

# LOCAL PLANNING AGENCY ADMINISTRATION EAST BUILDING 2201 SECOND STREET, FORT MYERS, FL 33901 ROOM 118 (FIRST FLOOR) MONDAY, AUGUST 25, 2025 9:00 AM

#### **AGENDA**

- 1. Call to Order/Review of Affidavit of Publication/Pledge of Allegiance
- 2. Public Forum
- 3. Approval of Minutes July 28, 2025
- 4. Lee Plan Amendments
  - A. CPA2024-00006 Horizon Tamiami

Amend Lee Plan Map 1-C, Mixed Use Overlay, to add 20.2 acres of the subject property to the Mixed-Use Overlay. The property is located at the northeast corner of the intersection of Brooks Road and North Tamiami Trail in North Fort Myers.

B. CPA2025-00001 Honc 41 CPA

Amend Lee Plan Map 1-A, Future Land Use Map, to change subject property's Future Land Use from Suburban to Central Urban to allow for commercial and light industrial uses along US 41/Tamiami Trail North. The subject property is located along the west side of North Tamiami Trail, approximately 0.25 miles south of Del Prado Boulevard North.

- 5. Land Development Code Amendments
  - A. Dock and Shoreline Regulations (Boathouses and Dock Pavilions)

Sec. 26-41 (Definitions); Sec. 26-46 (Variances and Special Exceptions); Sec. 26-71 (Docking Facilities and Boat Ramps); Sec. 26-74 (Boathouses and Dock Pavilions); Sec. 34-174 (Authority to Approve Administrative Actions); Sec. 34-203 (Submittal Requirements for Administrative Action Applications); Sec. 34-622 (Use Activity Groups); and Sec. 34-1173 (Development Regulations)

- 6. Other Business
- 7. Adjournment

This meeting is open to the public. Interested parties may appear at the meeting and be heard. A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

Lee County will not discriminate against individuals with disabilities. To request an accommodation, contact Ranice Monroe, (239) 533-0255, Florida Relay Service 711, or <a href="mailto:ADArequests@leegov.com">ADArequests@leegov.com</a> at least five business days in advance. To receive agendas by e-mail, contact <a href="mailto:jmiller@leegov.com">jmiller@leegov.com</a>.

#### MINUTES REPORT LOCAL PLANNING AGENCY JULY 28, 2025

#### **MEMBERS PRESENT:**

Ray Blacksmith Jennifer Sapen
Dawn Russell Stan Stouder (Chair)

Dustin Gardner Henry Zuba

#### **MEMBERS ABSENT**

Don Schrotenboer (Vice Chair)

#### **STAFF PRESENT:**

Katie Burgess, Principle Planner, Planning
Brandon Dunn, Planning Manager
Lindsey Karczewski, Planning
William Lange, Planning

Janet Miller, Recording Secretary
Jared Sherman, Planning Intern
Amanda Swindle, Asst. Cty. Atty.

#### **APPLICANT'S REPRESENTATIVES**

Lindsay Rodriguez, Morris-Depew and Associates Ben Smith, Morris-Depew Associates Ryan Shute, Morris-Depew Associates Paul Owen, Ecologist, Owen Environmental Consulting, LLC

#### Agenda Item 1 – Call to Order, Review of Affidavit of Publication/Pledge of Allegiance

Mr. Stouder, Chair, called the meeting to order at 9:00 a.m.

Ms. Swindle, Assistant County Attorney, certified the affidavit of publication and stated it was legally sufficient as to form and content.

#### Agenda Item 2 - Public Forum- None

#### Agenda Item 3 – Approval of Minutes – March 24, 2025

Mr. Zuba made a motion to approve the March 24, 2025 meeting minutes. The motion was seconded by Mr. Blacksmith. The Chair called the motion, and it passed 6-0.

#### Agenda Item 4 – Lee Plan Amendments

#### A. CPA2024-00014 Surf Style CPA

Amend Map 1-A, Future Land Use, to redesignate a 0.60-acre portion of the subject properties to the Urban Community future land use category from the Suburban future land use category and amend Map1-C, Mixed Use Overlay, to add the entire +/- 1.76-acre property to the Mixed-Use Overlay (MUO). The subject property is at the southeast corner of the Pine Ridge Road and San Carlos Boulevard intersection.

Lindsay Rodriguez (Morris-Depew & Associates) gave an overview of the project along with a PowerPoint Presentation. Also in attendance were Ben Smith (Morris-Depew & Associates), Ryan Shute (Morris-Depew & Associates), and Paul Owen, (Owen Environmental Consulting, LLC).

Ms. Rodriguez requested that the application materials and staff report be part of the record including the Lee Plan analysis provided in both.

Mr. Stouder asked if the images on the PowerPoint depicting Surf Style stores are of what is foreseen.

Ms. Rodriguez stated they were not. They are images of Surf Style stores that she pulled up on-line.

Ms. Burgess reviewed the staff report and recommendations along with a PowerPoint presentation.

Mr. Stouder stated he noticed that the property located east of the applicant's subject property is also zoned C-1A but it is still in the Suburban category. He asked if there had been any discussion regarding county-initiating or contacting that owner to similarly extend suburban to their parcel.

Ms. Burgess stated they had not discussed contacting the property owner or changing the future land use because the way the policy is written, it allows the Board of County Commissioners discretion to extend the mixed-use overlay up to a ¼ mile from the subject property. It might be something the Commission considers doing as this amendment moves forward or they may choose to change the designations as a separate effort.

Mr. Stouder asked if that would also facilitate the change from Suburban to Urban.

Ms. Burgess stated that if the Commission chose to change it, staff might not necessarily have to change the future land use category because the policy does state that the Commission has discretion to do so. She did acknowledge that this corridor is not considered to be Suburban anymore.

Ms. Sapen stated she felt the subject property was in an appropriate location (Mixed-Use Overlay) and that she supports the Mixed-Use Overlay especially when it is an extension of a big area that is also mixed-use. In addition, for this subject property to be in the Mixed-Use Overlay, this future land use amendment is required, so she is in support of it.

Ms. Russell concurred with Ms. Sapen's comments. She also agreed with staff's findings and felt the request is consistent with the Lee Plan.

Mr. Gardner felt it was a straightforward proposal that is consistent with the Lee Plan. He did not see any issues with it.

Mr. Zuba stated he sees a lot of development pressure along San Carlos from the beach down. He has not seen how consistency can be established in regard to development and redevelopment proposals. He asked if staff had been seeing other applications along San Carlos from the beach, over the bridge, and down. Mr. Zuba felt this corridor is going to be one anchor entry to the San Carlos corridor.

Mr. Dunn stated he did not want to speak for other sections within Community Development as far as zoning applications or development orders coming in. Although they may see development pressure in that area, this application is the first one the Planning section has seen for quite a while. It may be because our Plan is generally consistent with what the market wants or some other reason.

Mr. Blacksmith felt the applicant's request made sense and he was in favor of it.

Mr. Stouder stated this was a great piece of planning and the right kind of planning. He also felt it was consistent with the Lee Plan.

Ms. Sapen made a motion to recommend adoption of CPA2024-00014 (Surf Style CPA). The motion was seconded by Ms. Russell. The Chair called the motion, and it passed 6-0.

#### B. <u>CPA2025-00002 Disaster Recovery Plan Update</u>

Amend the Lee Plan Objective 72.1 and Policies 72.1.1, 72.1.7, and 72.1.8 in response to the repeal and replacement of Ordinance 07-20 with Administrative Code 2-23 regarding the Disaster Advisory Council and adoption of the Lee County Disaster Recovery Plan.

Ms. Burgess reviewed the staff report and recommendations along with a PowerPoint presentation.

Mr. Gardner asked what resources are available for the public and other community groups that provide input regarding the Disaster Recovery Plan now that the old advisory council is gone.

Ms. Burgess stated that the Disaster Recovery Plan still has some sort of organization/board. Planning staff were not responsible for putting it together. For now, the document is available on-line if anyone from the public wants to view it.

Mr. Dunn stated that Ben Abes was unable to attend today's meeting. There is still a community input process for this Disaster Recovery Plan. Mr. Dunn stated that he would forward that information to the LPA.

Ms. Sapen felt the Disaster Recovery Plan was impressive. In reviewing the involvement of various departments, it is clear that it is well thought out. She wished the news stations covered how Lee County is preparing because it would be a comfort to the public to see how much thought has gone into this program.

Ms. Russell made a motion to recommend transmittal of CPA2025-00002 (Disaster Recovery Plan Update). The motion was seconded by Mr. Gardner. The Chair called the motion, and it passed 6-0.

#### **Agenda Item 5 – Other Business**

Mr. Stouder asked if there were cases coming forth for the August and/or September LPA meetings.

Mr. Dunn stated there are three amendments that might be finalized in time for the August and September meetings. He noted it is staff's preference not to hold an LPA meeting if there is only one case. This means there may or may not be a meeting in August. It is undetermined at this time.

Mr. Stouder stated that the LPA thanks staff for their great work and for respecting their time by making sure there are sufficient items on the agenda, making a meeting worthwhile. He hoped that any travel plans the LPA might have will not cause any conflicts.

#### Agenda Item 6 – Adjournment

The next Local Planning Agency meeting is scheduled for Monday, August 25, 2025 (if there are cases to discuss), at 9:00 a.m. in the Administration East Building, Room 118, 2201 Second Street, Fort Myers, FL 33901. The meeting adjourned at 9:25 a.m.

# CPA2024-00006

# Horizon Tamiami

# STAFF REPORT FOR CPA2024-00006: HORIZON TAMIAMI



Privately Initiated Small-Scale Lee Plan Map Amendment

#### **Recommendation:**

Adopt

#### **Applicant:**

Horizon Tamiami, LLC

#### **Representatives:**

Veronica Martin
TDM Consulting, Inc.

#### **Property Location:**

1450, 1456, 1460, and 1470 North Tamiami Trail

#### Size:

± 20.2 acres

#### **Planning District:**

District #19 (North Fort Myers)

#### **Commissioner District:**

District #4

#### **Hearing Dates:**

LPA: August 25, 2025 BoCC #1: TBD

#### Attachment(s):

- 1: Map Amendment
- 2: Applicant Materials

#### **REQUEST**

Amend Lee Plan Map 1-C to incorporate approximately 20.2 acres of the subject property into the Mixed Use Overlay.

#### **SUMMARY**

The applicant requests to incorporate an approximately 20.2-acre upland portion of the subject property into the Mixed Use Overlay (MUO) to develop the site in accordance with the MUO standards outlined in Chapter 34 of the Land Development Code and rezone to a conventional zoning district instead of a planned development. According to the companion rezone application, the applicant intends to construct a mixture of commercial and residential uses. No saltwater wetlands will be incorporated into the MUO.

#### PROPERTY LOCATION

The property is located at the northeast corner of the intersection of Brooks Road and North Tamiami Trail in North Fort Myers.



Figure 1: Location map of the portion of the subject property to be included in the Mixed Use Overlay

#### **RECOMMENDATION**

Staff recommends that the Board of County Commissioners (BoCC) *adopt* the proposed amendment as shown in Attachment 1.

### PART 1 STAFF DISCUSSION AND ANALYSIS

#### **BACKGROUND AND REQUEST**

The approximately 28.2-acre subject property, comprised of four parcels, was designated with Intensive Development and Transition Zone, the precursor to the existing Wetlands future land use category, on the 1984 Lee Plan Future Land Use Map. The property currently consists of ±20.2 acres of Intensive Development and ±8.0-acres of Wetlands future land use categories. The applicant is proposing to incorporate only the areas with the Intensive Development future land use category of the property into the MUO. A map depicting the existing future land use categories and the proposed MUO is included below.

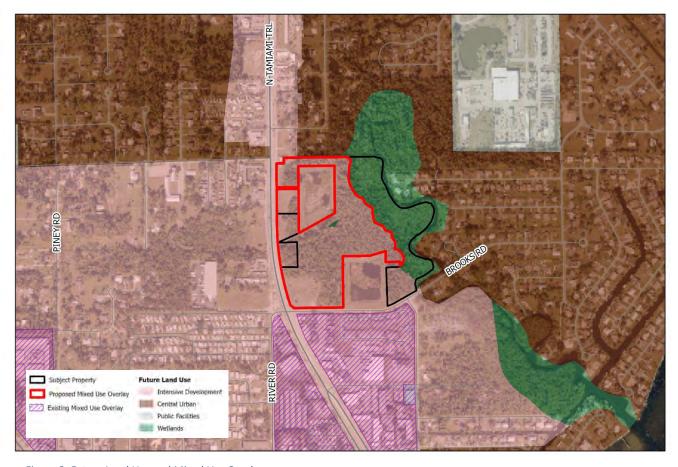


Figure 2: Future Land Use and Mixed Use Overlay

The proposed Comprehensive Plan Amendment enables the applicant to develop under the Mixed Use Overlay development standards and rezone to a conventional zoning district, rather than a planned development. The applicant has filed a companion rezoning application (REZ2024-00006), which is being reviewed concurrently with this comprehensive plan amendment application. The applicant is requesting to rezone ±20.2 acres from General Commercial (CG), Commercial (C-1), and Residential Single Family (RS-1) to Commercial (C-1). The wetlands along the eastern property line are proposed to remain RS-1.

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#### **Future Land Use Categories**

The property is within the Intensive Development Future Land Use Category, which is the county's most intense future land use category. Lee Plan **Policy 1.1.2** states that this land use category allows the county's highest densities and intensities and encourages mixed-use centers. The policy is reproduced below.

POLICY 1.1.2: The Intensive Development areas are located along major arterial roads in Fort Myers, North Fort Myers, East Fort Myers west of I-75, and South Fort Myers. By virtue of their location, the county's current development patterns, and the available and potential levels of public services, they are well suited to accommodate high densities and intensities. Planned mixed use centers of high-density residential, commercial, limited light industrial (see Policy 7.1.6), and office uses are encouraged to be developed as described in Objective 11.1, where appropriate. As Lee County develops as a metropolitan complex, these centrally located urban nodes can offer a diversity of lifestyles, cosmopolitan shopping opportunities, and specialized professional services that befit such a region. The standard density range is from eight dwelling units per acre (8 dw/acre) to fourteen dwelling units per acre (14 dw/acre). Maximum total density is twenty-two dwelling units per acre (22 dw/acre). The maximum total density may be increased to thirty dwelling units per acre (30 dw/acre) utilizing Greater Pine Island Transfer of Development Units. (Ordinance No. 94-30, 09-06, 10-10, 16-07)

The subject property is also within the Wetlands future land use category, with the jurisdictional boundaries confirmed through a Map Boundary Determination (MBD2024-00001). **Policy 1.5.1** outlines the permitted uses within the Wetlands future land use category, which include very low-density residential uses and recreation that will not adversely impact the ecological functions of wetlands. **Objective 1.5** is reproduced below.

**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.

The property will continue to have a mixture of Intensive Development and Wetlands future land use categories. Requirements and standards pertaining to development within or adjacent to state-designated wetlands within the subject property are not changed by the proposed amendment.

#### Community Plan Area

In addition to the future land use categories mentioned above, the subject property is located within the North Fort Myers Community Plan Area, which is generally located north of the Caloosahatchee River, west of Interstate 75 (I-75), and east of the City of Cape Coral. Lee Plan Goal 30, reproduced below, describes the North Fort Myers Community Plan Area.

Staff Report for LPA August 15, 2025 CPA2024-00006 Page 3 of 9 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.

Goal 30 is divided into six objectives, each with supporting policies, that address neighborhoods and housing, transportation, community facilities and services, parks, recreation, and conservation, and the downtown waterfront. Under this goal and LDC Section 33-1566, the subject property is considered part of the Corridor Overlay District.

#### **Planning District**

The subject property is located in the North Fort Myers Planning District (District 19), which allocates 376 acres to the Intensive Development future land use category and no acreage to the Wetlands future land use category for residential development. District 19 allocates 1,121 acres for commercial use and 244 acres for industrial use. The proposed amendment will not change the future land use categories and, therefore, will not require a change to the total acreage allocations in the North Fort Myers Planning District. Additionally, the applicant's companion rezoning includes commercial and residential uses, of which the District contains adequate allocation capacity.

#### **Surrounding Properties**

The subject property is comprised of four parcels and is located at the intersection of Tamiami Trail and Brooks Road. There is existing development on a ±0.11-acre parcel adjacent to the subject property. Additionally, the Florida Department of Transportation owns two parcels that cut into the subject property, which are used for stormwater attenuation. The proposed amendment will not change any overlays or future land use categories on the adjacent parcels.

**TABLE 1: SURROUNDING PROPERTY INFORMATION** 

	Future Land Use	Overlay	Zoning	Existing Use
North	Intensive Development, Central Urban, and Wetlands	-	C-1, TFC-2, & RS-1	Vacant, Duplex, & Single-Family Residential
East	Central Urban and Wetlands	-	TFC-2 & RS-1	Single-Family Residential
South	Intensive Development	Mixed Use Overlay	C-2 & RM-2	Multi-Family Residential, Vacant, & Commercial
West	Intensive Development	-	C-1, CPD, & AG-2	Commercial & Vacant

#### **PROCEDURAL REQUIREMENTS**

The Lee Plan is Lee County's comprehensive plan, which provides the long-term vision for development in the county. Florida Statutes require comprehensive plans to include certain topics as elements. The Lee Plan divides these elements into chapters, which are further supported by goals, objectives, standards, and policies. Lee Plan Chapter XIII, entitled Administration, section "d" addresses Amendments to the Plan. The applicable paragraph is reproduced below.

Staff Report for LPA August 15, 2025 CPA2024-00006 Page 4 of 9 This plan, including the Future Land Use Map, may be amended in accordance with Florida Statutes and administrative procedures adopted by the Board of County Commissioners in Lee County Administrative Code 13-6. In accordance with § 163.3177(1)(f), Fla. Stat., all amendments must be based upon relevant and appropriate data and analysis.

Lee County Administrative Code 13-6 establishes procedures for amendments to the Lee Plan, including notice requirements and provisions for public participation during the amendment process. The subject application requests privately initiated map amendments to the Lee Plan, meaning it has been requested by an entity other than the County and follows the amendment process described in Florida Statutes section 163.3184. The applicant has met the procedural requirements in AC 13-6.

Because the applicant is proposing a map designation within a Community Plan Area, one public information meeting is required prior to the application being found sufficient under Lee Plan Policy 17.3.2. The applicant has provided a summary, sign-in sheets, public notice, and agenda for the community meeting held at the North Fort Myers Recreation Center on April 2, 2024, at 6:00 pm. The applicant has met the public input requirements of Lee Plan Objective 17.1.

Under the Florida Statutes, the proposed amendment to Map 1-C, which is part of the Future Land Use Map series, is considered a small-scale map amendment and will follow the state review process under F.S. 163.3187.

The proposed addition to the MUO totals approximately 20.2 acres, well below the 50-acre threshold for small-scale amendments, and no text amendments are proposed. **The proposed amendments are small-scale amendments under F.S. 163.3187**, which will require one public hearing before the Local Planning Agency for recommendation to the BOCC and one adoption hearing with the BOCC.

Small-scale development amendments may not become effective until 31 days after adoption. If challenged within 30 days after adoption, small-scale development amendments may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small-scale development amendment is in compliance.

#### **LEE PLAN ANALYSIS**

The comprehensive plan applies to all land use decisions within unincorporated Lee County. Where goals, objectives, standards, or policies of particular elements conflict, those conflicts will be resolved based on an analysis of the Lee Plan as a whole. The Lee Plan analysis included in this staff report outlines the proposed amendments in relation to the most applicable Lee Plan goals, objectives, and policies to determine their appropriateness.

