAK SEASON

23-FEB-2023 09:11:18

830UPD

1_1200_PKSEASON.TXT



Six Mile Cypress Parkway

Crystal Drive Extension

14 | 1285 | 1



13 | 692 |

0 |
1 |



PARKER LANE RPD

EXISTING 2022 AM INTERSECTION
TURNING MOVEMENT COUNTS

23517/0623

APPENDIX
E-4E.1a



Six Mile Cypress Parkway

Crystal Drive Extension

3 | 743 | 0



1 | 1297 |

16 |

28 |



PARKER LANE RPD

EXISTING 2022 PM INTERSECTION
TURNING MOVEMENT COUNTS

23517/0623

APPENDIX
E.1b



Six Mile Cypress Parkway

Crystal Drive Extension

17 | 1568 | 1 

16 | 844 |

0 |
1 |



PARKER LANE RPD

EXISTING 2022 PEAK SEASON AM
INTERSECTION TURNING MOVEMENT
COUNTS

23517/0623

APPENDIX
E - 6 E.2a



Six Mile Cypress Parkway

Crystal Drive Extension

4 | 906 | 0 

1 | 1582 |

20 |
34 |



PARKER LANE RPD

EXISTING 2022 PEAK SEASON PM
INTERSECTION TURNING MOVEMENT
COUNTS

23517/0623

APPENDIX
E - E.2b



Six Mile Cypress Parkway

Crystal Drive Extension

19 | 1735 | 1 

0 |
1 |

18 | 934 |



PARKER LANE RPD

FUTURE 2025 AM WITHOUT PROJECT
INTERSECTION TURNING MOVEMENT
COUNTS

23517/0623

APPENDIX
E-8 E.3a

HCM 6th TWSC
3: Six Mile Cypress Parkway & Crystal Extension

07/13/2023

Intersection

Int Delay, s/veh 0.1

Movement EBL EBR NBL NBT SBT SBR

Lane Configurations      

Traffic Vol, veh/h 0 1 18 934 1735 19

Future Vol, veh/h 0 1 18 934 1735 19

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 0 0 - - 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 0 1 20 1015 1886 21

Major/Minor Minor2 Major1 Major2

Conflicting Flow All 2434 943 1907 0 - 0

Stage 1 1886 - - - - -

Stage 2 548 - - - - -

Critical Hdwy 6.84 6.94 4.14 - - -

Critical Hdwy Stg 1 5.84 - - - - -

Critical Hdwy Stg 2 5.84 - - - - -

Follow-up Hdwy 3.52 3.32 2.22 - - -

Pot Cap-1 Maneuver 26 264 308 - - -

Stage 1 105 - - - - -

Stage 2 543 - - - - -

Platoon blocked, % - - -

Mov Cap-1 Maneuver 24 264 308 - - -

Mov Cap-2 Maneuver 24 - - - - -

Stage 1 98 - - - - -

Stage 2 543 - - - - -

Approach EB NB SB

HCM Control Delay, s 18.7 0.3 0

HCM LOS C

Minor Lane/Major Mvmt NBL NBT EBLn1 EBLn2 SBT SBR

Capacity (veh/h) 308 - - 264 - -

HCM Lane V/C Ratio 0.064 - - 0.004 - -

HCM Control Delay (s) 17.5 - 0 18.7 - -

HCM Lane LOS C - A C - -

HCM 95th %tile Q(veh) 0.2 - - 0 - -



Six Mile Cypress Parkway

Crystal Drive Extension

4 | 1003 | 0 

1 | 1751 |

22 |
38 |



PARKER LANE RPD

FUTURE 2025 PM WITHOUT PROJECT
INTERSECTION TURNING MOVEMENT
COUNTS

23517/0623

APPENDIX

E - 10 E.3b

HCM 6th TWSC
3: Six Mile Cypress Parkway & Crystal Extension

07/13/2023

Intersection						
Int Delay, s/veh	1.2					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	22	38	1	1751	1003	4
Future Vol, veh/h	22	38	1	1751	1003	4
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	0	0	-	-	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	24	41	1	1903	1090	4
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	2044	545	1094	0	-	0
Stage 1	1090	-	-	-	-	-
Stage 2	954	-	-	-	-	-
Critical Hdwy	6.84	6.94	4.14	-	-	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.22	-	-	-
Pot Cap-1 Maneuver	49	482	634	-	-	-
Stage 1	284	-	-	-	-	-
Stage 2	335	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	49	482	634	-	-	-
Mov Cap-2 Maneuver	49	-	-	-	-	-
Stage 1	283	-	-	-	-	-
Stage 2	335	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s	57.8	0		0		
HCM LOS	F					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	634	-	49	482	-	-
HCM Lane V/C Ratio	0.002	-	0.488	0.086	-	-
HCM Control Delay (s)	10.7	-	134.8	13.2	-	-
HCM Lane LOS	B	-	F	B	-	-
HCM 95th %tile Q(veh)	0	-	1.8	0.3	-	-



Six Mile Cypress Parkway

Crystal Drive Extension

34 | 1735 | 1 

32 | 934 |

41 |

42 |



PARKER LANE RPD

FUTURE 2025 AM WITH PROJECT
INTERSECTION TURNING MOVEMENT
COUNTS

23517/0623

APPENDIX
E - 12E.4a

HCM 6th TWSC

3: Six Mile Cypress Parkway & Crystal Extension

07/13/2023

Intersection						
Int Delay, s/veh	12.9					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	41	42	32	934	1735	34
Future Vol, veh/h	41	42	32	934	1735	34
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	0	0	-	-	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	45	46	35	1015	1886	37
Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	2464	943	1923	0	-	0
Stage 1	1886	-	-	-	-	-
Stage 2	578	-	-	-	-	-
Critical Hdwy	6.84	6.94	4.14	-	-	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.22	-	-	-
Pot Cap-1 Maneuver	~ 25	264	303	-	-	-
Stage 1	105	-	-	-	-	-
Stage 2	524	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	~ 22	264	303	-	-	-
Mov Cap-2 Maneuver	~ 22	-	-	-	-	-
Stage 1	93	-	-	-	-	-
Stage 2	524	-	-	-	-	-
Approach	EB	NB		SB		
HCM Control Delay, s\$	430.4	0.6		0		
HCM LOS	F					
Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	303	-	22	264	-	-
HCM Lane V/C Ratio	0.115	-	2.026	0.173	-	-
HCM Control Delay (s)	18.4	-	\$ 849.3	21.5	-	-
HCM Lane LOS	C	-	F	C	-	-
HCM 95th %tile Q(veh)	0.4	-	5.7	0.6	-	-
Notes						
~: Volume exceeds capacity		\$: Delay exceeds 300s		+: Computation Not Defined		*: All major volume in platoon



Six Mile Cypress Parkway

Crystal Drive Extension

52 | 1003 | 0 

48 | 1751 |

50 |
65 |



PARKER LANE RPD

FUTURE 2025 PM WITH PROJECT
INTERSECTION TURNING MOVEMENT
COUNTS

23517/0623

APPENDIX
E - 14 E.4b

HCM 6th TWSC
3: Six Mile Cypress Parkway & Crystal Extension

07/13/2023

Intersection						
Int Delay, s/veh	8.6					
Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	50	65	48	1751	1003	52
Future Vol, veh/h	50	65	48	1751	1003	52
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	0	0	-	-	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	54	71	52	1903	1090	57

Major/Minor	Minor2	Major1		Major2		
Conflicting Flow All	2146	545	1147	0	-	0
Stage 1	1090	-	-	-	-	-
Stage 2	1056	-	-	-	-	-
Critical Hdwy	6.84	6.94	4.14	-	-	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.22	-	-	-
Pot Cap-1 Maneuver	~ 41	482	605	-	-	-
Stage 1	284	-	-	-	-	-
Stage 2	296	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	~ 37	482	605	-	-	-
Mov Cap-2 Maneuver	~ 37	-	-	-	-	-
Stage 1	260	-	-	-	-	-
Stage 2	296	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	217.5	0.3	0
HCM LOS	F		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	EBLn2	SBT	SBR
Capacity (veh/h)	605	-	37	482	-	-
HCM Lane V/C Ratio	0.086	-	1.469	0.147	-	-
HCM Control Delay (s)	11.5	-	482.5	13.7	-	-
HCM Lane LOS	B	-	F	B	-	-
HCM 95th %tile Q(veh)	0.3	-	5.7	0.5	-	-

Notes						
~: Volume exceeds capacity \$: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon						



