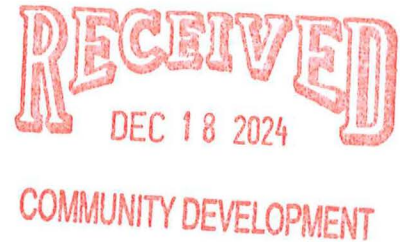




**1520 Royal Palm Square Blvd, Suite 100**  
**Fort Myers, FL 33919**  
**Phone: 239-433-4231**  
**www.tdmcivilengineering.com**  
**Certificate of Authorization # 29086**

December 18, 2024

Mr. Joseph Sarracino, Planner  
**Lee County Department of Community Development**  
1500 Monroe Street  
Fort Myers, FL 33901



**Reference: CPA2024-00006 (1<sup>st</sup> Re-Submittal)**  
**Horizon Tamiami**  
**Lee County S02-T44S-R24E**

Dear Mr. Sarracino:

We are in receipt of your review letter dated May 28, 2024 for the above referenced project. The following items are submitted for your continued review per this request for additional information:

1. One (1) copy of revised Exhibit - M1 – CPA Application – Map;
2. One (1) copy of revised Exhibit - M4 – Proposed Future Land Use Map 1-C, Mixed Use Overlay Map;
3. One (1) copy of revised Exhibit - M5 – Map of Existing Land Uses;
4. One (1) copy of revised Exhibits - M7A and M7B - Sketch and Legal Description;
5. One (1) copy of revised Exhibit - M11 – Proposed Amendment;
6. One (1) copy of revised Exhibit M12 – Lee Plan Analysis;
7. One (1) copy of revised Exhibit M13 – Environmental Impacts Analysis, including the Soils Map, FLUCFCS Map, Flood Insurance Rate Map, and Topographic Map;
8. One (1) copy of revised Exhibit M14 – Archaeological and Historic Resources Analysis;
9. One (1) copy of revised Exhibit M16 – Traffic Circulation Analysis;
10. One (1) copy of revised Exhibit M17 – Level of Service Analysis;
11. One (1) copy of revised Exhibit M18 – Letters of Support, including the revised letter from Lee Tran; and
12. One (1) copy of the revised Exhibit M20 – Justification of Proposed Amendment.

Responses to each individual item/comment are as follows:

**Application Materials Review:**

1. Provide physical copies of the mailing labels (i.e. sticker labels) for property owners within five hundred (500) feet of the subject parcel.

**Response: Hard copies of the mailing labels were hand-delivered to Staff on Dec. 18, 2024, as requested.**

2. Exhibit – M5: Indicate the current use of the property located at 1520 North Tamiami Trail on the map of existing land uses.

**Response: Please see revised Exhibit - M5, which includes the commercial use designation of 1520 N. Tamiami Trail as requested.**

3. Exhibit – M5: Indicate the current use of the subject property on the map of existing land uses.

**Response: Please see revised Exhibit - M5, which indicates the current uses of the subject property based on the zoning districts, as requested.**

4. Exhibit – M11: The acreage of the request noted is inconsistent with the acreage noted in the Project Description and Part 5 of the application form. Clarify which acreage is requested and revise the incorrect statement.

**Response: Please see the revised Application, Part 5 (Exhibit - M1) and Exhibit - M11 for the correct acreage as requested.**

5. LeeTran Letter of Availability mentions Metro Parkway. Request a Letter of Availability from LeeTran that references transit service within the vicinity of the subject parcel or clarifies the reason for the reference to Metro Parkway.

**Response: Please see Exhibit - M18, which includes the revised Letter of Review from LeeTran as requested.**

6. Exhibit – M17: Revise paragraph seven (7) of page one (1) to clarify that the wastewater service provider is FGUA, not FGCU.

**Response: Please see revised Exhibit - M17 for the correction as requested.**

7. Exhibit – M17: Analysis of FGUA capacity indicates that FGUA is projected to operate at a capacity greater than the capacity permitted in the 2022 Concurrency Report. Discuss any future measures that will expand the capacity of wastewater service provided by FGUA.

**Response: Please see revised Exhibit – M17 for an expanded analysis as requested.**

8. Exhibit – M17: Provide correspondence/request to FGUA and LCU showing that the applicant provided the respective agencies with the information from application items 5, 6, and 7.

**Response: Please see the revised Exhibit – M17 for the information requested. Please note the current and proposed density/intensity remains the same with this map amendment request.**



9. Exhibit – M18: Provide correspondence/request to the appropriate agencies providing services for Fire, Sheriff, Transit, Schools, and EMS showing that the applicant provided the respective agencies with the information from application items 5, 6, and 7. (Property Information, Current Maximum Allowable Development, and Maximum Allowable Development with Amendment)

**Response: Please see the revised Exhibit-M18 with the information requested. Please note the maximum allowable density and intensity does not change with the addition of the site to the Mixed-Use Overlay.**

10. Exhibit – M18: Provide a Letter of Availability from the agency providing Emergency Medical Services to the subject property.

**Response: Please see the revised Exhibit-M18 for the Letter of Review from EMS as requested.**

**Legal Review:**

11. Provide a legal description and sketch to accompany the legal description in accordance with the requirements of Lee County Land Development Code §34-202(a)(5).

a. The sketch that accompanies the legal description is on five (5) overlapping pages and does not give a clear picture of the site.

b. The sketch of the description must be tied to the state plane coordinate system for the Florida West Zone (the most current adjustment is required) with two (2) coordinates, one (1) coordinate being the point of beginning (POB) and the other an opposing corner. No state plane coordinates are included on the legal description sketch.

**Response: Please see the revised Sketch and Legal Description for the corrections as requested.**

**Historic Resources Review:**

12. Exhibit – M14: Include correspondence with the Florida Division of State Historical Resources regarding the search of the Florida Master Site File for cultural or historic resources in the area of the subject property.

**Response: Please see revised Exhibit-M14 including correspondence, as requested.**

13. Exhibit – M14: Include a map showing the subject property location on the archaeological sensitivity map for Lee County.

**Response: Please see revised Exhibit M14 for the Archaeological Sensitivity Map as requested.**

**Planning Review:**

14. Exhibit – M4: The Mixed-Use Overlay cannot be extended to areas within the Wetlands Future Land Use category. Revise the proposed Map 1-C shown in Exhibit M4 to exclude the Mixed-Use Overlay from the areas of jurisdictional wetlands.

**Response: Please see revised Exhibit M4 for the correction to the proposed Map 1-C, as requested.**

15. Exhibit – M12: Provide an analysis of Lee Plan Policies 1.5.2, 4.1.3, 5.1.2, 126.1.4, and Goal 101.

**Response: Please see the revised Exhibit – M12 Lee Plan Analysis for additional information as requested.**

16. Exhibit – M12: Expand on the analysis of Objective 11.2 and Policy 11.2.1(1). Lee Plan Map 3-C shows that North Tamiami Trail is not slated to remain in transit operation within the extended pedestrian shed of the site. Explain how the proposed amendment can be consistent with Objective 11.2 and Policy 11.2.1 if transit service will no longer be available to the subject property.

**Response: Please see revised Exhibit – M12 for additional information regarding Policy 11.2.1(1) as requested.**

17. Exhibit – M12: Expand on the analysis of Policy 11.2.1(2). It appears that the subject site has limited opportunities for connections to adjacent uses.

**Response: Please see revised Exhibit M12 for the analysis of Policy 11.2.1(2) as requested.**

18. Exhibit – M12: Expand on the analysis of Policy 11.2.1(4) to discuss the anticipated deficit of service for FGUA shown in Exhibit M17.

**Response: Please see revised Exhibit – M12 for additional information as requested.**

19. Exhibit – M12: Describe how the proposal affects the adjacent local governments and their comprehensive plans.

**Response: Please see revised Exhibit – M12 for the information as requested.**

#### **Transportation Review:**

20. Traffic Circulation Analysis should be labeled as Exhibit M16.

**Response: Please see the revised Traffic Circulation Analysis with the correct Exhibit label.**

#### **Environmental Review:**

21. Provide a table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state, or local agencies as endangered, threatened, or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

**Response: Please see the attached FLUCFCS Map (Exhibit - M13) as requested.**

22. Provide a topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).

**Response: Please see the attached FIRMette/Topographic Map provided by FEMA (Exhibit – M13) for the information, as requested.**

23. Provide a map delineating the property boundaries on the most recent Flood Insurance Rate Map.

**Response: Please see the attached Flood Insurance Rate Map (Exhibit – M13) with property boundary, as requested.**

24. Provide a map and description of the soils found on the property (identify the source of the information).

**Response: Please see the attached Soils Map with Legend (Exhibit – M13) as provided by Natural Resources Conservation Service.**

25. The Environmental Analysis provided noted that some soils were tidally influenced. Note that tidally-influenced wetlands are not eligible for the calculation of density at the adjacent upland level.

**Response: This INFORMATIONAL COMMENT is acknowledged and understood; however, please note our environmental consultant has determined that the wetlands are not tidally influenced.**

This should allow for continued review and a finding of sufficiency of this Comprehensive Plan Amendment - Map request. Your time and attention to this matter is appreciated. Should County staff require additional information or have any questions regarding this submittal, feel free to call this office.

Sincerely,

**TDM CONSULTING, INC.**

*Veronica Martin*

Veronica Martin, Senior Planner





## EXHIBIT M1

# APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT - MAP

Project Name: Horizon Tamiami

Project Description: Amend Lee Plan Map 1-C, request to add 20.16 acres of the subject property to the Mixed Use Overlay.

Map(s) to Be Amended: 1-C

State Review Process: ☒ Small-Scale Review ☐ State Coordinated Review ☐ Expedited State Review

1. Name of Applicant: Horizon Tamiami, LLC

Address: 5 Corporate Dr #105

City, State, Zip: Central Valley, NY 10917

Phone Number: 941-274-1355

E-mail: trossi@redburndev.com

2. Name of Contact: Veronica Martin, TDM Consulting, Inc.

Address: 43 Barkley Cir, Suite 200

City, State, Zip: Fort Myers, FL 33907

Phone Number: 239-433-4231

E-mail: vmartin@tdmconsulting.com

3. Owner(s) of Record: Horizon Tamiami, LLC

Address: 5 Corporate Dr #105

City, State, Zip: Central Valley, NY 10917

Phone Number: 941-274-1355

E-mail: trossi@redburndev.com

4. Property Location:

1. Site Address: 1460, 1470, 1456 and 1450 N Tamiami Tr, North Fort Myers 33903

2. STRAP(s): 02-44-24-03-0000B.0010, -00001.0200, -00001.0210 and -02-44-24-03-0000B.0320

5. Property Information:

Total Acreage of Property: 27.36 ac

Total Acreage Included in Request: 20.16 ac

Total Uplands: 20.16 ac

Total Wetlands: 7.20 ac

Current Zoning: RS-1, C-1, and CG

Current Future Land Use Category(ies): Intensive Development and Wetlands

Area in Each Future Land Use Category: Intensive Development: 20.16 ac and Wetlands: 7.20 ac

Existing Land Use: Vacant/undeveloped

6. Calculation of maximum allowable development under current Lee Plan:

Residential Units/Density: 14 du/ac

22 du/ac with bonus density

Commercial Intensity: 10,000 sf/ac

based on average calculations

Industrial Intensity: none

7. Calculation of maximum allowable development with proposed amendments:

Residential Units/Density: 14 du/ac

22 du/ac with bonus density

Commercial Intensity: 10,000 sf/ac

based on average calculations

Industrial Intensity: none

## **Public Facilities Impacts**

NOTE: The applicant must calculate public facilities impacts based on the maximum development.

**1. Traffic Circulation Analysis:** The analysis is intended to determine the effect of the land use change on the Financially Feasible Highway Plan Map 3A (20-year plus horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit a Traffic Impact Statement (TIS) consistent with Lee County Administrative Code (AC)13-17.

- a. Proposals affecting less than 10 acres, where development parameters are contained within the Traffic Analysis Zone (TAZ) or zones planned population and employment, or where there is no change in allowable density/intensity, may be eligible for a TIS requirement waiver as outlined in the Lee County TIS Guidelines and AC-13-17. Identification of allowable density/intensity in order to determine socio-economic data for affected TAZ(s) must be coordinated with Lee County Planning staff. Otherwise a calculation of trip generation is required consistent with AC-13-17 and the Lee County TIS Guidelines to determine required components of analysis for:
  - i. Total peak hour trip generation less than 50 total trip ends – trip generation.
  - ii. Total peak hour trip generation from 50 to 300 total trip ends – trip generation, trip distribution and trip assignment (manual or Florida Standard Urban Transportation Modeling Structure (FSUTMS) analysis consistent with AC-13-17 and TIS Guidelines), short-term (5 year) and long-range (to current Lee Plan horizon year) segment LOS analysis of the nearest or abutting arterial and major collector segment(s) identified in the Transportation Inventory based on the trip generation and roadway segment LOS analysis criteria in AC-13-17. A methodology meeting is recommended prior to submittal of the application to discuss use of FSUTMS, any changes to analysis requirements, or a combined CPA and Zoning TIS short term analysis.
  - iii. Total peak hour trip generation is over 300 total trip ends - trip generation, mode split, trip distribution and trip assignment (manual or FSUTMS analysis consistent with AC-13-17 and TIS Guidelines), short-term (five-year) and long-range (to current Lee Plan horizon year) segment LOS analysis of arterial and collector segments listed in the Transportation Inventory. LOS analysis will include any portion of roadway segments within an area three miles offset from the boundary of the application legal description metes and bounds survey. LOS analysis will also include any additional segments in the study area based on the roadway segment LOS analysis criteria in AC-13-17. A methodology meeting is required prior to submittal of the application.
- b. Map amendment - greater than 10 acres -Allowable density/intensity will be determined by Lee County Planning staff.

**2. Provide an existing and future conditions analysis for the following (see Policy 95.1.3):**

- a. Sanitary Sewer
- b. Potable Water
- c. Surface Water/Drainage Basins
- d. Parks, Recreation, and Open Space
- e. Public Schools

**Analysis for each of the above should include (but is not limited to) the following (see the Lee County Concurrency Management Report):**

- a. Franchise Area, Basin, or District in which the property is located
- b. Current LOS, and LOS standard of facilities serving the site
- c. Projected 2030 LOS under existing designation
- d. Projected 2030 LOS under proposed designation
- e. Existing infrastructure, if any, in the immediate area with the potential to serve the subject property
- f. Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements
- g. Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water



**In addition to the above analysis, provide the following for potable water:**

- a. Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.
- b. Include the current demand and the projected demand under the existing designation, and the projected demand under the proposed designation.
- c. Include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.
- d. Include any other water conservation measures that will be applied to the site (see Goal 54).

**3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:**

- a. Fire protection with adequate response times
- b. Emergency medical service (EMS) provisions
- c. Law enforcement
- d. Solid Waste
- e. Mass Transit
- f. Schools

In reference to above, the applicant must supply the responding agency with the information from application items 5, 6, and 7 for their evaluation. This application must include the applicant's correspondence/request to the responding agency.

#### **Environmental Impacts**

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed change based upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating the property boundaries on the most recent Flood Insurance Rate Map.
5. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
6. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

#### **Impacts on Historic Resources**

List all historic resources (including structure, districts, and/or archaeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites listed on the Florida Master Site File which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archaeological sensitivity map for Lee County.

#### **Internal Consistency with the Lee Plan**

1. Discuss how the proposal affects established Lee County population projections, Lee Plan Table 1(b) and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment or that affect the subject property. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.

#### **State Policy Plan and Regional Policy Plan**

List State Policy Plan and Regional Policy Plan goals, strategies and actions, and policies which are relevant to this plan amendment.

#### **Justify the proposed amendment based upon sound planning principles**

Support all conclusions made in this justification with adequate data and analysis.

#### **Planning Communities/Community Plan Area Requirements**

If located within a planning community/community plan area, provide a meeting summary document of the required public informational session [Lee Plan Goal 17].



### **Sketch and Legal Description**

The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

### **SUBMITTAL REQUIREMENTS**

***Clearly label all submittal documents with the exhibit name indicated below.***

***For each map submitted, the applicant will be required to submit a 24"x36" version and 8.5"x11" reduced map for inclusion in public hearing packets.***

### **MINIMUM SUBMITTAL ITEMS (3 Copies)**

<input checked="" type="checkbox"/>	Completed Application (Exhibit – M1)
<input checked="" type="checkbox"/>	Disclosure of Interest (Exhibit – M2)
<input checked="" type="checkbox"/>	Surrounding Property Owners List, Mailing Labels, and Map For All Parcels Within 500 Feet of the Subject Property (Exhibit – M3)
<input checked="" type="checkbox"/>	Existing Future Land Use Map (Exhibit – M4)
<input checked="" type="checkbox"/>	Map and Description of Existing Land Uses (Not Designations) of the Subject Property and Surrounding Properties (Exhibit – M5)
<input checked="" type="checkbox"/>	Map and Description of Existing Zoning of the Subject Property and Surrounding Properties (Exhibit – M6)
<input checked="" type="checkbox"/>	Signed/Sealed Legal Description and Sketch of the Description for Each FLUC Proposed (Exhibit – M7)
<input checked="" type="checkbox"/>	Copy of the Deed(s) of the Subject Property (Exhibit – M8)
<input checked="" type="checkbox"/>	Aerial Map Showing the Subject Property and Surrounding Properties (Exhibit – M9)
<input checked="" type="checkbox"/>	Authorization Letter From the Property Owner(s) Authorizing the Applicant to Represent the Owner (Exhibit – M10)
<input checked="" type="checkbox"/>	Proposed Amendments (Exhibit – M11)
<input checked="" type="checkbox"/>	Lee Plan Analysis (Exhibit – M12)
<input checked="" type="checkbox"/>	Environmental Impacts Analysis (Exhibit – M13)
<input checked="" type="checkbox"/>	Historic Resources Impact Analysis (Exhibit – M14)
<input checked="" type="checkbox"/>	Public Facilities Impacts Analysis (Exhibit – M15)
<input checked="" type="checkbox"/>	Traffic Circulation Analysis (Exhibit – M16)
<input checked="" type="checkbox"/>	Existing and Future Conditions Analysis - Sanitary Sewer, Potable Water, Surface Water/Drainage Basins, Parks and Rec, Open Space, Public Schools (Exhibit – M17)
<input checked="" type="checkbox"/>	Letter of Determination For the Adequacy/Provision of Existing/Proposed Support Facilities - Fire Protection, Emergency Medical Service, Law Enforcement, Solid Waste, Mass Transit, Schools (Exhibit – M18)
<input checked="" type="checkbox"/>	State Policy Plan and Regional Policy Plan (Exhibit – M19)
<input checked="" type="checkbox"/>	Justification of Proposed Amendment (Exhibit – M20)
<input checked="" type="checkbox"/>	Planning Communities/Community Plan Area Requirements (Exhibit – M21)

### **APPLICANT – PLEASE NOTE:**

Changes to Table 1(b) that relate directly to and are adopted simultaneously with a future land use map amendment may be considered as part of this application for a map amendment.

Once staff has determined the application is sufficient for review, 15 complete copies will be required to be submitted to staff. These copies will be used for Local Planning Agency hearings, Board of County Commissioners hearings, and State Reviewing Agencies. Staff will notify the applicant prior to each hearing or mail out to obtain the required copies.

If you have any questions regarding this application, please contact the Planning Section at (239) 533-8585.