As previously stated, Lee Plan **Policy 1.1.2** is the most intense future land use category, promoting mixed-use developments on suitable lands within this category. The proposed amendment to incorporate the subject property into the MUO further facilitates mixed-use development on the subject property, **consistent with the Intensive Development future land use category.** 

**Objective 2.2** directs new growth to areas where "adequate public facilities exist or are assured and where compact and contiguous development patterns can be created". The subject property is located in an area with existing public facilities. The development of this property will ensure continued compact development patterns, **consistent with Objective 2.2**.

Staff Report for LPA August 15, 2025 CPA2024-00006 Page 5 of 9 **Objective 11.1** provides that mixed-use development should be allowed and encouraged "within certain future land use categories and at appropriate locations where sufficient infrastructure exists to support development". Adding the subject property to the Mixed Use Overlay will allow and encourage a mixed-use form of development, consistent with Objective 11.1.

Expansion of the Mixed Use Overlay depends upon several criteria specifically addressed in **Policy 11.2.1**. Generally, these criteria include maintaining continued pedestrian and automobile connections, locating within specific future land use categories, and providing adequate access to public facilities and infrastructure. Policy 11.2.1 is reproduced below with an analysis of each criterion to follow.

**POLICY 11.2.1:** The Mixed Use Overlay identifies locations where mixed use development will have a positive impact on transportation facilities though 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; and,
- 4. Availability of adequate public facilities and infrastructure; and
- 5. Will not intrude into predominantly single-family residential neighborhoods.

**Proximity to Transit.** LeeTran Route 595 runs next to the subject property, serving bus stops 10471 and 10472, both of which are within the extended pedestrian shed of the subject property. **The Subject property meets this requirement of the MUO.** 

**Pedestrian and Automobile Connections.** The subject property is adjacent to or within walking distance of multiple uses, including hotels, restaurants, entertainment, and retail establishments. There is an existing sidewalk network adjacent to the subject property that connects it to the businesses along Tamiami Trail. **The subject property provides distinct pedestrian and vehicular connections.** 

**Future Land Use Category.** The portion of the subject property that will be incorporated into the Mixed Use Overlay is within the Intensive Development future land use category, **consistent with the Policy 11.2.1 requirement.** A portion of the subject property is within the Wetlands future land use category. This portion does not meet the requirements of Policy 11.2.1 and, therefore, was not included in the proposed amendment.

**Public facilities and infrastructure.** The subject property has existing connections to public utilities, and the applicant has provided letters of availability for Lee County Solid Waste, Lee County Sheriff's Office, Lee County EMS, Lee County LeeTran, and Lee County School District, verifying their ability to serve the site. **The subject property meets the criteria to have adequate public utilities and infrastructure available on-site.** 

**Single-Family Residential.** Much of the eastern portion of the subject property is designated as the Wetlands future land use category, and any impacts to lands designated Wetlands will be subject to a maximum density of one dwelling unit per twenty acres per Objective 1.5. The calculation of density in impacted Wetlands encourages the developer to cluster the new structures closer to North Tamiami Trail,

Staff Report for LPA August 15, 2025 CPA2024-00006 Page 6 of 9 away from the existing single-family neighborhood located across Powell Creek from the subject property. Additionally, the proposed extension of the MUO is limited to the portion of the property within the Intensive Development future land use category. The Wetlands portion of the site will remain and act as a buffer between the MUO portion and the residential areas on the other side of Powell Creek. **The proposed MUO extension does not intrude into areas of predominantly single-family development and therefore meets this criterion.** 

#### The proposed MUO extension meets all of the requirements of Lee Plan Policy 11.2.1.

**Goal 30** of the Lee Plan outlines the vision for the North Fort Myers Community Plan Area. The proposed amendment promotes Goal 30 and the intent to improve the livability and economic vitality of North Fort Myers by promoting compact and mixed-use development, attracting appropriate investment to the commercial corridor, and preserving natural resources by excluding large portions of wetlands on the property from the request.

According to the Lee County Land Development Code Section 33-1537, the subject property is included within the definition of "commercial corridor". **Policy 30.2.5** indicates that stricter requirements for certain development criteria in the Land Development Code apply to areas within this corridor. Additionally, certain development standards cannot be deviated from unless variance criteria are met, providing greater assurance regarding the nature of future development of the subject property.

**Policy 30.2.6** allows properties within the commercial corridor to utilize the development standards of the Mixed Use Overlay. This is interpreted to mean the standards for aspects such as parking, open space, and buffering allowed in the Mixed Use Overlay would also be allowed on the subject property. The proposed amendment will also allow the subject property to calculate density from the commercial areas of the project, which is not currently allowed under Policy 30.2.6 for properties not within the Mixed Use Overlay.

The subject property is also within the county's Coastal High Hazard Area. **Policy 101.1.4** addresses the requirements of comprehensive plan amendments within the CHHA. This policy is reproduced below.

**POLICY 101.1.4:** Require that comprehensive plan amendments which increase density within the Coastal High Hazard Area or on islands meet one of the following criteria in accordance with § 163.3178(8), Fla. Stat.:

- 1. Will not result in an out of County hurricane evacuation time that exceeds 16 hours for a Category 5 storm event (Level E storm surge threat); or
- 2. Will maintain a 12 hour evacuation time to shelter for a Category 5 storm event (Level E storm surge threat) and ensure shelter space is available to accommodate the additional population; or
- 3. Will provide appropriate mitigation as determined by Lee County Department of Public Safety, to satisfy both criteria above, which may include the payment of money or construction of hurricane shelters and transportation facilities.

The proposed amendment does not change the future land use categories depicted on Lee Plan Map 1-A, which determines density allowances. However, it does change how density is calculated. Because the MUO allows for all portions of the property within the MUO to be used in the density calculations instead of segregating the calculations to the different use areas, the resulting project with a horizontal mixing of uses may contain more residential density than would be permitted on just the residential portion without the MUO. However, the potential maximum allowable residential density of the site is unchanged with

Staff Report for LPA August 15, 2025 CPA2024-00006 Page 7 of 9 the proposed amendment. Therefore, the proposed change is not inconsistent with Lee Plan Policies 101.1.4 and 101.3.6, as the MUO does not grant any additional density, and all proposed density would require flood and storm mitigation.

#### **PUBLIC FACILITIES AND INFRASTRUCTURE**

The lands on the subject property within the Intensive Development future land use category are located along major arterial roadways and have access to public services.

Analysis of the applicant's Traffic Impact Study by Lee County Department of Transportation indicates that the proposed amendments do not increase the traffic from the current Lee Plan allowable uses. Transportation concurrency is non-regulatory, as per Florida Statutes Section 163.3180 and Lee Plan Policy 95.1.3, which states, "Compliance with non-regulatory LOS standards will not be a requirement for continued development permitting, but will be used for facility planning purposes."

The subject property is within Lee County Utilities' (LCU) potable water service area and the Florida Governmental Utility Authority's wastewater (sewer) service area. FGUA currently has sewer infrastructure in place at the site and has provided the applicant with a letter of availability dated April 11, 2024, stating the capacity to serve the proposed development. LCU currently has potable water lines in operation adjacent to the site and has provided a letter of availability dated March 5, 2024.

Site-specific impacts on public services and the availability of services will be examined in any future development applications for construction on the impacted site.

- <u>Fire</u>: North Fort Myers Fire District, Station 2, located at 1280 Barrett Rd., is approximately 3.1 miles away. According to a letter dated April 3, 2024, the North Fort Myers Fire Department has no objection to this amendment and can adequately protect this property
- <u>Emergency Medical Services</u>: There are two ambulances located 1.0 miles south of the property. EMS service availability for the proposed development of this property is adequate at this time.
- <u>Police</u>: Lee County Sheriff's Office, located at 121 Pondella Rd, is approximately 1.3 miles away.
   According to a letter from the Lee County Sheriff's Office, dated April 2, 2024, the amendment will not affect the Agency's ability to provide law enforcement services.
- <u>Solid Waste</u>: The property is within Lee County Solid Waste Franchise Area 5 and is served by Waste Pro. According to a letter from Lee County's Solid Waste Department, dated April 2, 2024, solid waste is not opposed to the proposed amendment.
- <u>Public Transit</u>: According to a letter from LeeTran, dated August 14, 2025, the proposed development is within one-quarter mile of a fixed-route corridor, and the closest bus stop is #10471.
- <u>Schools:</u> The property is within the Lee County School District West Zone, District Area 5. According
  to a letter from the School District of Lee County, dated April 11, 2024, the proposed project will
  not negatively impact school capacity.

#### **CONCLUSIONS**

Staff has reviewed the proposed amendment and provides the following conclusions:

- The subject property meets all of the requirements in Policy 11.2.1 for the Mixed Use Overlay.
- The incorporation of the subject property within the MUO does not increase the maximum potential density of the subject property and is therefore not inconsistent with Goal 101.

Staff Report for LPA August 15, 2025 CPA2024-00006 Page 8 of 9

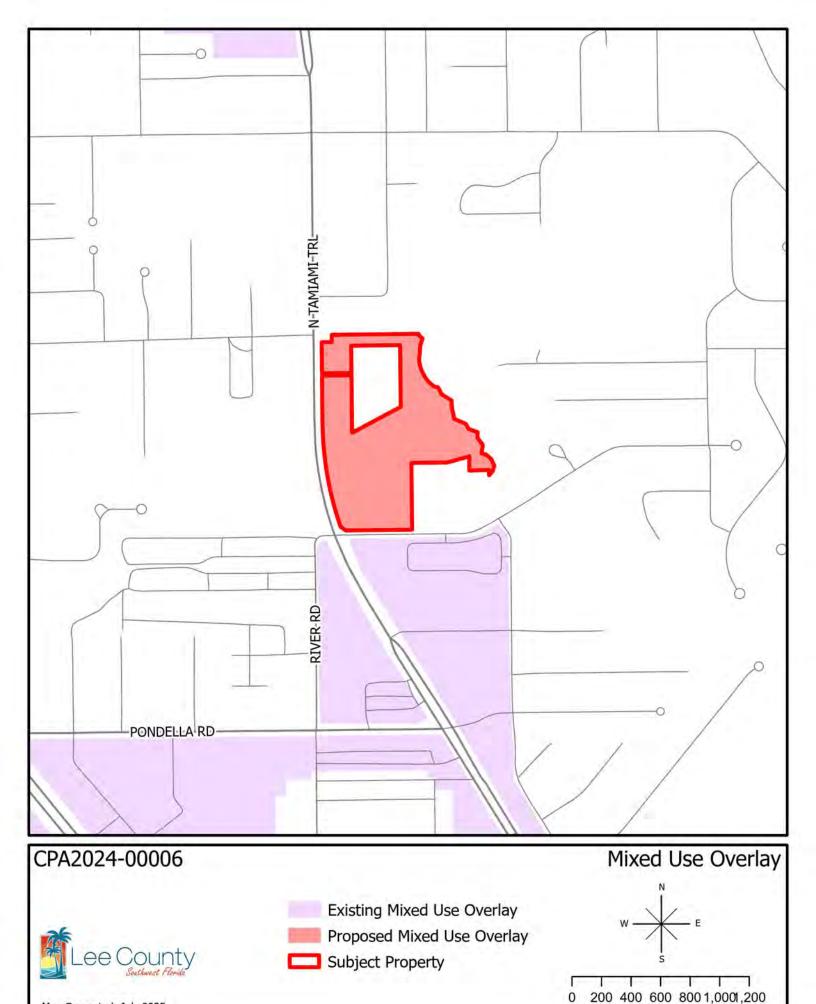
- Utilities and infrastructure are in place with no availability issues for redevelopment of the subject property.
- The applicant has provided all of the required documentation for the proposed amendments according to AC 13-6.

For the reasons discussed in this staff report, staff recommends that the Board of County Commissioners *adopt* the proposed amendment as shown in Attachment 1.

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## **ATTACHMENT 1**

➤ Map 1C Mixed Use Overlay



Feet



Map Generated: July 2025



43 Barkley Circle, Suite 200 Fort Myers, FL 33907 Phone 239-433-4231 Fax 239-433-9632 www.tdmcivilengineering.com Certificate of Authorization # 29086

April 25, 2024

Brandon Dunn
Planning Manager
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

Reference: Application for Comprehensive Plan Amendment - Map

± 20.2-acres at 1460, 1470, 1456, and 1450 N. Tamiami Trail

Lee County S2-T44S-R24E

Dear Mr. Dunn,

Attached herewith is a completed application and associated support material for a Comprehensive Plan Amendment – Map. The Applicant is requesting to amend Lee Plan Map I-C by adding 20.2 acres of the subject property into the Mixed Use Overlay.

Please find attached the following items in relation to this application:

- One (1) copy of the completed Application for a Comprehensive Plan Amendment Map, Exhibit M1;
- 2. One (1) copy of the notarized Disclosure of Interest Affidavit, Exhibit M2;
- 3. One (1) copy of the Surrounding Property Owners List, Mailing Labels and Map for all parcels within 500 feet of the Subject Property, Exhibit M3;
- 4. One (1) copy of the Existing and Proposed Future Land Use Map 1-C, Exhibit M4;
- One (1) copy of the Map and Description of Existing Land Uses of the Subject Property and Surrounding Properties, Exhibit M5;
- 6. One (1) copy of the Map and Description of Existing Zoning of the Subject Property and Surrounding Properties, Exhibit M6;
- One (1) signed and sealed Legal Description and Sketch of the Description for each FLUC Proposed, Exhibit M7;
- 8. One (1) copy of the Warranty Deed of the Subject Property, Exhibit M8;
- 9. One (1) copy of the Aerial Map showing the Subject Property and Surrounding Properties, Exhibit M9;

- 10. One (1) copy of the Authorization Letter from the Property Owner(s) Authorizing the Applicant to Represent the Owner, Exhibit M10;
- 11. One (1) copy of the Proposed Amendment, Exhibit M11;
- 12. One (1) copy of the Lee Plan Analysis, Exhibit M12;
- 13. One (1) copy of the Environmental Impacts Analysis, Exhibit M13;
- 14. One (1) copy of the Historic Resources Impact Analysis, Exhibit M14;
- 15. One (1) copy of the Public Facilities Impacts Analysis, Exhibit M15;
- 16. One (1) copy of the Traffic Circulation Analysis, Exhibit M16;
- 17. One (1) copy of the Existing and Future Conditions Analysis Sanitary Sewer, Potable Water, Surface Water/Drainage Basins, Parks and Rec, Open Space, Public Schools, Exhibit M17;
- 18. One (1) copy of the Letter of Determination for the Adequacy/Provision of Existing/Proposed Support Facilities – Fire Protection/Emergency Medical Services, Law Enforcement, Solid Waste, Mass Transit, Lee County Schools, Exhibit M18;
- 19. One (1) copy of the State Policy Plan and Regional Policy Plan, Exhibit M19;
- 20. One (1) copy of the Justification of Proposed Amendment, Exhibit M20; and
- 21. One (1) copy of the Planning Communities/Community Plan Area Requirements, Exhibit M21.

Your time and attention to this matter is greatly appreciated. Should County staff require additional information or have any questions regarding this submittal, please feel free to contact this office.

Sincerely,

TDM CONSULTING, INC.

Veronica Martin

Vernica Martin

Senior Planner

#### **EXHIBIT M1**



# APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT - MAP

Project Description: <u>Amend Lee Pla</u> Overlay.	nn Map 1-C, request to add 20.16 acres of the subject property to the Mixed Use
Map(s) to Be Amended: 1-C	
State Review Process: X Small	-Scale Review
1. Name of Applicant: Horizon	ľamiami, 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 M	artin, TDM Consulting, Inc.
Address: 43 Barkley Cir, Suite 20	00
City, State, Zip: Fort Myers, FL 339	07
Phone Number: 239-433-4231	E-mail: <u>vmartin@tdmconsulting.com</u>
3. Owner(s) of Record: Horizon	Tamiami, LLC
Address: 5 Corporate Dr #105	
City, State, Zip: Central Valley,	
Phone Number: 941-274-1355	E-mail: trossi@redburndev.com
	, 1456 and 1450 N Tamiami Tr, North Fort Myers 33903 000B.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 Current Future Land Use Categor	
Area in Each Future Land Use C	
Existing Land Use: Vacant/unde	
6. Calculation of maximum allows	able development under current Lee Plan:
Residential Units/Density: 14 du/ 22 du/ac with bonus density	ac Commercial Intensity: 10,000 sf/ac Industrial Intensity: none based on average calculations
7. Calculation of maximum allows	able development with proposed amendments:
Residential Units/Density: 14 du/s	
22 du/ac with bonus density	based on average calculations

#### **Public Facilities Impacts**

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

- 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:
    - 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.
    - 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.
  - 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
- c. 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:

- 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:

- 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

- 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)**

X	Completed Application (Exhibit – M1)
X	Disclosure of Interest (Exhibit – M2)
X	Surrounding Property Owners List, Mailing Labels, and Map For All Parcels Within 500 Feet of the Subject Property (Exhibit – M3)
X	Existing Future Land Use Map (Exhibit – M4)
X	Map and Description of Existing Land Uses (Not Designations) of the Subject Property and Surrounding Properties (Exhibit – M5)
X	Map and Description of Existing Zoning of the Subject Property and Surrounding Properties (Exhibit - M6)
X	Signed/Sealed Legal Description and Sketch of the Description for Each FLUC Proposed (Exhibit - M7)
X	Copy of the Deed(s) of the Subject Property (Exhibit – M8)
X	Aerial Map Showing the Subject Property and Surrounding Properties (Exhibit - M9)
X	Authorization Letter From the Property Owner(s) Authorizing the Applicant to Represent the Owner (Exhibit - M10)
X	Proposed Amendments (Exhibit – M11)
X	Lee Plan Analysis (Exhibit – M12)
X	Environmental Impacts Analysis (Exhibit – M13)
[X]	Historic Resources Impact Analysis (Exhibit – M14)
X	Public Facilities Impacts Analysis (Exhibit - M15)
X	Traffic Circulation Analysis (Exhibit – M16)
X	Existing and Future Conditions Analysis - Sanitary Sewer, Potable Water, Surface Water/Drainage Basins, Parks and Rec, Open Space, Public Schools (Exhibit – M17)
X	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)
X	State Policy Plan and Regional Policy Plan (Exhibit - M19)
X	Justification of Proposed Amendment (Exhibit - M20)
X	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**

	, certify that I am the owner or authorized representative of the
	Il answers to the questions in this application and any sketches, data, or
	to and made a part of this application, are honest and true to the best of
	orize the staff of Lee County Community Development to enter upon
	hours for the purpose of investigating and evaluating the request made
through this application.	
(1/1/1)	1/2/10014
	126/2021
Signature of Applicant	Date
loseth Nichernan	
Printed Name of Applicant	
12.1.1.00	
STATE OF NEW YORK	
COUNTY OF CAANGE	
	CO IN A SHALL SHALL COME OF THE PROPERTY OF TH
The foregoing instrument was sworn presence or □ online notarization on_	to (or affirmed) and subscribed before me by means of physical
(name of person providing oath or af	firmation), who is personally known to me or who has produced
	entification) as identification.
1011	
Xoral Sof	
Signature of Novary Public	
,	SAMUEL JOSEPH
	Notary Public-State of New York No. 01J00002524
0	Qualified in Orange County
(Name typed, printed or stamp&	Millings out Exhines out out 505

#### EXHIBIT M2

### DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME this day appeared <u>Joseph Niederman</u>, who, being first duly sworn and deposed says:

- 1. That I am the record owner, or a legal representative of the record owner, of the property that is located at 1450, 1456, 1460 and 1470 N. Tamiami Trail, North Fort Myers, Florida 33903 and is the subject of an Application for zoning action (hereinafter the "Property").
- That I am familiar with the legal ownership of the Property and have full knowledge of the names of all individuals that have an ownership interest in the Property or a legal entity owning an interest in the Property.