Project Entrance

| 82

| 29

Crystal Drive Extension



PARKER LANE RPD

FUTURE 2025 AM WITH PROJECT
INTERSECTION TURNING MOVEMENT
COUNTS

23517/0623

APPENDIX
E - 16E.5a

HCM 6th TWSC
5: Crystal Extension & Project Entrance

07/13/2023

Intersection						
Int Delay, s/veh	6.6					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↑	↑		↑	
Traffic Vol, veh/h	0	0	0	29	82	0
Future Vol, veh/h	0	0	0	29	82	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	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	0	0	0	32	89	0
Major/Minor	Major1	Major2		Minor2		
Conflicting Flow All	-	0	-	0	16	-
Stage 1	-	-	-	-	16	-
Stage 2	-	-	-	-	0	-
Critical Hdwy	-	-	-	-	6.42	-
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	-	-	3.518	-
Pot Cap-1 Maneuver	0	-	-	-	1002	0
Stage 1	0	-	-	-	1007	0
Stage 2	0	-	-	-	-	0
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	-	-	-	-	1002	-
Mov Cap-2 Maneuver	-	-	-	-	1002	-
Stage 1	-	-	-	-	1007	-
Stage 2	-	-	-	-	-	-
Approach	EB	WB		SB		
HCM Control Delay, s	0	0		8.9		
HCM LOS	A					
Minor Lane/Major Mvmt	EBT	WBT	WBR	SBLn1		
Capacity (veh/h)	-	-	-	1002		
HCM Lane V/C Ratio	-	-	-	0.089		
HCM Control Delay (s)	-	-	-	8.9		
HCM Lane LOS	-	-	-	A		
HCM 95th %tile Q(veh)	-	-	-	0.3		



Project Entrance

| 55

| 95

Crystal Drive Extension



PARKER LANE RPD

FUTURE 2025 PM WITH PROJECT
INTERSECTION TURNING MOVEMENT
COUNTS

23517/0623

APPENDIX
E - 18E.5b

HCM 6th TWSC
5: Crystal Extension & Project Entrance

07/13/2023

Intersection						
Int Delay, s/veh	3.3					
Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↑	↑		↑	
Traffic Vol, veh/h	0	0	0	95	55	0
Future Vol, veh/h	0	0	0	95	55	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	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	0	0	0	103	60	0
Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	-	0	-	0	52	-
Stage 1	-	-	-	-	52	-
Stage 2	-	-	-	-	0	-
Critical Hdwy	-	-	-	-	6.42	-
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	-	-	3.518	-
Pot Cap-1 Maneuver	0	-	-	-	957	0
Stage 1	0	-	-	-	970	0
Stage 2	0	-	-	-	-	0
Platoon blocked, %		-	-	-		
Mov Cap-1 Maneuver	-	-	-	-	957	-
Mov Cap-2 Maneuver	-	-	-	-	957	-
Stage 1	-	-	-	-	970	-
Stage 2	-	-	-	-	-	-
Approach	EB		WB		SB	
HCM Control Delay, s	0		0		9	
HCM LOS					A	
Minor Lane/Major Mvmt	EBT	WBT	WBR	SBLn1		
Capacity (veh/h)	-	-	-	957		
HCM Lane V/C Ratio	-	-	-	0.062		
HCM Control Delay (s)	-	-	-	9		
HCM Lane LOS	-	-	-	A		
HCM 95th %tile Q(veh)	-	-	-	0.2		

ATTACHMENT N



DEPARTMENT OF COMMUNITY DEVELOPMENT

Memo

To: Dirk Danley Jr., Planner, Principal

From: Md Rakibul Alam, Senior Transportation Planner

Date: Oct 31, 2023

Subject: Pratt's Preserve (DCI2023-00027) Transportation-Related Analysis

Proposed Development

The application aims to rezone 31.46 acres, currently designated as Residential Planned Development (RPD) and Agricultural (AG-2), to expand the RPD by 4.77 acres, accommodating 20 more residential units, ultimately totaling 155 single-family units on the 31.46-acre site.

Site Location

The subject site is located between Blasingim Road and JV Parker Lane, west of Six Mile Cypress Parkway in Lee County, Florida.

Site Access

Access to the subject site is proposed to future Crystal Drive extension via a single connection. An emergency-only access on Blasingim Road is also planned.

Trip Generation Review

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) Trip Generation 11th Edition Report. Table 1 outlines the proposed project's trip generation for weekday AM and PM peak 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	
Single Family Detached (135 units)	29	82	111	95	55	150	1,510

Roadway Section Traffic Operation Level of Service Analysis

New trips related to the subject case were distributed across the surrounding road network to assess their impact on the Level of Service (LOS) in arterial/collector road sections most affected by the proposed development. According to Administrative Code AC-13-17 Traffic Study Guidelines for Planned Development Rezonings, a "significant impact" signifies a 10% or more reduction in LOS "C" service volumes at build-out.

The projection of future traffic volumes coincident with the horizon year 2025 (Project buildout of 2024 plus 1 year). Therefore, the roadway links significantly impacted by the proposed development were analyzed for the 2025 projected traffic conditions without the proposed development and with the proposed development (Table 2).

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

Roadway	From	To	Level of Service		
			Existing	Future 2025	Future 2025 + Project
Crystal Drive Extension	Project Entrance	Carissa Commerce Court	--	C	C
Crystal Drive (east)	Carissa Commerce Court	Six Mile Cypress	--	C	C
Six Mile Cypress	Daniels Parkway	Crystal Drive (east)	B	B	C
	Crystal Drive (east)	Winkler Extension	B	B	C

Based on an analysis of traffic data from the Lee County "Public Facilities Level of Service and Concurrency 2022 Report Inventory and Projections," as well as the latest "Lee County Link Specific Service Volumes" tables (for short-term analyses up to 5 years) or the most recent "Lee County Generalized Peak Hour Directional Service Volumes" tables (for long-term analyses over 5 years), the road sections in Table 2 currently operate at LOS "B" or better. Using the 2022 Lee County Traffic Count Report and assuming a project completion in 2025, all road section in Table 2, is expected to maintain LOS "C" or better, even with future background traffic volumes. It is expected that the proposed project will not have a detrimental impact on the overall functionality of the surrounding roadway segments.

At the time of the local development order review, proposed projects will be reviewed to determine the required site-related traffic improvements to the nearby roadway(s).

Roadway Intersection Traffic Operation Level of Service Analysis

New trip assignments were made to the surrounding road network to evaluate Level of Service (LOS) impacts as necessary at site entrances, intersections within the vicinity of site entrances, and intersections anticipated to be most affected by the proposed development. Following Administrative Code AC-13-17 Traffic Study Guidelines for Planned Development Rezonings, a "significant impact" is characterized by a 10% or greater increase in the total peak-hour intersection volume (sum of all four approaches) upon project completion.

In this specific case, based on trip assignments outlined in the applicant's final traffic study, the following intersections are projected to experience substantial impacts due to the proposed zoning changes:

- Six Mile Cypress Parkway & Crystal Drive Extension

Table 3 describes the site accesses and intersections that are expected to be most impacted by the proposed zoning along with their corresponding pre- and post-project built-out level of service.

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

Intersection		Significant Impact Expected	Traffic Control	Peak Hour	Level of Service (2025)		
Roadway A	Roadway B				Existing	Future 2025	Future 2025 + Project
Crystal Dr. Extension	Site Access	No	Two-Way Stop Controlled	AM	--	--	A
				PM	--	--	A
Six Mile Cypress	Crystal Dr. Extension	Yes	Two-Way Stop Controlled	AM	--	C	F
				PM	--	F	F

As described in Table 3, only one intersection (Six Mile Cypress Parkway / Crystal Drive Extension) is expected to operate at LOS "F" in the future with post-project build-out traffic. At the time of the local development order review, the proposed project will be further reviewed to determine what, if any, site-related traffic improvements to the nearby roadway network are required.

Applicant Proposed Deviation Review

The applicant requests relief from LDC Section 10-296(e)(1) i.4.iii. and LDC 10-291(3) for the development project, specifically Deviation #2 and Deviation #5. Deviation #2 requests relief from LDC Section 10-296(e)(1)i.4.iii., requiring Crystal Drive to be constructed as an urban minor collector roadway from its current terminus to the project entrance, to allow Crystal Drive to be constructed consistent with the typical section requirements of LDC Section 10-296 (e)(2)h.4 for a suburban minor collector roadway with open drainage in 60 feet of the existing right-of-way. Moreover, Deviation #5 requests relief from LDC 10-291(3), which requires 2 means of ingress or egress to any residential subdivision greater than 5 acres, to allow for one means of ingress and egress for the development. However, Lee County staff has no objection to any of the proposed Deviations.

Conclusion

The proposed project is not anticipated to adversely affect the surrounding roadway system.



ATTACHMENT O

**SOUTH TRAIL FIRE PROTECTION
&
RESCUE SERVICE DISTRICT**
Established 1965

"Compassion, Commitment, Courage"

**Board of
Commissioners**

Larry Hirshman
Chairman

Jeff Haugh
Vice Chairman

Robert McDonnell
Secretary-Treasurer

Ron Tarantino
Commissioner

Ken Brown
Commissioner

Administration

Gene Rogers
Fire Chief

Dave Bollen
Assistant Chief
Operations

Todd Anderson
Assistant Chief
Administration

June 26, 2023

Letter of No Objection Parker Lane RPD

Dear Lee County Zoning,

Please accept this letter as a letter of no objection to the proposed changes for this project. South Trail Fire District accepts the design of one emergency access point on Blasingim Rd. and a main entrance on Crystal as shown on the current plan.

If you have any questions regarding this letter please contact me at your earliest convenience.