AFFIDAVIT

I, Joseph Niederman, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

[Signature]  
Signature of Applicant

1/26/2024  
Date

Joseph Niederman  
Printed Name of Applicant

STATE OF new York  
COUNTY OF ORANGE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization on 1/26/24 (date) by Joseph Niederman

(name of person providing oath or affirmation), who is personally known to me ~~or who has produced~~  
[Signature] (type of identification) as identification.

[Signature]  
Signature of Notary Public

**SAMUEL JOSEPH**  
Notary Public-State of New York  
No. 01JO0002524  
Qualified in Orange County  
Commission Expires 03/08/2027

(Name typed, printed or stamped)



# MIXED USE OVERLAY

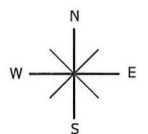
## EXHIBIT M4

- Mixed Use Overlay
- Mixed Use Overlay with Specific Community Plan Policies

---- Transit Route

City Limits

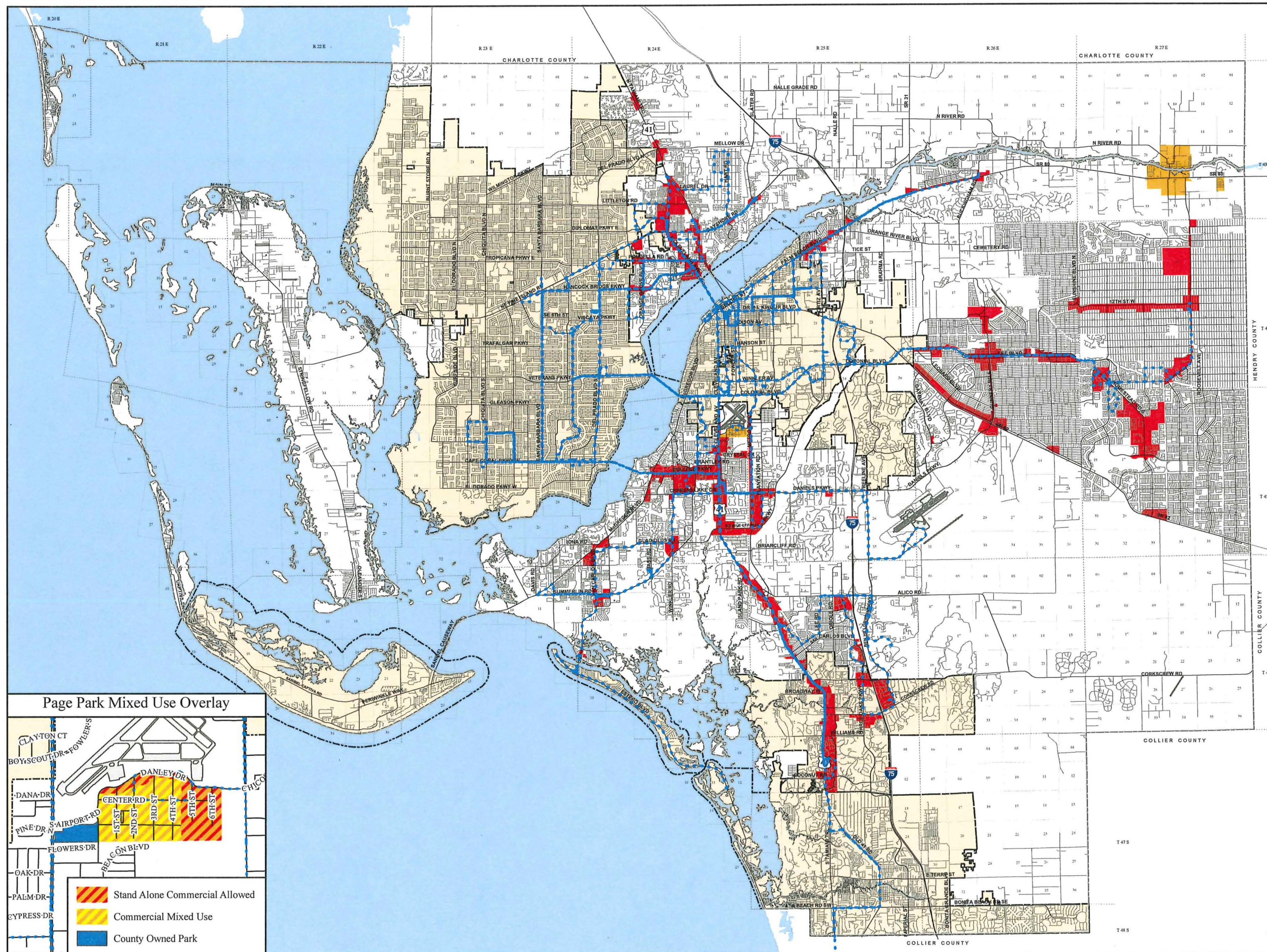
Ord. No. 07-15, 09-07, 09-08, 10-33, 11-18, 11-21, 17-20, 18-18, 20-08, 21-01, 23-11, 23-12



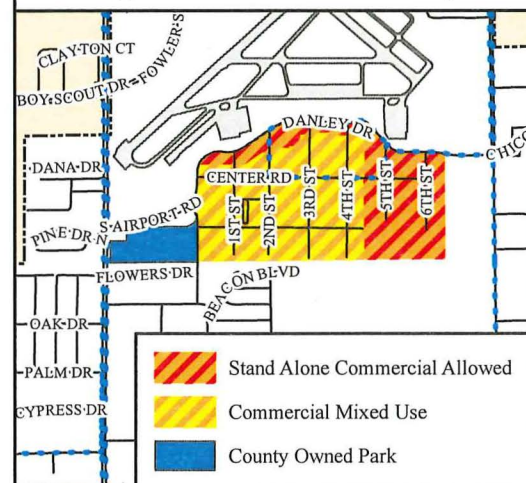
0 1 2 3 4 5  
Miles

Map Generated: October 2023  
City limits and LeeTran Routes current to date of map generation

**Lee Plan Map 1-C**



### Page Park Mixed Use Overlay



- Stand Alone Commercial Allowed
- Commercial Mixed Use
- County Owned Park



HORIZON TAMiami  
EXISTING FUTURE LAND USE MAP 1-C





HORIZON TAMiami  
PROPOSED FUTURE LAND USE MAP 1-C

EXHIBIT -M4  
REVISED 12-11-2024





HORIZON TAMiami  
MAP OF EXISTING LAND USES  
Revised 7/19/2024

EXHIBIT M5





# SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

## LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 2, THENCE NORTH 89°24'36" EAST, ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 A DISTANCE OF 56.34 FEET; THENCE SOUTH 00°32'31" EAST, A DISTANCE OF 25.23 FEET TO THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4322, PAGE 4600 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 89°36'32" EAST, ALONG THE NORTH LINE OF SAID LANDS A DISTANCE OF 68.57 FEET TO THE NORTHEAST CORNER OF SAID LANDS AND THE POINT OF BEGINNING;

THENCE NORTH 89°22'36" EAST, A DISTANCE OF 535.52 FEET; THENCE NORTH 89°25'19" EAST, A DISTANCE OF 314.92 FEET TO THE MEAN HIGH-WATER LINE OF POWELL CREEK; THENCE ALONG SAID MEAN HIGH-WATER LINE THE FOLLOWING FIFTY (50) COURSES AND DISTANCES:

1. THENCE SOUTH 50°30'43" EAST, A DISTANCE OF 74.18 FEET;
2. THENCE SOUTH 17°12'49" WEST, A DISTANCE OF 43.92 FEET;
3. THENCE SOUTH 83°01'33" WEST, A DISTANCE OF 5.28 FEET;
4. THENCE NORTH 68°54'15" WEST, A DISTANCE OF 70.99 FEET;
5. THENCE SOUTH 02°36'37" WEST, A DISTANCE OF 5.05 FEET;
6. THENCE SOUTH 64°21'30" EAST, A DISTANCE OF 66.16 FEET;
7. THENCE SOUTH 26°09'19" EAST, A DISTANCE OF 4.88 FEET;
8. THENCE SOUTH 08°28'45" EAST, A DISTANCE OF 97.16 FEET;
9. THENCE SOUTH 23°21'37" EAST, A DISTANCE OF 77.36 FEET;
10. THENCE SOUTH 10°55'19" EAST, A DISTANCE OF 21.72 FEET;
11. THENCE SOUTH 27°49'37" EAST, A DISTANCE OF 128.74 FEET;
12. THENCE SOUTH 69°29'01" EAST, A DISTANCE OF 119.40 FEET;
13. THENCE NORTH 75°39'25" EAST, A DISTANCE OF 97.39 FEET;
14. THENCE NORTH 66°20'45" EAST, A DISTANCE OF 63.33 FEET;
15. THENCE NORTH 63°07'19" EAST, A DISTANCE OF 51.18 FEET;
16. THENCE NORTH 81°17'57" EAST, A DISTANCE OF 21.20 FEET;
17. THENCE SOUTH 35°18'31" EAST, A DISTANCE OF 30.24 FEET;
18. THENCE SOUTH 16°25'35" EAST, A DISTANCE OF 74.25 FEET;
19. THENCE SOUTH 00°03'56" EAST, A DISTANCE OF 32.37 FEET;
20. THENCE SOUTH 02°53'18" WEST, A DISTANCE OF 52.91 FEET;
21. THENCE SOUTH 30°17'17" WEST, A DISTANCE OF 44.99 FEET;
22. THENCE SOUTH 57°22'34" WEST, A DISTANCE OF 85.21 FEET;
23. THENCE SOUTH 45°32'21" WEST, A DISTANCE OF 34.93 FEET;
24. THENCE SOUTH 82°24'42" WEST, A DISTANCE OF 14.68 FEET;
25. THENCE NORTH 08°35'50" EAST, A DISTANCE OF 12.96 FEET;
26. THENCE NORTH 16°40'59" EAST, A DISTANCE OF 21.62 FEET;
27. THENCE NORTH 52°14'55" EAST, A DISTANCE OF 39.65 FEET;
28. THENCE NORTH 09°43'18" EAST, A DISTANCE OF 63.43 FEET;
29. THENCE SOUTH 75°56'44" WEST, A DISTANCE OF 59.86 FEET;
30. THENCE SOUTH 06°30'49" WEST, A DISTANCE OF 43.32 FEET;
31. THENCE SOUTH 06°06'13" WEST, A DISTANCE OF 65.62 FEET;
32. THENCE SOUTH 17°40'46" WEST, A DISTANCE OF 2.88 FEET;
33. THENCE SOUTH 71°00'00" WEST, A DISTANCE OF 8.69 FEET;
34. THENCE SOUTH 82°52'55" WEST, A DISTANCE OF 49.76 FEET;
35. THENCE SOUTH 16°52'50" WEST, A DISTANCE OF 23.68 FEET;
36. THENCE SOUTH 22°48'22" WEST, A DISTANCE OF 55.10 FEET;
37. THENCE SOUTH 06°07'45" EAST, A DISTANCE OF 40.65 FEET;
38. THENCE SOUTH 40°34'45" EAST, A DISTANCE OF 54.92 FEET;
39. THENCE SOUTH 58°01'48" EAST, A DISTANCE OF 75.62 FEET;
40. THENCE SOUTH 64°58'48" EAST, A DISTANCE OF 101.03 FEET;
41. THENCE SOUTH 58°41'06" EAST, A DISTANCE OF 124.44 FEET;
42. THENCE SOUTH 28°36'41" EAST, A DISTANCE OF 21.51 FEET;
43. THENCE SOUTH 39°20'18" WEST, A DISTANCE OF 16.11 FEET;
44. THENCE SOUTH 74°01'51" WEST, A DISTANCE OF 69.00 FEET;
45. THENCE NORTH 34°56'58" WEST, A DISTANCE OF 100.61 FEET;
46. THENCE SOUTH 41°51'17" WEST, A DISTANCE OF 6.13 FEET;
47. THENCE SOUTH 01°43'42" EAST, A DISTANCE OF 22.21 FEET;
48. THENCE SOUTH 11°50'36" WEST, A DISTANCE OF 68.18 FEET;
49. THENCE SOUTH 41°50'50" WEST, A DISTANCE OF 85.65 FEET;
50. THENCE SOUTH 15°04'22" WEST, A DISTANCE OF 69.44 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF BROOKS ROAD (60' RIGHT OF WAY PER OFFICIAL RECORDS BOOK 74, PAGE 690);

THENCE SOUTH 57°03'03" WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE A DISTANCE OF 114.22 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE CONCAVE NORTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 570.00 FEET, A CENTRAL ANGLE OF 18°48'40", THE CHORD FOR WHICH BEARS SOUTH 68°27'23" WEST, A CHORD DISTANCE OF 186.30 FEET, AN ARC DISTANCE OF 187.14 FEET TO THOSE CERTAIN LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2339, PAGE 3156 AND THE END OF SAID CURVE; THENCE ALONG SAID LANDS THE FOLLOWING EIGHT (8) COURSES AND DISTANCES:

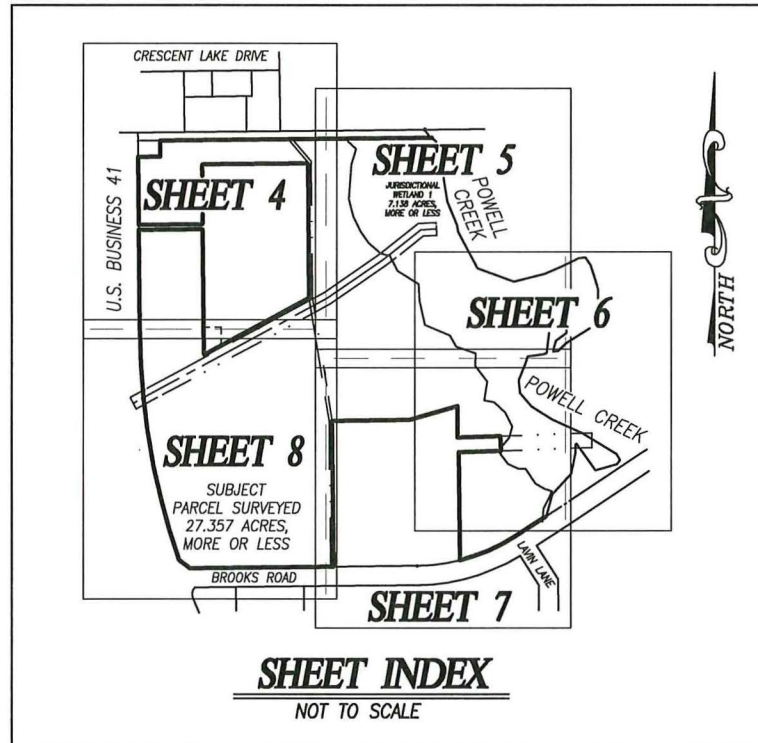
1. THENCE NORTH 00°39'52" WEST, A DISTANCE OF 334.25 FEET;
2. THENCE NORTH 87°58'01" EAST, A DISTANCE OF 130.15 FEET;
3. THENCE NORTH 01°34'33" WEST, A DISTANCE OF 46.11 FEET;
4. THENCE SOUTH 87°58'01" WEST, A DISTANCE OF 133.00 FEET;
5. THENCE NORTH 00°09'22" EAST, A DISTANCE OF 96.64 FEET;
6. THENCE SOUTH 74°22'09" WEST, A DISTANCE OF 153.92 FEET;
7. THENCE SOUTH 89°22'09" WEST, A DISTANCE OF 243.88 FEET;
8. THENCE SOUTH 00°37'10" EAST, A DISTANCE OF 452.77 FEET TO THE NORTH RIGHT OF WAY LINE OF BROOKS ROAD;

THENCE SOUTH 89°22'16" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 450.69 FEET TO THE EAST RIGHT OF WAY LINE OF U.S. BUSINESS 41 (STATE ROAD 739) PER FLORIDA DEPARTMENT OF TRANSPORTATION SECTION 12001-2516; THENCE NORTH 52°53'31" WEST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 42.80 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY; THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2236.83 FEET, A CENTRAL ANGLE OF 10°17'22", THE CHORD FOR WHICH BEARS NORTH 13°55'16" WEST, A CHORD DISTANCE OF 401.16 FEET, AN ARC DISTANCE OF 401.70 FEET TO THE END OF SAID CURVE; THENCE NORTH 79°29'59" EAST, A DISTANCE OF 0.41 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE EAST; THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2818.79 FEET, A CENTRAL ANGLE OF 00°16'20", THE CHORD FOR WHICH BEARS NORTH 10°21'51" WEST, A CHORD DISTANCE OF 13.39 FEET, AN ARC DISTANCE OF 13.39 FEET TO A POINT OF COMPOUND CURVATURE; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 2236.83 FEET, A CENTRAL ANGLE OF 07°53'18", THE CHORD FOR WHICH BEARS NORTH 04°29'10" WEST, A CHORD DISTANCE OF 307.72 FEET, AN ARC DISTANCE OF 307.97 FEET TO THE END OF SAID CURVE; THENCE NORTH 00°32'31" WEST, A DISTANCE OF 313.44 FEET TO THOSE CERTAIN LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2339, PAGE 3157; THENCE ALONG SAID LANDS THE FOLLOWING SEVEN (7) COURSES AND DISTANCES:

1. THENCE NORTH 89°27'58" EAST, A DISTANCE OF 200.04 FEET;
2. THENCE SOUTH 00°31'08" EAST, A DISTANCE OF 389.41 FEET;
3. THENCE NORTH 61°51'55" EAST, A DISTANCE OF 373.64 FEET;
4. THENCE NORTH 00°34'05" WEST, A DISTANCE OF 417.56 FEET;
5. THENCE SOUTH 89°23'24" WEST, A DISTANCE OF 330.86 FEET;
6. THENCE SOUTH 00°31'47" EAST, A DISTANCE OF 185.78 FEET;
7. THENCE SOUTH 89°29'57" WEST, A DISTANCE OF 199.93 FEET THE EAST RIGHT OF WAY LINE OF U.S. BUSINESS 41 (STATE ROAD 739)

PER FLORIDA DEPARTMENT OF TRANSPORTATION SECTION 12001-2516;  
THENCE NORTH 00°32'31" WEST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 210.81 FEET TO THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4322, PAGE 4600 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 89°28'57" EAST, ALONG THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 68.66 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE NORTH 00°40'19" WEST, ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 49.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 27.357 ACRES, MORE OR LESS.