[OPTIONAL PROVISION IF APPLICANT IS CONTRACT PURCHASER: In addition, I am familiar with the individuals that have an ownership interest in the legal entity that is under contract to purchase the Property.]

- 3. That, unless otherwise specified in paragraph 6 below, no Lee County Employee, County Commissioner, or Hearing Examiner has an Ownership Interest in the Property or any legal entity (Corporation, Company, Partnership, Limited Partnership, Trust, etc.) that has an Ownership Interest in the Property or that has contracted to purchase the Property.
- 4. That the disclosure identified herein does not include any beneficial Ownership Interest that a Lee County Employee, County Commissioner, or Hearing Examiner may have in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, whose interest is for sale to the general public.
- 5. That, if the Ownership Interest in the Property changes and results in this affidavit no longer being accurate, the undersigned will file a supplemental Affidavit that identifies the name of any Lee County Employee, County Commissioner, or Hearing Examiner that subsequently acquires an interest in the Property.
- 6. Disclosure of Interest held by a Lee County Employee, County Commissioner, or Hearing Examiner.

	Name and Address	Percentage of Ownership
NONE		

Under penalty of perjury, I declare that I have read the foregoing and the facts alleged are true to the best of my knowledge and belief. Property Owner Print Name \*\*\*\*\*\*\*NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS\*\*\*\*\*\*\*\*\* ALL OTHER APPLICATION TYPES MUST BE NOTARIZED STATE OF NEW YORK COUNTY OF DEAUCE The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, on 1/26/2024 by Joseth Niedwich (name of person providing oath or affirmation), who is personally known to me or who has produced \_ (type of identification) as identification. STAMP/SEAL SAMUEL JOSEPH Notary Public-State of New York No. 01JO0002524 Qualified in Orange County Commission Expires 03/08/2027

Page 2

#### **EXHIBIT M3**



Date of Report:

January 25, 2024

Buffer Distance:

500

feet Rerun

Click here to download the map image, mailing labels (Avery

5161) and CSV formatted information.

Parcels Affected:

99

Subject Parcels:

 $02-44-24-03-00001.0200,\ 02-44-24-03-00001.0210,\ 02-44-24-03-0000B.0010,\ 02-44-24-03-0000B.0320$ 

To change, add or remove subject parcels please change the parcel selection in GeoView

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
LEMBO PHYLLIS E +	02-44-24-00-00002.0000	S1/2 OF W1/2 OF W1/2 OF SE	1
37 CRESCENT LAKE DR	37-41 CRESCENT LAKE DR	1/4 OF NE1/4 + S1/2 OF SW	
FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	1/4 OF NE 1/4 W OF CREEK	
THREE SEAS ESTATE LLC	02-44-24-00-00002.0010	PARL IN SW 1/4 OF NE 1/4	2
12585 NEW BRITTANY BLVD	85 CRESCENT LAKE DR	DESC IN OR 1163 PG 407	
FORT MYERS FL 33907	NORTH FORT MYERS FL 33917		
DAVENPORT DONALD & YOSHIE +	02-44-24-00-00002.0020	PARL IN SW 1/4 OF NE 1/4	3
83 CRESCENT LAKE DR	83 CRESCENT LAKE DR	DESC IN OR 1136 PG 1352	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917		
DOLL KATHLEEN TR	02-44-24-00-00002.0030	PARL IN SW 1/4 OF NE 1/4	4
5123 CALUSA COURT	CRESCENT LAKE DR	DESC IN OR 1126/1057 LESS	
CAPE CORAL FL 33904	NORTH FORT MYERS FL 33917	PARLA .003A + .003B +.003C	
HAMOR PHYLLIS TR	02-44-24-00-00002.003A	PARL IN SW 1/4 OF NE 1/4	5
2631 NE 24TH AVE	17/19 CRESCENT LAKE DR	DESC OR 1469 PG 60	
CAPE CORAL FL 33909	NORTH FORT MYERS FL 33917		

DOLL KATHLEEN TR 5123 CALUSA COURT CAPE CORAL FL 33904	02-44-24-00-00002.003B 21-27 CRESCENT LAKE DR NORTH FORT MYERS FL 33917	PARL IN SW 1/4 OF NE 1/4 DESC OR 2468 PG 0210	6
DOLL KATHLEEN TR 5123 CALUSA COURT CAPE CORAL FL 33904	02-44-24-00-00002.003C 29-35 CRESCENT LAKE DR NORTH FORT MYERS FL 33917	PARL IN SW 1/4 OF NE 1/4 DESC OR 2468 PG 0199	7
LEE COUNTY ELECTRIC CO-OP INC	<b>02-44-24-00-00002.0040</b>	E 1/2 OF SE 1/4 OF NE 1/4	8
PO BOX 3455	141 E MARIANA AVE	+ E 1/2 OF W 1/2 OF SE 1/4	
NORTH FORT MYERS FL 33918	NORTH FORT MYERS FL 33917	OF NE 1/4	
FULLENKAMP DENNIS J TR	02-44-24-00-00002.0070	S1/2 OF W1/2 OF W1/2 OF SE	9
3405 HANCOCK BRIDGE PKWY STE A	ACCESS UNDETERMINED	1/4 OF NE1/4 + S1/2 OF SW	
NORTH FORT MYERS FL 33903	NORTH FORT MYERS FL	1/4 OF NE 1/4 E OF CREEK	
HOWARD SHARON	02-44-24-00-00003.0000	S 210 FT OF W 210 FT OF	10
12584 IVORY ST	1526 N TAMIAMI TRL	SW 1/4 OF SW 1/4 OF NE 1/4	
FORT MYERS FL 33913	NORTH FORT MYERS FL 33903	LES R/W OR2347/759	
ZALLY AND CHARLIE LLC 602 CENTER ST FORT MYERS FL 33907	<b>02-44-24-00-00028,0000</b> 45 EVERGREEN RD NORTH FORT MYERS FL 33903	S 400 FT OF N 450 FT OF W 342 FT OF E 654 FT OF NE 1/4 OF SW 1/4 AKA TROPICAL PALM TRAILER PK	11
SOUTHERN RUSH BAR LLC	<b>02-44-24-00-00031.0000</b>	S 160.5 FT OF N 210.5 FT	12
1475 N TAMIAMI TR	1475 N TAMIAMI TRL	OF W 261.5 FT OF E 315.5	
FORT MYERS FL 33903	NORTH FORT MYERS FL 33903	FT OF N E 1/4 OF S W 1/4	
BHAKTA AMRATBHAI D &	<b>02-44-24-00-00031.0010</b>	FROM NE COR OF SW 1/4 TH	13
1499 N TAMIAMI TRL	1499 N TAMIAMI TRL	W 54 FT/S 50 FT TO POB TH	
NORTH FORT MYERS FL 33903	NORTH FORT MYERS FL 33903	S 239/W 261/N 233/E 261 TO POB	
ANNPAQ2 LLC 1402 SW 53RD LN CAPE CORAL FL 33914	<b>02-44-24-00-00032.0000</b> 1451 N TAMIAMI TRL NORTH FORT MYERS FL 33903	PARL IN N E 1/4 OF S W 1/4 DESC IN OR 3 PG 452	14
PREMIER RIVER ROAD GROUP LLC	<b>02-44-24-00-00033.0000</b>	S E 1/4 OF N E 1/4 OF	15
1 S 443 SUMMIT AVE 302	1327 RIVER RD	S W 1/4 LESS PARL 32	
OAKBROOK TERRACE IL 60181	NORTH FORT MYERS FL 33903	+ 34 THRU 37	
MG4 INC 68 PONDELLA RD NORTH FORT MYERS FL 33903	<b>02-44-24-00-00034,0000</b> 1441 N TAMIAMI TRL NORTH FORT MYERS FL 33903	PARL IN N E 1/4 OF S W 1/4 DESC IN OR 1002 PG 1452	16
AGHA ENTERPRIESE LLC +	02-44-24-00-00035.0000	N 50.43 FT OF S 267 FT OF	17
1389 N TAMIAMI TRL	1389 N TAMIAMI TRL	W 450 FT OF E 494 FT	
NORTH FORT MYERS FL 33903	NORTH FORT MYERS FL 33903	OF N E 1/4 OF S W 1/4	
PREMIER FLORIDA GROUP LLC	<b>02-44-24-00-00036.0000</b>	N 58.5 FT OF S 217 FT OF	18
I S 443 SUMMIT AVE 302	1343 RIVER RD	W 450 FT OF E 494 FT OF	
OAKBROOK TERRACE IL 60181	NORTH FORT MYERS FL 33903	N E 1/4 OF S W 1/4	
PREMIER RIVER ROAD GROUP LLC	<b>02-44-24-00-00037.0000</b>	N 58.5 FT OF S 158.5 FT OF	19
I S 443 SUMMIT AVE 302	1341 RIVER RD	W 450 FT OF E 494 FT OF	
OAKBROOK TERRACE IL 60181	NORTH FORT MYERS FL 33903	N E 1/4 OF S W 1/4	
PARADISE LIFESTYLES RESORT IV 6108 26TH ST W STE 2 BRADENTON FL 34207	<b>02-44-24-00-00038.0000</b> 1305/1319 RIVER RD NORTH FORT MYERS FL 33903	N 200 FT OF S E 1/4 OF S W 1/4 LESS RD R/W + PARCEL DESC AS: BEG 880 FT N OF SE COR SE 1/4 OF SW 1/4 W 1320 FT N 240 FT E 1320 FT S TO POB AKA TWIN PINES VILLAGE (FOSTERS + PALMS TP)	20
PREMIER RIVER ROAD GROUP LLC I S 443 SUMMIT AVE 302 DAKBROOK TERRACE IL 60181	02-44-24-00-00038.0010 RIGHT OF WAY NORTH FORT MYERS FL 33903	S 30 FT OF N E 1/4 OF S W 1/4 LESS RD R/W	21
MIRAH BLUE LLC	<b>02-44-24-01-00025.0000</b>	LITTLEGROVES UNIT A PB 9	22
1308 MIRACLE LN	1570 N TAMIAMI TRL	PG 12 N 100 OFS300 0FW240	

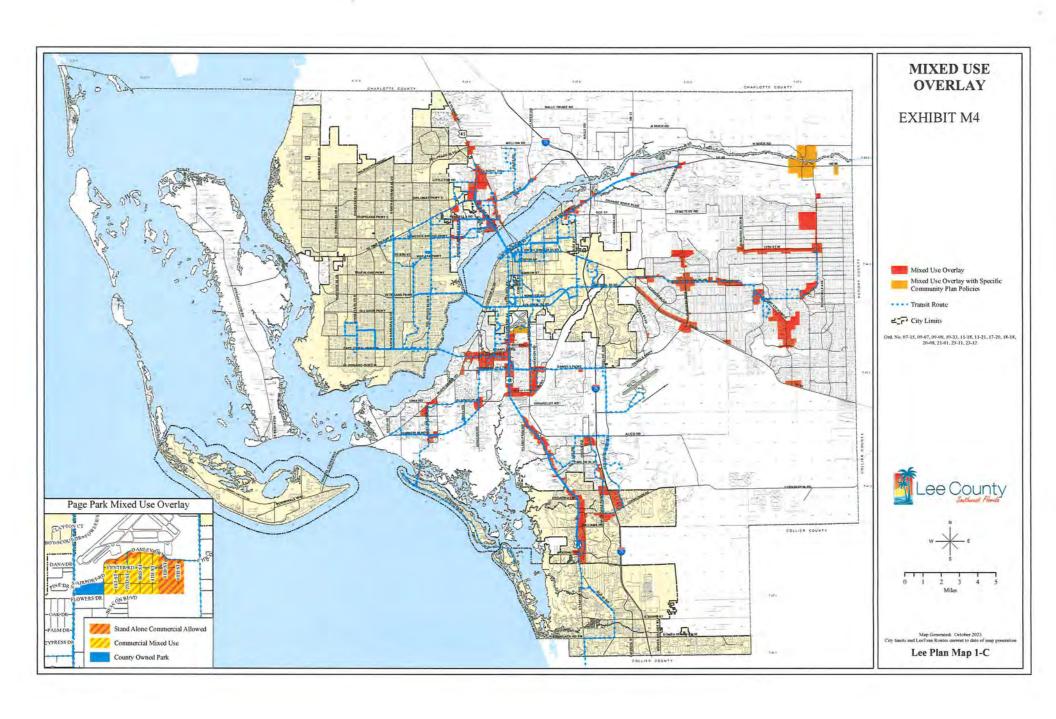
FORT MYERS FL 33901	NORTH FORT MYERS FL 33903	FT LT25 + SABAL PARK PB 9 PG 20 LOTS 6 + 7 LESS ROW OR 2347 PG 744	
NOAH LODGE # 357 F & A M	<b>02-44-24-03-0000A.0110</b>	TOWN OF KANTZ	23
41 WILLIS RD	41 WILLIS RD	BLK A PB 1 PG 19	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	LOTS 11 + 13	
MERE THOMAS A & VICKI L 1314 N TAMIAMI TRL NORTH FORT MYERS FL 33903	02-44-24-03-0000A.0120 1314 N TAMIAMI TRL NORTH FORT MYERS FL 33917	KANTZ TOWN OF BLK A PB I PG 19 PT LTS 27 + 29 + 25 + PAR DESC IN OR 4680/58 + VAC LES R/W OR2962/4190	24
HABITAT FOR HUMANITY OF LEE CO 12751 NEW BRITTANY BLVD #100 FORT MYERS FL 33907	02-44-24-03-0000A.0140 31 WILLIS RD NORTH FORT MYERS FL 33917	KANTZ TOWN OF PB 1/19 BLK A PT LTS 12+14+15+25 ALL 16-23+VAC LESS OR 2347/744 LESS OR 4473/3427 LESS 4680/58 LESS PORTION OF LAND DESC IN INSTRUMENT 2020000074592	25
RICH MICHAEL J TR	02-44-24-03-0000A.0150	KANTZ TOWN OF	26
PO BOX 50549	1353-1357 LAVIN LN	BLK.A PB 1 PG 19	
FORT MYERS FL 33994	NORTH FORT MYERS FL 33917	LOT PT 15	
3D PROPERTY MANAGEMENT WYOMING 2244 PARKER AVE FORT MYERS FL 33905	02-44-24-03-0000A.015A 1341-1347 LAVIN LN NORTH FORT MYERS FL 33917	FR INTERSECTION OF WLY LI LAVIN LN AND NLY LI WILLIS ST RUN NLY ALG WLY LI OF	27
SWANSON LOOP LLC	<b>02-44-24-03-0000A.0190</b>	TOWN OF KANTZ PB 1 PG 19	28
4224 RENAISSANCE PRESERVE WAY	4701-4791 SWANSON LOOP	PORTION BLK A DESC IN	
FORT MYERS FL 33916	NORTH FORT MYERS FL 33917	INSTRUMENT 2020000074592	
WESTRA DAVE E & MARY L	<b>02-44-24-03-0000A.0210</b>	KANTZ TOWN OF BLK A PB I	29
1349 SUNRISE DR	1366 N TAMIAMI TRL	PG 19 AS DESC IN OR 3419 PG	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33903	1085 LES R/W OR2347/737	
SPEEDWAY LLC PROPERTY TAX DEPARTMENT 539 SOUTH MAIN ST FINDLAY OH 45840	<b>02-44-24-03-0000A.0220</b> 1365 N TAMIAMI TRL NORTH FORT MYERS FL 33903	KANTZ TOWN OFBLK A PB 1 PG 19 LOT 22 W OF RD + N 1/2 LES R/W OR2341/304	30
1357 N TAMIAMI TRAIL NFM LLC	<b>02-44-24-03-0000A.0260</b>	KANTZ TOWN OF BLK A PB 1	31
16 WINEWOOD CT	1357 N TAMIAMI TRL	PG 19 S1/2 LT24 W OF RD +	
FORT MYERS FL 33919	NORTH FORT MYERS FL 33903	LTS 26+28LESR/WOR2342/1504	
LIFE STORAGE LP	02-44-24-03-0000A.0280	KANTZ TOWN OF	32
PO BOX 71870	1347 N TAMIAMI TRL	BLK A PB1/19 LTS 28 30+ PT	
SALT LAKE CITY UT 84171	NORTH FORT MYERS FL 33903	LTS27 29 LES R/W 2335/3637	
STATE OF FL DOT	<b>02-44-24-03-0000B.0020</b>	TOWN OF KANTZ PB1/19	33
PO BOX 1249	1474 N TAMIAMI TRL	PT BLK B DESC OR 2339/3152	
BARTOW FL 33831	NORTH FORT MYERS FL 33903	WATER STORAGE AREA	
STATE OF FL DOT	<b>02-44-24-03-0000B.0030</b>	TOWN OF KANTZ PB1/19	34
PO BOX 1249	SUBMERGED	PT BLK B DESC OR 2339/3152	
BARTOW FL 33831	NORTH FORT MYERS FL 33917	WATER STORAGE AREA	
FIFTEEN TWENTY LLC 1520 N TAMIAMI TRL NORTH FORT MYERS FL 33903	<b>02-44-24-03-0000B.0220</b> 1520 N TAMIAMI TRL NORTH FORT MYERS FL 33903	TOWN OF KANTZ BLK B PB I PG 19 W 100 FT OF N 50 FT LOT 22 LESS OR 2454 PG 4076	35
GERALDS LOCKSMITH INC	<b>02-44-24-03-0000B.0380</b>	KANTZ TOWN OF BLK B PB 1	36
1383 N TAMIAMI TRL	1383 N TAMIAMI TRL	PG 19 LTS 38+40W OF TRL	
NORTH FORT MYERS FL 33903	NORTH FORT MYERS FL 33903	LESS R/W OR 2347 PG 744	
MCKEOWN KIM & JAN	<b>02-44-24-03-0000C.001A</b>	KANTZ TOWN OF BLK C PB 1 PG	37
4801 MCKEOWN LN	4801 MCKEOWN LN	19	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	LOC IN E 2/3 OF N 1/2 OF N 1/2	