Respectfully,

Nate Burley
Digitally signed by Nate
Burley
Date: 2023.06.26
12:32:59 -04'00'

Nate Burley
Division Chief – Fire and Life Safety
South Trail Fire District

Carminé Marceno
Sheriff



"Proud to Serve"

State of Florida
County of Lee

June 26, 2022

Drew Fitzgerald
DeLisi Fitzgerald, Inc.
1605 Hendry St.
Fort Myers, FL 33901

Mr. Fitzgerald,

The Lee County Sheriff's Office has reviewed your revised Letter of No Objection request for the Parker Lane Residential Planned Development, a proposed subdivision of 155 single family residential homes on 31.46 acres south of Penzance Boulevard.

This Agency evaluated your rezoning request solely on its ability to provide law enforcement service to the development. Based on that criterion, we do not object to a single point of access to the development from an extension of Crystal Drive if the development also adds a secondary access point on Blasingim Road for emergency vehicle use only.

Law enforcement services will be provided from our Central District offices in Fort Myers. As this development builds out, we will factor its impact into our annual manpower review and make adjustments accordingly. At the time of application for a Development Order or building permit, we request that the applicant provide a Crime Prevention Through Environmental Design (CPTED) report done by the applicant and given to the Lee County Sheriff's Office for review and comment.

Please contact Community Response Unit Crime Prevention Practitioner Kim Swanson at (239) 477-1617 with any questions regarding the CPTED study.

Respectfully,


Chris Reeves
Major, Patrol Bureau

94094



"The Lee County Sheriff's Office is an Equal Opportunity Employer"
14750 Six Mile Cypress Parkway • Fort Myers, Florida 33912-4406 • (239) 477-1000



Lee County
Southwest Florida

ATTACHMENT Q

BOARD OF COUNTY COMMISSIONERS

Kevin Ruane
District One

August 24, 2023

Via E-Mail

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Michael Greenwell
District Five

Dave Harner, II
County Manager

Richard Wm Wesch
County Attorney

Donna Marie Collins
County Hearing Examiner

Drew Fitzgerald, P.E.
DeLisi Fitzgerald, Inc.
1605 Hendry Street
Fort Myers, FL 33901

**RE: Potable Water and Wastewater Availability
Parker Lane RPD - 1209 Blasingim Road
STRAP # 17-45-25-L1-24000.0010; 17-45-25-01-00000.0110;
17-45-25-01-00000.0120; 17-45-25-01-00000.0090**

To whom this may concern:

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 155 single family residential units with an estimated flow demand of approximately 38,750 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 Corkscrew Water Treatment Plant.

Sanitary sewer service will be provided by the City of Ft Myers South 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 these parcels.

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

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate

connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

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

Sincerely,

LEE COUNTY UTILITIES

Ashanti Shahriyar

Ashanti Shahriyar
Plan Reviewer
239-533-8531
UTILITIES ENGINEERING

ATTACHMENT R

Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ENVIRONMENTAL STAFF REPORT

CASE NUMBER: DCI2023-00027
TYPE OF CASE: Residential Planned Development
CASE NAME: Pratts Preserve
TOTAL ACREAGE: 31.46 Acres
SUFFICIENCY DATE: October 4, 2023
HEARING EXAMINER DATE: December 7, 2023

Request

The applicant is requesting to rezone and add approximately 4.77 acres to the existing Residential Planned Development to allow up to 155 single family dwelling units. According to the Lee Plan, the parcels are located in the Central Urban Future Land Use Category. The proposed development is not within the mixed-use overlay or a community planning area.

Existing Conditions

As mentioned, the site is located east of Blasingim Road, south of Penzance Boulevard, and west of JV Parker Lane. The applicant has submitted a Protected Species Survey (Exhibit A) 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 map (Exhibit A). There were no protected species observed on the site.

A portion of the project FLUCCS map demonstrates wetlands present onsite. The applicant is proposing to develop the wetland area and has stated that the development will mitigate appropriately with state agencies.

Open Space

The applicant is proposing a single-family development. The Land Development Code does not require open space for single-family residences with a minimum of 6,500 square feet. However, the minimum lot size proposed is 4,500 sf. The applicant is required to provide 40% open space per 10-415(a). The applicant is demonstrating 4.37 acres of buffer/common area. The applicant stated that the common/buffer areas will not be included within individual single-family lots and will be platted separately. The applicant has provided a Master Concept Plan (MCP) that depicts 12.58 acres of open space and complies with the 40% open space requirement.

Staff recommends the following open space condition to ensure that 40% open space is provided:

Prior to the issuance of the first development order, the development order plans must depict 12.58 acres of open space.

Indigenous Open Space Preservation

The Land Development Code requires that large projects must provide 50 percent of the open space percentage requirement through onsite preservation of existing native vegetation communities (LDC 10-415(b)). The FLUCCS code provided by Passarella & Associates does not indicate native vegetation per 10-701 of the LDC (Attachment B).

The FLUCCS map demonstrates “Disturbed Land, Hydric”. The applicant has indicated that the hydric area is not included in the calculation of density. The applicant will mitigate in accordance with state agencies. Staff has proposed the following condition:

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.

Buffers

The proposed development abuts a single-family home along the north, Blasingim Road right-of-way is located along the east, JV Parker Lane is located along the west property boundary, and the south property line abuts a residential planned development and single-family home. The required buffers are as follows:

West – No buffer is required per LDC 10-416(d).

North – No buffer is required per LDC 10-416(d).

South – No buffer is required per LDC 10-416(d).

East – No buffer is required per LDC 10-416(d).

Deviations

Deviation 7 and 8 are being requested from LDC section 10-418(2)(d), 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.

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 lakes that are within the 10,000-foot Wildlife Hazard Protection Zone, to comply with FAA guidelines.

Exhibits

A – Protected Species Survey & Florida Land Use Cover and Classification System (FLUCCS) map

**PRATT'S PRESERVE
LEE COUNTY PROTECTED SPECIES SURVEY**

Revised July 2023

Prepared For:

Lennar
10481 Six Mile Cypress Parkway
Fort Myers, Florida 33966
(239) 278-1177

Prepared By:

Passarella & Associates, Inc.
13620 Metropolis Avenue, Suite 200
Fort Myers, Florida 33912
(239) 274-0067

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INTRODUCTION

This report documents the Lee County protected species survey conducted by Passarella & Associates, Inc. on Pratt's Preserve (Project). The purpose of the survey was to review the property for protected species in accordance with Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) Standards.

The Project totals 31.46± acres and is located in Section 17, Township 45 South, Range 25 East, Lee County (Figure 1). The Project site is an assemblage of parcels including Parker Lane (Zoning Resolution No. Z-21-024), Woods Parcel, Freeman Parcel, and Vixler Parcel. An aerial showing the individual parcels is provided as Figure 2. A protected species survey was conducted on the Parker Lane site on February 9, 2021. A protected species survey was conducted on the Freeman and Woods parcels on September 27, 2022, and a protected species survey was conducted on the Vixler parcel on July 3, 2023. This report documents the results of the February 9, 2021, September 27, 2022, and July 3, 2023 protected species surveys conducted on the Project site.

The dominant land uses on the Project include residential land under construction (i.e., the Parker Lane portion of the site), single-family homes, disturbed land, mixed exotics, and Brazilian pepper (*Schinus terebinthifolia*). The Project site contains areas dominated by the exotic vegetation species Brazilian pepper and earleaf acacia (*Acacia auriculiformis*). The Project is bordered to the north by a single-family residence and undeveloped land, to the east by J.V. Parker Lane, to the south and southwest by single-family home sites and disturbed forested land, and to the west by Blasingim Road.

LAND USES AND VEGETATION ASSOCIATIONS

Vegetation mapping for the Project was conducted using a 2022 Lee County rectified aerial. Groundtruthing to map the vegetative communities was conducted on July 31, 2020, March 4, 2021, December 14, 2021, and August 10, 2022, utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS) Levels III (Florida Department of Transportation 1999). Level IV FLUCFCS was utilized to denote hydrologic conditions. "E" codes were used to identify levels of exotic infestation (e.g., Brazilian pepper and earleaf acacia). AutoCAD Map 3D 2021 software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS map.

A total of ten vegetative associations and land uses (i.e., FLUCFCS codes) were identified on the Project site. The property consists entirely of non-indigenous land use types, including single-family residences, Brazilian pepper, disturbed land, and mixed exotic vegetation. Table 1 provides the breakdown of the FLUCFCS codes by acreage, and a description of each of the classifications follows. An aerial with FLUCFCS and wetlands map is provided as Appendix A.