THIS MAP PREPARED BY:  
CERTIFICATE OF AUTHORIZATION NO. LB 0060  
NOT VALID WITHOUT THE SIGNATURE  
AND SEAL OF A FLORIDA  
LICENSED SURVEYOR AND MAPPER

JAMES M. CONDON, PSM  
Professional Surveyor & Mapper Fla. License No. 0074

COMPUTER FILED:  
230758 SD  
SURVEY DATE:  
02/28/2024  
SIGNATURE DATE:  
04/24/2024  
DRAWING SCALE:  
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REVIEW BY:  
REVISION DATE:

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DRAWN BY:  
FA  
CHECKED BY:  
JC  
FIELD NO:  
191/58

CERTIFIED TO:  
HORIZON TAMAMI LLC

James M Condon



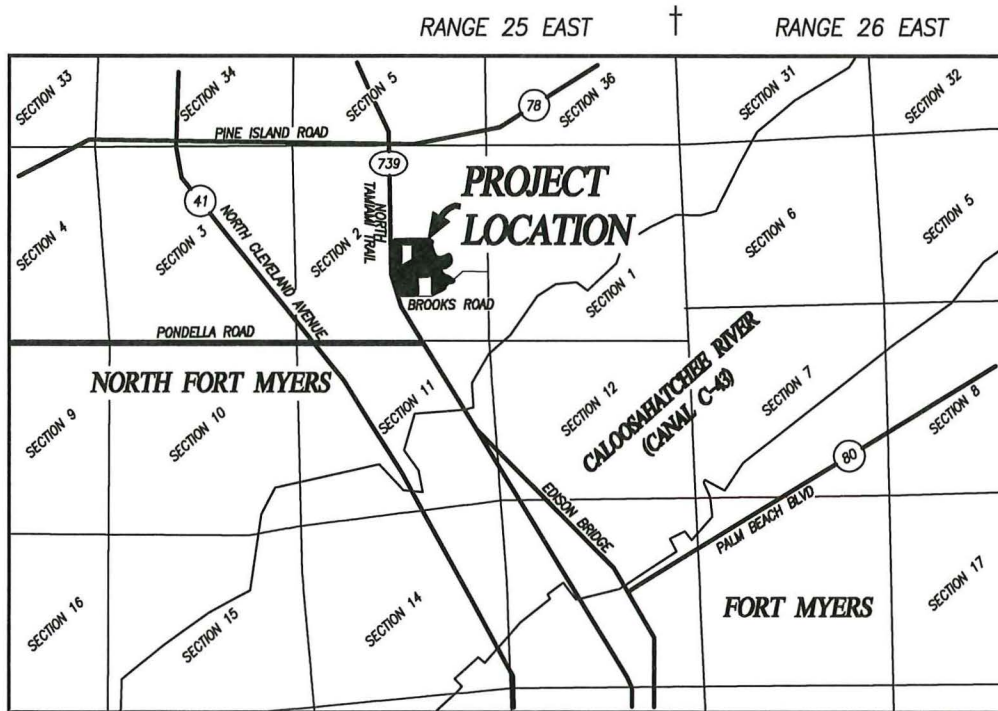
JOB NO:  
22-0514  
SHEET NO:  
1 OF 8



# SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

## SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE BASED UPON THE NORTH RIGHT OF WAY LINE OF BROOKS ROAD HAVING A BEARING OF SOUTH 89°22'16" WEST, WHICH IS ASSUMED.
2. NO UNDERGROUND IMPROVEMENTS OR FOUNDATIONS WERE LOCATED UNDER THE SCOPE OF THIS SURVEY.
3. THIS PARCEL LIES IN FLOOD ZONE "AE" BASED ON FEMA FLOOD INSURANCE RATE MAP PANEL 12071C0267G, DATED NOVEMBER 17, 2022. THIS PARCEL HAS A BASE FLOOD ELEVATION OF 9.0' (NAVD '88) AND 10.0' (NAVD 1988). PORTIONS OF THIS PROPERTY LIE WITHIN A FEMA DESIGNATED FLOODWAY. FLOOD ZONE LINES AND FLOODWAY LINES SHOWN HEREON WERE SCALE FROM SAID FLOOD INSURANCE RATE MAP.
4. THE STREET ADDRESS ARE:  
  
1450 NORTH TAMiami TRAIL  
NORTH FORT MYERS, FLORIDA 33903  
  
1456 NORTH TAMiami TRAIL  
NORTH FORT MYERS, FLORIDA 33903  
  
1460 NORTH TAMiami TRAIL  
NORTH FORT MYERS, FLORIDA 33903  
  
1470 NORTH TAMiami TRAIL  
NORTH FORT MYERS, FLORIDA 33903
5. SUBJECT PARCEL CONTAINS 27.357 ACRES, MORE OR LESS.
6. THE MEAN HIGH WATER (MHW) LINE DEPICTED HEREON IS BASED UPON A MEAN HIGH WATER ELEVATION OF 0.09' (NAVD 1988), SAID ELEVATION IS BASED ON A DETERMINATION PROVIDED BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ON FEBRUARY 13, 2023 AND SIGNED BY M. KEVIN MEARS, PSM.
7. JURISDICTIONAL WETLAND LINES SHOWN HEREON ARE BASED UPON FIELD LOCATED FLAGS. WETLAND DELINEATION AND WETLAND FLAGGING WAS PERFORMED UNDER THE RESPONSIBLE CHARGE OF ANDY WOODRUFF OF CHW CONSULTANTS, INC. IN FEBRUARY OF 2023. JURISDICTIONAL WETLAND AREAS SHOWN HEREON ARE INCLUDED IN THE TOTAL AREA OF THE PARCELS SURVEYED.



**THIS IS NOT A SURVEY** **VICINITY SKETCH**  
(NOT TO SCALE)

THIS MAP PREPARED BY: JAMES M. CONDON, PSM Professional Surveyor & Mapper, License No. 6074	COMPUTER FILED: 230705 SKD NOT TO SCALE REVISION DATE: 04/24/2024	CHW Professional Consultants 12331 Westchase Drive, Suite 5-B Fort Myers, FL 33913 (239) 332-4006 www.chw-inc.com REG. 1988 FLORIDA CA-5075	CERTIFIED TO: HORIZON TAMiami LLC FIELD BOOK: 197/58	JOB NO.: 22-0514 SHEET NO.: 2 OF 8
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# SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N79°29'59"E	0.41'
L2	N52°53'31"W	42.80'
L3	S50°30'43"E	74.18'
L4	S17°12'49"W	43.92'
L5	S83°01'33"W	5.28'
L6	N68°54'15"W	70.99'
L7	S02°36'37"W	5.05'
L8	S64°21'30"E	66.16'
L9	S26°09'19"E	4.88'
L10	S08°28'45"E	97.16'
L11	S23°21'37"E	77.36'
L12	S10°55'19"E	21.72'
L13	S27°49'37"E	128.74'
L14	S69°29'01"E	119.40'
L15	N75°39'25"E	97.39'
L16	N66°20'45"E	63.33'
L17	N63°07'19"E	51.18'
L18	N81°17'57"E	21.20'
L19	S35°18'31"E	30.24'
L20	S16°25'35"E	74.25'
L21	S00°03'56"E	32.37'
L22	S02°53'18"W	52.91'
L23	S30°17'17"W	44.99'
L24	S57°22'34"W	85.21'
L25	S45°32'21"W	34.93'
L26	S82°24'42"W	14.68'
L27	N08°35'50"E	12.96'
L28	N16°40'59"E	21.62'
L29	N52°14'55"E	39.65'
L30	N09°43'18"E	63.43'
L31	S75°56'44"W	59.86'
L32	S06°30'49"W	43.32'
L33	S06°06'13"W	65.62'
L34	S17°40'46"W	2.88'
L35	S71°00'00"W	8.69'
L36	S82°52'55"W	49.76'
L37	S16°52'50"W	23.68'
L38	S22°48'22"W	55.10'
L39	S05°07'45"E	40.65'
L40	S40°34'45"E	54.92'
L41	S58°01'48"E	75.62'
L42	S64°58'48"E	101.03'
L43	S58°41'06"E	124.44'
L44	S28°36'41"E	21.51'
L45	S38°20'18"W	16.11'
L46	S74°01'51"W	69.00'
L47	N34°56'58"W	100.61'
L48	S41°51'17"W	6.13'
L49	S01°43'42"E	22.21'
L50	S11°50'36"W	68.18'
L51	S41°50'50"W	85.65'
L52	S15°04'22"W	69.44'

LINE TABLE		
LINE	BEARING	DISTANCE
L53	N03°48'11"E	9.36'
L54	N03°48'11"E	12.58'
L55	N04°10'37"E	17.37'
L56	N25°15'50"E	35.18'
L57	N25°19'14"E	26.07'
L58	N74°58'53"W	23.34'
L59	N58°21'04"W	32.84'
L60	N34°05'09"W	54.42'
L61	N89°22'29"W	22.26'
L62	N65°31'15"W	35.16'
L63	N36°47'49"W	51.28'
L64	N39°52'04"E	12.08'
L65	N39°52'04"E	39.61'
L66	N16°02'04"E	36.87'
L67	N25°46'41"W	49.36'
L68	N48°25'34"W	46.50'
L69	N79°23'10"W	30.47'
L70	N07°45'32"E	59.32'
L71	N36°08'40"W	60.87'
L72	N01°41'48"E	38.09'
L73	N71°12'26"W	63.76'
L74	N29°01'06"W	40.01'
L75	N66°47'05"W	84.51'
L76	N12°53'33"W	75.44'
L77	N02°59'05"W	52.66'
L78	N58°49'31"W	39.42'
L79	N57°28'33"W	38.79'
L80	N27°27'16"W	52.70'
L81	N77°39'45"W	27.87'
L82	N50°06'37"W	51.63'
L83	N35°07'44"W	42.36'
L84	N26°37'14"W	54.08'
L85	N13°40'41"W	55.29'
L86	N04°19'23"E	40.86'
L87	N03°47'01"E	64.98'
L88	N17°55'57"E	51.07'
L89	N46°42'18"W	36.17'
L90	N87°30'33"E	73.47'
L91	S53°40'02"W	70.18'
L92	S55°39'00"W	43.65'
L93	N74°40'52"W	19.96'
L94	N41°43'42"E	36.75'
L95	N24°43'45"E	33.38'
L96	S81°15'58"W	30.32'
L97	N08°43'01"W	25.08'
L98	N54°21'34"E	27.21'
L99	N75°30'29"E	38.96'
L100	S22°28'08"E	28.45'
L101	N73°34'16"W	30.16'
L102	S15°56'47"W	29.16'
L103	S01°34'33"E	46.11'
L104	S00°32'31"E	15.15'

## LEGEND

(D) = LEGAL DESCRIPTION DATA

CURVE TABLE				
CURVE	DELTA	RADIUS	ARC	CHORD BEARING
C1	18°48'41"	570.00'	187.14'	S66°27'23"W
C2	13°33'22"	570.00'	134.86'	S82°38'25"W
C3	10°17'22"	2236.83'	401.70'	N13°55'16"W
C4	0°16'20"	2818.79'	13.39'	N10°21'51"W
C5	7°53'19"	2236.83'	307.97'	N04°29'10"W

**THIS IS NOT A SURVEY**



THIS MAP PREPARED BY:  
CERTIFICATE OF AUTHORIZATION NO. LB 6066  
NOT VALID WITHOUT THE SIGNATURE  
AND SEAL OF A FLORIDA  
LICENSED SURVEYOR AND MAPPER

JAMES M. CONDON, PSM  
*[Signature]*  
Professional Surveyor & Mapper Fla. License No. 6074

COMPUTER FILED:  
230708 SKD  
DRAWING SCALE:  
NOT TO SCALE  
REVISION DATE:  
04/24/2024

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FA  
CHECKED BY:  
JC  
FIELD BOOK:  
187/58

CERTIFIED TO:  
HORIZON TAMAMI LLC

JOB NO:  
22-0514  
SHEET NO:  
3 OF 8



# SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA



POINT OF COMMENCEMENT  
FOUND P/K NAIL  
AND DISK "LB3542" AT THE  
NORTHWEST CORNER OF  
THE SOUTHEAST 1/4

LANDS NOW OR FORMERLY OWNED BY:  
SHARON HOWARD  
INSTRUMENT NO. 201000274836  
STRAP NO. 02-44-24-00-00003.0000

CRESCENT LAKE DRIVE 50' RIGHT-OF-WAY (D)

LANDS NOW OR FORMERLY OWNED BY:  
KATHLEEN DOLL, TRUSTEE  
INSTRUMENT NO. 201100265343  
STRAP NO. 02-44-24-00-00002.003B

LANDS NOW OR FORMERLY OWNED BY:  
KATHLEEN DOLL, TRUSTEE  
INSTRUMENT NO. 201100265343  
STRAP NO. 02-44-24-00-00002.003C

PAGE 4 OF 8  
PAGE 5 OF 8

N89°24'36"E  
56.34'(C)

POINT OF  
BEGINNING

25.23'(C)  
S00°32'31"E

68.57'  
N89°36'32"E

49.80'  
N00°40'19"W

68.66'  
N89°28'57"E

N00°32'31"W 210.81'

S89°29'57"W 199.93'

N89°27'58"E 200.04'

N00°32'31"W 313.44'

SUBJECT PARCEL CONTAINS  
27.357 ACRES,  
MORE OR LESS

EXISTING RIGHT OF WAY PER  
FDOT SECTION 12001-2616

25' RIGHT OF WAY (P)  
PLAT BOOK 1, PAGE 10  
NOT OPEN / UNIMPROVED

N89°22'36"E 535.52'

4TH STREET

SUBJECT PARCEL CONTAINS  
27.357 ACRES,  
MORE OR LESS

S89°23'24"W 330.86'

10' UTILITY EASEMENT  
PER GRANT OF EASEMENT  
INSTRUMENT NUMBER  
2006000379719

N00°34'05"W 417.56'

SUBJECT PARCEL CONTAINS  
27.357 ACRES,  
MORE OR LESS  
PAGE 4 OF 8  
PAGE 5 OF 8

LANDS NOW OR FORMERLY OWNED BY:  
STATE OF FLORIDA DEPARTMENT OF  
TRANSPORTATION  
OFFICIAL RECORDS BOOK 2339, PAGE 3157  
STRAP NO. 02-44-24-03-00008.0020  
"FDOT WATER STORAGE AREA"  
(NOT INCLUDED)

## SURVEYOR'S NOTES

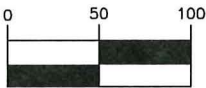
1. SEE PAGE 3 OF 8 FOR LEGEND AND LINE TABLE

# THIS IS NOT A SURVEY

N61°51'55"E 373.64'

PAGE 4 OF 8  
PAGE 8 OF 8

## GRAPHIC SCALE



( IN FEET )

1 INCH = 100 FEET

U.S. BUSINESS 41

STATE ROAD 739  
RIGHT OF WAY VARIES  
PER FDOT SECTION  
12001-2616

PAGE 4 OF 8  
PAGE 8 OF 8

THIS MAP PREPARED BY:

JAMES M. CONDON, PSM

COMPUTER FILED:  
230756 SKD

DRAWING SCALE:  
1" = 100'

REVIEW BY:  
02/28/2024

SIGNATURE DATE:  
04/24/2024

REVISION DATE:

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DRAWN BY:  
FA

CHECKED BY:  
JC

FIELD BOOK:  
197/58

CERTIFIED TO:  
HORIZON TAMAMI LLC

JOB NO.:  
22-0514  
SHEET NO.:  
4 OF 8

# SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

NE 1/4 OF  
SECTION 2

LANDS NOW OR FORMERLY OWNED BY:  
PHYLLIS LEMBO, ET AL  
INSTRUMENT NO. 201800000928  
STRAP NO. 02-44-24-00-00002.0000

FOUND 3"x3" CONCRETE MONUMENT  
"ALD PLS 2465" AT EAST  
1/4 CORNER OF SECTION 2

N89°24'36"E 2661.98'

NORTH LINE OF THE  
SOUTHEAST 1/4 OF SECTION 2

N00°35'25"W 7.56' CLOSING LINE  
N89°25'19"E 314.92'

WETLAND FLAG 1-35  
ELEV. = 1.9'

WETLAND FLAG 1-36  
ELEV. = 1.8'

WETLAND FLAG 1-34  
ELEV. = 2.8'

WETLAND FLAG 1-33  
ELEV. = 3.2'

WETLAND FLAG 1-32  
ELEV. = 3.8'

WETLAND FLAG 1-31  
ELEV. = 2.5'

WETLAND FLAG 1-30  
ELEV. = 2.4'

WETLAND FLAG 1-29  
ELEV. = 2.8'

WETLAND FLAG 1-28  
ELEV. = -2.3'

WETLAND FLAG 1-27  
ELEV. = 1.9'

WETLAND FLAG 1-26  
ELEV. = 2.1'

WETLAND FLAG 1-25  
ELEV. = 1.2'

WETLAND FLAG 1-24  
ELEV. = 2.7'

WETLAND FLAG 1-23  
ELEV. = 2.8'

WETLAND FLAG 1-22  
ELEV. = 2.7'

WETLAND FLAG 1-21  
ELEV. = 3.3'

WETLAND FLAG 1-20  
ELEV. = 3.5'

WETLAND FLAG 1-19  
ELEV. = 2.3'

WETLAND FLAG 1-18  
ELEV. = 2.3'

WETLAND FLAG 1-17  
ELEV. = 2.3'

WETLAND FLAG 1-16  
ELEV. = 2.3'

WETLAND FLAG 1-15  
ELEV. = 2.3'

WETLAND FLAG 1-14  
ELEV. = 2.3'

WETLAND FLAG 1-13  
ELEV. = 2.3'

WETLAND FLAG 1-12  
ELEV. = 2.3'

WETLAND FLAG 1-11  
ELEV. = 2.3'

WETLAND FLAG 1-10  
ELEV. = 2.3'

WETLAND FLAG 1-9  
ELEV. = 2.3'

WETLAND FLAG 1-8  
ELEV. = 2.3'

WETLAND FLAG 1-7  
ELEV. = 2.3'

WETLAND FLAG 1-6  
ELEV. = 2.3'

WETLAND FLAG 1-5  
ELEV. = 2.3'

WETLAND FLAG 1-4  
ELEV. = 2.3'

WETLAND FLAG 1-3  
ELEV. = 2.3'

WETLAND FLAG 1-2  
ELEV. = 2.3'

WETLAND FLAG 1-1  
ELEV. = 2.3'

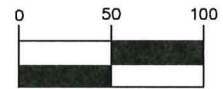
SE 1/4 OF  
SECTION 2

JURISDICTIONAL  
WETLAND 1  
7.138 ACRES,  
MORE OR LESS

MEAN HIGH-WATER LINE  
ELEVATION = 0.09' (NAVD 1988)  
AS LOCATED ON FEBRUARY 13, 2023

POMELL  
CREEK

GRAPHIC SCALE



( IN FEET )

1 INCH = 100 FEET

SUBJECT PARCEL CONTAINS  
27.357 ACRES,  
MORE OR LESS

10' UTILITY EASEMENT  
PER GRANT OF EASEMENT  
INSTRUMENT NUMBER  
2006000379719



PAGE 5 OF 8  
PAGE 7 OF 8

## SURVEYOR'S NOTES

1. SEE PAGE 3 OF 8 FOR LEGEND AND LINE TABLE

**THIS IS NOT A SURVEY**

THIS MAP PREPARED BY:

JAMES M. CONDON, PSM

CERTIFICATE OF AUTHORIZATION NO. LB 8096  
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AND SEAL OF A FLORIDA  
LICENSED SURVEYOR AND MAPPER

Professional Surveyor & Mapper, Fla. License No. 6074

COMPUTER FILED:  
230758 SKD  
DRAWING SCALE:  
1" = 100'  
REVIEW BY:  
REVIEW DATE:  
04/24/2024

CHW  
Professional Consultants

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CA-5075

DRAWN BY:  
FA  
CHECKED BY:  
JC  
FIELD BOOK:  
187/58

CERTIFIED TO:  
HORIZON TAMAMI LLC

JOB NO.:  
22-0514  
SHEET NO.:  
5 OF 8



**JURISDICTIONAL WETLAND 1**  
7.138 ACRES,  
MORE OR LESS

**POWELL CREEK**

**SUBJECT PARCEL CONTAINS**  
**27.357 ACRES,**  
**MORE OR LESS**

**MEAN HIGH-WATER LINE**  
ELEVATION = 0.09' (NAVD 1988)  
AS LOCATED ON FEBRUARY 13, 2023

**MEAN HIGH-WATER LINE**  
ELEVATION = 0.09' (NAVD 1988)  
AS LOCATED ON FEBRUARY 13, 2023

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**MEAN HIGH-WATER LINE**  
ELEVATION = 0.09' (NAVD 1988)  
AS LOCATED ON FEBRUARY 13, 2023