		OF N 1/2 OF N 1/2 OF SE 1/4 E OF CREEK + PARL IN NE 1/4 OF SE 1/4 SEC 2 T44 R24 RECORDED IN PB 1 P 19	
MCKEOWN PATRICK & 1425 EVALENA LN NORTH FORT MYERS FL 33917	<b>02-44-24-03-0000C.001B</b> MCKEOWN LN NORTH FORT MYERS FL 33917	KANTZ TOWN OF BLK C PB 1 PG 19 PAR IN E 2/3 OF N 1/2 OF N 1/2 OF N 1/2 OF NE 1/4 OF SE 1/4 DESC IN OR 4788 PG 2364	38
PARHAM TIMOTHY J +	<b>02-44-24-03-0000C.0090</b>	KANTZ TOWN OF	39
2226 SE 2ND ST	62 GLENMONT DR W	BLK C PB 1 PG 19	
CAPE CORAL FL 33990	NORTH FORT MYERS FL 33917	W 75 FT OF E 789 2 FT OF	
KGB PROPERTIES 106 LLC	<b>02-44-24-03-0000C.0100</b>	KANTZ TOWN OF BLK C	40
PO BOX 801	68 GLENMONT DR W	PB 1 PG 19 PT BLK C	
MARCO ISLAND FL 34146	NORTH FORT MYERS FL 33917	W 107 FT OF E 886.2 FT	
WILSON JAMES B 76 GLENMONT DR W NORTH FORT MYERS FL 33917	<b>02-44-24-03-0000C.0110</b> 76 GLENMONT DR W NORTH FORT MYERS FL 33917	TOWN OF KANTZ BLK C W 101 86 FT OF E 997.92 FT OF S 80 FT OF N 233 FT LYING E OF POWELL CREEK LESS S 16 FT FOR EASE TO RD ROW	41
RIVERA ALEX	<b>02-44-24-03-0000C.0120</b>	TOWN OF KANTZ	42
110 WILLIAMS ST	86 GLENMONT DR W	BLK.C	
FORT MYERS FL 33916	NORTH FORT MYERS FL 33917	W 96 FT OF E 1093.92 FT OF	
DAVIS DONALD D &	<b>02-44-24-03-0000C.0140</b>	FR NE COR OF SE 1/4 RUN S	43
3251 RUSTIC LANE	88 GLENMONT DR W	233 FT ALG E LI SD SEC TH	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	W 1193.35 FT TO POB CONT	
SANDRO BARBARA J TR 90 GLENMONT DR W NORTH FORT MYERS FL 33917	<b>02-44-24-03-0000C.0150</b> 90 GLENMONT DR W NORTH FORT MYERS FL 33917	FR NE COR OF SE 1/4 S 233 W 1288 TO POB THEN W 95 N 80 E 95 S 80 TO POB AKA TRACT 2 PARCEL 6	44
SANDRO MICHAEL LEE TR	<b>02-44-24-03-0000C.0160</b>	KANTZ TOWN OF BLK C PB 1	45
93 GLENMONT DR W	93 GLENMONT DR W	PG 101 PAR DESC OR 785 PG	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	101 LESS PAR OR 1415 PG120	
SANDRO MICHAEL J JR &	<b>02-44-24-03-0000C.0170</b>	KANTZ TOWN OF BLK C	46
91 GLENMONT DR W	91 GLENMONT DR W	PB 1 PG 119 PAR 1 + 2	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	DESC IN OR 2861 PG 0575	
LOPEZ ALEJANDRO RODRIGUEZ	<b>02-44-24-03-0000C.0180</b>	BEG 233 FT ST 1375 FT W OF	47
830 SW 101ST AVE	89 GLENMONT DR W	NE COR OF SE 1/4 TH S 44	
MIAMI FL 33174	NORTH FORT MYERS FL 33917	DEG 32 MIN W 113.14 FT TH	
ONEILL MICHAEL P	<b>02-44-24-03-0000C.0190</b>	FR NE COR SE 1/4 GO S 233	48
87 GLENMONT DR W	87 GLENMONT DR W	FT TH W 1375 FT TO POB TH	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	E 80 FT TH S 140 M/L TH	
BIERMANN PAUL & JEAN	<b>02-44-24-03-0000C.0200</b>	COMMENCE NE COR SE 1/4 TH	49
85 GLENMONT DR W	85 GLENMONT DR W	S ALG E LI SEC FOR 233 FT	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	TH W 1210.70 FT TH S 15 FT	
BIERMANN PAUL & JEAN	<b>02-44-24-03-0000C.0210</b>	FR NE COR SE 1/4 GO S 233	50
85 GLENMONT DR WEST	81 GLENMONT DR W	FT TH W 1210 FT + POB TH E	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	170 FT S 75 FT TH S 82 DEG	
AIMMACK PROPERTIES LLC	<b>02-44-24-03-0000C.0220</b>	BEG AT PT 248 FT S OF N	51
8429 CARDINAL RD	83 GLENMONT DR W	LI OF SE 1/4 SEC 2 T 44	
FORT MYERS FL 33967	NORTH FORT MYERS FL 33917	R 24 E + 1020 FT W OF E	
BOESCH URS & EVELINE 13300-56 SOUTH CLEVELAND AV	02-44-24-03-0000C.0230 80 VICTORIA DR NORTH FORT MYERS FL 33917	KANTZ TOWN OF BLK C PB 1 PG 19	52

#700 FORT MYERS FL 33907		PT OF AS DESC 1015/760 + PT OF AS DESC 1825/2974	
BRITO SISI JIMENEZ + 77 GLENMONT DR W NORTH FORT MYERS FL 33917	<b>02-44-24-03-0000C.0250</b> 77 GLENMONT DR W NORTH FORT MYERS FL 33917	TOWN OF KANTZ BLK C W 100 FT OF E 1020.7 FT OF S 127 FT OF N 360 FT LYG E OF POWELL CRK LESS N 15 FT EASE R/W	53
WEEKLY MARK J	<b>02-44-24-03-0000C.0260</b>	TOWN OF KANTZ	54
1260 SUNRISE DR	69 GLENMONT DR W #A&B	BLK C	
N FT MYERS FL 33917	NORTH FORT MYERS FL 33917	W 115 FT OF E 920.50 FT OF	
FULTON BRIAN D	<b>02-44-24-03-0000C.0270</b>	TOWN OF KANTZ	55
PO BOX 100637	61 GLENMONT DR W	BLK.C PB 1 PG 19	
CAPE CORAL FL 33910	NORTH FORT MYERS FL 33917	BEG 360 FT S + 729 W OF	
WEEKLY MARK	<b>02-44-24-03-0000C.0280</b>	TOWN OF KANTZ	56
1260 SUNRISE DR	55 GLENMONT DR W	BLK.C PB 1 PG 19 PT OF	
N FT MYERS FL 33917	NORTH FORT MYERS FL 33917	BLK C DESC OR1918PG343	
240 LLC	02-44-24-03-0000C.0320	TOWN OF KANTZ	57
14460 SW 162ND ST	118 BROOKS RD	BLK C PB 1 PG 19	
MIAMI FL 33177	NORTH FORT MYERS FL 33917	FR SW COR LOT 8 BARTENS	
BERRY SANDRA M + 122 BROOKS RD NORTH FORT MYERS FL 33917	02-44-24-03-0000C.0330 122 BROOKS RD NORTH FORT MYERS FL 33917	TOWN OF KANTZ BLK C PB 1 PG 19 POR OF BLK C LYING N OF BROOKS RD	58
WILLIS THOMAS WESLEY	<b>02-44-24-03-0000C.0340</b>	TOWN OF KANTZ	59
5543 COLD CREEK DR	126 BROOKS RD	BLK C PB 1 PG 19 AKA LT 14	
KELSEYVILLE CA 95451	NORTH FORT MYERS FL 33917	UT 2 BARTENS PINEVIEW EST	
GUZMAN NELSON & LILIAN	<b>02-44-24-03-0000C.0350</b>	BEG 203 FT W OF NW COR LOT	60
130 BROOKS RD	130 BROOKS RD	8 BARTENS PINEVIEW EST +	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	POB TH S 31 DEG E 72 FT TH	
SYLVESTER R V & LOUISE C	<b>02-44-24-03-0000C.0360</b>	TOWN OF KANTZ	61
PO BOX 3563	134 BROOKS RD	BLK C PB 1 PG 19	
FORT MYERS FL 33918	NORTH FORT MYERS FL 33917	FR THE N WLY CORNER OF LOT	
BEERIHOME INC 17760 WELLSWOOD RD NORTH FORT MYERS FL 33917	<b>02-44-24-03-0000C.0370</b> 138 BROOKS RD NORTH FORT MYERS FL 33917	TOWN OF KANTZ PT BLK C N OF OF BROOKS RD COMM FR NWLY COR LOT 8 RUN SW 203.56 FT SELY 152.7 FT TO POB CONT SELY 80 FT SWLY 120 FT NWLY 80 FT NELY 120 FT TO POB	62
KOEHN PAIGE & GARCIA JAVIER	<b>02-44-24-03-0000C.0380</b>	TOWN OF KANTZ	63
142 BROOKS RD	142 BROOKS RD	BLK C PB 1 PG 19	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	AKA LOT 10 UT 2 BARTENS PIN	
DUBOSE SHAWN R	<b>02-44-24-03-0000C.0390</b>	TOWN OF KANTZ	64
36750 WHISPERING PINES RD	146 BROOKS RD	POR BLK C	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	DESC IN OR 3474 PG 3434	
WIEBOLT PROPERTIES INC	<b>02-44-24-03-0000C.0400</b>	KANTZ TOWN OF	65
5317 SWAN LN NE	127 BROOKS RD	BLK C PB 1 PG 19	
BEMIDJI MN 56601	NORTH FORT MYERS FL 33917	BEG NE COR SE 1/4 SEC 2 TH	
WIEBOLT PROPERTIES INC	<b>02-44-24-03-0000C.0410</b>	KANTZ TOWN OF	66
5317 SWAN LN NE	139 BROOKS RD	BLK C PB 1 PG 19	
BEMIDJI MN 56601	NORTH FORT MYERS FL 33917	PARL N + E OF POWELL CRK	
VELDHUYZEN ALBERT R &	<b>02-44-24-03-0000C.0420</b>	PARL IN N 1/2 OF SE 1/4	67
1369 HARBOR VIEW DR	145 BROOKS RD	A/K/A PT BLK C	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	TOWN OF KANTZ	

NEEDOCTOR OTENSET OF SELECTION AND	to unawae caasa suus		
MURNANE MARK R & LINDA A TR	02-44-24-03-0000C.0430	TOWN OF KANTZ	68
149 BROOKS RD	149 BROOKS RD	BLK C PB 1 PG 19	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	PER INST 2005-84661	
MURNANE MARK & LINDA TR	02-44-24-03-0000C.043A	TOWN OF KANTZ	69
149 BROOKS RD	147 BROOKS RD	BLK C PB 1 PG 19	
NORTH FORT MYERS FL 33917	NORTH FORT MYERS FL 33917	PER INST 2005-84660	
PAULA SILMARA TOLEDO DE +	02-44-24-03-0000C.044A	TOWN OF KANTZ PT LOTS B+C	70
3766 METRO PKWY #534	1370 LAVIN LN	PB 1 PG 19 DESC IN	
FORT MYERS FL 33916	NORTH FORT MYERS FL 33917	OR 1302 PG 2082	
SOUTHWEST FLORIDA AFFORDABLE H 4224 RENAISSANCE PRESERVE WAY FORT MYERS FL 33916	1356 LAVIN LN	TRACT OR PARCEL OF LAND LYING IN BLK C+D OF TOWN OF KANTZ RECORDED IN PB1 PG19 DESC IN OR2905 PG1091	71
NOTTINGHAM MARK K TR	<b>02-44-24-03-00025.0010</b>	TOWN OF KANTZ PT OF BLK	72
4026 PALM TREE BLVD	1350 LAVIN LN	D PB 1 PG 19 DESC	
CAPE CORAL FL 33904	NORTH FORT MYERS FL 33917	OR 2905 PG 1089	
CLJ PROPERTIES OF FLORIDA LLC 4700 DEL SOL BLVD SARASOTA FL 34243	<b>02-44-24-04-00011.0000</b> 1555 N TAMIAMI TRL NORTH FORT MYERS FL 33903	MARIANA HEIGHTS PB 8 PG 73 LOT 11 + SLY 17 FT OF LOT 10 MERE THOMAS TRL PK 2 + N 78 FT OF W 180 FT OF E 343 FT OF LOT 12	73
LOPEZ CELERINO ROJAS &	<b>02-44-24-04-00012.0000</b>	MARIANA HTS PB 8 PG 73 S	74
1530 WOOD RD	1530 WOOD RD	60 FT OF N 138 FT OF W 180	
NORTH FORT MYERS FL 33903	NORTH FORT MYERS FL 33903	FT OF E 343 FT OF LOT 12	
RAINEY MATTHEW	<b>02-44-24-04-00012.0030</b>	MARIANA HEIGHTS PB 8 PG 73	75
1203 TRAVIS AVE	1526 WOOD RD	N 60 FT OF S 198 FT OF W	
NORTH FORT MYERS FL 33903	NORTH FORT MYERS FL 33903	180 FT OF E 343 FT LOT 12	
1547 N TAMIAMI LLC	02-44-24-04-00012.0040	MARIANA HEIGHTS PB 8 PG 73	76
4818 CORONADO PKWY #4	1547 N TAMIAMI TRL	N 120 FT OF E 163 FT	
CAPE CORAL FL 33904	NORTH FORT MYERS FL 33903	OF LOT 12	
T + S FASHION BOUTIQUE INC TR	<b>02-44-24-04-00012.0050</b>	MARIANA HEIGHTS PB 8 PG 73	77
1109 AMBER LAKE CT	I535 N TAMIAMI TRL	S 50 FT OF N 170 FT OF E	
CAPE CORAL FL 33909	NORTH FORT MYERS FL 33903	163 FT OF LOT 12	
IMPROTA JOHN	<b>02-44-24-04-00012.0060</b>	MARIANA HEIGHTS PB 8 PG 73	78
216 SE 15TH PL	1515 N TAMIAMI TRL	S 91 FT OF E 163 FT	
CAPE CORAL FL 33990	NORTH FORT MYERS FL 33903	OF LOT 12	
T + S FASHION BOUTIQUE INC TR	<b>02-44-24-04-00012.0070</b>	MARIANA HTS PB 8 PG 73	79
1109 AMBER LAKE CT	1517 N TAMIAMI TRL	N 75 FT OF S 166 FT OF	
CAPE CORAL FL 33909	NORTH FORT MYERS FL 33903	E 163 FT OF LOT 12	
SAMUELSON INDUSTRIES PO BOX 1130 PINE ISLAND MN 55963	02-44-24-04-00012.0080 18 EVERGREEN RD NORTH FORT MYERS FL 33903	MARIANA HEIGHTS PB 8 PG 73 PT LOT 12 BEGIN 380 FT FRM SW COR LOT 12 THEN N 138 FT THEN E 60 FT THEN S 138 FT THEN W 60 FT TO POB	80
VETTER RICHARD J TR	02-44-24-04-00012.0090	MARIANA HEIGHTS PB 8 PG 73	81
6470 BRIARCLIFF RD	22 EVERGREEN RD	S 138 FT OF W 60 FT OF E	
FORT MYERS FL 33912	NORTH FORT MYERS FL 33903	283 FT OF LOT 12	
VERTEFEUILLE PAUL A &	<b>02-44-24-04-00012.0100</b>	MARIANA HEIGHTS PB 8 PG 73	82
28 EVERGREEN RD	28 EVERGREEN RD	S 138 FT OF W 60 FT OF E	
NORTH FORT MYERS FL 33903	NORTH FORT MYERS FL 33903	343 FT OF LOT 12	

02-44-24-11-00000.0080 22 CRESCENT LAKE DR NORTH FORT MYERS FL 33917	SABAL PARK PB 9 PG 20 LOT 8	83
02-44-24-11-00000.0090 28 CRESCENT LAKE DR	SABAL PARK PB 9 PG 20	84
02-44-24-11-00000.0100 46 CRESCENT LAKE DR NORTH FORT MYERS FL 33917	SABAL PARK PB 9 PG 20 LOT 10	85
02-44-24-11-00000.0110 58 CRESCENT LAKE DR NORTH FORT MYERS FL 33917	SABAL PARK PB 9 PG 20 LOT 11	86
02-44-24-11-00000.012A 66 CRESCENT LAKE DR NORTH FORT MYERS FL 33917	SABAL PARK PB 9 PG 20 LOTS 12	87
02-44-24-11-00000.0130 70 CRESCENT LAKE DR NORTH FORT MYERS FL 33917	SABAL PARK PB 9 PG 20 LOT 13	88
<b>02-44-24-13-0000B.0010</b> 56 VICTORIA DR NORTH FORT MYERS FL 33917	KLINE MANOR NO 2 BLK B PB 10 PG 5 LOT 1	89
<b>02-44-24-13-0000B.0020</b> 62 VICTORIA DR NORTH FORT MYERS FL 33917	KLINE MANOR NO 2 BLK B PB 10 PG 5 LOT 2	90
<b>02-44-24-13-0000B.0030</b> 68 VICTORIA DR NORTH FORT MYERS FL 33917	KLINE MANOR NO 2 BLK B PB 10 PG 5 LOT 3	91
<b>02-44-24-13-0000B.0040</b> 74 VICTORIA DR NORTH FORT MYERS FL 33917	KLINE MANOR NO 2 BLK B PB 10 PG 5 LOT 4	92
<b>02-44-24-13-0000B.0050</b> 78 VICTORIA DR NORTH FORT MYERS FL 33917	KLINE MANOR NO 2 BLK B PB 10 PG 5 LOT 5	93
02-44-24-13-0000C.0090 55 VICTORIA DR NORTH FORT MYERS FL 33917	KLINE MANOR NO 2 BLK C PB 10 PG 5 LOT 9	94
<b>02-44-24-13-0000</b> C. <b>0100</b> 61 VICTORIA DR NORTH FORT MYERS FL 33917	KLINE MANOR NO 2 BLK C PB 10 PG 5 LOT 10	95
<b>02-44-24-13-0000C.0110</b> 67 VICTORIA DR NORTH FORT MYERS FL 33917	KLINE MANOR NO 2 BLK C PB 10 PG 5 LOT 11	96
02-44-24-13-0000C.0120 71/73 VICTORIA DR NORTH FORT MYERS FL 33917	KLINE MANOR NO 2 BLK C PB 10 PG 5 LOT 12	97
<b>02-44-24-13-0000C.0140</b> 75-79 VICTORIA DR NORTH FORT MYERS FL 33917	KLINE MANOR NO 2 BLK C PB 10 PG 5 LOTS 13 + 14	98
02-44-24-19-00000.0080 150 BROOKS RD NORTH FORT MYERS FL 33917	BARTENS PINEVIEW ESTATES PB 11 PG 26 LOT 8	99
	22 CRESCENT LAKE DR NORTH FORT MYERS FL 33917  02-44-24-11-00000.0090 28 CRESCENT LAKE DR NORTH FORT MYERS FL 33917  02-44-24-11-00000.0100 46 CRESCENT LAKE DR NORTH FORT MYERS FL 33917  02-44-24-11-00000.0110 58 CRESCENT LAKE DR NORTH FORT MYERS FL 33917  02-44-24-11-00000.012A 66 CRESCENT LAKE DR NORTH FORT MYERS FL 33917  02-44-24-11-00000.0130 70 CRESCENT LAKE DR NORTH FORT MYERS FL 33917  02-44-24-13-0000B.0010 56 VICTORIA DR NORTH FORT MYERS FL 33917  02-44-24-13-0000B.0020 62 VICTORIA DR NORTH FORT MYERS FL 33917  02-44-24-13-0000B.0030 68 VICTORIA DR NORTH FORT MYERS FL 33917  02-44-24-13-0000B.0040 74 VICTORIA DR NORTH FORT MYERS FL 33917  02-44-24-13-0000B.0050 78 VICTORIA DR NORTH FORT MYERS FL 33917  02-44-24-13-0000C.0090 55 VICTORIA DR NORTH FORT MYERS FL 33917  02-44-24-13-0000C.0100 61 VICTORIA DR NORTH FORT MYERS FL 33917  02-44-24-13-0000C.0110 67 VICTORIA DR NORTH FORT MYERS FL 33917  02-44-24-13-0000C.0110 67 VICTORIA DR NORTH FORT MYERS FL 33917  02-44-24-13-0000C.0110 67 VICTORIA DR NORTH FORT MYERS FL 33917  02-44-24-13-0000C.0110 67 VICTORIA DR NORTH FORT MYERS FL 33917  02-44-24-13-0000C.0110 67 VICTORIA DR NORTH FORT MYERS FL 33917  02-44-24-13-0000C.0120 71/73 VICTORIA DR NORTH FORT MYERS FL 33917  02-44-24-13-0000C.0120 71/73 VICTORIA DR NORTH FORT MYERS FL 33917	22 CRESCENT LAKE DR NORTH FORT MYERS FL 33917  02-44-24-11-00000.0100 02-44-24-11-00000.0110 03-44-24-11-00000.0110 05-44-24-11-00000.0110 05-44-24-11-00000.0110 05-44-24-11-00000.012A 06 CRESCENT LAKE DR NORTH FORT MYERS FL 33917  102-44-24-11-00000.012A 06 CRESCENT LAKE DR NORTH FORT MYERS FL 33917  102-44-24-11-00000.012A 06 CRESCENT LAKE DR NORTH FORT MYERS FL 33917  102-44-24-11-00000.0130 070 CRESCENT LAKE DR NORTH FORT MYERS FL 33917  102-44-24-11-00000.0130 070 CRESCENT LAKE DR NORTH FORT MYERS FL 33917  102-44-24-13-0000B.0010 05-04-12-10-10-10-10-10-10-10-10-10-10-10-10-10-