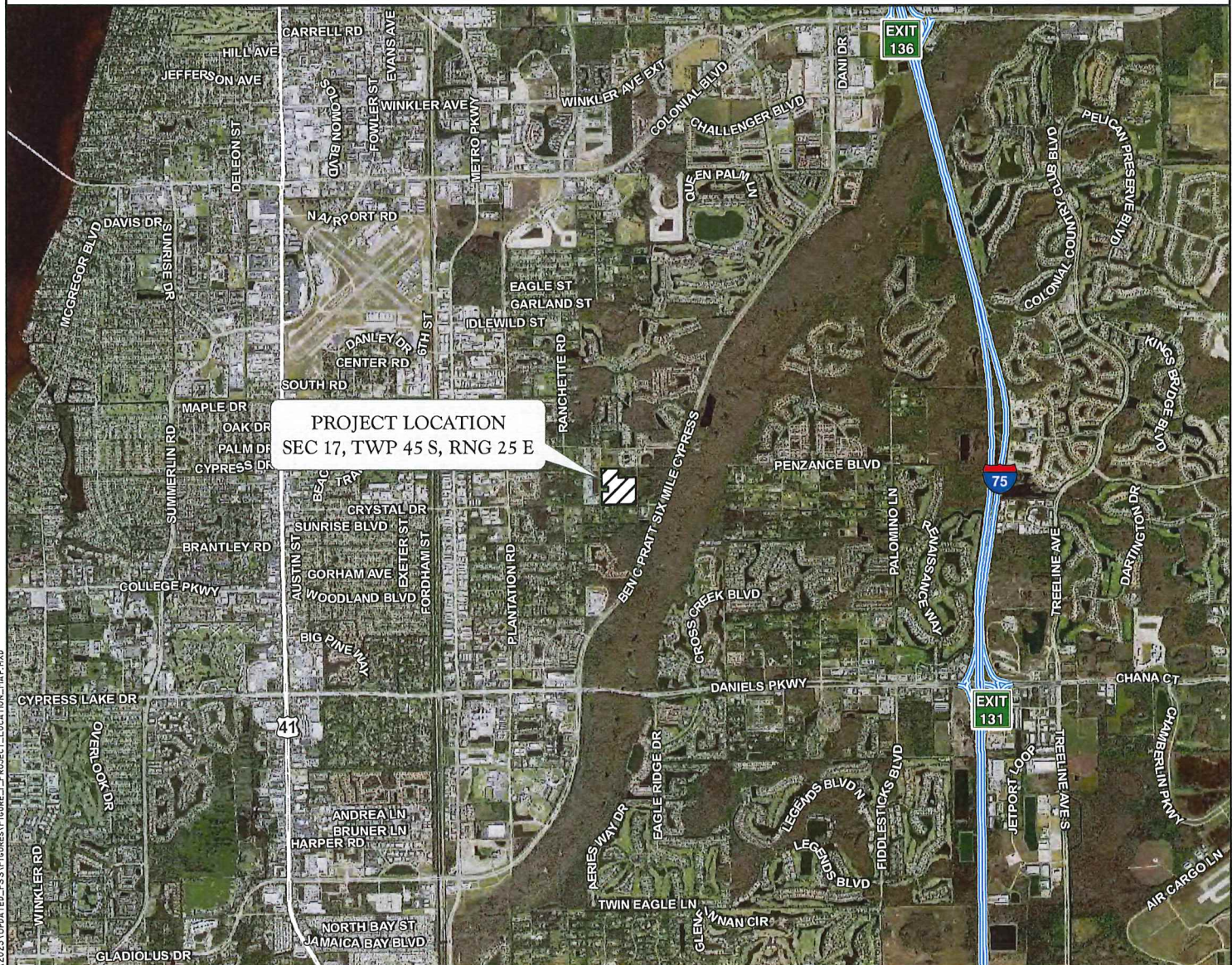
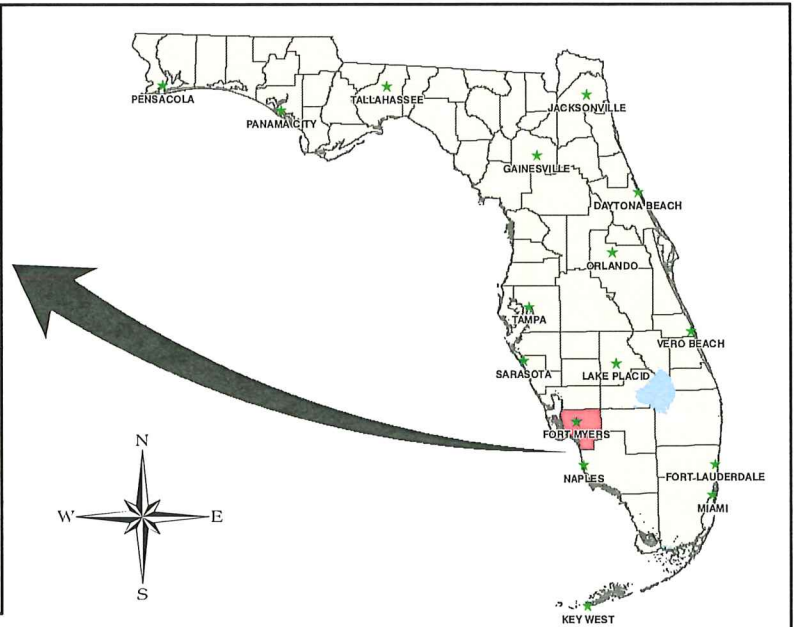
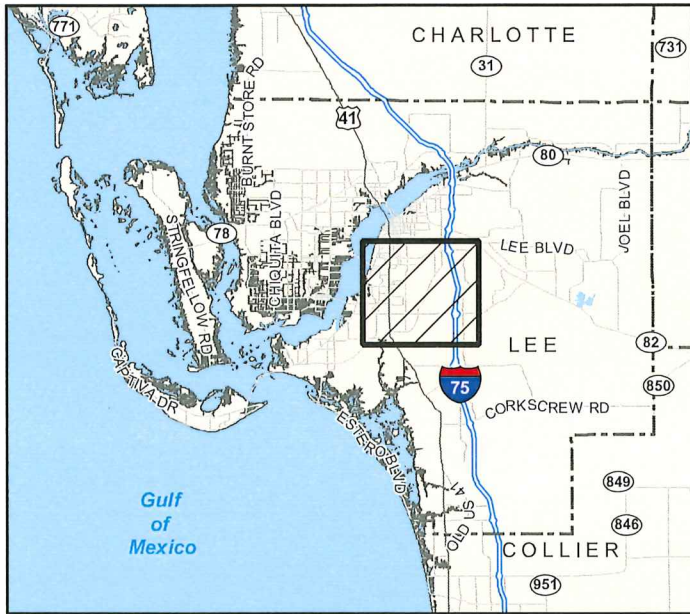