**WETLAND FLAG 1-24**  
ELEV. = 2.7'

**WETLAND FLAG 1-23**  
ELEV. = 2.4'

**WETLAND FLAG 1-22**  
ELEV. = 2.7'

**WETLAND FLAG 1-21**  
ELEV. = 3.5'

**WETLAND FLAG 1-20**  
ELEV. = 3.5'

**WETLAND FLAG 1-19**  
ELEV. = 2.5'

**WETLAND FLAG 1-18**  
ELEV. = 2.7'

**WETLAND FLAG 1-17**  
ELEV. = 2.6'

**WETLAND FLAG 1-16**  
ELEV. = 2.7'

**WETLAND FLAG 1-15**  
ELEV. = 3.0'

**WETLAND FLAG 1-14**  
ELEV. = 3.0'

**WETLAND FLAG 1-13**  
ELEV. = 2.6'

**WETLAND FLAG 1-12**  
ELEV. = 2.2'

**WETLAND FLAG 1-11**  
ELEV. = 3.4'

**WETLAND FLAG 1-10**  
ELEV. = 2.3'

**WETLAND FLAG 1-9**  
ELEV. = 4.5'

**WETLAND FLAG 1-8**  
ELEV. = 2.6'

**WETLAND FLAG 1-7**  
ELEV. = 2.7'

**WETLAND FLAG 1-6**  
ELEV. = 2.1'

**WETLAND FLAG 1-5**  
ELEV. = 1.7'

**WETLAND FLAG 1-4**  
ELEV. = 2.0'

**WETLAND FLAG 1-3**  
ELEV. = 2.5'

**WETLAND FLAG 1-2**  
ELEV. = 2.1'

**WETLAND FLAG 1-1**  
ELEV. = 1.3'

**NO FLAG FOUND ON PROPERTY LINE**  
WETLAND FLAG 1-1  
ELEV. = 1.3'

**TOP OF BANK**  
281.00' (D)

**TOP OF BANK**  
281.00' (D)

**FOOT PERPENDICULAR**  
EASEMENT 80'  
PER SECTION 12001-25114  
OUR BOOK 2538, PAGE 3233

**THIS IS NOT A SURVEY**

**SURVEYOR'S NOTES**  
1. SEE PAGE 3 OF 8 FOR LEGEND AND LINE TABLE

**GRAPHIC SCALE**  
0 50 100  
( IN FEET )  
1 INCH = 100 FEET

**NORTH**

**LANDS NOW OR FORMERLY OWNED BY:**  
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
OFFICIAL RECORD BOOK 2339, PAGE 1356  
STRAP NO. 02-44-0000000000  
FOOT WATER STORAGE AREA  
(NOT INCLUDED)

**THIS MAP PREPARED BY:**  
JAMES M. CONDON, PSM  
Professional Surveyor & Mapper Fla. License No. 6074

**COMPUTER FILE:**  
2307258.SXD  
DRAWING SCALE:  
1" = 100'  
REVISION DTD:  
02/28/2024  
REVISION DATE:  
04/24/2024

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JC  
FIELD BOOK:  
197/58

**CERTIFIED TO:**  
HORIZON TAMAMI LLC

**22-0514**  
6 OF 8

***THIS IS NOT A SURVEY***

The seal is circular with a double-lined border. The outer ring contains the text "JAMES MICHAEL CONDON" at the top and "Registered Surveyor &amp; Mapper" at the bottom, separated by two small diamond symbols. The inner circle contains the text "CERTIFICATE" at the top, "No. 6074" in the center, and "STATE OF FLORIDA" at the bottom, also separated by two small diamond symbols.

JOB NO.:  
22-0514  
SHEET NO.:  
6 OF 8



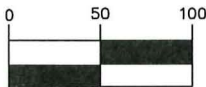
# SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

PAGE 5 OF 8  
PAGE 7 OF 8

SUBJECT PARCEL CONTAINS  
27.357 ACRES,  
MORE OR LESS



GRAPHIC SCALE



( IN FEET )  
1 INCH = 100 FEET

LANDS NOW OR FORMERLY OWNED BY:  
STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
OFFICIAL RECORDS BOOK 2339, PAGE 3156  
STRAP NO. 02-44-24-03-00008.0030  
"FOOT WATER STORAGE AREA"  
(NOT INCLUDED)

SUBJECT PARCEL CONTAINS  
27.357 ACRES,  
MORE OR LESS

MEAN HIGH-WATER LINE  
ELEVATION = 0.09' (NAVD 1988)  
AS LOCATED ON  
FEBRUARY 13, 2023

**POWELL CREEK**

JURISDICTIONAL  
WETLAND 1  
7.138 ACRES,  
MORE OR LESS

**LYNN LAKE**  
or part of lake

S89°21'56"W 262.09' (0)  
S89°23'13"W 262.13'

**BROOKS ROAD**



LANDS NOW OR FORMERLY OWNED BY:  
SHAWSON LOOP, LLC  
INSTRUMENT NO. 2020000074582  
STRAP NO. 02-44-24-03-0000A.0190

## SURVEYOR'S NOTES

1. SEE PAGE 3 OF 8 FOR LEGEND AND LINE TABLE

# THIS IS NOT A SURVEY

THIS MAP PREPARED BY:

JAMES M. CONDON, PSM

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230756 SKD  
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02/28/2024  
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JC  
FIELD BOOK:  
187/58

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JOB NO.:  
22-0514  
SHEET NO.:  
7 OF 8

10' UTILITY EASEMENT  
PER GRANT OF EASEMENT  
INSTRUMENT NUMBER  
2005000379719

PAGE 8 OF 8  
PAGE 7 OF 8

PAGE 7 OF 8  
PAGE 6 OF 8

PAGE 4 OF 8  
PAGE 8 OF 8

**U.S. BUSINESS 41**

STATE ROAD 739  
RIGHT OF WAY VARIES  
PER FDOT SECTION  
12001-2516

PAGE 4 OF 8  
PAGE 8 OF 8

PAGE 8 OF 8  
PAGE 7 OF 8

*SURVEYOR'S NOTES*

1. SEE PAGE 3 OF 8 FOR LEGEND AND LINE TABLE

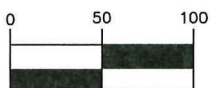
## THIS IS NOT A SURVEY

10' UTILITY EASEMENT  
PER GRANT OF EASEMENT  
INSTRUMENT NUMBER  
2006000379719

PAGE 8 OF 8  
PAGE 7 OF 8

22-0514  
8 OF 8

## GRAPHIC SCALE



( IN FEET )


1 INCH = 100 FEET



LANDS NOW OR FORMERLY OWNED BY:  
DAVE E. WESTRA, ET AL  
INSTRUMENT NO. 2008000020310  
STRAP NO. 02-44-24-03-0000A.0210

LANDS NOW OR FORMERLY OWNED BY:  
THOMAS A. MERE, ET AL.  
INSTRUMENT NO. 2021000218046  
STRAP NO. 02-44-24-03-0000A.0120

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02/28/2024

SIGNATURE DATE:  
04/24/2024



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est. 1989 **FLORIDA**  
CA-507

DRAWN BY	FA
CHECKED BY	JC
FIELD BOOK	107 / 68

CERTIFIED TO:  
HORIZON TAMiami LLC

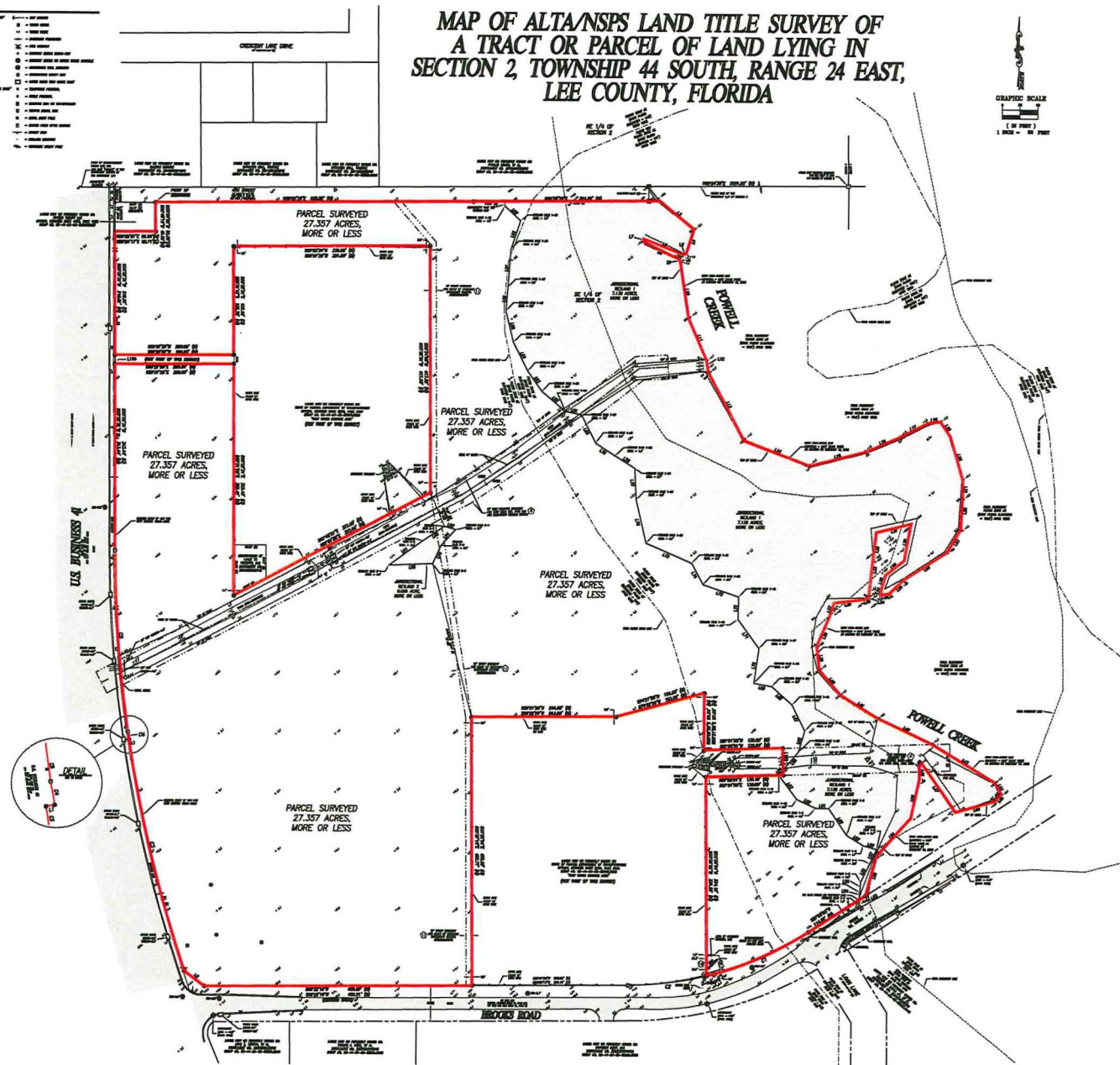
JOB NO.:  
 22-0514  
 SHEET NO.:  
 8 OF 8



# MAP OF ALTA/NSPS LAND TITLE SURVEY OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

**LEGEND**

1. BOUNDARY LINE	11. EASEMENT
2. EASEMENT	12. EASEMENT
3. EASEMENT	13. EASEMENT
4. EASEMENT	14. EASEMENT
5. EASEMENT	15. EASEMENT
6. EASEMENT	16. EASEMENT
7. EASEMENT	17. EASEMENT
8. EASEMENT	18. EASEMENT
9. EASEMENT	19. EASEMENT
10. EASEMENT	20. EASEMENT





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**Certificate of Authorization # 29086**

**Proposed Amendment – Exhibit M11**

**Revised 7/19/2024**

The Applicant, Horizon Tamiami, LLC, is requesting to amend Lee Plan Map 1-C, the Mixed Use Overlay Map. The project site is 27.36 acres, located in Section 2, Township 44 South, Range 24 East, north of Brooks Road and east of N. Tamiami Trail. The majority of the subject property has a future land use classification of Intensive Development. The remainder of the property has a future land use classification of Wetlands. The South Florida Water Management District (SFWMD) issued a formal wetland and OSW determination on May 2, 2023. Of the 27.36 acres, 7.20 acres is identified as Wetlands and another 0.29 acres is identified as OSW in the form of man-made ditches. As a result, the Applicant is requesting to add ±20.16-acres into the Mixed Use Overlay.

Lee Plan Policy 11.2.3 states that “At the discretion of the Board of County Commissioners, the Mixed Use Overlay boundary may be extended up to one-quarter mile to accommodate developments partially within a Mixed Use Overlay or immediately adjacent to a Mixed Use Overlay. The subject property is adjacent to the Mixed Use Overlay to the south of Brooks Road.





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Certificate of Authorization # 29086

Horizon Tamiami Rezoning

Lee Plan Analysis

Exhibit M12

Revised 12-12-2024

**Lee Plan Analysis:**

***Policy 1.1.2:** The Intensive Development future land use category is located along major arterial roads. By virtue of their location, the County's current development patterns, and the available and potential levels of public services, areas with this designation are suited to accommodate high densities and intensities. Mixed use developments of high-density residential, commercial, limited light industrial, and office uses are encouraged to be developed as described in Objective 11.1, where appropriate. The standard density range is from eight dwelling units per acre (8 du/acre) to fourteen dwelling units per acre (14 du/acre), with a maximum total density of twenty-two dwelling units per acre (22 du/acre). The maximum total density may be increased to thirty dwelling units per acre (30 du/acre) utilizing Greater Pine Island Transfer of Development Units.*

The majority of the subject property (±20.16 acres) has a future land use classification of Intensive Development. The Intensive Development future land use category is described as having the highest levels of public services and being best suited to accommodate high densities and intensities with mixed used developments encouraged where appropriate. The Applicant is requesting to add the 20.16-acres to Lee Plan Map 1-C, the Mixed-Use Overlay Map. The property is located at the intersection of N. Tamiami Trail, a state-maintained arterial roadway, and Brooks Road, a county-maintained local road. Urban services are available and adequate to serve future development at this location. This is consistent with **Lee Plan Policy 1.1.2.**

***OBJECTIVE 1.5: WETLANDS.** Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with § 373.019(27), Fla. Stat. through the use of the unified state delineation methodology described in Fla. Admin. Code R. 62-340, as ratified and amended in § 373.4211, Fla. Stat.*

***POLICY 1.5.1:** Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 124. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII.*

***POLICY 1.5.2:** When the exact location of Wetlands boundaries is in question, Chapter XIII provides an administrative process to precisely define the boundary.*

The overall subject property owned by the applicant includes approximately 7.20 acres of land with a Wetlands future land use classification. The formal Wetland Determination Line was

approved by the South Florida Water Management District (SFWMD) via Permit no. 36-108765-P. The applicant will be required to apply to Lee County Department of Community Development for an administrative interpretation of Land Use Map Boundaries (LUMB) to clearly define the wetland boundary as required by Lee Plan Policy 1.5.2. The applicant does not intend to develop the wetlands, except as may be permitted for recreational uses like a boardwalk. This is consistent with **Lee Plan Objective 1.5 and Policies 1.5.1 and 1.5.2.**

**Goal 2: Growth Management.** *To provide for an economically feasible plan which coordinates the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources.*

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

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

**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.*

**Policy 2.2.2:** *The Future Land Use Map indicates the uses and density ranges that will ultimately be permitted on a given parcel. However, it is not a guarantee that such densities or uses are immediately appropriate, as the map provides for the County's growth beyond the 2045 planning horizon. During the rezoning process the Board of County Commissioners will balance the overall standards and policies of this plan with three additional factors:*

- 1. Whether a given proposal would further burden already overwhelmed existing and committed public facilities such that the approval should be delayed until the facilities can be constructed; and*
- 2. Whether a given proposal is for land so far beyond existing development or adequate public facilities that approval should be delayed in an effort to encourage compact and efficient growth patterns; and*
- 3. Whether a given proposal would result in unreasonable development expectations that may not be achievable because of acreage limitations contained in the Acreage Allocation Table (see Table 1(b)).*

*In all cases where rezoning is approved, such approval does not constitute a determination that the minimum acceptable levels of service (see Policy 95.1.3) will be available concurrent with the impacts of the proposed development. Such a determination must be made prior to the issuance of additional development permits, based on conditions which exist at that time, as required by Lee County's concurrency management system.*

Urban services are available and adequate to service future development of the property.

Fire: North Fort Myers Fire District, Station 2, located at 1280 Barrett Rd., is approximately 3.1 miles away.

Police: Lee County Sheriff's Office, located at 121 Pondella Rd, is approximately 1.3 miles away.



EMS:	North Fort Myers Fire District, Station 2, located at 1280 Barrett Rd., is approximately 3.1 miles away.
Solid Waste:	The property is within Lee County Solid Waste Franchise Area 5 and is served by Waste Pro.
Public Transit:	There is an existing bus stop located approximately .03 miles north on N Tamiami Trail from the northwest corner of the property and another existing bus stop on the corner of N Tamiami Trail and Brooks Road. Lee Tran Route 590 currently services this segment of N Tamiami Trail; however, Lee Tran intends to discontinue service along this section of N. Tamiami Trail in the future.
Public Schools:	The property is within the Lee County School District West Zone, District Area 5.
Public Parks:	The property is approximately 2.3 miles east from Judd Community Park and 2.4 miles south from North Fort Myers Community Park.