#### HORIZON TAMIAMI EXISTING FUTURE LAND USE MAP 1-C



#### HORIZON TAMIAMI PROPOSED FUTURE LAND USE MAP 1-C

#### EXHIBIT -M4 REVISED 12-11-2024



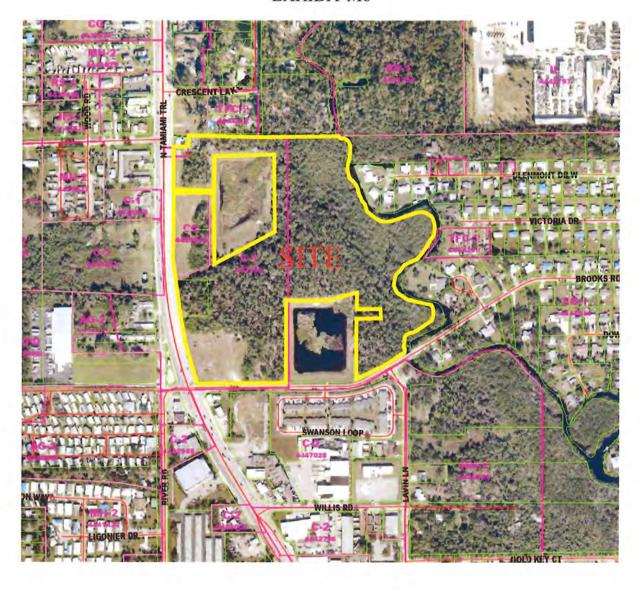
#### HORIZON TAMIAMI MAP OF EXISTNG LAND USES Revised 7/19/2024

#### **EXHIBIT M5**



#### HORIZON TAMIAMI EXISTNG ZONING OF SUBJECT PROPERTY

#### **EXHIBIT M6**

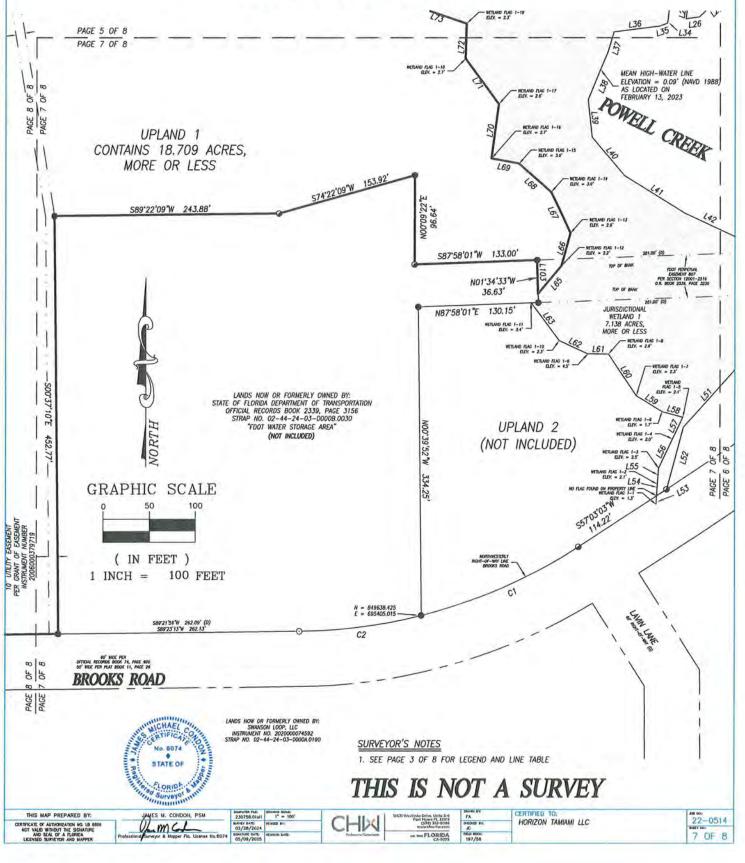


Mixed-Use Zoning Districts: C-1, C-2

Commercial Zoning Districts: CG

Residential Zoning Districts: RS-1, TFC-2, MH-2, RM-2, AG-2

Industrial Zoning Districts: IL



## SKETCH OF DESCRIPTION OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA PAGE 4 OF 8 PAGE 4 OF B PAGE 8 OF 8 PAGE 8 OF 8 GRANT OF EASEMENT GRANT OF EASEMENT NUMBER 2006000379719 40' FDOT DRAINAGE EASEMENT PER DEED BOOK 307, PAGE 634 AND INSTRUMENT NUMBER 216208 PF UPLAND 1 U.S. BUSINESS 41 U.S. BUSINESS 41 STATE ROAD 739 STATE ROAD 739 RIGHT OF WAY VARIES RIGHT OF TOT SECTION PER FDOT SECTION PER 12001-2516 CONTAINS 18.709 ACRES, DETAIL MORE OR LESS NOT TO SCALE EXISTING RIGHT OF WAY PER FDOT SECTION 12001-2616 S00'37'10"E 452.77 SURVEYOR'S NOTES 1. SEE PAGE 3 OF 8 FOR LEGEND AND LINE TABLE THIS IS NOT A SURVEY GRAPHIC SCALE S89'22'16"W 450.69 (BEARING BASIS) 9 9 ( IN FEET ) PAGE 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. LORIO 1 INCH = 100 FEETTHIS MAP PREPARED BY: 22-0514 Fort Myure FL 53913 (239) 352-4085 HORIZON TAMIAMI LLC 8 OF 8

#### LEGAL DESCRIPTION

(UPLAND 2)

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:

BEGINNING AT THE SOUTHEASTERLY CORNER OF STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FDOT WATER STORAGE AREA AS RECORDED IN OFFICIAL RECORDS BOOK 2339, PAGE 3156 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, THENCE NORTH 00'39'52" WEST, A DISTANCE OF 334.25 FEET; THENCE NORTH 87'58'01" EAST, A DISTANCE OF 122.50 FEET TO A JURISDICITIONAL WETLAND LINE; THENCE ALONG SAID WETLAND LINE THE FOLLOWING TEN (10) COURSES AND DISTANCES:

- 1. THENCE SOUTH 36'47'49" EAST, A DISTANCE OF 50.69 FEET;
- 2. THENCE SOUTH 65'31'15" EAST, A DISTANCE OF 35.16 FEET;
- 3. THENCE SOUTH 89°22'29" EAST, A DISTANCE OF 22.26 FEET;
- THENCE SOUTH 34"05'09" EAST, A DISTANCE OF 54.42 FEET;
- 5. THENCE SOUTH 58'21'04" EAST, A DISTANCE OF 32.84 FEET;
- THENCE SOUTH 74'58'53" EAST, A DISTANCE OF 23.34 FEET;
- THENCE SOUTH 25'19'14" WEST, A DISTANCE OF 26.07 FEET;
- THENCE SOUTH 25'15'50" WEST, A DISTANCE OF 35.18 FEET;
   THENCE SOUTH 04'10'37" WEST, A DISTANCE OF 17.37 FEET;
- 10. THENCE SOUTH 03'48'11" WEST, A DISTANCE OF 12.58 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF BROOKS ROAD (60' RIGHT-OF-WAY);

THENCE SOUTH 57'03'03" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 101.42 FEET TO THE POINT OF CURVE CONCAVE NORTHWESTERLY; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 570.00 FEET, A CENTRAL ANGLE OF 18'48'41", THE CHORD FOR WHICH BEARS SOUTH 66'27'23" WEST, A CHORD DISTANCE OF 186.30 FEET, AN ARC DISTANCE OF 187.14 FEET TO THE END OF SAID CURVE AND THE POINT OF BEGINNING.

CONTAINING 1.511 ACRES, MORE OR LESS.

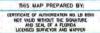
#### SURVEYOR'S NOTES

- 1. BEARINGS SHOWN HEREON ARE BASED UPON THE EAST LINE OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION "FDOT WATER STORAGE AREA" HAVING A BEARING OF NORTH 00'39'52" WEST, WHICH IS STATE PLANE. COORDINATES ARE GRID, BASED UPON NORTH AMERICAN DATUM OF 1983 (NAD 83/2011), FLORIDA WEST ZONE.
- 2. THE STREET ADDRESS IS:

1460 NORTH TAMIAMI TRAIL NORTH FORT MYERS, FLORIDA 33903

- 3. SUBJECT PARCEL CONTAINS 1.511 ACRES, MORE OR LESS
- 4. 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.
- 5. SEE PAGE 2 OF 2 SKETCH OF DESCRIPTION.

## THIS IS NOT A SURVEY





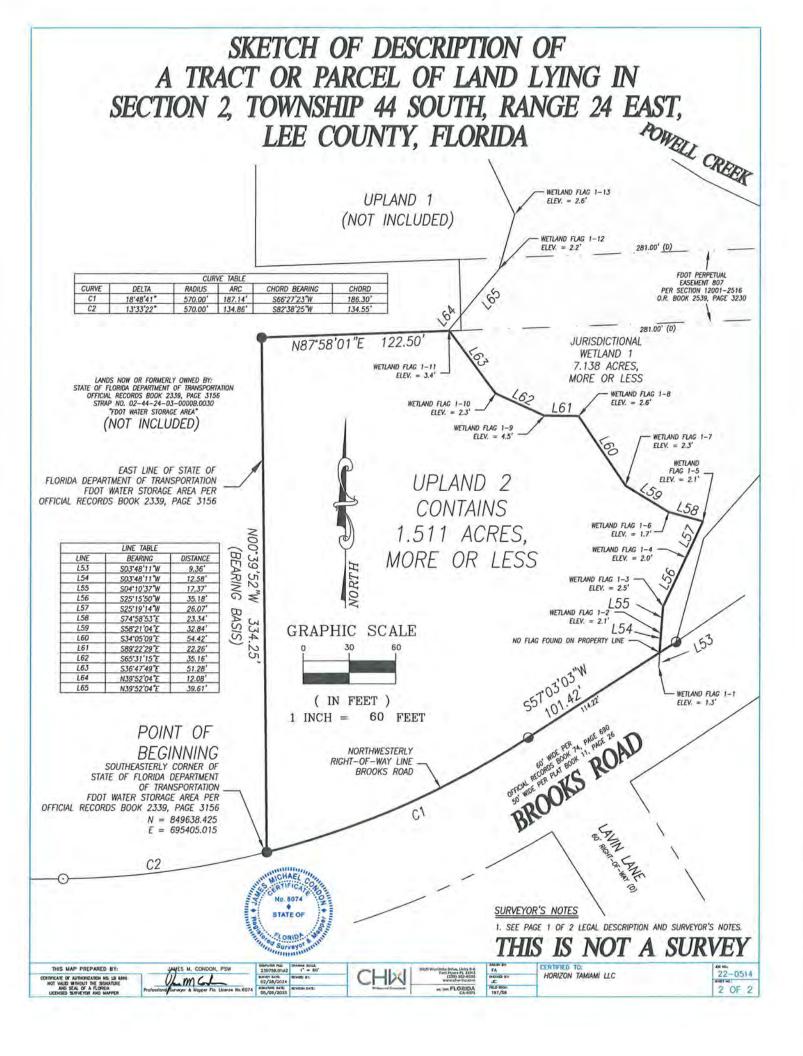
00#HVER FEE 258756.01w2 DEAMS BOALD NOT TO SCALE AND TO SCALE OZ/28/2024 ROUGH BY: 05-09-2016 PEVHON DATE: 05-09-2016

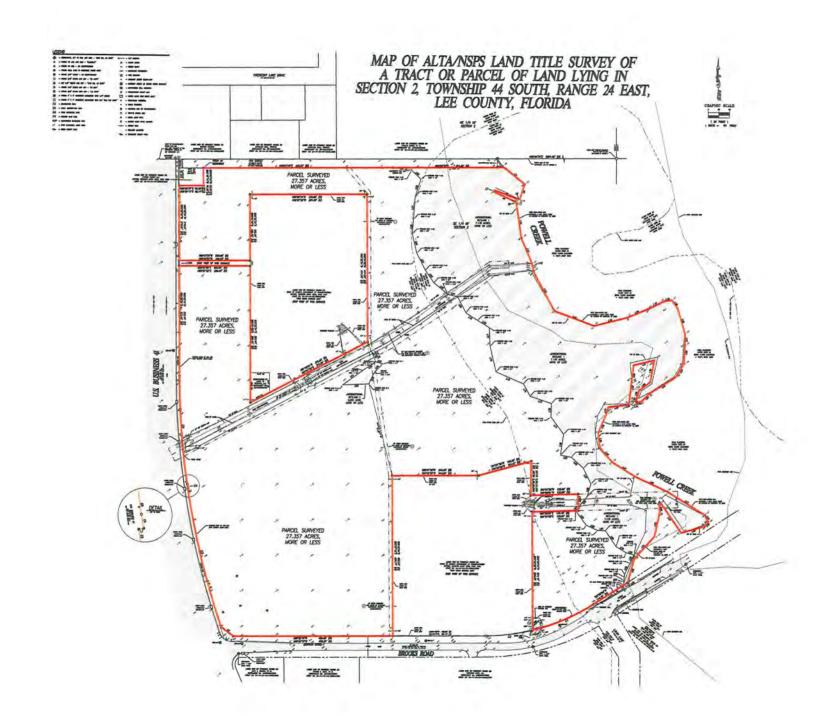


FOR DA

CERTIFIED TO:
HORIZON TAMIAMI LLC

22-0514 Pariso 1 OF 2





CRESCENT LAKE DRIVE

SHEET

SHEET 8

SUBJECT

PARCEL SURVEYED 18.709 ACRES

MORE OR LESS

BROOKS ROAD

BUSINESS

U.S.

LEGAL DESCRIPTION

(UPLAND 1)

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

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 52.82 FEET TO THE JURISDICTIONAL WETLAND LINE; THENCE ALONG SAID WETLAND LINE THE FOLLOWING TWENTY-SIX (26) COURSES AND DISTANCES:

- THENCE SOUTH 06'35'25" EAST, A DISTANCE OF 7.5.0 FEET;
  THENCE SOUTH 46'42'18" EAST, A DISTANCE OF 7.5.6 FEET;
  THENCE SOUTH 46'42'18" EAST, A DISTANCE OF 56.17 FEET;
  THENCE SOUTH 17'55'57" WEST, A DISTANCE OF 51.07 FEET;
  THENCE SOUTH 03'47'01" WEST, A DISTANCE OF 64.98 FEET;
  THENCE SOUTH 04'19'23" WEST, A DISTANCE OF 64.98 FEET;
  THENCE SOUTH 13'40'41" EAST, A DISTANCE OF 55.29 FEET;
  THENCE SOUTH 26'37'14" EAST, A DISTANCE OF 54.08 FEET;
  THENCE SOUTH 36'37'44" EAST, A DISTANCE OF 54.08 FEET;
- B
- THENCE SOUTH 20-37 14 EAST, A DISTANCE OF 42.36 FEET;
  THENCE SOUTH 50'06'37" EAST, A DISTANCE OF 51.63 FEET;
- THENCE SOUTH 77'39'45" EAST, A DISTANCE OF 27.87 FEET;
  THENCE SOUTH 27'27'16" EAST, A DISTANCE OF 52.70 FEET; 10.
- THENCE SOUTH 27'27'16" EAST, A DISTANCE OF 52.70 FEET; THENCE SOUTH 57'28'33" EAST, A DISTANCE OF 38.79 FEET; THENCE SOUTH 58'49'31" EAST, A DISTANCE OF 38.49 FEET; THENCE SOUTH 52'59'05" EAST, A DISTANCE OF 52.66 FEET; THENCE SOUTH 12'53'33" EAST, A DISTANCE OF 88.51 FEET; THENCE SOUTH 29'01'06" EAST, A DISTANCE OF 88.51 FEET; THENCE SOUTH 29'01'06" EAST, A DISTANCE OF 40.01 FEET; THENCE SOUTH 71'12'26" EAST, A DISTANCE OF 63.76 FEET; THENCE SOUTH 36'08'40" EAST, A DISTANCE OF 60.87 FEET; THENCE SOUTH 07'45'32" WEST, A DISTANCE OF 50.32 FEET; THENCE SOUTH 77'23'10" EAST, A DISTANCE OF 59.32 FEET; THENCE SOUTH 79'23'10" EAST, A DISTANCE OF 50.37 FEET; THENCE SOUTH 48'25'34" EAST, A DISTANCE OF 50.37 FEET; THENCE SOUTH 48'25'34" EAST, A DISTANCE OF 50.37 FEET; THENCE SOUTH 48'25'34" EAST, A DISTANCE OF 50.37 FEET; 11.
- 12.
- 13.

- 19.
- 20.
- 21
- 22
- THENCE SOUTH 48'25'34" EAST, A DISTANCE OF 46.50 FEET;
  THENCE SOUTH 25'46'41" EAST, A DISTANCE OF 49.36 FEET; 23.
- 24. 25.
- THENCE SOUTH 16'02'04" WEST, A DISTANCE OF 36.87 FEET,
  THENCE SOUTH 39'52'04" WEST, A DISTANCE OF 39.61 FEET TO THE END OF SAID

JURISDICTIONAL WETLAND LINE AND TO THOSE CERTAIN LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2339, PAGE 3156; THENCE ALONG SAID LANDS THE FOLLOWING SIX (6) COURSES AND DISTANCES:

- 2.

AND DISTANCES:
THENCE NORTH 01'34'33" WEST, A DISTANCE OF 36.63 FEET;
THENCE SOUTH 87'58'01" WEST, A DISTANCE OF 133.00 FEET;
THENCE NORTH 00'09'22" EAST, A DISTANCE OF 96.64 FEET;
THENCE SOUTH 74'22'09" WEST, A DISTANCE OF 153.92 FEET;
THENCE SOUTH 89'22'09" WEST, A DISTANCE OF 243.88 FEET;
THENCE SOUTH 00'37'10" EAST, A DISTANCE OF 243.88 FEET;
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 NORTHEASTERLY, THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CORVE 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 CONCAVE TO THE EAST, THENCE CONTINUE NORTHWESTERLY ALONG THE ARC OF SAID CURV 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:

- THENCE NORTH 89:27'58" EAST, A DISTANCE OF 200.04 FEET;
  THENCE SOUTH 00'31'08" EAST, A DISTANCE OF 389.41 FEET;
  THENCE NORTH 61'51'55" EAST, A DISTANCE OF 373.64 FEET;
  THENCE NORTH 00'34'05" WEST, A DISTANCE OF 417.56 FEET;
  THENCE SOUTH 89:23'24" WEST, A DISTANCE OF 417.56 FEET;
  THENCE SOUTH 89:23'47" EAST, A DISTANCE OF 185.78 FEET.

- 6. THENCE SOUTH 00'31'47" EAST, A DISTANCE OF 185.78 FEET;
  7. THENCE SOUTH 89'29'57" WEST, A DISTANCE OF 189.93 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 20.81 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 18.709 ACRES, MORE OR LESS.

THIS MAP PREPARED BY: JANES M. CONDON, PSM mal

NOT TO SCALE



125.31 Westlinks Drive, Units 5-6 Fort Hyper F1, 33913 (239) 352-6065 FLORIDA HORIZON TAMIAMI LLC



SHEET

SHEET 7

SHEET INDEX

NOT TO SCALE

POWELL

CREEK

#### 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 STATE PLANE. COORDINATES ARE GRID, BASED UPON NORTH AMERICAN DATUM OF 1983 (NAD 83/2011), FLORIDA WEST ZONE.