FIGURE 1. PROJECT LOCATION MAP
PRATT'S PRESERVE

DRAWN BY	DATE
P.F.	7/7/23
REVIEWED BY	DATE
B.T.	7/7/23
REVISED	DATE



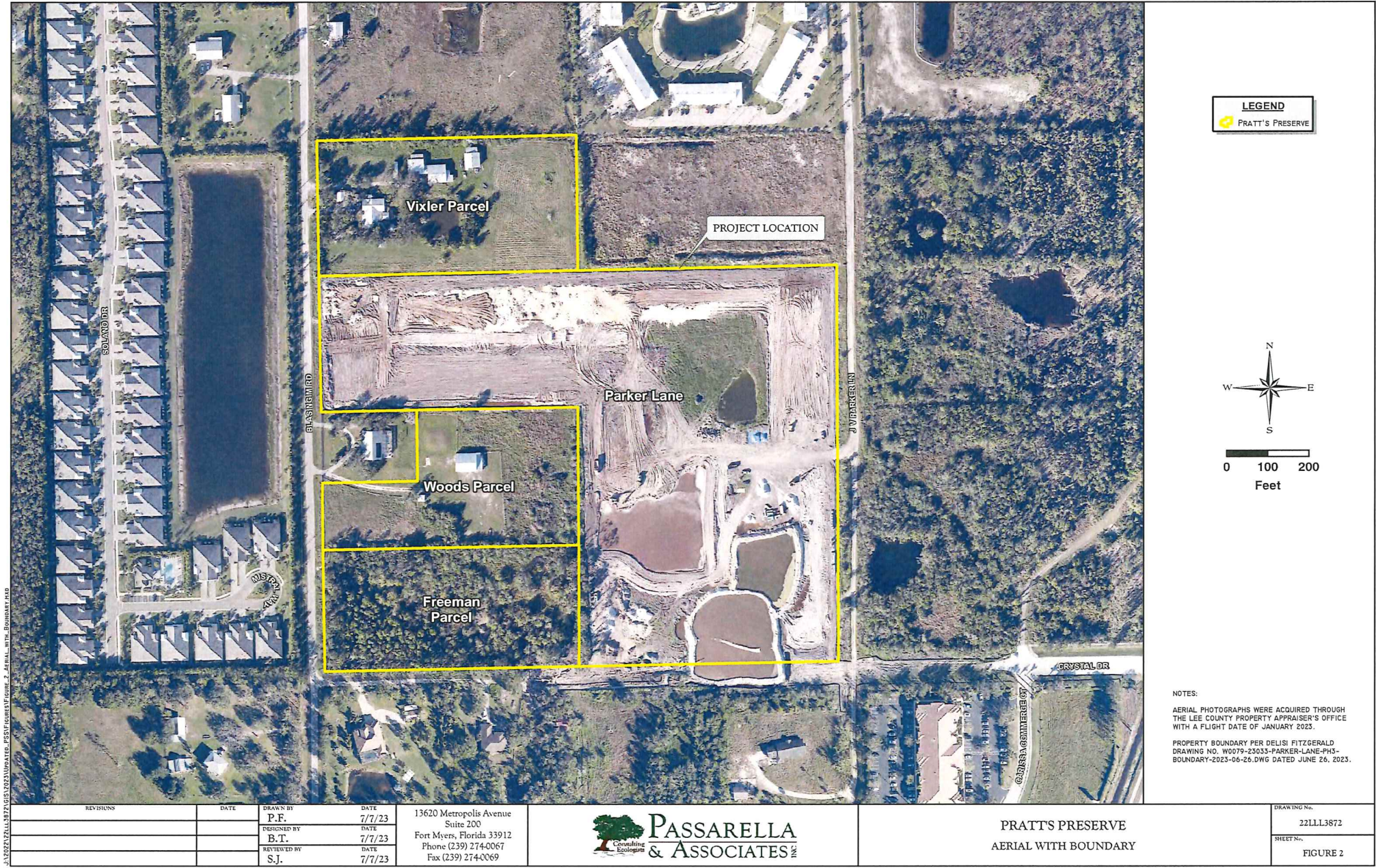


Table 1. Existing Land Use and Cover Summary

FLUCFCS Code	Description	Acreage (±)	Percent of Total
110	Single-Family, Low Density	5.42	17.2
129	Residential Under Construction	18.57	59.0
211	Improved Pasture	0.02	0.1
422	Brazilian Pepper	0.70	2.2
439 E4	Mixed Exotics (76-100% Exotics)	2.30	7.3
514	Ditch	0.09	0.3
520	Pond	0.19	0.6
740	Disturbed Land	1.68	5.3
7401	Disturbed Land, Hydric	2.06	6.5
747	Berm	0.43	1.4
Totals		31.46	100.0

Single-Family, Low Density (FLUCFCS Code 110)

This land use type occupies 5.42± acres, or 17.2 percent of the Project, and consists of existing single-family residences and associated lots located on the property.

Residential Under Construction (FLUCFCS Code 129)

This land use type occupies 18.57± acres, or 59.0 percent of the Project, and consists of active construction associated with the Parker Lane Residential Planned Development (South Florida Water Management District Permit No. 36-105309-P).

Improved Pasture (FLUCFCS Code 211)

This land use occupies 0.02± acre, or 0.1 percent of the Project. The canopy and sub-canopy are mostly open with Brazilian pepper and earleaf acacia. The ground cover includes St. Augustine grass (*Stenotaphrum secundatum*).

Brazilian Pepper (FLUCFCS Code 422)

This land use occupies 0.70± acre, or 2.2 percent of the Project. The canopy and sub-canopy vegetation consist of Brazilian pepper and widely scattered Java plum (*Syzygium cumini*). The ground cover is mostly open with scattered caesarweed (*Urena lobata*).

Mixed Exotics (76-100% Exotics) (FLUCFCS Code 439 E4)

This upland community occupies 2.30± acres, or 7.3 percent of the Project. The canopy contains scattered laurel oak (*Quercus laurifolia*) and earleaf acacia. The sub-canopy contains Brazilian pepper. The ground cover includes St. Augustine grass, creeping oxeye (*Sphagneticola trilobata*), and dog fennel (*Eupatorium capillifolium*).

Ditch (FLUCFCS Code 514)

This land use occupies 0.09± acre, or 0.3 percent of the Project site, and consists of a man-made surface water feature. The canopy is open. The sub-canopy is mostly open with scattered Brazilian pepper and earleaf acacia on the edges. The ground cover consists of torpedograss (*Panicum*

repens), dotted smartweed (*Persicaria punctata*), and alligator weed (*Alternanthera philoxeroides*).

Pond (FLUCFCS Code 520)

This land use occupies 0.19± acre, or 0.6 percent of the Project site, and consists of a man-made pond. The pond consists of open water with torpedograss, dotted smartweed, creeping primrose willow (*Ludwigia repens*), and knotted spikerush (*Eleocharis interstincta*) on the edges.

Disturbed Land (FLUCFCS Code 740)

This land use occupies 1.68± acres, or 5.3 percent of the Project. The canopy is mostly open with scattered laurel oak, earleaf acacia, and Brazilian pepper. The sub-canopy is mostly open with scattered Brazilian pepper, cabbage palm (*Sabal palmetto*), lead tree (*Leucaena leucocephala*), and Peruvian primrose willow (*Ludwigia peruviana*). The ground cover consists of St. Augustine grass, caesarweed, spermacoce (*Spermacoce verticillata*), marsh pennywort (*Hydrocotyle umbellata*), beggarticks (*Bidens alba*), beggar's lice (*Desmodium* sp.), broomsedge (*Andropogon virginicus*), creeping oxeye, dog fennel, flatsedge (*Cyperus ligularis*), and Bermuda grass (*Cynodon dactylon*).

Disturbed Land, Hydric (FLUCFCS Code 7401)

This land use occupies 2.06± acres, or 6.5 percent of the Project. The canopy is mostly open with widely scattered laurel oak, earleaf acacia, and Java plum on the edges. The sub-canopy is mostly open with scattered Mexican primrose willow (*Ludwigia octovalvis*), Peruvian primrose willow, and climbing cassia (*Senna pendula* var. *glabrata*). The ground cover consists of Bermuda grass and marsh pennywort, with scattered caesarweed, dog fennel, and torpedograss.

Berm (FLUCFCS Code 747)

This land use occupies 0.43± acre, or 1.4 percent of the Project. The canopy and sub-canopy consist of scattered slash pine (*Pinus elliotii*), laurel oak, Brazilian pepper, Java plum, and earleaf acacia. The ground cover is mostly open with scattered caesarweed.

METHODOLOGY AND DISCUSSION

Surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types as outlined in Appendix H of the LDC. The frequency of transects performed in these habitats was designed to meet the 80 percent minimum coverage requirement where applicable. cursory surveys were also conducted in those habitats not technically required to be surveyed per the LDC. However, based on past experience and conversations with Lee County Department of Community Development staff, these areas were reviewed for certain protected species as a precautionary measure. Table 2 outlines those protected species that may inhabit or utilize a particular vegetation association.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code	Description	Potential Protected Species
110*	Single-Family, Low Density	N/A
129*	Residential Under Construction	N/A
211*	Improved Pasture	Florida sandhill crane (<i>Grus canadensis pratensis</i>)
		Florida panther (<i>Puma concolor coryi</i>)
422*	Brazilian Pepper	N/A
439 E4*	Mixed Exotics (76-100% Exotics)	N/A
514*	Ditch	American alligator (<i>Alligator mississippiensis</i>)
		Limpkin (<i>Aramus guarauna</i>)
		Little blue heron (<i>Egretta caerulea</i>)
		Reddish egret (<i>Egretta rufescens</i>)
		Roseate spoonbill (<i>Platalea ajaja</i>)
		Snowy egret (<i>Egretta thula</i>)
		Tri-colored heron (<i>Egretta tricolor</i>)
		Everglades mink (<i>Neovison vison evergladensis</i>)
520*	Pond	American alligator (<i>Alligator mississippiensis</i>)
		Everglade snail kite (<i>Rostrhamus sociabilis plumbeus</i>)
		Limpkin (<i>Aramus guarana</i>)
		Little blue heron (<i>Egretta caerulea</i>)
		Reddish egret (<i>Egretta rufescens</i>)
		Roseate spoonbill (<i>Platalea ajaja</i>)
		Snowy egret (<i>Egretta thula</i>)
		Tri-colored heron (<i>Egretta tricolor</i>)
740*	Disturbed Land	Everglades mink (<i>Neovison vison evergladensis</i>)
		N/A
7401*	Disturbed Land, Hydric	N/A
747*	Berm	N/A

*Habitat surveyed for the species noted, although not required per the LDC.

N/A – Not Applicable

The protected species survey for the Project was conducted on February 9, 2021, September 27, 2022, and July 3, 2023. A summary of weather conditions during the protected species survey is provided in Table 3.

Table 3. Summary of Weather Conditions for the Protected Species Survey

Day	Temperature (°Fahrenheit)	Wind (mph)	Cloud Cover (Percent)
February 9, 2021	Mid-60s to Low 70s	1 to 4 ESE	50 to 75
September 27, 2022	Low to Mid-70s	9 to 13 WSW	100
July 3, 2023	Low to Mid-90s	1 to 2 ESE	80

The survey utilized meandering pedestrian transects per the WilsonMiller, Inc. methodology. Visibility on the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, total length of transects walked, and percent coverage by habitat type is provided in Table 4. An aerial with approximate locations of walked transects and species locations is provided as Appendix B.

Table 4. Summary of Habitat Coverage

FLUCFCS Code	Description	Total Area (Acres ±)	Transect Length (Feet ±)	Average Visibility ¹ (Feet ±)	Percent Coverage
110*	Single-Family, Low Density	5.42	1,180	50	50
129*	Residential Under Construction	18.57	8,089	25	50
211*	Improved Pasture	0.02	8	50	90
422*	Brazilian Pepper	0.70	305	25	50
439 E4*	Mixed Exotics (76-100% Exotics)	2.30	1,002	25	50
514*	Ditch	0.09	67	25	85
520*	Pond	0.19	141	25	85
740*	Disturbed Land	1.68	512	50	70
7401*	Disturbed Land, Hydric	2.06	628	50	70
747*	Berm	0.43	187	25	50

¹Average visibility to one side of transect.