The subject property is one of the few remaining large blocks of land along N. Tamiami Trail, just north of the Edison Bridge. This area of the County has a future land use classification of Intensive Development with Central Urban future land use north and east of the subject property and Wetlands future land use near Powell Creek. The site has frontage on N. Tamiami Trail, a state-maintained arterial roadway, and Brooks Road, a county-maintained local road. Potable water, sanitary sewer and other urban services are adequate and available to serve the site. Although public transit is slated to be discontinued along this segment of N. Tamiami Trail, Lee Tran may add this to their "Transit on Demand" Map. **Lee Plan Table 1(b) Year 2045 Allocations** identifies 376 acres available in the Intensive Development future land use category for residential use and 1,121 acres for commercial development in the North Fort Myers planning community. Development of this property promotes compact and contiguous growth patterns in future urban areas where public facilities exist and are adequate to serve future developments. Adding the 20.16-acre subject property to Lee Plan Map 1-C is consistent with **Lee Plan Goal 2, Objective 2.2: Development Timing, and Policies 2.1.1, 2.1.2, and 2.2.2.**

***Standard 4.1.1: Water.***

*2. If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 4- A), then the development must be connected to that utility.*

***Standard 4.1.2: Sewer.***

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

*2. If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), 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.*

Lee County Utilities (LCU) provided a Letter of Availability confirming that potable water lines are in operation adjacent to the subject property and that LCU presently has sufficient capacity to provide potable water service as estimated. In addition, Florida Governmental Utility Authority (FGUA) provided a Letter of Availability confirming that sanitary sewer lines are in operation adjacent to the subject property and that FGUA presently has sufficient capacity to provide sanitary sewer service as estimated. Both letters confirm the capacity to serve the future development; however, developer enhanced improvements may be required at time of Development Order permitting. This is consistent with **Lee Plan Standards 4.1.1: Water and 4.1.2: Sewer.**

***STANDARD 4.1.3: Reuse.***

- 1. Any development that requires a development order, on a property that is adjacent to public reuse infrastructure with sufficient capacity, must connect to the reuse system for irrigation needs.*
- 2. Any new development that, at build-out, has an anticipated irrigation demand of 50,000 gallons per day, or more, using the Blaney-Criddle method, must connect to a public reuse system for irrigation needs when sufficient capacity and adequate infrastructure is within ¼ mile from any part of the development.*
- 3. If there is not sufficient capacity or adequate infrastructure within ¼ mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.*
- 4. If a development has been rejected for reuse service, the proposed source of irrigation water must be identified consistent with Policy 61.1.6.*

Lee County Utilities (LCU) provided a letter stating that there aren't any reuse mains in the vicinity of the subject property. The applicant will be required to provide the anticipated irrigation demand calculations at time of Development Order permitting and will be required to provide the necessary infrastructure at that time or provide the source of irrigation water (wells) consistent with Lee Plan Policy 61.1.6. This is consistent with **Lee Plan Policy 4.1.3.**

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

***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.*

Powell Creek is located along the east property line of the subject property. FEMA identifies the area on both sides of Powell Creek to be in a Floodway. In addition, 7.20-acres of the subject property along Powell Creek is identified as wetlands. No development, with the exception of potential recreational uses in the form of a boardwalk, is anticipated within the wetlands. The applicant will be required to provide a Finished Floor Elevation of 1-foot above FEMA requirements to protect from potential flooding hazards. In addition, the community clubhouse can be used as a hurricane shelter. The applicant also has the option to provide a Hurricane Mitigation fee to Lee County Emergency Management. The applicant will comply with all necessary codes and regulations as required at time of Development Order permitting. This is consistent with **Lee Plan Policy 5.1.2.**



***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 located along N. Tamiami Trail, also known as Business 41, a state-maintained arterial roadway. Lee Tran Route 590 currently serves this segment of N. Tamiami Trail and there are two bus stops along the property frontage. In addition, there's an existing pedestrian facility along N. Tamiami Trail and a future planned bikeway facility. Nearby parks include Judd Community Park and North Fort Myers Community Park. As a true mixed-use development, pedestrian connections will be provided internal to the site between the residential development and the commercial development along N. Tamiami Trail.

The subject property already has a mix of commercial and residential zoning districts – CG, C-1, and RS-1. Existing and proposed uses surrounding the subject property include both commercial and residential. Brooks Road right-of-way is located south of the property. The properties south of Brooks Road are zoned C-2, are located within the Mixed-Use Overlay, and consist of multi-family development, retail, and vacant land. Powell Creek separates the subject property from the single-family lots to the east. There are 7.20-acres of wetlands along Powell Creek on the subject property. The applicant does not intend to impact those wetlands, but will designate them as both indigenous preservation and the requisite 50-foot upland buffer. This will protect the existing and/or future single-family lots from any potential impacts of the future mixed-use development. The zoning district of the single-family lots east of Powell Creek is RS-1 and TFC-2. There's a small commercial business with C-1 zoning along the north property line. In addition, there's a multifamily development with TFC-2 zoning and a single-family home with RS-1 zoning to the north of the subject property. North Tamiami Trail right-of-way is located along the west property line. Mostly commercial uses are located on the west side of the right-of-way, including several motels, a cocktail bar, single-family lot, and vacant land with C-1 and AG-2 zoning. Amending Lee Plan Map 1-C to add the 20.16-acre property to the Mixed-Use Overlay is consistent with **Lee Plan Goal 5 and Policy 5.1.5.**

***Goal 6: Commercial Land Uses:*** *To permit orderly and well-planned commercial development at appropriate locations within the county.*

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

The subject property has a future land use classification of Intensive Development which is an area where mixed-use developments of high-density residential, commercial, limited light industrial, and office uses are encouraged. The subject property is currently zoned CG, C-1, and RS-1, which is a mix of commercial and residential zoning districts. The surrounding roadway network and other urban services, including potable water and sanitary sewer, are available and adequate to serve a proposed mixed-use development at this location. This is consistent with **Lee Plan Goal 6 and Policy 6.1.4.**

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

**Objective 11.1: Mixed Use Development.** *Allow and encourage mixed use development within certain future land use categories and at appropriate locations where sufficient infrastructure exists to support development.*

**Policy 11.1.1:** *Developments located within the Intensive Development, Central Urban, or Urban Community future land use categories that have existing connectivity or can demonstrate that connectivity may be created to adjacent neighborhoods are strongly encouraged to be developed with two or more of the following uses: residential, commercial (including office), and light industrial (including research and development use).*

The subject property is currently zoned CG, C-1, and RS-1. The Applicant intends to develop the property as a true mixed-use development with commercial development along the N. Tamiami Trail frontage and multi-family residential along Brooks Road and the center of the site, while preserving the 7.20-acres of wetlands. The Intensive Development future land use category encourages mixed-use development. The existing roadway infrastructure, Lee Tran facilities, existing and planned pedestrian and bicycle facilities, and urban services are available and adequate to support a mixed-use development at this location. This is consistent with **Lee Plan Goal 11, Objective 11.1 and Policy 11.1.1.**

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

**Policy 11.2.1:** *The Mixed Use Overlay identifies locations where mixed use development will have a positive impact on transportation facilities through increased transit service, internal trip capture, and reduced travel distance. Requests to expand the Mixed Use Overlay will be evaluated based on all of the following criteria:*

- 1. Located within the extended pedestrian shed of established transit routes; and,*
- 2. Distinct pedestrian and automobile connections to adjacent uses can be achieved without accessing arterial roadways; and,*
- 3. Located within the Intensive Development, Central Urban, or Urban Community future land use categories;*
- 4. Availability of adequate public facilities and infrastructure; and*
- 5. Will not intrude into predominately single-family residential neighborhoods.*

**Policy 11.2.2:** *Development in the Mixed Use Overlay should accommodate connections to adjacent uses.*

**Policy 11.2.3:** *At the discretion of the Board of County Commissioners, the Mixed Use Overlay boundary may be extended up to one-quarter mile to accommodate developments located partially within a Mixed Use Overlay or immediately adjacent to a Mixed Use Overlay.*



***Policy 11.2.4:*** *Use of conventional zoning districts will be encouraged within the Mixed Use Overlay in order to promote continued redevelopment.*

***Policy 11.2.5:*** *Lee County will maintain land development regulations for properties within the Mixed Use Overlay that allow for urban forms of development and a variety of uses.*

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

Lee Plan Policy 11.2.3 permits the Board of County Commissioners to extend the Mixed Use Overlay boundary to accommodate developments located partially within or immediately adjacent to a Mixed Use Overlay. As noted, the properties south of Brooks Road are located within the Mixed Use Overlay, per Lee Plan Map 1-C, only separated by the 60-foot right-of-way. Future development will provide vehicular and pedestrian connections to Brooks Road for easy accessibility to the mixed-use development south of the property. In addition, future development will include vehicular and pedestrian facilities internal to the site between the multi-family residential area and the commercial area along N. Tamiami Trail. This will permit residents and visitors to travel internally without accessing an arterial road.

The subject property is currently zoned CG, C-1 and RS-1, which permits both commercial and residential uses. The property is located in the Intensive Development future land use category along an arterial roadway and urban services are available and adequate to serve future development of the property.

Lee County Utilities (LCU) provided a letter of availability confirming that LCU currently has sufficient capacity to provide potable water service to the proposed development, but that additional permitting will be required at time of local Development Order permitting. Florida Governmental Utility Authority (FGUA) also provided a letter of availability confirming that wastewater disposal service is available to serve the future development, which has an estimated demand of 96,600 GPD. The letter serves as a “statement of service”, but will also require additional permitting at time of local development order permitting.

Lee Tran Route 590 currently serves the site; however, Lee Plan Map 3-C: 2045 Financially Feasible Transit Network shows that this section of North Tamiami Trail is not slated to remain in operation. It is possible that the Map may be amended over the next 20 years to retain transit service along this section of N. Tamiami Trail especially with the addition of the proposed development, which is anticipated to develop 468 multi-family residential units plus commercial development. Other options are to include this segment of N. Tamiami Trail in the “Transit on Demand” Map. The request to add this subject property to the Mixed Use Overlay meets the other criteria and will have a positive impact on other urban services.

Lee County School District provided a letter confirming nearby schools had available capacity for a mixed-use development that included multi-family residential development. As a true mixed-use development, the subject property will be developed with multi-family residential uses along Brooks Road, with commercial outparcels located along N. Tamiami Trail. The development will have internal pedestrian and vehicular access between the two. In addition, there are other employment and shopping centers located south of Brooks Road, which can be accessed without accessing arterial roadways.

The property has frontage along a designated corridor overlay (N. Tamiami Trail, also known as Business 41). As previously stated, the site is one of the last remaining large undeveloped

properties along this section of N. Tamiami Trail in the Intensive Development future land use category. The site can be viewed as an infill development since the majority of the land on all four sides is currently developed with a mix of residential and commercial uses. The unusual lot configuration (due to the two FDOT-owned parcels that cut into the subject property), along with the wetlands along Powell Creek, has discouraged development of this property. Brooks Road is located along the south property line and Powell Creek acts as a physical barrier separating the subject property from the existing single-family lots to the east. Adding the subject property to Lee Plan Map 1-C is consistent with **Lee Plan Objective 11.2 and Policies 11.2.1, 11.2.2, 11.2.3, 11.2.4, 11.2.5, and 11.2.7.**

**Objective 17.3: Public Input.** *To provide opportunities for public input as part of the comprehensive plan and land development code amendment process.*

**Policy 17.3.2:** *One public information meeting is required for privately-initiated applications that propose a text change within a community plan or revises a map designation within a community plan area boundary. The meeting must be conducted before the application can be found complete.*

**Policy 17.3.3:** *Public information meetings required pursuant to the provisions of this subelement must be held within the established community plan area boundary that is affected by the amendment.<sup>7</sup>*

**Policy 17.3.4:** *For required public information meetings, the applicant must provide the following:*

- *Adequate meeting space to accommodate projected attendance and security measures (as needed).*
- *Advance notice of the meeting in a publication of local distribution provided at least ten calendar days prior to the meeting, unless otherwise specified herein.*
- *At the meeting, a general overview of the text or map amendment and effect thereof.*
- *After the meeting, a meeting summary document submitted to the County that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and the applicant's response to any issues that were raised.*

A Public Information Meeting was held on April 2, 2024 at the North Fort Myers Recreation Center. The meeting was advertised in the News-Press ten days in advance and two signs were posted on the property advertising the meeting, as required by the North Fort Myers Community Planning Panel. A meeting summary with sign-in sheets is included with this application. This is consistent with **Lee Plan Objective 17.3 and Policies 17.3.2, 17.3.3, and 17.3.4.**

**Goal 30: North Fort Myers Community Plan.** *Improve the livability and economic vitality in the North Fort Myers Community Plan area by: promoting compact, mixed use development in the form of town and neighborhood centers; attracting appropriate investment to revitalize older neighborhoods and commercial corridors; stabilizing and enhancing, existing neighborhoods; and preserving natural resources.*

**Policy 30.1.3:** *Encourage a diversity of housing types in the North Fort Myers Community Plan area by supporting mixed use projects, with residential above or adjacent to retail and service uses, within the Mixed Use Overlay.*



***Objective 30.2: Land Use Centers and Corridors.*** To encourage revitalization of designated Town Center overlay districts, road corridor overlay districts and redevelopment areas.

***Policy 30.2.3:*** Maintain provisions allowing for greater minimum, maximum base, and maximum total densities and building heights in the Mixed Use Overlay.

***Policy 30.2.6:*** Development within the Town and Neighborhood Centers and the Corridor Overlay Districts may use the development standards allowed within the Mixed Use Overlay.

The goal of the North Fort Myers community plan is to improve the livability and economic vitality in the area by promoting compact, mixed use development; attracting appropriate investment to revitalize older neighborhoods and commercial corridors; stabilizing and enhancing existing neighborhoods; and preserving natural resources. The subject property is located in the North Fort Myers planning community area along a designated corridor overlay (N. Tamiami Trail, also known as Business 41). As previously stated, the site is one of the last remaining large undeveloped properties along this section of N. Tamiami Trail in the Intensive Development future land use category. The site can be viewed as an infill development since the majority of the land on all four sides is currently developed with a mix of residential and commercial uses.

The subject property is located adjacent to lands already within the Mixed-Use Overlay per Lee Plan Map 1-C, to the south of Brooks Road. The site is currently zoned CG, C-1, and RS-1 – a mix of commercial and residential zoning districts. Adding the 20.16 acres to the Mixed-Use Overlay meets the intent of the North Fort Myers Community Plan to promote compact, mixed-use development, revitalizing commercial corridors, and allowing for more urban forms of design in the design regulations for developments in the Mixed Use Overlay. This is consistent with **Lee Plan Goal 30, Objective 30.2, and Policies 30.1.3, 30.2.3, and 30.2.6.**

***GOAL 101: COASTAL AREAS.*** Protect human life along with current and future development from the impacts of coastal flooding. Coastal flooding includes, but is not limited to, high tide events, storm surge, flash floods, stormwater runoff, and impacts of sea level rise.

***OBJECTIVE 101.1: COASTAL AREA PLANNING.*** Improve the function of natural systems as a defense against coastal flooding.

***POLICY 101.1.1:*** Require that development within the Coastal High Hazard Area be compatible with natural systems, such as, water retention and purification, wildlife habitat, primary productivity, and defense against coastal flooding.

***POLICY 101.1.2:*** Protect and conserve the following environmentally sensitive coastal areas: wetlands, estuaries, mangrove stands, undeveloped barrier islands, beach and dune systems, aquatic preserves, wildlife refuges, undeveloped tidal creeks and inlets, critical wildlife habitats, benthic communities, and marine grass beds.

***OBJECTIVE 101.3: DEVELOPMENT IN COASTAL AREAS.*** Protect human life and property from natural and man-made disasters.

***POLICY 101.3.2:*** Restrict development in the Coastal High Hazard Area to uplands except as needed for the provision of public facilities.

The applicant is requesting to add 20.16 acres of uplands to Lee Plan Map 1-C Mixed Use Overlay. The uplands will be developed for a mix of residential and commercial uses. The remaining 7.20 acres of the subject property is wetlands and will not be developed with the exception of possible

recreational uses (boardwalk), as may be permitted by the Lee Plan and LDC. Both an Environmental Resource Permit (ERP) through South Florida Management District (SFWMD) and an Army Corps of Engineers (ACE) will be required at time of local Development Order permitting. FEMA updated their requirements for surface water management immediately after Hurricane Ian in November 2022. The Finished Floor Elevation (FFE) is required to be a minimum of 1 foot above FEMA requirements. This is consistent with **Lee Plan Goal 101, Objective 101.1, Policies 101.1.1 and 101.1.2, Objective 101.3, and Policy 101.3.2.**

**GOAL 126: WATER RESOURCES.** *Conserve, manage, and protect the natural hydrologic systems of Lee County to ensure continued water resource availability.*

**OBJECTIVE 126.1: WATER SUPPLIES.** *Ensure water supplies of sufficient quantity and quality to meet the present and projected demands of consumers based on the capacity of the environment.*

**POLICY 126.1.4:** *Development designs must provide for maintaining or improving surface water flows, groundwater levels, and lake levels at or above existing conditions.*

An Environmental Resource Permit (ERP) will be required by SFWMD at time of local Development Order permitting. The applicant will be required to comply with the historic drainage patterns. All local, state and federal codes and regulations will be complied with at time of development order permitting to protect the County's water resources. This is consistent with **Lee Plan Goal 126, Objective 126.1 and Policy 126.1.4.**

The applicant is requesting to amend Lee Plan Map 1-C, Mixed-Use Overlay. The 20.16-acre property is not in relative proximity to either the City of Fort Myers or the City of Cape Coral municipal boundaries. The City of Fort Myers Comprehensive Plan, Chapter 11: Intergovernmental Coordination requires the City to monitor and participate in planning activities from other local governments, including major developments; however, this request does not impact the City of Fort Myers' Comprehensive Plan. The City of Cape Corals Comprehensive Plan, Chapter 6: Intergovernmental Coordination requires coordination with other governmental jurisdictions, agencies, and entities; however, this request does not impact the City of Cape Corals' Comprehensive Plan.

In summary, the subject property is consistent with the Goals, Objectives and Policies of the Lee Plan for properties in the Mixed Use Overlay.





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Fort Myers, FL 33907  
Phone 239-433-4231 Fax 239-433-9632  
[www.tdmcivilengineering.com](http://www.tdmcivilengineering.com)  
Certificate of Authorization # 29086**

**Historic Resources Impact Analysis – Exhibit M14  
Revised 7/19/2024**

Florida Master Site File

Per the Florida Master Site File, there aren't any previously recorded cultural or historic resources in the area of the subject property; however, a formal survey has not been conducted. See the attached email and map.

Archaeological Sensitivity Map

The subject property is identified as being located within Archaeological Sensitivity Level 2 according to the Lee County Archaeological Sensitivity Map, dated December 2014. See attached Map.

Analysis

Amending Lee Plan Map 1-C Mixed Use Overlay Map to include the subject property will have little to no impacts on the Historic or Archaeological Sensitivity level of the property.

Veronica Martin

---

**From:** Fowler, Christopher G. <Christopher.Fowler@DOS.MyFlorida.com>  
**Sent:** Friday, February 9, 2024 11:05 AM  
**To:** Veronica Martin  
**Subject:** RE: Historical Resources - Brooks Rd  
**Attachments:** map.pdf

Good morning Veronica,



I searched the area you indicated. There were no previously recorded resources in the area, however, there have been no surveys conducted. I attached a map for you. Let me know if you have any questions or need anything else. Have a great weekend.

**This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333 for project review information.**

Kind regards,

**CHRIS FOWLER**

Assistant Supervisor | Florida Master Site File | Bureau of Historic Preservation | Division of Historical Resources |  
Florida Department of State | **500 South Bronough Street** | **Tallahassee, Florida**  
32399 | 850.245.6327 | 1.800.847.7278 | Fax: 850.245.6439 | [flheritage.com](http://flheritage.com)

---

**From:** Veronica Martin <vmartin@tdmconsulting.com>  
**Sent:** Friday, February 9, 2024 9:15 AM  
**To:** Fowler, Christopher G. <Christopher.Fowler@DOS.MyFlorida.com>  
**Subject:** Historical Resources - Brooks Rd

EMAIL RECEIVED FROM EXTERNAL SOURCE

The attachments/links in this message have been scanned by Proofpoint.

Good Morning Chris,



I'm requesting an amendment to the Lee County Comp Plan to add property to the Mixed Use Overlay. Can you please review the 27-acre property located at 1460, 1470, 1456, and 1450 N. Tamiami Trail, Fort Myers for historical and archaeological resources? Let me know if you have any questions.

Have a good day.