#### 2. 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

3. SUBJECT PARCEL CONTAINS 18.709 ACRES, MORE OR LESS.

4. 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.

SECOND 15 SECOND

VICINITY SKETCH
(NOT TO SCALE)

THIS IS NOT A SURVEY

THIS MAP PREPARED BY:	JAYES M.
ENTIFICATE OF AUTHORIZATION HO. EB 6899 HOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORDA LOCKSED SURVEYOR AND MAPPER	Professional Furveyor &

JANES M. CONDON, PSM

UL. M. C.L.

classicon furreyor & Mapper Fls. Ucense No. 607

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230738.01ull NOT TO SCALE
32/23/2024
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SI Wertlinks Drive, Units 5-6
Fort Myses Ft. 33831
(239) 352-6085
yearst-in-teem

PA CERCIPIED TO:

HORIZON TAMIAMI LLC

1027/56

TOWNSHIP

SOUTH

44

**JIHSNMO** 



2 OF B

1 LLC 22-0514

LINE	BEARING	DISTANC
LIVE		
L2	N79'29'59"E	0.41
L3	N52'53'31"W	42.80
	S50'30'43"E	74.18
L4	517'12'49'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	508'28'45"E	97.16
L11	523'21'37"E	77.36
L12	S10'55'19"E	21.72
L13	S27'49'37"E	128.74
L14	569'29'01"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		
L22	S00'03'56"E	32.37
L23	S02'53'18'W	52.91
	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	SB2'52'55"W	49.76
L37	S16'52'50'W	23.68
L38	522'48'22'W	55.10
L39	S06'07'45"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	528'36'41"E	21.51
L45	538'20'18'W	16.11
L46		
L47	574'01'51'W	69.00
	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	541'50'50'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	S39'52'04'W	39.61
L66	516'02'04"W	36.87
L67	S25'46'41"E	49.36
L68	S48'25'34"E	46.50'
L69	S79'23'10"E	30.47
L70	S07'45'32'W	59.32
L71	S36'08'40"E	60.87
L72	501'41'48'W	38.09
L73	S71'12'26"E	63.76
L74	S29'01'06"E	40.01
L75	S66'47'05"E	84.51
L76	S12'53'33"E	75.44
L77	S02'59'05"E	52.66'
L78	S58'49'31"E	39.42
L79	S57'28'33"E	38.79
L80	S27'27'16"E	52.70
LB1	S77'39'45"E	27.87
L82	S50'06'37"E	51.63
L83	S35'07'44"E	42.36
L84	S26'37'14"E	54.08
L85	S13'40'41"E	55.29
L86	S04'19'23"W	40.86
L87	S03'47'01'W	64.98
188	S17'55'57'W	51.07
L89	S46'42'18"E	36.17
L90	S87'30'33'W	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	522'29'08"E	28.45
L101	N73'34'16'W	30.16
L102	S15'56'47'W	29.16
L103	NO1'34'33"W	46.11
L104	S00'32'31'E	15.15

LE C	END	
(n)	- LECAL	OCCOMPTION DATA

		CUR	VE TABLE		
CURVE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	18'48'41"	570.00	187.14	S66'27'23"W	186.30
C2	13'33'22"	570.00	134.86'	582'38'25"W	134,55
C3	10'17'22"	2236.83'	401.70'	N13'55'16"W	401.16
C4	0'16'20"	2818.79	13.39'	N10'21'51'W	13.39
C5	7'53'19"	2236.83'	307.97'	NO4'29'10"W	307.73



## THIS IS NOT A SURVEY

CENTRICATE OF AUTHORIZATION NO. LB 4500 NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER JANES M. CONDON, PSM

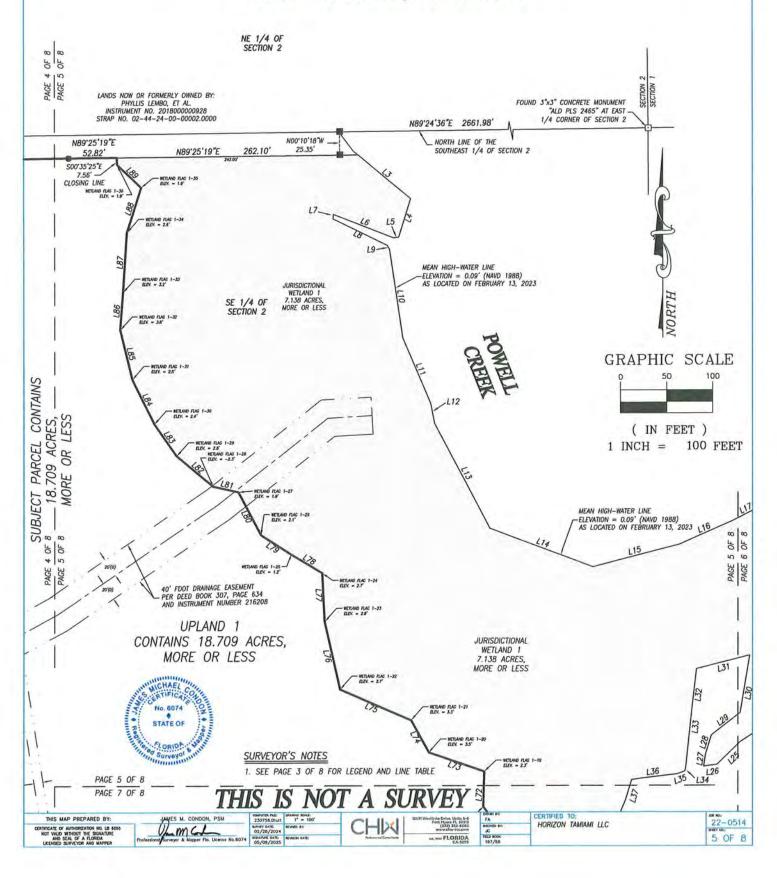
CHM

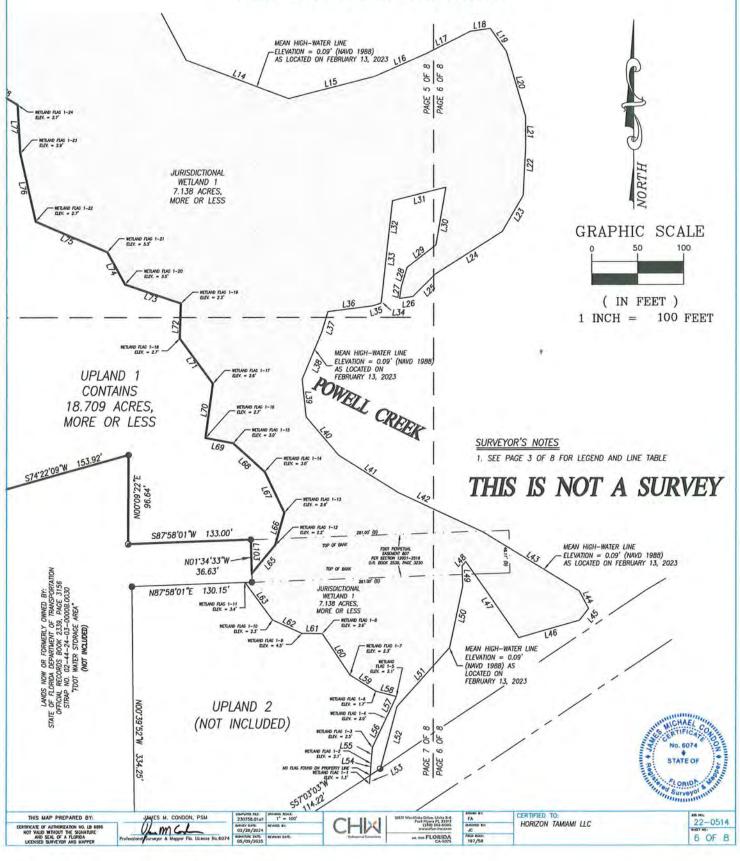
FIN Wasterlan Drive, Units 5-6
fort Name Ft. 2743
(229) 324-4045
(229) 324-4045
(229) 324-4045
(229) 324-4045

CERTIFIED TO:
HORIZON TAMIAMI LLC

22-0514 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 CHAEL CRESCENT LAKE DRIVE 50' RIGHT-OF-WAY (D) LANDS NOW OR FORMERLY OWNED BY: KATHLEEN DOLL, TRUSTEE INSTRUMENT NO. 2011000265343 STRAP NO. 02-44-24-00-00002.003C POINT OF COMMENCEMENT FOUND P/K NAIL AND DISK "LB3542" AT THE 00 00 OF OF NORTHWEST CORNER OF THE SOUTHEAST 1/4 PAGE LANDS NOW OR FORMERLY OWNED BY: SHARON HOWARD INSTRUMENT NO. 2010000274B36 STRAP NO. 02-44-24-00-00003.0000 LANDS NOW OR FORMERLY OWNED BY: KATHLEEN DOLL, TRUSTEE INSTRUMENT NO. 2011000265343 STRAP NO. 02-44-24-00-00002.003B N89'24'36"E POINT OF 56.34'(C) BEGINNING N = 850938.455 E = 694465.672 NBS 25' RIGHT OF WAY (P) PLAT BOOK 1, PAGE 19 NOT OPEN / UNIMPROVED 4TH STREET N89'22'36"E 535.52" 68.57' 15.000'36'32'E 500'32'31 E 500'3 NO0.40.19.A CLOSIN UPLAND 1 LAMOS NOW OR FORMERLY OWNED BY: FIFTEEN TWENTY LLC OFFICIAL RECORDS BOOK 4322, PAGE 4500 STRAP NO. 02-44-24-03-00008.0220 49.80 CONTAINS 18.709 ACRES. MORE OR LESS 68.66 N89'28'57"E S89'23'24"W 330.86" W.15,25.00N 10' UTILITY EASEMENT PER GRANT OF EASEMENT INSTRUMENT NUMBER 2006000379719 NO0.34.05.M S89°29'57"W 199.93' -L104 (NOT INCLUDED) 9 ACRES, OR LESS N89'27'58"E 200.04" GRAPHIC SCALE SUBJECT PARCEL LANDS NOW OR FORMERLY OWNED BY: STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION OFFICIAL RECORDS BOOK 2339, PAGE 3157 STRAP NO. 02-44-24-03-0000B.0020 "FDOT WATER STORAGE AREA" 18.709 MORE 0 100:32:31 W ( IN FEET ) (NOT INCLUDED) 100 FEET 1 INCH = 8 8 10 SURVEYOR'S NOTES UPLAND 1 PAGE 1. SEE PAGE 3 OF 8 FOR LEGEND AND LINE TABLE CONTAINS 18.709 ACRES, THIS IS NOT A SURVEY MORE OR LESS EXISTING RIGHT OF WAY PER FDOT SECTION 12001-2616 PAGE 4 OF 8 PAGE 4 OF B WEMORANDUM OF 12 LEASE TO ROWSTAR, LLC PAGE 8 OF 8 PAGE 8 OF 8 THIS MAP PREPARED BY: m CL 22-0514 Fast Hyper FL J1913 (239) 153-6065 HORIZON TAMIAMI LLC 4 OF 8





Kevin C. Karnes, Lee County Clerk of the Circuit Court & Comptroller INSTR# 2023000350870, DocType D, Pages 5, Recorded 10/31/2023 at 11:17 AM, DeputyClerk WMILLER Rec Fees: \$44.00 Deed Doc: \$25,200.00 ERECORD

## **EXHIBIT M8**

This Instrument was prepared by: Gregg S. Truxton, Esquire Bolaños Truxton, P.A. 12800 University Drive, Suite 350 Fort Myers, Florida 33907

Parcel Identification No: 02-44-24-03-0000B,0320; 02-44-24-03-00001 0210; and 02-44-24-03-0000B,0010; 02-44-24-03-00001,0200

#### SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made this day of October, 2023, by Brooks Road QOZB, LLC, a Florida limited liability company (hereinafter called the Grantor), whose address is 200 Mirror Lake Drive N., St. Petersburg, FL 33701, to Horizon Tamiami LLC a Delaware limited liability company (hereinafter called Grantee), whose address is 5 Corporate Drive, Suite 105, Central Valley, NY 10917.

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Lee County, Florida to-wit:

#### See Exhibit "A" attached hereto.

and this conveyance is subject to: (1) applicable zoning ordinances, regulations and governmental requirements; (2) real estate taxes and assessments for the year 2023 and subsequent years, which are not yet due and payable; and (3) covenants, conditions, restrictions and easements of record, if any.

**TOGETHER**, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

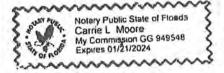
TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor.

[SIGNATURE ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the said Grantor has hereunto set our hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:	Brooks Road QOZB, LLC, a Florida limited liability company
Sign Sandra D. Christensen	
Print Name: Sandra D. Christensen Sign (14 All & Moule)	By: Joseph Bonora, Manager
Print Name: COLUTE (111001)	
State of Flounds	
County of Lee	
presence or ( ) online notarization, this	dedged before me by means of ( ) physical day of October, 2023, by Joseph Bonora, as lorida limited liability company, who is ( )
Florida days (16215)	uced the following as identification:
My Commission Expires:	Carrel ANlarce
	Notary Public



#### EXHIBIT "A"

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:

- 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;
- 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;
- 17. THENCE SOUTH 35 TO 31 EAST, A DISTANCE OF SOLZ4 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;

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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 38°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;
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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);

JENCE SOUTH 57°03'03" WEST ALONG SAID NORTHWESTERLY RIGHT OF WAY

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 66°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:

- THENCE NORTH 00°39'52" WEST, A DISTANCE OF 334.25 FEET;
- THENCE NORTH 87°58'01" EAST, A DISTANCE OF 130.15 FEET;
- THENCE NORTH 01°34'33" WEST, A DISTANCE OF 46.11 FEET;
- 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;
- 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 307.96 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:
- THENCE SOUTH 00°31'08" EAST, A DISTANCE OF 389.41 FEET;
- THENCE NORTH 61°51'55" EAST, A DISTANCE OF 373.64 FEET;
- THENCE NORTH 00°34'05" WEST, A DISTANCE OF 417.56 FEET;
- THENCE SOUTH 89°23'24" WEST, A DISTANCE OF 330.86 FEET;
- 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.

#### HORIZON TAMIAMI AERIAL MAP OF SUBJECT PROPERTY

#### **EXHIBIT M9**



#### **EXHIBIT M10**

#### AUTHORIZATION TO REPRESENT

Please be advised that VERONICA MARTIN, SENIOR PLANNER and DEAN MARTIN, P.E., of TDM Consulting, Inc., 43 Barkley Circle, Suite 200, Fort Myers, FL 33907, are hereby authorized to represent Horizon Tamiami, LLC, 5 Corporate Drive #105, Central Valley, NY, 10917, the Applicant and Owner of Record, in all applications to Lee County and subsequent public hearings regarding the properties at 1450, 1456, 1460, and 1470 N. Tamiami Trail, North Fort Myers, FL 33903, also identified by STRAP Nos 02-44-24-03-0000B.0320, 02-44-24-03-00001.0210, 02-44-24-03-0000B.0010, and 02-44-24-03-00001.0200.

Joseph Niederman, Managing Member

Signature of Notary Public

Horizon Tamiami, LLC

COUNTY OF ORANGE

The foregoing instrument was sworn to (or affirmed) and subscribed before	e me by
means of physical presence or online notarization, on 1/26/2024	(date)
by ) (name of person providing oath or affirmation),	who are
personally known to me or who has produced	_(type of
identification) as identification.	

STAMP/SEAL

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



1520 Royal Palm Square Blvd, Suite 100 Fort Myers, FL 33919 Phone: 239-433-4231 www.tdmcivilengineering.com 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 I-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.

Narrative of Request Page 3 of 10

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 statemaintained 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 l/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 multifamily 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 though 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.7

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.



1520 Royal Palm Square Blvd, Suite 100 Fort Myers, FL 33919

Phone: 239-433-4231

www.tdmcivilengineering.com Certificate of Authorization # 29086

#### Environmental Impacts Analysis – Exhibit M13

The Applicant owns a ±27.36 acre property located at the northeast intersection of N. Tamiami Trail and Brooks Road. The property owner had a formal wetland determination completed by SFWMD, which determined that 7.2 acres of the property is classified as wetlands. The area classified as wetlands abuts Powell Creek. The remainder of the property is uplands and has a future land use classification of Intensive Development. The Applicant is requesting to add the remaining 20.16 acres to Lee Plan Map 1-C (Mixed-Use Overlay Map\_.

The attached Soils Map indicates that the majority (89.1%) of the subject property is underlain with Immokalee sand – Urban land complex soil, #36. The hydric soils, Kesson fine sand, tidal (#24) and Isles fine sand (#39) is located within the wetland area.

The attached FLUCFCS Map identifies mostly Pine, Oak, and Cabbage Palm along with Mixed Wetland Hardwoods with various levels of exotic vegetation, including Brazilian Pepper and Melaleuca throughout the site. The range of Exotics varies from E2 to E4.

The attached Flood Insurance Rate Map (FIRM) identifies the existing floodway (Powell Creek) along the eastern boundary of the property. The floodway coincides with the existing wetlands onsite, which will be preserved. The FIRMette/Topographic Map provides more detailed information on the flood elevations.

Amending Lee Plan Map 1-C to add the 20.16 acres to the Mixed-Use Overlay will not have any impacts to the environmental conditions of the property.

A copy of the Formal Wetland Determination Letter, Soils Map, and FLUCFCS Map is included with this Analysis.

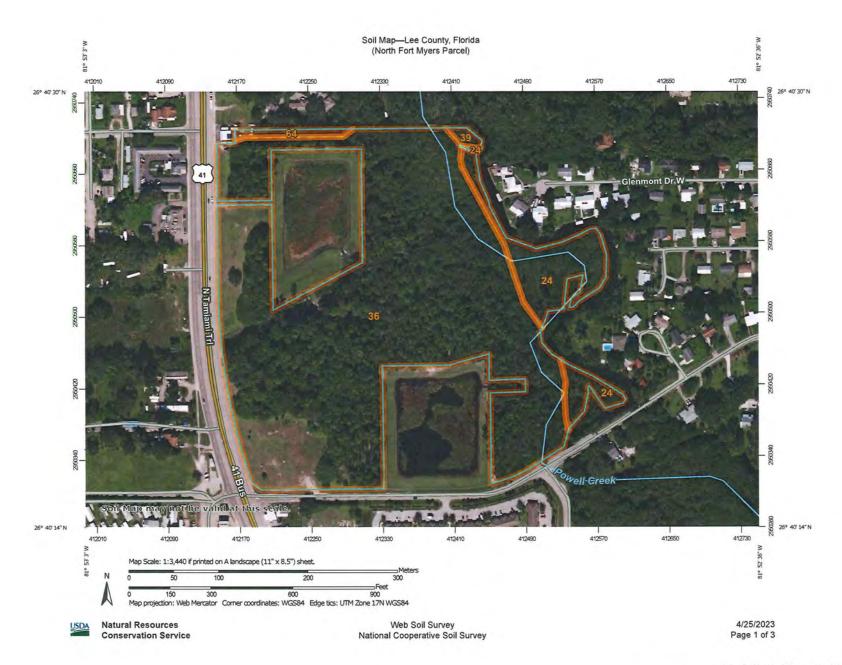


Exhibit No. 4.0 Permit No. 36-108765-P Page 1 of 3

#### MAP LEGEND MAP INFORMATION The soil surveys that comprise your AOI were mapped at Area of Interest (AOI) Spoil Area Area of Interest (AOI) Stony Spot Soils Warning: Soil Map may not be valid at this scale. Very Stony Spot 0 Soil Map Unit Polygons Enlargement of maps beyond the scale of mapping can cause Wet Spot Soil Map Unit Lines misunderstanding of the detail of mapping and accuracy of soil Other line placement. The maps do not show the small areas of Soil Map Unit Points contrasting soils that could have been shown at a more detailed Special Line Features Special Point Features Water Features Blowout (0) Streams and Canals Please rely on the bar scale on each map sheet for map Borrow Pit measurements. Transportation Clay Spot Source of Map: Natural Resources Conservation Service Rails Web Soil Survey URL: Closed Depression Interstate Highways Coordinate System: Web Mercator (EPSG:3857) Gravel Pit **US Routes** Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts Gravelly Spot Major Roads distance and area. A projection that preserves area, such as the 0 Landfill Local Roads Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required. Lava Flow Background This product is generated from the USDA-NRCS certified data as Marsh or swamp Aerial Photography of the version date(s) listed below. Mine or Quarry Soil Survey Area: Lee County, Florida Miscellaneous Water Survey Area Data: Version 20, Sep 1, 2022 Perennial Water Soil map units are labeled (as space allows) for map scales 1:50,000 or larger. Rock Outcrop Date(s) aerial images were photographed: Nov 14, 2021—Nov Saline Spot 23, 2021 Sandy Spot The orthophoto or other base map on which the soil lines were Severely Eroded Spot compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor Sinkhole shifting of map unit boundaries may be evident. Slide or Slip Sodic Spot



## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
24	Kesson fine sand, tidal, 0 to 1 percent slopes	2.6	9.4%
36	Immokalee sand-Urban land complex, 0 to 2 percent slopes	24.4	89.1%
39	Isles fine sand, frequently ponded, 0 to 1 percent slopes	0.1	0.5%
64	Brynwood fine sand, wet- Urban land complex, 0 to 2 percent slopes	0.3	1.0%
Totals for Area of Interest		27.4	100.0%



LEGEND:



WETLANDS (7.20 Ac.)