*Habitat surveyed although not required by the LDC.

SURVEY RESULTS

A Lee County protected species survey was conducted on the Project on February 9, 2021, September 27, 2022, and July 3, 2023. No Lee County protected species or their sign (i.e., scat, tracks, burrows, etc.) were documented during the protected species survey. Although not listed as a protected species by Lee County, common wild pine (*Tillandsia fasciculata*) was documented in the northern and southeastern portions of the Project site. Common wild pine is listed as an endangered species by the Florida Department of Agriculture and Consumer Services.

ABUNDANCE OF PROTECTED SPECIES OBSERVED

The Lee County protected species survey findings are summarized in Table 5.

Table 5. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Reptiles					
American alligator	514	85		X	
(<i>Alligator mississippiensis</i>)	520	85		X	
Birds					
Everglade snail kite	520	85		X	
(<i>Rostrhamus sociabilis plumbeus</i>)					
Florida sandhill crane	211	90		X	
(<i>Grus canadensis pratensis</i>)					
Limpkin	514	85		X	
(<i>Aramus guarauna</i>)	520	85		X	
Little blue heron	514	85		X	
(<i>Egretta caerulea</i>)	520	85		X	
Reddish egret	514	85		X	
(<i>Egretta rufescens</i>)	520	85		X	
Roseate spoonbill	514	85		X	
(<i>Platalea ajaja</i>)	520	85		X	
Snowy egret	514	85		X	
(<i>Egretta thula</i>)	520	85		X	
Tri-colored heron	514	85		X	
(<i>Egretta tricolor</i>)	520	85		X	
Mammals					
Everglades mink	514	85		X	
(<i>Neovison vison evergladensis</i>)	520	85		X	
Florida panther	211	90		X	
(<i>Puma concolor coryi</i>)					

MANAGEMENT PLAN

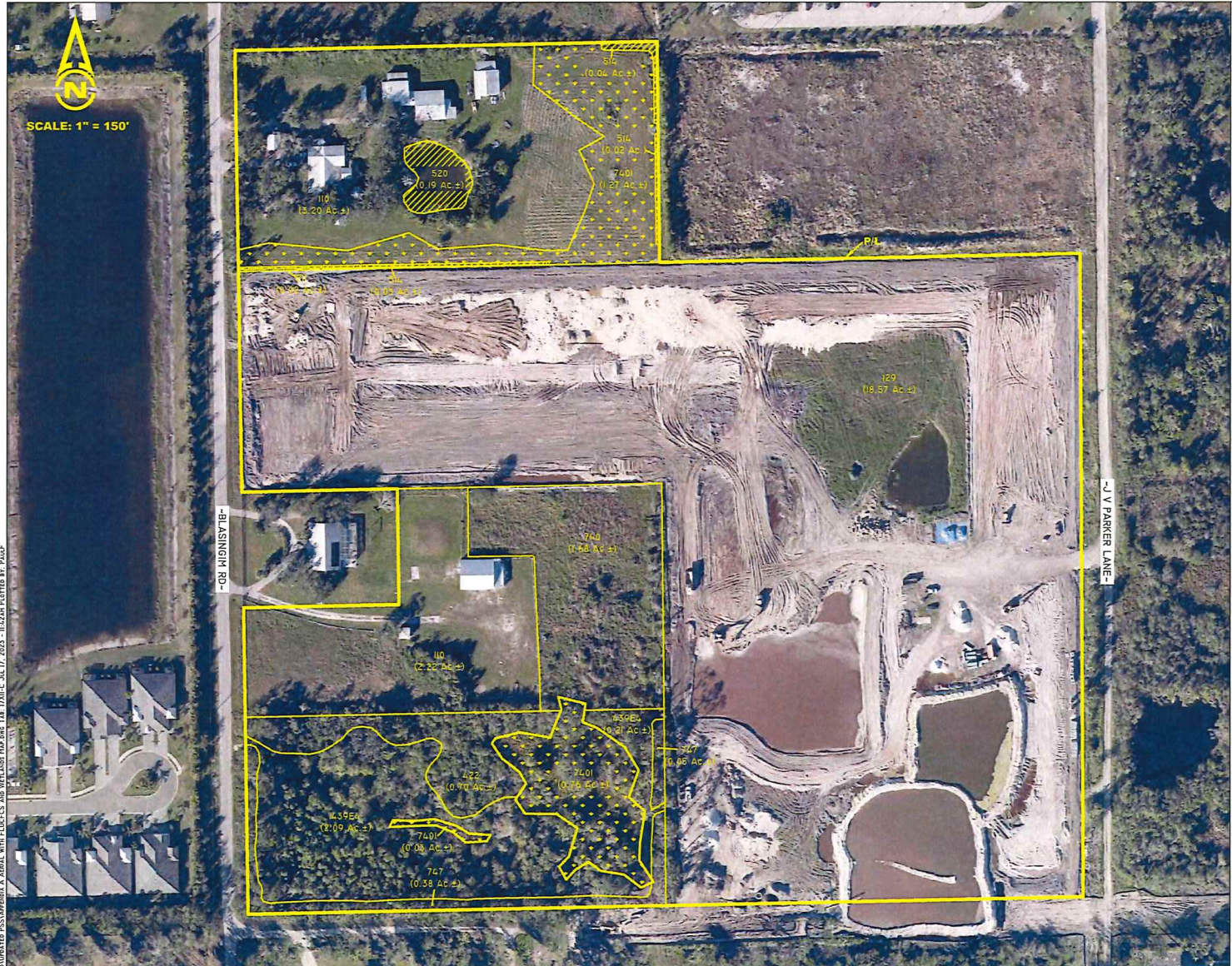
A management plan is not required since no Lee County protected species were observed on the Project site.

REFERENCES

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System (FLUCFCS). Procedure No. 550-010-001-a. Third Edition.

APPENDIX A

AERIAL WITH FLUCFCS AND WETLANDS MAP



- LEGEND:
- SFWMD WETLAND (2.06 Ac.±)
 - SFWMD "OTHER SURFACE WATERS" (0.28 Ac.±)
 - SURVEYED WETLAND LINE

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
110	SINGLE-FAMILY, LOW DENSITY	5.42 Ac.±	17.2%
129	RESIDENTIAL UNDER CONSTRUCTION	18.57 Ac.±	59.0%
211	IMPROVED PASTURE	0.02 Ac.±	0.1%
422	BRAZILIAN PEPPER	0.70 Ac.±	2.2%
439 E4	MIXED EXOTICS (76-100% EXOTICS)	2.30 Ac.±	7.3%
514	DITCH	0.09 Ac.±	0.3%
520	POND	0.19 Ac.±	0.6%
740	DISTURBED LAND	1.68 Ac.±	5.3%
7401	DISTURBED LAND, HYDRIC	2.06 Ac.±	6.5%
747	BERM	0.43 Ac.±	1.4%
TOTAL		31.46 Ac.±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF JANUARY 2023.

PROPERTY BOUNDARY PER DELISI FITZGERALD DRAWING NO. W0079-23033-PARKER-LANE-PH3-BOUNDARY-2023-06-26.DWG DATED JUNE 26, 2023.

SURVEYED WETLAND LINES PER DELISI FITZGERALD DRAWING NO. 15115ENG 04 04 23.DWG DATED APRIL 4, 2023.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