*Veronica Martín*

*Senior Planner*

[vmartin@tdmconsulting.com](mailto:vmartin@tdmconsulting.com)

*Saving just one dog won't change the world...but, surely the world will change for that one dog...**Adopt, don't shop...***

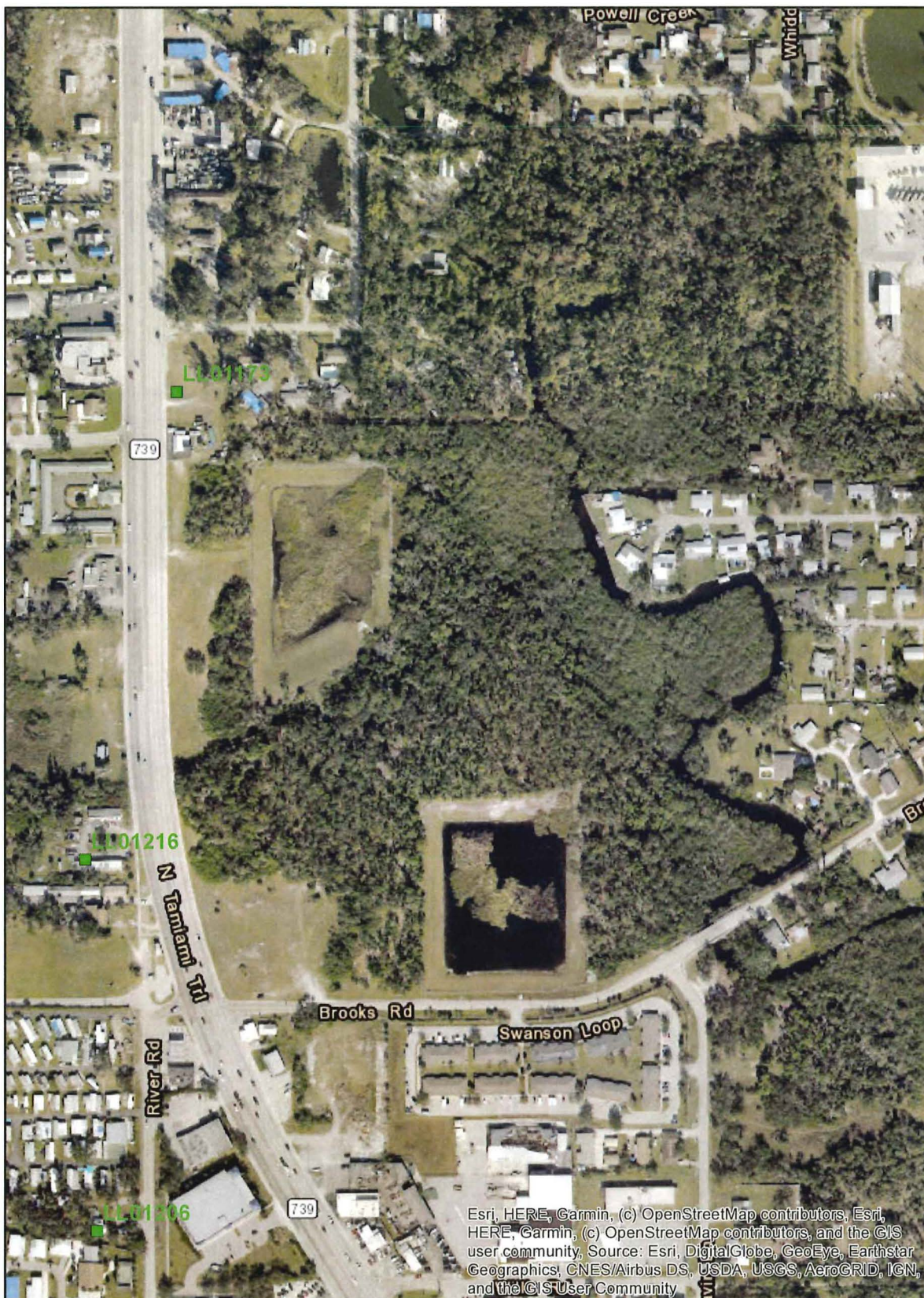


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# Legend

- FloridaSites
- HistoricalBridges
- HistoricalCemeteries
- ResourceGroups
- FloridaStructures

130 65 0 130 Meters







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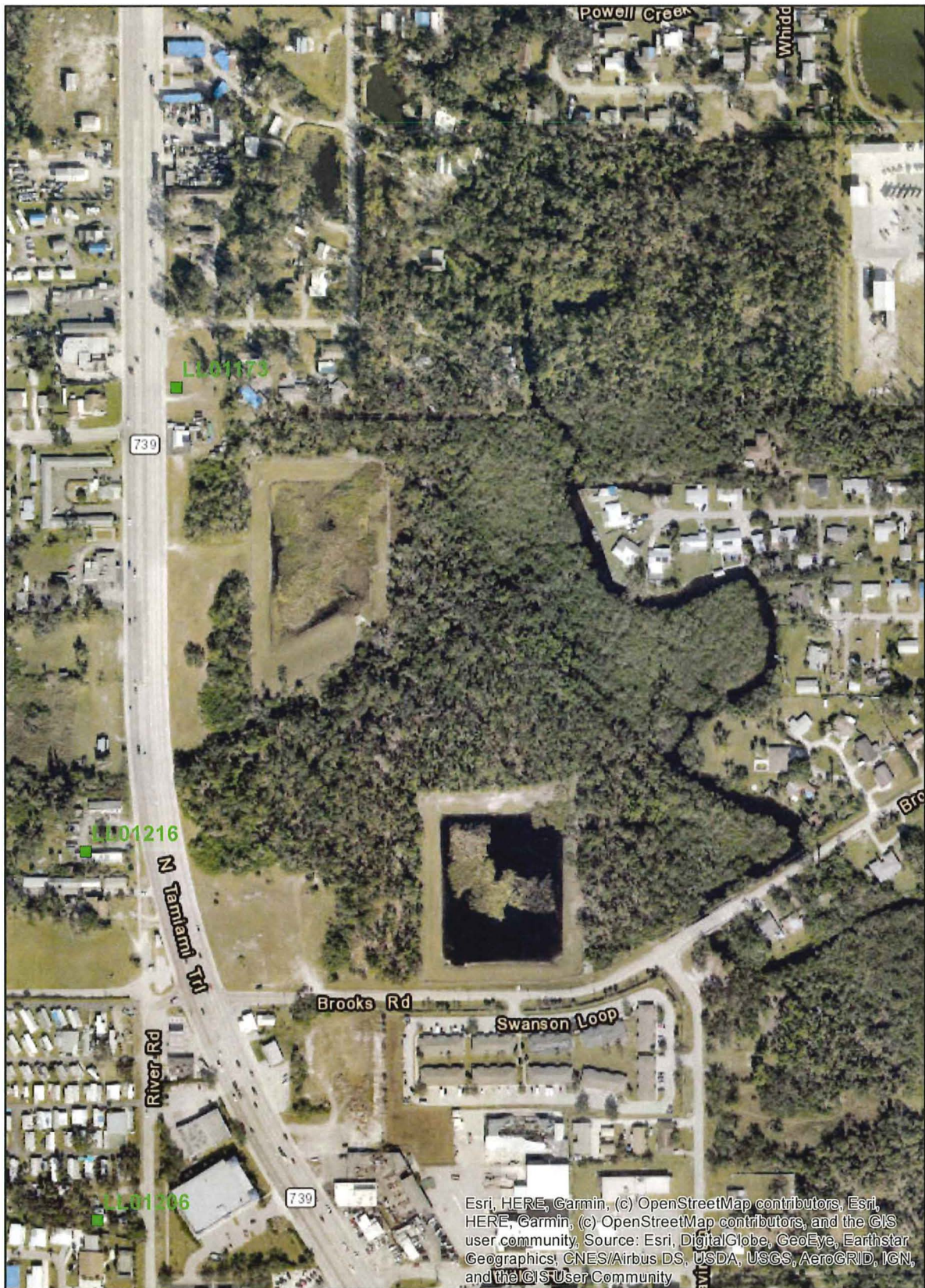


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130 65 0 130 Meters



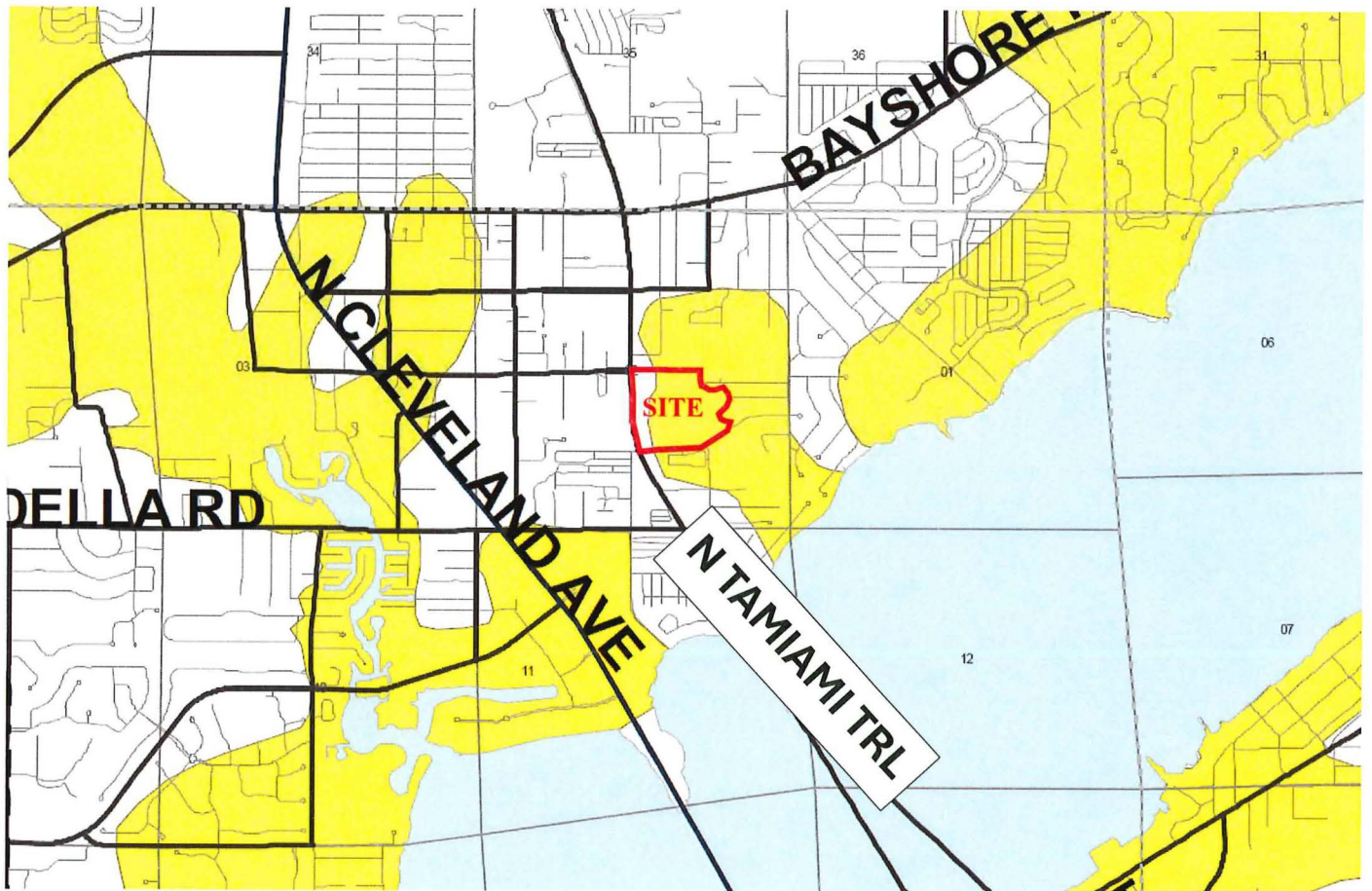




	STRAP	Folio	Owner Name	Site Address	Last Trans. Date	Last Trans. Amt	Just Value	Taxable Value	
	02-44-24-03-0000B.0010	10151349	YEATTER TAD M TR	1460 N TAMIAMI TRL, NORTH FORT MY...	9-1995	\$ 100	\$ 637,500	\$ 207,703	
	02-44-24-03-0000B.0320	10151364	YEATTER TAD M TR	1450 N TAMIAMI TRL, NORTH FORT MY...	9-1995	\$ 100	\$ 32,300	\$ 32,300	
	02-44-24-03-00001.0200	10443151	YEATTER TAD M TR	1470 N TAMIAMI TRL, NORTH FORT MY...	5-1998	\$ 100	\$ 40,230	\$ 40,230	
	02-44-24-03-00001.0210	10443152	YEATTER TAD M TR	1456 N TAMIAMI TRL, NORTH FORT MY...	5-1998	\$ 100	\$ 46,409	\$ 46,409	



LEE PLAN ARCHAEOLOGICAL SENSITIVITY MAP





**TRAFFIC GENERATION COMPARISON  
BETWEEN  
CURRENTLY APPROVED VERSUS PROPOSED**

**Horizon Tamiami**

*PREPARED FOR:*

**Mr. Tom Rossi, Principal  
Redburn Development Partners, LLC.  
204 Lafayette Street  
Schenectady, NY 12035**

*PREPARED BY:*



**1520 Royal Palm Square Blvd, Suite 100  
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Certificate of Authorization # 29086**

**February 2024  
Revised May 2024**



Digitally signed  
by Thomas D.  
Martin  
Date:  
2024.12.11  
10:55:38 -05'00'

This item has been digitally signed and sealed  
by Dean Martin, P.E. using a Digital  
Signature. Printed copies of this document are  
not considered signed and sealed and the  
authentication code must be verified on any  
electronic copies.

## 1. PURPOSE

### ***OBJECTIVE***

This report has been prepared in accordance with Lee County Department of Community Development and Lee County TIS Guidelines criteria for projects seeking a Comprehensive Plan Amendment. This report compares the anticipated traffic generation of the currently approved development versus the proposed development in order to determine any adverse roadway impacts associated with the addition of **Horizon Tamiami** to the Mixed-Use Overlay.

The subject parcel per the most recent boundary survey is 27.36 acres, with 20.16 acres of uplands included in this request (the remaining 7.20 acres are preserved wetlands).



## **2. SITE DESCRIPTION**

### ***SITE LOCATION***

**Horizon Tamiami** is a 20.23-acre project located east of North Tamiami Trail (S.R. 739) north of Brooks Road in Section 2, Township 44 South, Range 24 East, Lee County, Florida (see Exhibit 1). The existing zoning for the property allows construction of ninety-three (93) single-family residential dwelling units (based on fourteen dwelling units per acre on 6.66 acres) and 135,700 square feet of commercial uses (based on 10,000 square feet per acre on 13.57 acres). The proposed Mixed-Use Overlay designation would allow the property to be developed into 202,300 square feet of commercial uses (based on 10,000 square feet per acre on 20.23 acres).

### 3. OBSERVATIONS

#### 3.1 TRIP GENERATION CALCULATIONS

Vehicular trips generated by the allowable development were calculated by using the equations provided by the Institute of Transportation Engineers, 11<sup>th</sup> Edition of the Trip Generation Manual, Land Use Code 210 (Single-Family Detached Housing) and Land Use Code 821 (Shopping Plaza 40-150k – Supermarket-Yes) using the average rates or the fitted curve equations shown in the tables.

**Table 1. Raw Trip Generation – Allowable Single-Family Detached Housing (LUC 210)**

<b><u>93 Dwelling Units:</u></b>	
<b>A.</b>	Daily Average Vehicle Trip Ends, Weekday $\text{Ln}(T) = 0.92 \text{ Ln}(93) + 2.68 = \mathbf{944}$ (472 entering, 472 exiting)
<b>B.</b>	A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street) $\text{Ln}(T) = 0.91 \text{ Ln}(93) + 0.12 = \mathbf{70}$ (18 entering, 52 exiting)
<b>C.</b>	P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street) $\text{Ln}(T) = 0.94 \text{ Ln}(93) + 0.27 = \mathbf{93}$ (59 entering, 34 exiting)

Source: TDM, 2024

**Table 2. Raw Trip Generation – Allowable Shopping Plaza (LUC 821)**

<b><u>135,700 Square Feet of Gross Floor Area:</u></b>	
<b>A.</b>	Daily Average Vehicle Trip Ends, Weekday $T = 76.96 (135.700) + 1,412.79 = \mathbf{11,856}$ (5,928 entering; 5,928 exiting)
<b>B.</b>	A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street) $T = 3.53 (135.700) = \mathbf{479}$ (297 entering, 182 exiting)
<b>C.</b>	P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street) $T = 7.67 (135.700) + 118.86 = \mathbf{1,160}$ (557 entering, 603 exiting)

Source: TDM, 2024



**Table 3. Raw Trip Generation – Total Allowable Development**

**Table 1 + Table 2:**

- A. Daily Average Vehicle Trip Ends, Weekday  
 $944 + 11,856 = \mathbf{12,800}$  (6,400 entering; 6,400 exiting)
- B. A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)  
 $70 + 479 = \mathbf{549}$  (315 entering, 234 exiting)
- C. P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)  
 $93 + 1.160 = \mathbf{1,253}$  (616 entering, 637 exiting)

Source: TDM, 2024

Vehicular trips generated by the proposed development were calculated by using the equations provided by the Institute of Transportation Engineers, 11<sup>th</sup> Edition of the Trip Generation Manual, Land Use Code 820 (Shopping Center > 150k) using the fitted curve equations shown in the tables.

**Table 4. Raw Trip Generation – Proposed Shopping Center (LUC 820)**

**202,300 Square Feet of Gross Floor Area:**

- A. Daily Average Vehicle Trip Ends, Weekday  
 $T = 26.11 (202.300) + 5,863.73 = \mathbf{11,146}$  (5,573 entering; 5,573 exiting)
- B. A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)  
 $T = 0.59 (202.300) + 133.55 = \mathbf{253}$  (157 entering, 96 exiting)
- C. P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)  
 $\ln(T) = 0.72 \ln(202.300) + 3.02 = \mathbf{937}$  (450 entering, 487 exiting)

Source: TDM, 2024

### **3.2 CONCLUSION**

When comparing Table 4 to Table 3 above, the proposed amendment will actually result in a decrease in vehicle trips (1,654 total daily trips; 296 A.M. peak trips; and 316 P.M. peak trips) therefore, the surrounding roadway network will continue to operate at acceptable Levels of Service both with and without the trips generated by the proposed development. No roadway capacity improvements will be warranted as a result of the traffic expected to be generated by the proposed development.