OTHER SURFACE WATERS (0.30 Ac.)



WETLANDS NOT VERIFIED BY COE STAFF (0.04 AC.

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
422	BRAZILIAN PEPPER	0.76 Ac.±	2.8%
4221	BAZILIAN PEPPER, HYDRIC	4.87 Ac. ±	17.8%
4241	MELALEUCA, HYDRIC	0.52 Ac. ±	1.9%
4349 E2	PINE/OAK/CABBAGE PALM, DISTURBED, (25-49% EXOTICS)	0.54 Ac. ±	2.0%
4349 E3	PINE/OAK/CABBAGE PALM, DISTURBED, (50-75% EXOTICS)	13.20 Ac. ±	48.2%
4349 E4	PINE/OAK/CABBAGE PALM, DISTURBED, (76-100% EXOTICS)	1.47 Ac. ±	5.4%
514	DITCH	0.29 Ac. ±	1.1%
514*	DITCH, HYDRIC	0.10 Ac. ±	0.4%
6109 E3	MIXED WETLAND HARDWOODS, DISTURBED (50-75% EXOTICS)	1.75 Ac.±	6.4%
740	DISTURBED LANDS	3.56 Ac. ±	13.0%
814	ROAD	0.30 Ac. ±	1.1%
	TOTAL	27.36 Ac.±	100.0%

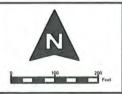
PROPERTY BOUNDARY AND SURVEYED WETLAND LINES PER CHW DRAWING NO. 220514 TOB.DWG DATED APRIL 14, 2023.

AERIAL PHOTOGRAPHS PROVIDED BY THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY-MARCH 2022.

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

WETLAND LINES ARE PRELIMINARY AND SUBJECT TO REVISION UPON REVIEW BY THE APPROPRIATE AGENCIES.





# Aerial with FLUCFCS and Wetlands Map North Fort Myers Parcel

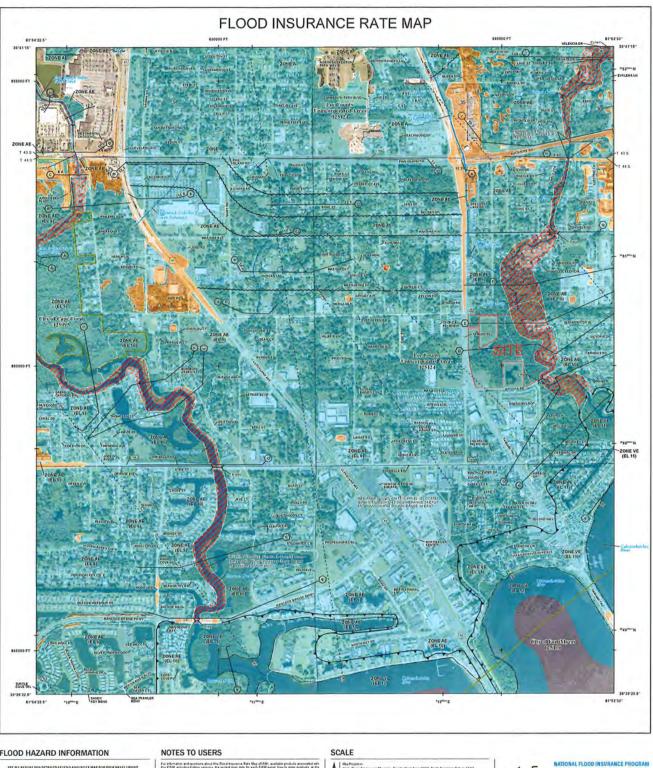
RAWN BY: D.B.

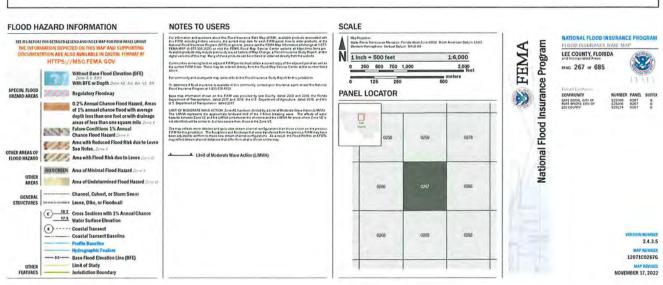
09/06/23

EVISED

EXHIBIT NUMBER

Appendix B





# National Flood Hazard Layer FIRMette

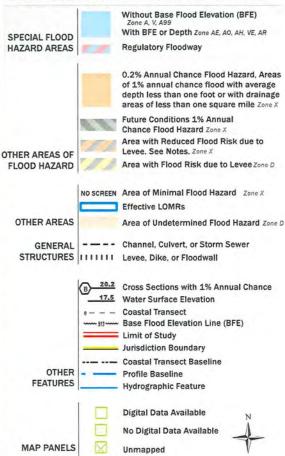


Basemap Imagery Source: USGS National Map 2023

#### TOPOGRAHIC MAP

#### Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT



an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below.

The basemap shown complies with FEMA's basemap

accuracy standards

The pin displayed on the map is an approximate point selected by the user and does not represent

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/24/2024 at 2:07 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



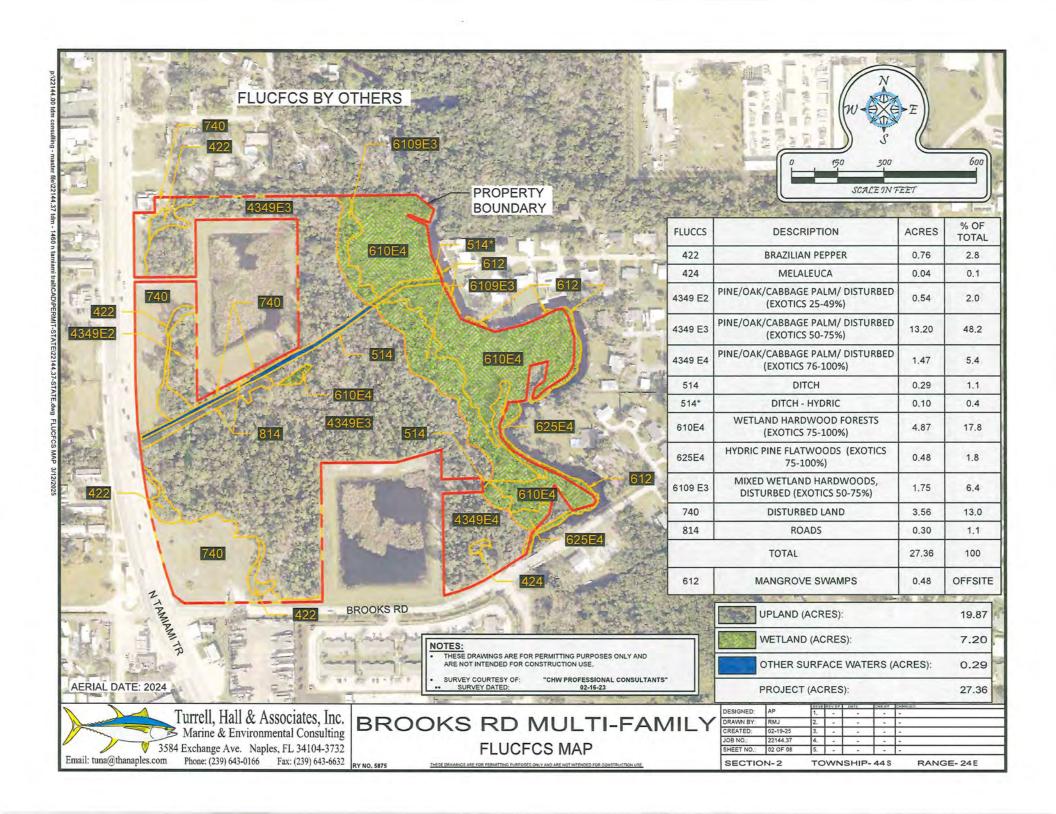
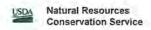




Exhibit No. 4.0 Permit No. 36-108765-P Page 1 of 3

#### MAP LEGEND MAP INFORMATION The soil surveys that comprise your AOI were mapped at Area of Interest (AOI) Spoil Area Area of Interest (AOI) Stony Spot Soils Warning: Soil Map may not be valid at this scale. Very Stony Spot Soil Map Unit Polygons Enlargement of maps beyond the scale of mapping can cause Wet Spot Soil Map Unit Lines misunderstanding of the detail of mapping and accuracy of soil Other B line placement. The maps do not show the small areas of Soil Map Unit Points contrasting soils that could have been shown at a more detailed Special Line Features Special Point Features Water Features Blowout (0) Please rely on the bar scale on each map sheet for map Streams and Canals X Borrow Pit measurements. Transportation Clay Spot Source of Map: Natural Resources Conservation Service Rails Web Soil Survey URL: Closed Depression 0 Interstate Highways Coordinate System: Web Mercator (EPSG:3857) Gravel Pit US Routes Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts Gravelly Spot Major Roads distance and area. A projection that preserves area, such as the Landfill Local Roads Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required. Lava Flow Background This product is generated from the USDA-NRCS certified data as Marsh or swamp Aerial Photography of the version date(s) listed below. Mine or Quarry (E) Soil Survey Area: Lee County, Florida 8 Miscellaneous Water Survey Area Data: Version 20, Sep 1, 2022 Perennial Water Soil map units are labeled (as space allows) for map scales 1:50,000 or larger. Rock Outcrop Date(s) aerial images were photographed: Nov 14, 2021—Nov Saline Spot 23, 2021 Sandy Spot The orthophoto or other base map on which the soil lines were Severely Eroded Spot compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor Sinkhole shifting of map unit boundaries may be evident. Slide or Slip Sodic Spot



3584 Exchange Avenue • Naples, Florida 34104-3732 • 239-643-0166 • Fax (239) 643-6632 • tuna@thanaples.com

June 23, 2025

Lee County Attn: Ms. Kate Burgess kburgess@leegov.com

RE: CPA2024-00006 Horizon Tamiami

Dear Ms. Burgess,

Thank you for your Request for Additional Information (RAI) dated June 13, 2025. Please see our responses below in **bold**.

Repeat Comment: Provide a table of plant communities by FLUCCS with the potential to
contain species (plant and animal) listed by federal, state, and 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). The FLUCCS map
provided does not address this comment.

Please see the table below:

FLUCFCS Code	Percent Survey Species Name Coverage		Present	Absent
422	100	None		
424	100	None		
4349 E2	100	Bald eagle (Haliaetus leucocephalus) Florida bonneted bat (Eumops floridanus) Eastern indigo snake (Drymarchon couperi) Gopher tortoise (Gopherus polyphemus)		\ \ \ \
4349 E3	100	Bald eagle (Haliaetus leucocephalus) Florida bonneted bat (Eumops floridanus) Eastern indigo snake (Drymarchon couperi) Gopher tortoise (Gopherus polyphemus)		\ \ \ \ \ \
4349 E4	100	Bald eagle (Haliaetus leucocephalus) Florida bonneted bat (Eumops floridanus) Eastern indigo snake (Drymarchon couperi) Gopher tortoise (Gopherus polyphemus)		<b>&gt;&gt;&gt;</b>
514	100	American alligator (Alligator mississippiensis)  Little blue heron (Egretta caerulea)  Roseate spoonbill (Platalea ajaja)  Tricolored heron (Egretta tricolor)  Wood stork (Mycteria americana)		\ \ \ \ \
6109 E3	100	Florida bonneted bat (Eumops floridanus) American alligator (Alligator mississippiensis) Little blue heron (Egretta caerulea) Roseate spoonbill (Platalea ajaja) Tricolored heron (Egretta tricolor) Wood stork (Mycteria americana)		****
610 E4	100	Florida bonneted bat (Eumops floridanus) American alligator (Alligator mississippiensis) Little blue heron (Egretta caerulea) Roseate spoonbill (Platalea ajaja) Tricolored heron (Egretta tricolor) Wood stork (Mycteria americana)		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
625 E4	100	Bald eagle (Haliaetus leucocephalus) Florida bonneted bat (Eumops floridanus) Eastern indigo snake (Drymarchon couperi) Gopher tortoise (Gopherus polyphemus)		\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
740	100	None		
814	100	None		

Please feel free to contact me at any time with questions or comments regarding this project at the letterhead telephone number or at <a href="mailto:Arielle@THANaples.com">Arielle@THANaples.com</a>.

Sincerely,

Arielle Poulos

Project Manager

Turrell, Hall & Associates, Inc.



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

May 2, 2023

\* Delivered via email

Randall Henderson \*
Tad M Yeatter Trust and Randall P Henderson Jr Trust For Yeatter-henderson Br
2310 First Street Suite 210B
Fort Myers, FL 33901

Subject: North Fort Myers Parcel

Petition for Formal Determination of Wetlands and Surface Waters

Permit No. 36-108765-P

Application No. 230421-38378

Lee County

Your petition for a formal determination of wetlands and other surface waters is approved. This action is taken based on Chapter 373, Part IV of Florida Statutes (F.S.) and the rules in Chapters 62-330 and 62-340, Florida Administrative Code (F.A.C.). Please read this entire agency action thoroughly and understand its contents.

This action is subject to:

- Not receiving a filed request for a Chapter 120, F.S., administrative hearing.
- · All referenced Exhibits.

Should you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance to the "Notice of Rights", we will assume that you concur with the District's action.

#### CERTIFICATE OF SERVICE

I hereby certify that this Formal Wetland Determination and Notice of Rights have been mailed or electronically submitted to the addressee (and the persons listed on the attached distribution list) on May 1, 2023 in accordance with Section 120.60(3), F.S. Notice was also electronically posted on this date through a link on the home page of the District's website (<a href="www.sfwmd.gov/ePermitting">www.sfwmd.gov/ePermitting</a>).

Sincerely,

Rich Batewell, III, P.E. Section Administrator

#### South Florida Water Management District Formal Wetland Determination Permit No. 36-108765-P Date Issued: May 2, 2023

Project Name: North Fort Myers Parcel

Petitioner: Randall Henderson

Tad M Yeatter Trust and Randall P Henderson Jr Trust For Yeatter-henderson

Br

2310 First Street Suite 210B Fort Myers, FL 33901

Application No. 230421-38378

Location: Lee County, See Exhibit 1

Acres: 27.36

Expiration

May 2, 2028

Date: Type:

Certified Survey

#### **Project Summary**

This application is for a formal determination of the landward extent of wetlands and other surface waters (OSW), pursuant to Rule 62-330.201, Florida Administrative Code (F.A.C.), for a 27.36-acre property known as North Fort Myers Parcel. The methodology used for the determination is consistent with Chapter 62-340, F.A.C.

#### **Project Site Description**

The 27.36-acre property is located in Section 2, Township 44 South, Range 24 East, Lee County, Florida. More specifically, the property lies north of Brooks Road, east of U.S. 41 (North Tamiami Trail), in North Fort Myers, Florida. A Location Map is attached as Exhibit No. 1.0. The property is surrounded by low-density single family homes to the north; Powell Creek to the east; commercial and retail development and single family homes to the south; and U.S.41 (North Tamiami Trail) to the west. The property is an undeveloped parcel of land that consists of upland and wetland forests adjacent to Powell Creek. A detailed description of the on-site wetlands is below. An aerial photograph depicting the inspection boundary is attached as Exhibit No. 2.0.

#### Formal Determination of Wetlands and Other Surface Waters

On April 21, 2023, the District received a request for a formal determination of the boundary of wetlands and OSW on a 27.36-acre property known as North Fort Myers Parcel. The landward extent of wetlands and OSW was established by Andy Woodruff with CHW Consultants and verified by Certified Wetland Evaluator (CWE) Matt Brosious on August 18, 2022.

The wetlands and OSW were first delineated under Application No. 220708-35104, which was submitted July 8, 2022. The application was withdrawn; however, the wetland and OSW boundaries have not changed.

Wetlands and other surface waters (OSW), as defined by Subsection 373.019(27), F.S. and Chapter 62-340, F.A.C., were identified on the property. Wetlands on the property were delineated

Permit No: 36-108765-P, Page 2

using the methods established in Chapter 62-340, F.A.C.; more specifically, the wetlands were delineated using the wetland definition and the B and D tests. Wetlands delineated on the property totaled 7.20 acres and OSW totaled 0.29 acres. A wetland and OSW survey is attached as Exhibit No. 3.0. Wetland data forms and representative photographs of the wetlands and upland areas can be found in the permit file. Wetland delineation data forms were filled out by District staff on August 18, 2022.

#### Wetland and OSW Description:

The wetlands identified on the property totaled 7.20 acres (Exhibit No. 3.0). The wetland canopy generally consisted of laurel oak (Quercus laurifolia), cabbage palm (Sabal palmetto), slash pine (Pinus elliottii), and melaleuca (Melaleuca quinquenervia). The sub-canopy was similar to the canopy except for myrsine (Myrsine guianensis) and Brazilian pepper (Schinus terebinthifolius). The ground cover was mostly open, but did contain swamp fern (Blechnum serrulatum). The wetlands were delineated using the B and D tests.

The OSW identified on the property totaled 0.29 acres (Exhibit No. 3.0). The OSW are man-made ditches. The Mean High Water line of Powell Creek forms the eastern property boundary, but is not within the property boundary.

Based on the National Resource Conservation Service (NRCS) data, the property contains three (3) historically mapped hydric soils. The mapped hydric soils on the property are Kesson Fine Sand, Tidal (Map Unit 24), Isles Fine Sand, Frequently Ponded (Map Unit 39) and Brynwood Fine Sand, Wet Urban Land Complex (Map Unit 64). A soils map is attached as Exhibit No. 4.0. Soil pit data is included within the wetland delineation data forms, which were filled out during the August 18, 2022 inspection.

Hydrologic Indicators observed during the delineation included hydric soil indicator Muck Presence (A8), which is a stand-alone D test indicator. Hydrologic indicator data is included within the wetland delineation data forms, which were filled out during the August 18, 2022 inspection.