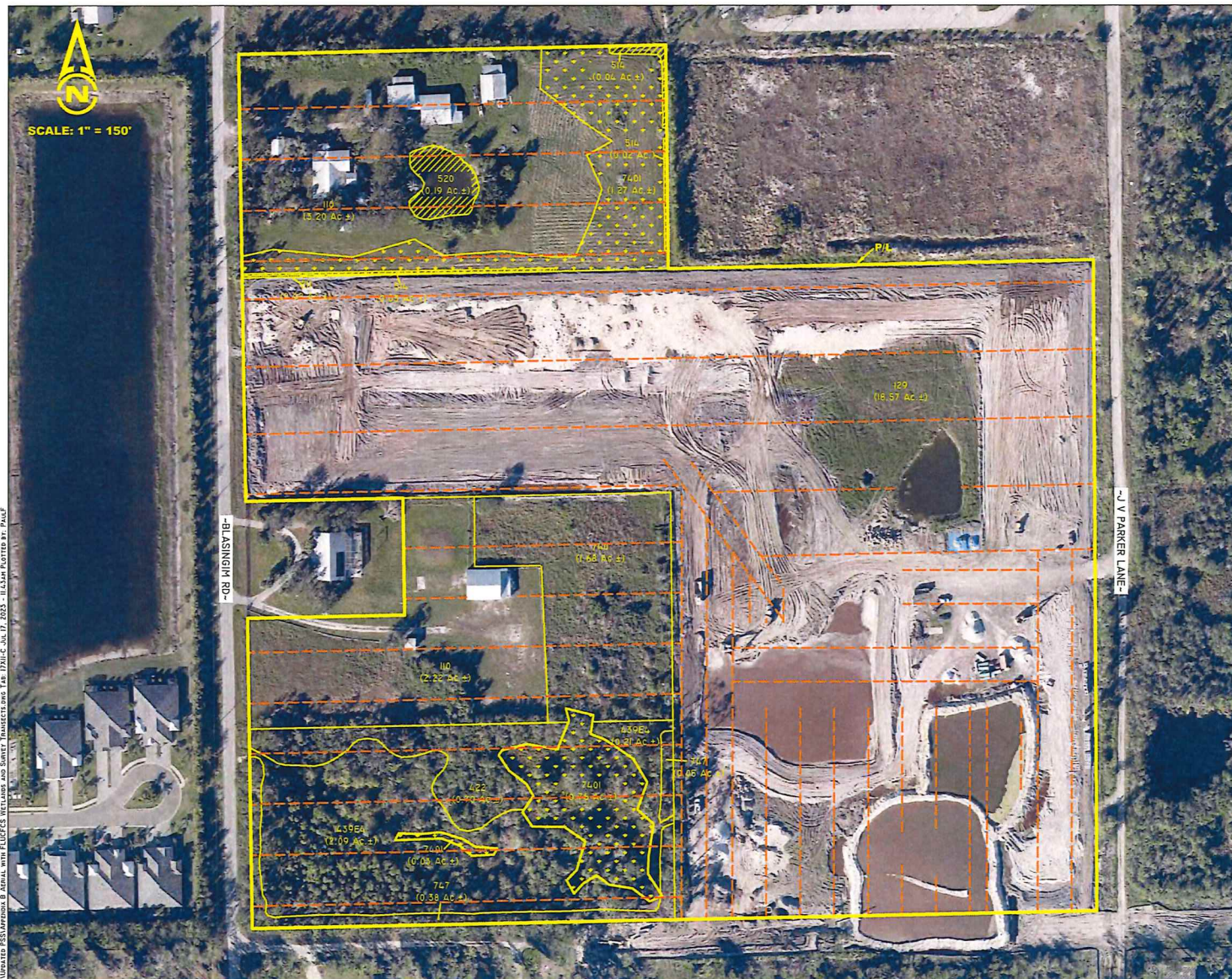
UPLAND/WETLAND LIMITS ON THE SOUTHWESTERN PARCELS PER SFWMD PERMIT NO. 36-108983-P.

THE UPLAND/WETLAND LIMITS ON THE NORTHWESTERN PARCEL HAVE NOT BEEN REVIEWED BY ANY AGENCY.

REVISIONS	DATE	DRAWN BY P.F.	DATE 7/7/23	13620 Metropolis Avenue Suite 200 Ft. Myers, FL 33912 Phone (239) 274-0067 Fax (239) 274-0069		PRATT'S PRESERVE AERIAL WITH FLUCFCS AND WETLANDS MAP	DRAWING No. 22LLL3872
		DESIGNED BY B.T.	DATE 7/7/23				SHEET No.
		REVIEWED BY S.J.	DATE 7/7/23				APPENDIX A

APPENDIX B

AERIAL WITH FLUCFCS, WETLANDS, AND SURVEY TRANSECTS



SCALE: 1" = 150'

LEGEND:



FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% TOTAL
110	SINGLE-FAMILY, LOW DENSITY	5.42 Ac.±	17.2%
129	RESIDENTIAL UNDER CONSTRUCTION	18.57 Ac.±	58.0%
211	IMPROVED PASTURE	0.02 Ac.±	0.1%
422	BRAZILIAN PEPPER	0.70 Ac.±	2.2%
439 E4	MIXED EXOTICS (76-100% EXOTICS)	2.30 Ac.±	7.3%
514	DITCH	0.09 Ac.±	0.3%
520	POND	0.19 Ac.±	0.6%
740	DISTURBED LAND	1.68 Ac.±	5.3%
7401	DISTURBED LAND, HYDRIC	2.06 Ac.±	6.5%
747	BERM	0.43 Ac.±	1.4%
	TOTAL	31.46 Ac.±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF JANUARY 2023.

PROPERTY BOUNDARY PER DELISI FITZGERALD DRAWING NO.
W0079-23033-PARKER-LANE-PH3-BOUNDARY-2023-06-26.DWG
DATED JUNE 26, 2023.

SURVEYED WETLAND LINES PER DELISI FITZGERALD
DRAWING NO. 15115ENG 04 04 23.DWG DATED APRIL 4, 2023.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL
PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

UPLAND/WETLAND LIMITS ON THE SOUTHWESTERN PARCELS
PER SFWMD PERMIT No. 36-108983-P.

THE UPLAND/WETLAND LIMITS ON THE NORTHWESTERN
PARCEL HAVE NOT BEEN REVIEWED BY ANY AGENCY.

13620 Metropolis Avenue Suite 200 Ft. Myers, FL 33912 Phone (239) 274-0067 Fax (239) 274-0069	REVISIONS	DATE	DRAWN BY	DATE
			P.F.	7/7/23
			DESIGNED BY	DATE
			B.T.	7/7/23
			REVIEWED BY	DATE
			S.J.	7/7/23

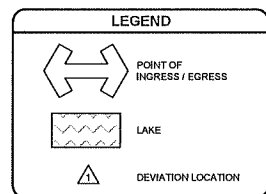
13620 Metropolis Avenue
Suite 200
Ft. Myers, FL 33912
Phone (239) 274-0067
Fax (239) 274-0069