# 100<sup>TH</sup> HIGHEST HOUR LEVEL OF SERVICE CALCULATION NORTH TAMIAMI TRAIL

<b>ENGINEER:</b>	TDM Consulting, Inc. Dean Martin, P.E.
<b>DATE:</b>	October 24, 2023
<b>PROJECT NAME:</b>	1450 - 1470 North Tamiami Trail
<b>PROJECT LOCATION:</b>	North of Brooks Road
<b>PERMANENT COUNTING STATION NUMBER:</b>	1
<b>100<sup>TH</sup> HOUR V.P.H. (Year &amp; Rate) =</b>	2021                      1,715
<b>YEAR FOLLOWING PROJECT CONSTRUCTION:</b>	2027
<b>ADJUSTMENT FACTOR =</b>	
<b>Count &amp; Yr<sub>min</sub></b>	N/A                      N/A
<b>Count &amp; Yr<sub>max</sub></b>	N/A                      N/A
<b>Adjustment Factor =</b>	( N/A    /   N/A    ##### ) <sup>6</sup> 1.000
<b>ADJUSTED 100<sup>TH</sup> HOUR V.P.H. =</b>	1,715 x 1.000                      1,715
<b>EXISTING LEVEL OF SERVICE =</b>	C
<b>PROJECT V.P.H. =</b>	1    149 (A.M. Ex.) x 96.7% x 69% (SB)                      99
<b>TOTAL V.P.H. =</b>	1,715 +    99                      1,814
<b>LEVEL OF SERVICE =</b>	C
<b>COMMENTS:</b>	A Growth Factor is not required





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**Certificate of Authorization # 29086**

## **Horizon Tamiami Comprehensive Plan Amendment**

### **Level of Service Analyses for Potable Water, Sanitary Sewer, Surface Water Drainage, Parks, Recreation and Open Space, and Public Schools Revised 12/18/2024**

#### **Exhibit - M17**

##### **Potable Water and Sanitary Sewer**

As a proposed development abutting an established mixed-use district, both potable water and sanitary sewer service the development. Per F.A.C. 64E-6.008 Table 1, the expected demand for the allowable ninety-three (93) single family residential dwelling units (assume three bedrooms and less than 2,250 square feet average) is 300 GPD per dwelling unit while the expected demand for the allowable 135,700 square feet of commercial uses is 0.1 GPD per square foot. Therefore, the allowable development can expect an average potable water and sanitary sewer demand of  $(93 \times 300) + (135,700 \times 0.1) = 27,900 \text{ GPD} + 13,570 \text{ GPD} = 41,470 \text{ GPD}$ .

Per F.A.C. 64E-6.008 Table 1, the expected demand for the proposed 202,300 square feet of commercial uses is 0.1 GPD per square foot. Therefore, the proposed development can expect an average potable water and sanitary sewer demand of  $(202,300 \times 0.1) = 20,230 \text{ GPD}$ .

Daily Peak Demand = Average Demand  $\times 1.3 = 20,230 \text{ GPD} \times 1.3 = 26,299 \text{ GPD}$

Hourly Peak Demand = Average Demand  $\times 4 = 20,230 \text{ GPD} \times 4 = 80,920 \text{ GPD} = 3,372 \text{ GPH} = 56.2 \text{ GPM}$

The proposed development is within the Lee County Utilities (LCU) potable water franchise area. LCU owns and maintains existing potable water lines along the parcel's frontages with North Tamiami Trail and with Brooks Road. LCU's North Lee County Water Treatment Plant will provide potable water service to the proposed development.

The proposed development is within the Florida Governmental Utility Authority (FGUA) franchise area. FGUA owns and maintains existing wastewater lines passing through the property and then along the parcel's frontage with Brooks Road. FGUA's Del Prado Wastewater Treatment Plant will provide wastewater service to the proposed development.

According to the 2022 Lee County Concurrency Report, LCU's interconnected water distribution system is permitted with a capacity of 54.3 million gallon per day (MGPD) and is projected to operate at 36.6 MGPD in 2026. Therefore, there is sufficient capacity within the existing water distribution system to serve the 20,230 GPD increase in demand to LCU's system from the project at build-out.

According to the 2022 Lee County Concurrency Report, FGUA's wastewater distribution system is permitted with a capacity of 7.0 million gallon per day (MGPD) and is projected to operate at 8.3 MGPD in 2026. FGUA provided a Letter of Availability confirming that wastewater disposal service is available to the subject property and that there is sufficient capacity to serve the estimated demand. Additional design and analysis will be required at time of development order permitting.

### **Surface Water Drainage**

Water quantity, water quality, and attenuation will be provided by inter-connected dry detention areas and underground storage chambers prior to discharge to the preserved wetland and eventually Powell Creek. Stormwater runoff from the impervious areas will be directed to the dry detention areas and underground storage chambers via catch basins and culverts. The parcel will require a SFWMD Environmental Resource Permit by virtue of its size (greater than ten acres) and the area of proposed impervious surfaces (greater than two acres).

The property in its existing state has no defined drainage pattern and appears to sheetflow to the existing wetland without benefit of any water quality treatment or attenuation. The property is almost entirely pervious, with most rainfall likely infiltrating the soil prior to discharge to the existing wetland and eventually Powell Creek.

Post-development stormwater discharge from the property will be to the existing wetland and eventually Powell Creek to mimic pre-development drainage patterns. There is no noticeable drainage flow from adjacent properties entering the property other than the FDOT drainage ditch conveying storm water runoff from North Tamiami Trail to the existing wetland. This FDOT drainage ditch will not be impacted by the proposed development except for two (2) culverted crossings.

The proposed dry detention areas, underground storage chambers, culverts, catch basins, and control structures will be owned and maintained by the property owners in perpetuity.

The property is in an AE Flood Zone. Finished floor elevations of the proposed buildings on the property will be elevated to at least 1' above the flood elevation.

### **Parks, Recreation, and Open Space**

Per the 2022 Public Facilities Level of Service and Concurrency Report, the Required Capacity for Parks and Recreation is 5,424 acres of regional parks and 301 acres of community parks. The Available Capacity is currently at 7,066 acres of regional parks and 743 acres of community parks. The subject property is located near North Shore Park, located on US 41 south of the property, and near North Fort Myers Community Park, located on North Tamiami Trail northwest of the property. The allowable residences would have diminished available regional park capacity by 1.4 acres (per the formula in the cited Report) and community parks by 0.2 acres (per the formula in the cited Report). The proposed commercial development doesn't diminish the available capacity of Parks.

### **Public Schools**

The proposed commercial development is in the West Zone per the School Benefit District Map according to the 2022 Lee County Concurrency Report. A total of fifteen (15) school-aged



children would be expected to utilize the public school system from the allowable development. The addition of this proposed commercial development to the Mixed Use Overlay will have no impacts to the overall capacity of Lee County Schools.



BOARD OF COUNTY COMMISSIONERS

Kevin Ruane  
*District One*

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*

March 5, 2024

Via E-Mail

Veronica Martin  
TDM Consulting, Inc.  
43 Barkley Circle, Suite 200  
Fort Myers, FL 33907

RE: **Potable Water Availability**  
**Horizon Tamiami – TDM – 1470, 1456, 1460, and 1450 Tamiami Trail**  
**STRAP # 02-44-24-03-00001.0200, 02-44-24-03-00001.0210,**  
**02-44-24-03-0000B.0010, and 02-44-24-03-0000B.0320**

To whom this may concern:

The subject properties are located within Lee County Utilities Future Service Area as depicted on Maps 4A of the Lee County Comprehensive Land Use Plan. Potable water 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 468 multi-family residential units and two commercial units with an estimated flow demand of approximately 96,600 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water service as estimated above.

Availability of potable water 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 North Lee County Water Treatment Plant.

Sanitary sewer service will be provided by Florida Governmental Utility Authority. 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



March 5, 2024

Page 2

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 service is to be utilized for Zoning only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

**LEE COUNTY UTILITIES**

*Ashanti Shahriyar*

Ashanti Shahriyar

Plan Reviewer

239-533-8531

UTILITIES ENGINEERING



LEE COUNTY UTILITIES  
REQUEST FOR LETTERS OF AVAILABILITY

DATE: FEBRUARY 23, 2024

TO: DCAP STAFF

[Lcudcap@leegov.com](mailto:Lcudcap@leegov.com)

FROM: VERONICA MARTIN

FIRM: TDM CONSULTING, INC.

ADDRESS: 43 BARKLEY CIR, SUITE 200

ADDRESS: FORT MYERS, FL 33907 -

PHONE#: (239)433-4231 FAX: ( ) -

E-MAIL ADDRESS: VMARTIN@TDMCONSULTING.COM

PROJECT NAME: HORIZON TAMAMI

PREVIOUS PROJECT NAME(S):

STRAP NUMBER(S): 02-44-24-03-00001.0200, -00001.0210, -0000B.0010, AND -0000B.0320

PRIOR STRAP NUMBER(S) (IF ANY):

LOCATION/SITE ADDRESS: 1470, 1456, 1460 AND 1450 N. TAMAMI TRAIL

PURPOSE OF LETTER:

- ☐ DEVELOPMENT ORDER SUBMITTAL ☐ FINANCING ☐ EFFLUENT REUSE  
☐ PERMITTING OF SURFACE WATER MANAGEMENT (SOUTH FLORIDA WATER MANAGEMENT  
☒ DISTRICT) OTHER: (PLEASE SPECIFY) REZONING APPLICATION/COMP PLAN AMENDMENT

PLANNED USE:

- ☒ COMMERCIAL ☐ INDUSTRIAL ☒ RESIDENTIAL - (☐ SINGLE-FAMILY ☒ MULTI-FAMILY)  
☐ OTHER: (PLEASE SPECIFY) \_\_\_\_\_

PLANNED # OF COMMERCIAL/INDUSTRIAL BUILDINGS: 2 TOTAL SQUARE FOOTAGE: 20,000 SF

RESIDENTIAL UNITS: SINGLE-FAMILY: \_\_\_\_\_ MULTI-FAMILY: 468

AVERAGE ESTIMATED DAILY FLOW (GPD): 96,600 (☒ WATER ☐ WASTE-WATER) (GPD): \_\_\_\_\_ ☐ REUSE

PLEASE SHOW CALCULATION USED TO DETERMINE AVERAGE ESTIMATED DAILY FLOW (GPD) PER CRITERIA SET FORTH IN LEE COUNTY UTILITIES DESIGN MANUAL: \_\_\_\_\_

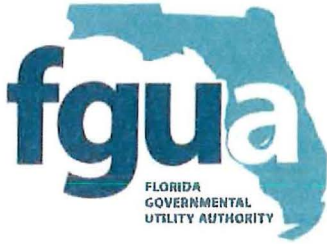
MF Residential: 468 2-bedroom dwelling units between 751 – 1,200 sf x 200 gpd = 93,600 gpd

Office buildings: 20,000 sf / 100 sf = 200 x 15 gpd = 3,000 gpd

Please e-mail the completed form to [Lcudcap@leegov.com](mailto:Lcudcap@leegov.com).

If you should have any questions or require assistance, please feel free to call our office at (239) 533-8531.





Florida Governmental Utility Authority

FGUA c/o Accenture  
9400 Southpark Center Loop, Suite 400  
Orlando, FL 32819

(877) 552-3482 Toll Free  
(407) 629-6900 Tel

April 11, 2024

Ashley Gervais  
TDM Consulting  
43 Barkley Circle, Suite 200  
Fort Myers, FL 33907  
agervais@tdmconsulting.com

**RE: Wastewater and Reclaim Water Availability – LOA ID#: 23-040 NFMD**

**Parcel ID No.: 02-44-24-03-00001.0200**

**1470 N Tamiami Trl, North Fort Myers, FL 33903**

**Horizon Tamiami**

Dear Ms. Gervais:

The FGUA has received your Application for Service Availability, and upon review, it has been determined that wastewater disposal service is generally available to the address provided. The attached site map indicates the approximate size and location of the existing mains in the area. Please be advised that main extensions, connection to the reclaimed water system, and other system enhancements funded by the project sponsor may be required.

The application indicated that the proposed project consists of a 5-story (four stories over parking) multi-family residential development, consisting of approximately 468 dwelling units and amenity areas, with an estimated wastewater disposal demand of 96,600 GPD. Currently, FGUA facilities are able to accommodate this demand. During the design process, if existing conditions warrant, a hydraulic analysis may need to be performed by the project engineer to evaluate the impacts the proposed project may have on the existing wastewater system.

This letter should not be construed as a commitment to serve, but only as a statement of the availability of service and is effective for twelve (12) months from the date of issue. The FGUA commitment to serve will be made once a Utility Infrastructure Conveyance and Service Agreement (CSA) is fully executed. To move this project forward, contact Development Services via email at [devservices@fgua.com](mailto:devservices@fgua.com) to receive a plan submittal package and schedule the pre-application meeting if required.

**FGUA Board of Directors**

PAM KEYES, P.E., Vice Chair, Lee County / KEN CHEEK, P.E., Citrus County / SHANE PARKER, P.E., Vice Chair, Hendry County / TAMARA RICHARDSON, P.E., Chair, Polk County / DAVID ALLEN, P.E., Pasco County / JODY KIRKMAN, P.E., Marion County / HEIDI PETITO, Flagler County

Sincerely,

**FLORIDA GOVERNMENTAL UTILITY AUTHORITY**

*Douglas W. Black* Digitally signed by Douglas W Black  
Date: 2024.04.12 14:43:18 -04'00'

Douglas W. Black, PSM, PLS  
Property & Development Manager

CC: Mike Currier, South Region Area Manager

Encl.

1. Pre-Development Meeting Information
2. Utility Locates
3. Fee Statement/Receipt

**FGUA Board of Directors**

PAM KEYES, P.E., Vice Chair, Lee County / KEN CHEEK, P.E., Citrus County / SHANE PARKER, P.E., Vice Chair, Hendry County / TAMARA RICHARDSON, P.E., Chair, Polk County / DAVID ALLEN, P.E., Pasco County / JODY KIRKMAN, P.E., Marion County / HEIDI PETITO, Flagler County



3/8/2024

Project Name: Horizon Tamiami

STRAP/PID #: 02-44-24-03-00001.0200

Property Address: 1470 N Tamiami Trl, North Fort Myers, FL 33903



**ALL UTILITY LOCATIONS SHOWN HERE ARE APPROXIMATE. THE DEVELOPER IS SOLELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS VIA POTHOLING OR OTHER ACCEPTABLE MEANS.**



## FLORIDA GOVERNMENTAL UTILITY AUTHORITY

### Development Services Department

#### APPLICATION FOR DEVELOPER/COMMERCIAL UTILITY SERVICE AVAILABILITY

#### (FORM A)

#### UTILITY LOCATES

By completing Section 1 of the application, you will be provided with approximate utility locations only in the vicinity of the listed property. Should you need a project specific Letter of Availability, please complete Sections 1 & 2.

#### SECTION 1.

1) Property Information: *\*This information is available on the county property appraiser's website\**

a) PROPERTY ID (Folio/STRAP NO.): 02-44-24-03-00001.0200, -00001.0210, -0000B.0010 & -0000B.0320

b) PROPERTY PHYSICAL ADDRESS: 1470, 1456, 1460 & 1450 N. Tamiami Trail, North Fort Myers

2) **ATTACH** a copy of the property appraiser information/map with the completed application

3) **Design Professional\*** contact information for FGUA Response:

Name: Veronica Martin Date: February 23, 2024

Company Name: TDM Consulting, Inc. Title: Senior Planner

Full Address (including city, state and zip code): 43 Barkley Cir, Suite 200, Fort Myers, FL 33907

Email: vmartin@tdmconsulting.com Telephone: 239-433-4231

\*Please note that availability of as-built information is limited to design professionals per Florida Statute, Section 119.071(3)(b).

**CONTACT INFORMATION MUST BE PROVIDED FOR ALL INQUIRIES**



## SECTION 2.

### **DO YOU NEED A FORMAL LETTER OF AVAILABILITY?**

By completing Sections 1 & 2 of the application, you will be provided with approximate utility locations in the vicinity of the listed property AND a formal LOA. The following information is required if further permitting with FGUA is desired (i.e. if project is contemplated for construction).

4) Name and address of **APPLICANT**:

a) NAME and COMPANY NAME (if applicable):

Horizon Tamiami, LLC

b) MAILING ADDRESS (including city, state and zip code):

5 Corporate Dr #105, Central Valley, NY 10917

c) PHONE NUMBER and EMAIL ADDRESS:

941-274-1355 trossi@redburndev.com

d) Is the **APPLICANT**: ☒ Property Owner ☒ Developer ☐ Prospective Buyer

*Mark all that apply*

☐ Other: \_\_\_\_\_ (please specify)

5) Service(s) requested: ☐ Water ☒ Wastewater ☐ Reclaim ☐ Fire Protection

6) Project Information:

a) PROJECT NAME: Horizon Tamiami

b) PROPOSED USAGE (i.e. retail, offices, residential subdivision, etc.) MF residential and commercial

c) SIZE (square footage or number of homes): 468 apartments + 20,000 sf office

d) PHASES (if applicable): NA

7) Engineer's estimate of average daily flows:

WATER: \_\_\_\_\_ GPD WASTEWATER: 96,600 GPD

RECLAIMED WATER: \_\_\_\_\_ GPD FIRE PROTECTION: \_\_\_\_\_ GPD

HORIZON TAMiami  
AREA LOCATION MAP

EXHIBIT A





## EXHIBIT M18



### Board of County Commissioners

Kevin Ruane  
District One

Cecil L. Pendergrass  
District Two

Ray Sandelli  
District Three

Brian Hamman  
District Four

Mike Greenwell  
District Five

Dave Harner, II  
County Manager

Richard Wm. Wesch  
County Attorney

Donna Marie Collins  
County Hearing  
Examiner

July 29, 2024

Veronica Martin  
TDM Consulting, Inc  
1520 Royalm Palm Square Blvd, Suite 100  
Fort Myers, FL 33919

Re: Letter of Service Availability – Horizon Tamiami

Ms. Martin,

I am in receipt of your letter requesting a Letter of Service Availability for a Comprehensive Plan Amendment for Horizon Tamiami. The site consists of four addresses along N. Tamiami Trail in North Fort Myers: 1450, 1456, 1460, and 1470. The applicant is applying for changes to the plan to alter buffers, open space, and parking, but has no impact on density.

Lee County Emergency Medical Services is the primary EMS transport agency responsible for coverage at the location you have provided. There are two ambulances located 1.0 miles south of the property.

It is our opinion that the EMS service availability for the proposed development of this property is adequate at this time. Should the plans change, a new analysis of this impact would be required.

Sincerely,

A handwritten signature in blue ink, appearing to read "Benjamin Abes", with a stylized flourish at the end.

Benjamin Abes  
Director, Public Safety

## Veronica Martin

---

**From:** Veronica Martin  
**Sent:** Tuesday, July 23, 2024 11:51 AM  
**To:** RHanna@leegov.com  
**Subject:** Lee County application review request  
**Attachments:** Aerial 4 properties.png; Area Location Map.pdf; Proposed Mixed Use Overlay Map.pdf

Hello Ms. Hanna,

I hope you can help me or direct me to whom I need to contact. I'm submitting a comprehensive plan amendment application to Lee County to add 20.16 acres of the subject property into the Mixed Use Overlay. This excludes the wetland acreage. The application requires a letter of review from Lee County EMS confirming they have adequate facilities to serve the future development.

The project is located at 1450, 1456, 1460 and 1470 N Tamiami Trail. The property will be developed as a mixed use development with commercial along the N Tamiami Trail frontage and multi-family residential along Brooks Rd and the interior of the property. The maximum density under the current Comprehensive Plan is 22 dwelling units per acre utilizing bonus density and 10,000 square feet per acre for commercial development. The Amendment application to add the property to the mixed-use overlay doesn't increase the residential density or commercial intensity of the site, but it does allow for reduced buffers, open space, and parking.

I'm attaching several exhibits for reference. Please let me know if you have any questions or need additional information.

Have a good day.