PASSARELLA
& ASSOCIATES^{PC}

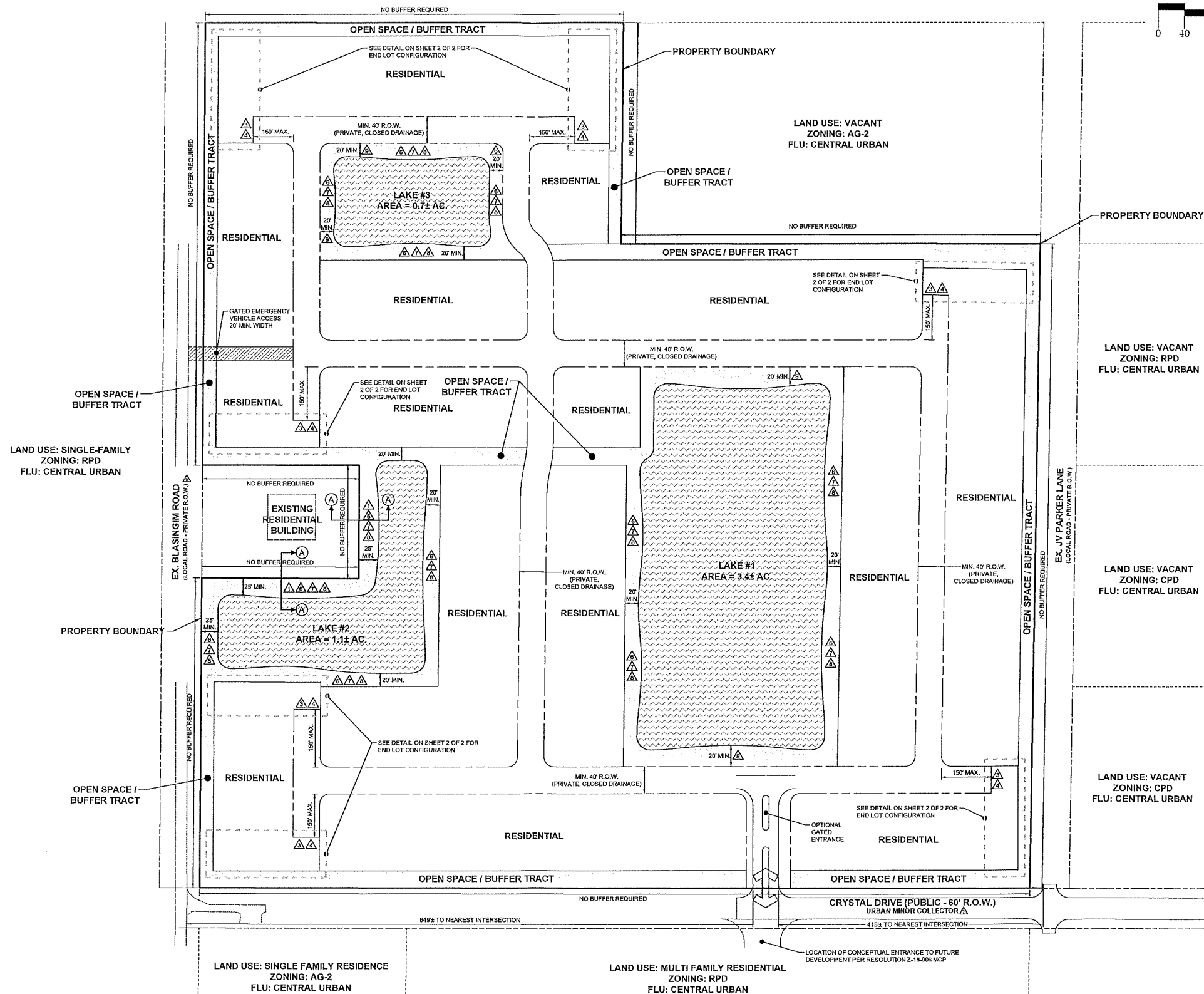
PRATT'S PRESERVE
AERIAL WITH FLUCFCS, WETLANDS, AND SURVEY TRANSECTS

DRAWING No.	22LLL3872
SHEET No.	APPENDIX B



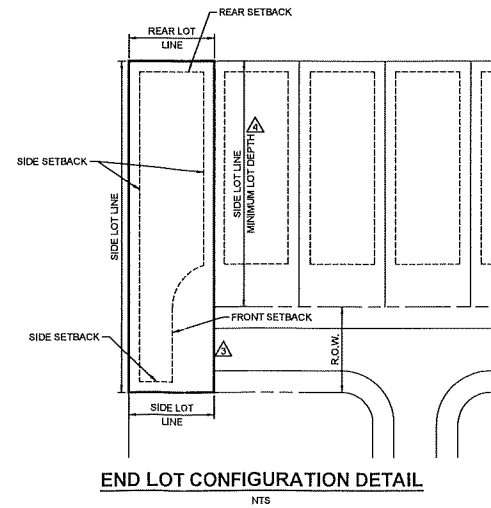
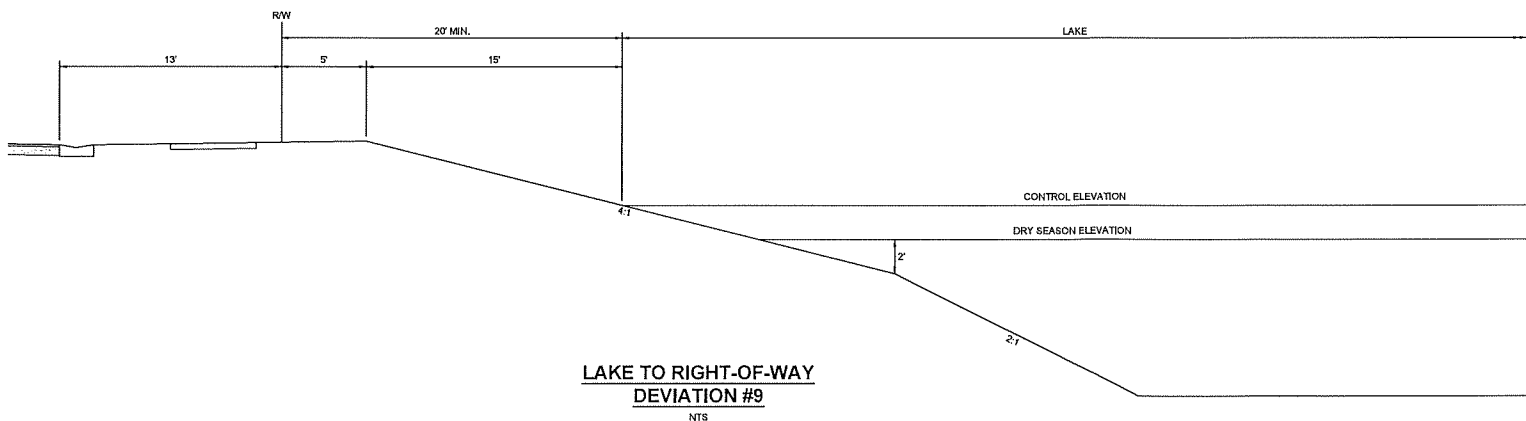
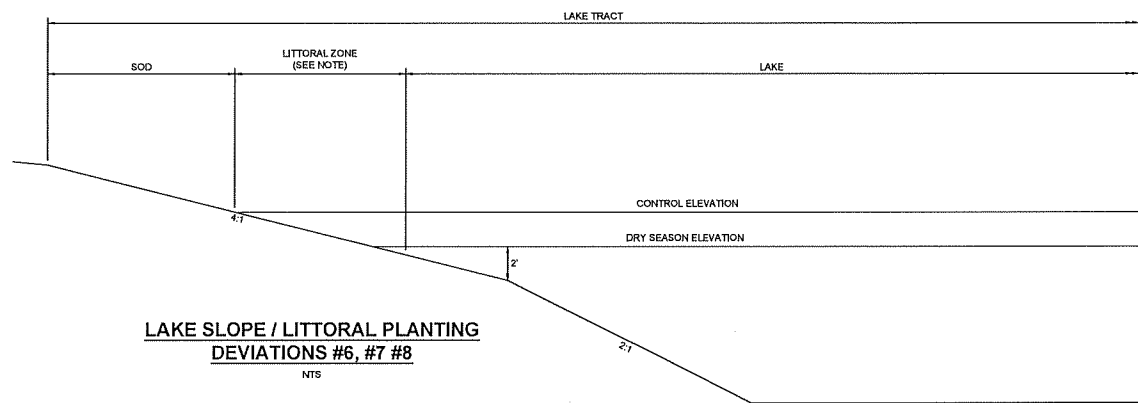
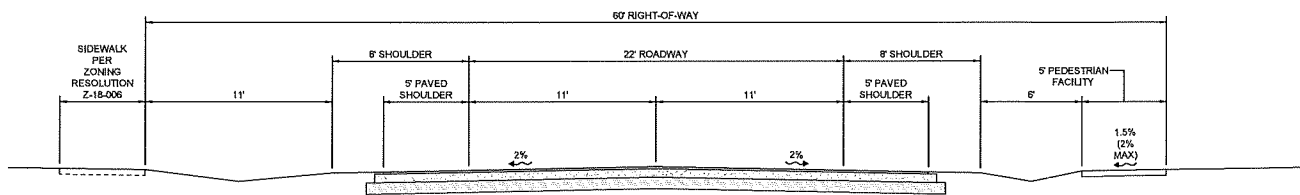
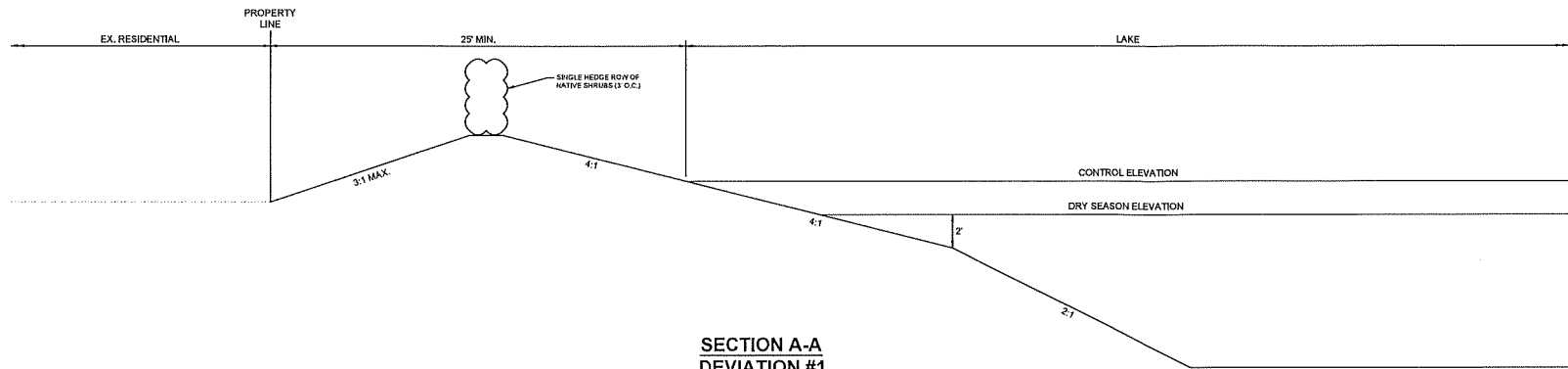
RESIDENTIAL DEVELOPMENT PROGRAM	
USE	INTENSITY
SINGLE FAMILY RESIDENTIAL	155 UNITS

OPEN SPACE SUMMARY		
CATEGORY	AREA	PERCENTAGE
TOTAL PROJECT AREA	31.46 AC.	100%
OPEN SPACE REQUIRED	12.58 AC.	40%
OPEN SPACE PROVIDED		
LAKE (25% OF TOTAL)	3.15 AC.	25.0%
BUFFER / COMMON AREA	4.37 AC.	34.7%
LOT AREA (30% MIN.)	5.06 AC.	40.3%
OPEN SPACE PROVIDED	12.58 AC.	100.0%



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DELISI FITZGERALD, INC.
Planning - Engineering - Project Management
Division of RESPEC Company LLC

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Florida
Registry License
Number 33253

OWNER / DEVELOPER:
LENNAR
30815 20th Mile Corridor Parkway
Fort Myers, FL 33908
(239) 278-3127

PROJECT:
PARKER LANE RPD

PLAN REVISIONS	DESCRIPTION
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MASTER CONCEPT PLAN DETAILS

Project Manager: ADF
Drawn By: EPB
Checked By: ADF
Project Number: W0079.23033
Located in Section(s): 17
Township: 45 S Range: 25 E
County, State: LEE COUNTY, FL

Status:

Sheet Number: 2 of 2