*Veronica Martin*

Senior Planner

[vmartin@tdmconsulting.com](mailto:vmartin@tdmconsulting.com)

*Saving just one dog won't change the world...but, surely the world will change for that one dog...Adopt, don't shop...*

**PLEASE NOTE OUR ADDRESS HAS CHANGED.**



HORIZON TAMiami  
AERIAL MAP OF SUBJECT PROPERTY

EXHIBIT M9





HORIZON TAMiami  
PROPOSED FUTURE LAND USE MAP 1-C







April 3, 2024

Letter of Adequacy and Support

Veronica Martin  
TDM Consulting Inc.  
1520 Royal Palm Square Blvd., Suite 100  
Ft. Myers, FL 33919

Ms. Martin:

The North Fort Myers Fire Department has reviewed the information provided by TDM Consultants pertaining to the submission of a Comprehensive Plan Amendment requesting to add the 20.32 acres located @ 1450-1470 N Tamiami and Brooks Rd. to the Mixed-use Overlay Map.

The North Fort Myers Fire Department has no objection to this amendment and can adequately protect this property. If you have any further questions, please contact our office @239-731-1931.

Respectfully,

Rick Jones  
Fire Marshal

## Veronica Martin

---

**From:** Veronica Martin  
**Sent:** Tuesday, April 2, 2024 2:45 PM  
**To:** m.brooks@northfortmyersfire.com  
**Subject:** Letter of Review  
**Attachments:** No Objection Letter.docx; Proposed Mixed Use Overlay Map.pdf; Area Location Map.pdf

Hello.

I hope you can help me again. I'm submitting a Comprehensive Plan Amendment application to Lee County Community Development to add 20.32 acres of land at the NE corner of N. Tamiami Trail and Brooks Road into the Mixed-Use Overlay. This property is already zoned to permit single-family, commercial, and other mixed-uses; however, it's technically not located within the Lee Plan Mixed Use Overlay Map. We're required to obtain a Letter of Review/Adequacy from all local support facilities stating that the change to mixed-use overlay won't impact the NFMFD/EMS ability to provide service to this property. I've attached a copy of the last letter that was provided by Fire Marshal Jones. I've also attached a copy of the area location map and map of the mixed use overlay.

The address of the property is 1460, 1470, 1456 and 1450 N Tamiami Trail, N Fort Myers. We're preserving the 7.14 acres of wetlands on-site. Please let me know if you need additional information or have any questions.

Thank you for your time.

*Veronica Martin*

*Senior Planner*

[vmartin@tdmconsulting.com](mailto:vmartin@tdmconsulting.com)

*Saving just one dog won't change the world...but, surely the world will change for that one dog...Adopt, don't shop...*

**PLEASE NOTE OUR ADDRESS HAS CHANGED.**



HORIZON TAMiami  
AERIAL MAP OF SUBJECT PROPERTY

EXHIBIT M9





HORIZON TAMIAMI  
PROPOSED FUTURE LAND USE MAP 1-C





## Veronica Martin

---

**From:** Heredia, Jacqueline <JacquelineHe@LeeSchools.net>  
**Sent:** Thursday, April 11, 2024 9:17 AM  
**To:** Veronica Martin  
**Subject:** RE: Letter of Review

Good morning,

The School District of Lee County has the following comments on this project:

This project is located in Elementary School Proximity Zone "C"

- The District's Student Generation Rate (SGR) for this area for multi-family development is 0.066 at the elementary level.
- The proposed 448 residential units could be expected to produce up to 29.57 elementary school students.
- Elementary School Proximity Zone "C" is currently operating at approximately 90 % of capacity with about 0 open seats.
- This proposed project will not negatively impact school capacity in the enrollment zone.

This project is located in Middle School Proximity Zone "CC"

- The District's Student Generation Rate (SGR) for this area for multi-family development is 0.043 at the middle school level.
- The proposed 448 residential units could be expected to produce up to 14.78 middle school students.
- Middle School Proximity Zone "CC" is currently operating at approximately 90% of capacity with about 17 open seats.
- This proposed project will not negatively impact school capacity in the enrollment zone.

This project is located in High School Enrollment Zone West, Sub-Zone 1

- The District's Student Generation Rate (SGR) for this area for multi-family development is 0.38 at the high school level.
- The proposed 448 residential units could be expected to produce up to 13.89 high school students.
- West Zone 1 is currently operating at approximately 105% of capacity with about 400 open seats.
- This proposed project will not negatively impact school capacity in the enrollment zone.

Thank you.

**Jacqueline Heredia**

**District Planning Specialist**

2855 Colonial Blvd, Fort Myers, FL 33966

o: 239-335-1494

[JacquelineHE@leeschools.net](mailto:JacquelineHE@leeschools.net)

[www.leeschools.net](http://www.leeschools.net)

**THE SCHOOL DISTRICT OF LEE COUNTY**

PERSONAL | PASSIONATE | PROGRESSIVE



**From:** Veronica Martin <vmartin@tdmconsulting.com>  
**Sent:** Wednesday, April 10, 2024 10:13 AM  
**To:** Heredia, Jacqueline <JacquelineHe@LeeSchools.net>  
**Subject:** FW: Letter of Review

**Caution:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Ms. Heredia,

I'm following up on my email from last week regarding a letter of review for a Lee County comprehensive plan amendment application. Please feel free to reach out if you have any questions.

Have a good day.

*Veronica Martin*

Senior Planner

[vmartin@tdmconsulting.com](mailto:vmartin@tdmconsulting.com)

*Saving just one dog won't change the world...but, surely the world will change for that one dog...Adopt, don't shop...*

**PLEASE NOTE OUR ADDRESS HAS CHANGED.**



1520 Royal Palm Square Blvd, Suite 100  
Fort Myers, FL 33919  
Phone 239-433-4231  
[www.tdmcivilengineering.com](http://www.tdmcivilengineering.com)  
Certificate of Authorization # 29086

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**From:** Veronica Martin  
**Sent:** Tuesday, April 2, 2024 2:52 PM  
**To:** Heredia, Jacqueline <[JacquelineHe@LeeSchools.net](mailto:JacquelineHe@LeeSchools.net)>  
**Subject:** Letter of Review



Hello Ms. Heredia,

I hope you can help me again. I'm submitting a Comprehensive Plan Amendment application to Lee County Community Development to add 20.32 acres of land at the NE corner of N. Tamiami Trail and Brooks Road into the Mixed-Use Overlay. This property is already zoned to permit single-family, commercial, and other mixed-uses; however, it's technically not located within the Lee Plan Mixed Use Overlay Map. We're required to obtain a Letter of Review/Adequacy from all local support facilities stating that the change to mixed-use overlay won't impact the Lee County School District's ability to provide classrooms and educational programs to the future residents of this property. At maximum density, the property could potentially have 448 multi-family dwelling units. I've attached a copy of the area location map and map of the mixed use overlay.

The address of the property is 1460, 1470, 1456 and 1450 N Tamiami Trail, N Fort Myers. We're preserving the 7.14 acres of wetlands on-site. Please let me know if you need additional information or have any questions.

Thank you for your time.

*Veronica Martin*

Senior Planner

[vmartin@tdmconsulting.com](mailto:vmartin@tdmconsulting.com)

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**PLEASE NOTE OUR ADDRESS HAS CHANGED.**



1520 Royal Palm Square Blvd, Suite 100  
Fort Myers, FL 33919  
Phone 239-433-4231  
[www.tdmcivilengineering.com](http://www.tdmcivilengineering.com)  
Certificate of Authorization # 29086

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HORIZON TAMiami  
AERIAL MAP OF SUBJECT PROPERTY

EXHIBIT M9





HORIZON TAMIAMI  
PROPOSED FUTURE LAND USE MAP 1-C





***Carmine Marceno***  
**Sheriff**



***"Proud to Serve"***

**State of Florida**  
**County of Lee**

April 2, 2024

Veronica Martin  
TDM Consulting  
1520 Royal Palm Square Suite 100  
Fort Myers, FL 33919

Ms. Martin,

The Lee County Sheriff's Office has reviewed your service availability request for 20.32 acres of land at the northeast corner of N. Tamiami Trail and Brooks Road in North Fort Myers.

The property requires a Comprehensive Plan Amendment to add it to the adjacent Mixed-Use Overlay Map. Based upon the information you provided, the property at 1460, 1470, 1450 and 1456 N. Tamiami Trail could potentially have 448 multi-family dwelling units at maximum density, with 7.14 acres of wetlands on site.

This proposed change in designation will not impact our Agency's ability to provide law enforcement services to this community. Services will be provided from our Precinct 1 offices in North Fort Myers. 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 Heather Turco at (239) 477-1863 with any questions regarding the CPTED study.

Respectfully,

A handwritten signature in blue ink, appearing to read "Chris Reeves", is written over a blue circular stamp.

Chris Reeves  
Major, Patrol Bureau



***"The Lee County Sheriff's Office is an Equal Opportunity Employer"***  
**14750 Six Mile Cypress Parkway • Fort Myers, Florida 33912-4406 • (239) 477-1000**



## Veronica Martin

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**From:** Veronica Martin  
**Sent:** Tuesday, April 2, 2024 2:56 PM  
**To:** Stanley Nelson (SNelson@sheriffleefl.org)  
**Subject:** Letter of Review  
**Attachments:** Area Location Map.pdf; Proposed Mixed Use Overlay Map.pdf

Hello Director Nelson,

I hope you can help me again. I'm submitting a Comprehensive Plan Amendment application to Lee County Community Development to add 20.32 acres of land at the NE corner of N. Tamiami Trail and Brooks Road into the Mixed-Use Overlay. This property is already zoned to permit single-family, commercial, and other mixed-uses; however, it's technically not located within the Lee Plan Mixed Use Overlay Map. We're required to obtain a Letter of Review/Adequacy from all local support facilities stating that the change to mixed-use overlay won't impact the Lee County Sheriff's Offices' ability to provide police protection to the future residents and commercial shoppers of this property. At maximum density, the property could potentially have 448 multi-family dwelling units. I've attached a copy of the area location map and map of the mixed use overlay.

The address of the property is 1460, 1470, 1456 and 1450 N Tamiami Trail, N Fort Myers. We're preserving the 7.14 acres of wetlands on-site. Please let me know if you need additional information or have any questions.

Thank you for your time.

*Veronica Martin*

*Senior Planner*

[vmartin@tdmconsulting.com](mailto:vmartin@tdmconsulting.com)

*Saving just one dog won't change the world...but, surely the world will change for that one dog...Adopt, don't shop...*

**PLEASE NOTE OUR ADDRESS HAS CHANGED.**



HORIZON TAMiami  
AERIAL MAP OF SUBJECT PROPERTY

EXHIBIT M9





HORIZON TAMIAMI  
PROPOSED FUTURE LAND USE MAP 1-C





Board of County Commissioners

Kevin Ruane  
District One

Cecil L. Pendergrass  
District Two

Ray Sandelli  
District Three

Brian Hamman  
District Four

Mike Greenwell  
District Five

Dave Harner, II  
County Manager

Richard Wm. Wesch  
County Attorney

Donna Marie Collins  
County Hearing  
Examiner

July 19, 2024

TDM Consulting, Inc.  
1520 Royal Pam Square Blvd,  
Suite 100  
Fort Myers, FL 33919

**Re: N. Tamiami Trail and Brooks Road  
Letter of Review**

LeeTran has received the request regarding the subject property in North Fort Myers. After reviewing the site and comparing the location with our existing and planned route locations according to the LeeTran 2021 Transit Development Plan (TDP), the following is determined:

Based on the LeeTran 2021 Transit Development Plan (TDP) evolved network, also reflected within the Lee County Comprehensive Map 3-C section 10-441, the route along N Tamiami Trail will not exist therefore, there are no routes within a one-quarter mile of the proposed development in the near future. Therefore, no improvements are required by the developer.

If you have any questions or require further information, please do not hesitate to contact me at (239) 533-0322 or [ocassidy@leegov.com](mailto:ocassidy@leegov.com)

Sincerely,

*Olivia Cassidy*

Planner  
Lee County Transit, LeeTran  
3401 Metro Pkwy, Fort Myers, FL



## Veronica Martin

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**From:** Veronica Martin  
**Sent:** Tuesday, April 2, 2024 3:01 PM  
**To:** Marino Diaz, Clarissa  
**Subject:** Letter of Review  
**Attachments:** Area Location Map.pdf; Proposed Mixed Use Overlay Map.pdf

Hi Clarissa,

I hope you can help me again. I'm submitting a Comprehensive Plan Amendment application to Lee County Community Development to add 20.32 acres of land at the NE corner of N. Tamiami Trail and Brooks Road into the Mixed-Use Overlay. This property is already zoned to permit single-family, commercial, and other mixed-uses; however, it's technically not located within the Lee Plan Mixed Use Overlay Map. We're required to obtain a Letter of Review/Adequacy from all local support facilities stating that the change to mixed-use overlay won't impact the Lee Tran's ability to provide public transit service to the future residents and commercial shoppers of this property. At maximum density, the property could potentially have 448 multi-family dwelling units. I've attached a copy of the area location map and map of the mixed use overlay.

The address of the property is 1460, 1470, 1456 and 1450 N Tamiami Trail, N Fort Myers. We're preserving the 7.14 acres of wetlands on-site. Please let me know if you need additional information or have any questions.

Thank you for your time.

*Veronica Martín*

*Senior Planner*

[vmartin@tdmconsulting.com](mailto:vmartin@tdmconsulting.com)

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HORIZON TAMIAMI  
AERIAL MAP OF SUBJECT PROPERTY

EXHIBIT M9





HORIZON TAMiami  
PROPOSED FUTURE LAND USE MAP 1-C





## Veronica Martin

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**From:** Lighthall, Justin <JLighthall@leegov.com>  
**Sent:** Tuesday, April 2, 2024 3:12 PM  
**To:** Veronica Martin  
**Subject:** RE: Letter of Review

Hi Veronica,

Solid Waste has reviewed your preliminary plans for development at the NE corner of N. Tamiami Trail and Brooks Road. We have no opposition to the proposed plans of 448 multifamily dwelling units, as plans have been made to account for future growth through the use of our Waste to Resource Recovery Facility and collection will be accomplished using our franchised hauling contractors. Please advise if you need any additional information.

Regards,



**Justin Lighthall | Manager, Public Utilities**

**Solid Waste Department**

6431 Topaz Ct, Fort Myers, FL 33966

**office:** (239) 533-8007

**email:** [JLighthall@leegov.com](mailto:JLighthall@leegov.com)

**web:** [www.leegov.com/solidwaste](http://www.leegov.com/solidwaste)

Connect With Us On Social Media



Sign up today to become a Solid Waste insider by clicking [here](#)!

**From:** Veronica Martin <vmartin@tdmconsulting.com>

**Sent:** Tuesday, April 2, 2024 3:04 PM

**To:** Lighthall, Justin <JLighthall@leegov.com>

**Subject:** Letter of Review

**Caution:** This email originated from an external source. Be cautious of attachments and links, and do not provide login information. Report suspicious activity to the Service Desk: [servicedesk@leegov.com](mailto:servicedesk@leegov.com) or 533-HELP.

Hi Justin,

I hope you can help me again. I'm submitting a Comprehensive Plan Amendment application to Lee County Community Development to add 20.32 acres of land at the NE corner of N. Tamiami Trail and Brooks Road into the Mixed-Use Overlay. This property is already zoned to permit single-family,



commercial, and other mixed-uses; however, it's technically not located within the Lee Plan Mixed Use Overlay Map. We're required to obtain a Letter of Review/Adequacy from all local support facilities stating that the change to mixed-use overlay won't impact the Lee Tran's ability to provide services for solid waste and recyclables to the future residents and commercial shoppers of this property. At maximum density, the property could potentially have 448 multi-family dwelling units. I've attached a copy of the area location map and map of the mixed use overlay.

The address of the property is 1460, 1470, 1456 and 1450 N Tamiami Trail, N Fort Myers. We're preserving the 7.14 acres of wetlands on-site. Please let me know if you need additional information or have any questions.

Thank you for your time.

*Veronica Martin*

*Senior Planner*

[vmartin@tdmconsulting.com](mailto:vmartin@tdmconsulting.com)

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1520 Royal Palm Square Blvd, Suite 100  
Fort Myers, FL 33919  
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[www.tdmcivilengineering.com](http://www.tdmcivilengineering.com)  
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HORIZON TAMiami  
AERIAL MAP OF SUBJECT PROPERTY

EXHIBIT M9





HORIZON TAMIAMI  
PROPOSED FUTURE LAND USE MAP 1-C







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### **Justification of Proposed Amendment – Exhibit M20**

**Revised 12-11-2024**

The Applicant, Horizon Tamiami, LLC, is requesting to amend Lee Plan Map 1-C, Mixed Use Overlay Map. The Applicant owns property totaling 27.36 acres, located in Section 2, Township 44 South, Range 24 East, north of Brooks Road and east of N. Tamiami Trail. The South Florida Water Management District (SFWMD) issued a formal Wetland and OSW determination on May 2, 2023. Of the 27.36 acres, 7.20 acres is identified as Wetlands. As a result, the Applicant is requesting to add ±20.16-acres into the Mixed Use Overlay.

Lee Plan Policy 11.2.3 states that “At the discretion of the Board of County Commissioners, the Mixed Use Overlay boundary may be extended up to one-quarter mile to accommodate developments partially within a Mixed Use Overlay or immediately adjacent to a Mixed Use Overlay. The subject property is adjacent to the Mixed Use Overlay to the south and west.

The 20.16 acres has a future land use classification of Intensive Development. The Lee Plan states that mixed use developments of high-density residential, commercial, limited light industrial and office uses are encouraged to be developed, where appropriate. The property is located along N. Tamiami Trail, a state-maintained arterial roadway, and Brooks Road, a county-maintained local road. LCU and FGUA have provided letters of availability confirming that potable water and sanitary sewer lines are available and adequate to service a future high density/intensity mixed-use development, and other urban services such as fire/EMS, police protection, solid waste, public transit, schools, and public parks and rec are available and proximate to the site.

The property is currently zoned CG, C-1, and RS-1, which permits commercial and residential uses. A future mixed-use development would be compatible with existing and proposed uses in the area since most are already commercial or multi-family residential. The only single-family subdivision is located east of Powell Creek. The existing wetlands and Powell Creek along the east property line act as a physical barrier to effectively buffer and shield the single-family lots from a future mixed-use development on the subject property.

The goal of the North Fort Myers community plan is to improve the livability and economic vitality in the area by promoting compact, mixed use development; attracting appropriate investment to revitalize older neighborhoods and commercial corridors; stabilizing and enhancing existing neighborhoods; and preserving natural resources. The subject property is located in the North Fort Myers planning community area along a designated corridor overlay (N. Tamiami Trail, also known as Business 41). The site is one of the last remaining large undeveloped properties along this section of N. Tamiami Trail in the Intensive Development future land use category. The site can be viewed as an infill development since the majority of the land on all four sides is currently developed with a mix of residential and commercial uses.



The subject property is located adjacent to lands already within the Mixed-Use Overlay per Lee Plan Map 1-C, to the south of Brooks Road. The site is currently zoned CG, C-1, and RS-1 – a mix of commercial and residential zoning districts. Adding the 20.16 acres to the Mixed-Use Overlay meets the intent of the North Fort Myers Community Plan to promote compact, mixed-use development, revitalizing commercial corridors, and allowing for more urban forms of design in the design regulations for developments in the Mixed Use Overlay.