This Formal Determination of Wetlands and Other Surface Waters is the District's determination of the landward extent (boundaries) of wetlands and OSW within the property based on the documentation submitted by the Petitioner and field application of Chapter 62-340, F.A.C. This action does not authorize any construction activities or constitute conceptual approval of any anticipated projects or activities in wetlands or other surface waters. It does not in any way establish boundaries of sovereign submerged lands, high water elevations or other elevations/ boundaries.

Pursuant to Subsection 373.421 (4), F.S., the Governing Board may revoke the Formal Wetland Determination upon a finding that the Petitioner has submitted inaccurate information to the District.

The Formal Wetland Determination shall be binding for the stated duration provided physical conditions on the property do not change so as to alter the boundaries of wetlands and other surface waters during that period.

Permit No: 36-108765-P. Page 3

#### **Distribution List**

Andy Woodruff, Chw, Inc \*

Joseph Bonora, Catalyst Asset Management, Inc \*

Florida Department of Environmental Protection SLERC \*

Lee County Property Appraiser \*

Florida Department of Environmental Protection - Environmental Administrator \*

Permit No: 36-108765-P, Page 4

#### **Exhibits**

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website ( <a href="http://my.sfwmd.gov/ePermitting">http://my.sfwmd.gov/ePermitting</a>) and searching under this application number 230421-38378.

Exhibit No. 1.0 Location Map

Exhibit No. 2.0 Aerial With Inspection Boundary

Exhibit No. 3.0 Wetland And OSW Survey

Exhibit No. 4.0 Soils Map

Permit No: 36-108765-P, Page 5

#### NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

#### RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

#### **FILING INSTRUCTIONS**

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.
- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a
  petition to the District's security desk does not constitute filing. It will be necessary to request
  that the District's security officer contact the Office of the District Clerk. An employee of the
  District's Clerk's office will receive and process the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov.
   The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

#### INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

- Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
- 2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
- An explanation of how the petitioner's substantial interests will be affected by the agency determination.
- 4. A statement of when and how the petitioner received notice of the District's decision.
- A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
- A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
- A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
- If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
- A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

#### MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401-.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

#### RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.





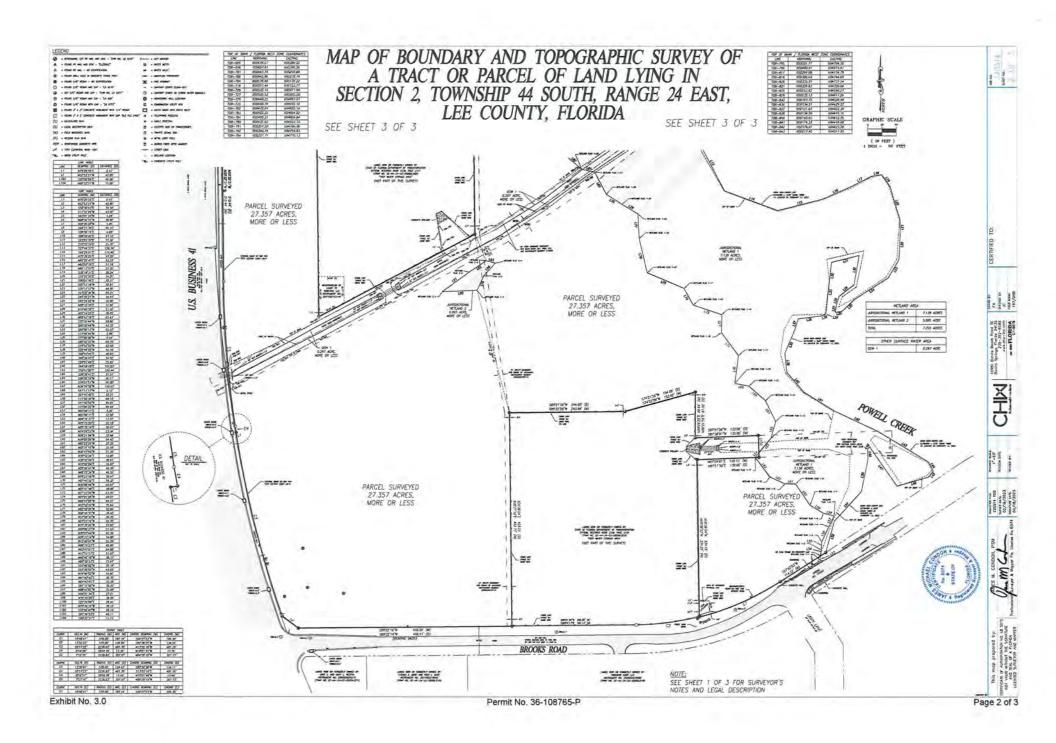


### MAP OF BOUNDARY AND TOPOGRAPHIC SURVEY OF A TRACT OR PARCEL OF LAND LYING IN SECTION 2, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA



James M Condon

Exhibit No. 3.0



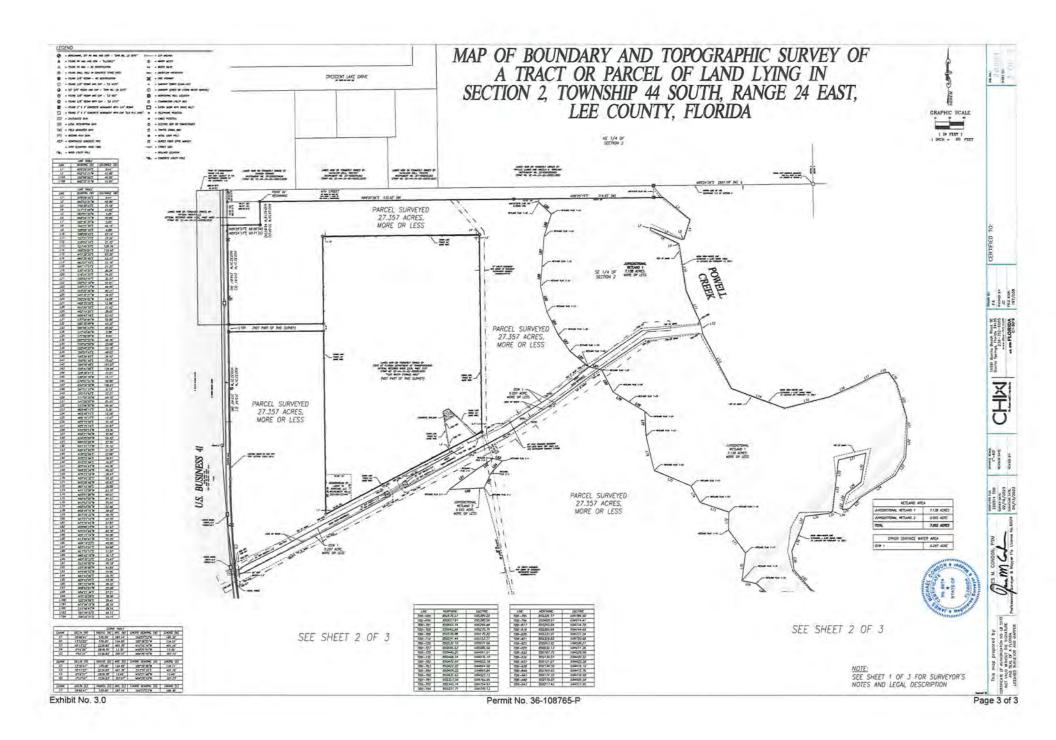
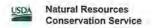




Exhibit No. 4.0 Permit No. 36-108765-P Page 1 of 3

#### MAP LEGEND MAP INFORMATION The soil surveys that comprise your AOI were mapped at Area of Interest (AOI) Spoil Area 1:20,000. Area of Interest (AOI) Stony Spot Soils Warning: Soil Map may not be valid at this scale. Very Stony Spot Soil Map Unit Polygons Enlargement of maps beyond the scale of mapping can cause Wet Spot Soil Map Unit Lines misunderstanding of the detail of mapping and accuracy of soil Other line placement. The maps do not show the small areas of Soil Map Unit Points contrasting soils that could have been shown at a more detailed Special Line Features scale. Special Point Features Water Features Blowout (0) Please rely on the bar scale on each map sheet for map Streams and Canals 8 Borrow Pit measurements. Transportation Clay Spot Source of Map: Natural Resources Conservation Service Rails Web Soil Survey URL: Closed Depression Interstate Highways Coordinate System: Web Mercator (EPSG:3857) Gravel Pit **US Routes** Maps from the Web Soil Survey are based on the Web Mercator **Gravelly Spot** projection, which preserves direction and shape but distorts Major Roads distance and area. A projection that preserves area, such as the Landfill ø Local Roads Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required. Lava Flow Background This product is generated from the USDA-NRCS certified data as Marsh or swamp Aerial Photography of the version date(s) listed below. Mine or Quarry Soil Survey Area: Lee County, Florida 0 Miscellaneous Water Survey Area Data: Version 20, Sep 1, 2022 Perennial Water Soil map units are labeled (as space allows) for map scales 1:50,000 or larger. Rock Outcrop Date(s) aerial images were photographed: Nov 14, 2021-Nov Saline Spot 23, 2021 Sandy Spot The orthophoto or other base map on which the soil lines were Severely Eroded Spot compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor Sinkhole shifting of map unit boundaries may be evident. Slide or Slip Sodic Spot



## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
24	Kesson fine sand, tidal, 0 to 1 percent slopes	2.6	9.4%
36	Immokalee sand-Urban land complex, 0 to 2 percent slopes	24.4	89.1%
39	Isles fine sand, frequently ponded, 0 to 1 percent slopes	0.1	0.5%
64	Brynwood fine sand, wet- Urban land complex, 0 to 2 percent slopes	0.3	1.0%
Totals for Area of Interest		27.4	100.0%



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Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
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#### 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 <u>NOT</u> constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does <u>NOT</u> 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

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 Martin
Senior Planner
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...

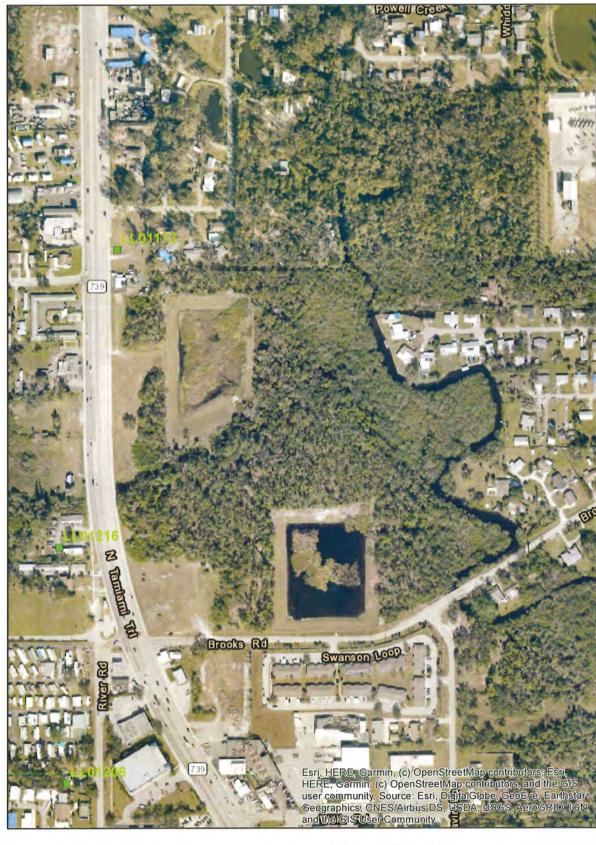


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Date: 2/9/2024

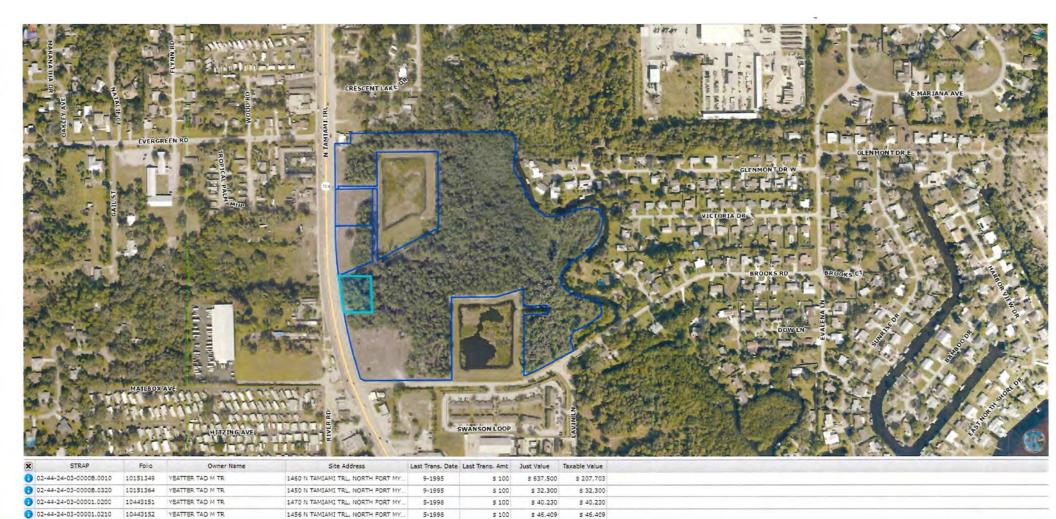


#### Legend



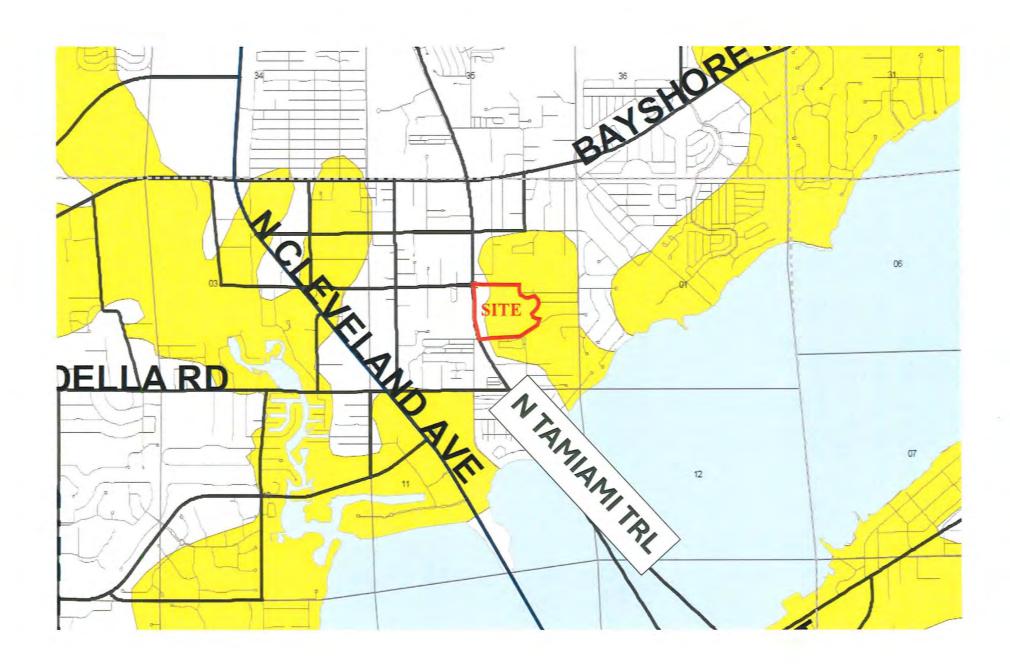






5-1998

#### LEE PLAN ARCHAEOLOGICAL SENSITIVITY MAP





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# Horizon Tamiami Public Facilities Impacts Analysis Exhibit M15

The Public Facilities Impacts Analysis required for this Comprehensive Plan Amendment – Map Application includes:

- 1. Traffic Circulation Analysis (Exhibit M16)
- 2. Existing and Future Conditions Analysis (Exhibit M17)
  - a. Sanitary Sewer
  - b. Potable Water
  - c. Surface Water/Drainage Basins
  - d. Parks, Recreation, and Opens Space
  - e. Public Schools
- 3. Letters from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including: (Exhibit M18)
  - a. Fire protection
  - b. Emergency medical service (EMS) provisions
  - c. Law enforcement
  - d. Solid Waste
  - e. Mass Transit
  - f. Schools

Please refer to Exhibits M16, M17, and M18 for the Analyses found therein.

# 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 Fort Myers, FL 33919 Phone: 239-433-4231 www.tdmcivilengineering.com 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)

#### 93 Dwelling Units:

- A. Daily Average Vehicle Trip Ends, Weekday
   Ln (T) = 0.92 Ln (93) + 2.68 = 944 (472 entering, 472 exiting)
- B. A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)
   Ln (T) = 0.91 Ln (93) + 0.12 = 70 (18 entering, 52 exiting)
- P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)
   Ln (T) = 0.94 Ln (93) + 0.27 = 93 (59 entering, 34 exiting)

Source: TDM, 2024

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

#### 135,700 Square Feet of Gross Floor Area:

- A. Daily Average Vehicle Trip Ends, Weekday T = 76.96 (135.700) + 1,412.79 = 11,856 (5,928 entering; 5,928 exiting)
- A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)
   T = 3.53 (135.700) = 479 (297 entering, 182 exiting)
- C. P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street) T = 7.67 (135.700) + 118.86 = 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 = 12,800 (6,400 entering; 6,400 exiting)
- A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)
   70 + 479 = 549 (315 entering, 234 exiting)
- C. P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street) 93 + 1.160 = 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:

- Daily Average Vehicle Trip Ends, Weekday
   T = 26.11 (202.300) + 5,863.73 = 11,146 (5,573 entering; 5,573 exiting)
- A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)
   T = 0.59 (202.300) + 133.55 = 253 (157 entering, 96 exiting)
- P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)
   Ln (T) = 0.72 Ln (202.300) + 3.02 = 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

TDM Consulting, Inc. Dean Martin, P.E.

**DATE:** October 24, 2023

PROJECT NAME: 1450 - 1470 North Tamiami Trail

PROJECT LOCATION: North of Brooks Road

PERMANENT COUNTING STATION NUMBER: 1

100<sup>TH</sup> HOUR V.P.H. (Year & Rate) = 2021 1,715

YEAR FOLLOWING PROJECT CONSTRUCTION: 2027

ADJUSTMENT FACTOR =

ENGINEER:

Count & Yr min N/A N/A

Count & Yr max N/A N/A

Adjustment Factor =  $(N/A / N/A ^{#####})^6$  1.000

ADJUSTED 100<sup>TH</sup> HOUR V.P.H. = 1,715 x 1.000 1,715

EXISTING LEVEL OF SERVICE = C

PROJECT V.P.H. = 1 149 (A.M. Ex.) x 96.7% x 69% (SB) 99

TOTAL V.P.H. = 1,715 + 99 1,814

LEVEL OF SERVICE = C

COMMENTS: A Growth Factor is not required



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# 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 1/3/2025

#### 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  $(93 \times 300) + (135,700 \times 0.1) = 27,900$  GPD + 13,570 GPD = 41,470 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 x 1.3 = 20,230 GPD x 1.3 = 26,299 GPD Hourly Peak Demand = Average Demand x 4 = 20,230 GPD x 4 = 80,920 GPD = 3,372 GPH = 56.2 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 2023 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 40.0 MGPD in 2027. 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 FGUA, their wastewater distribution system has a current capacity of 7.01 million gallon per day (MGPD) and is projected to operate at 8.25 MGPD in the future with an anticipated demand of 6.575 MGP by 2027. Please see the attached email from Sam Cain, P.E., Utility Engineer for FGUA. In addition, 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 underground storage vaults prior to discharge to the preserved wetland and eventually Powell Creek. Stormwater runoff from the impervious areas will be directed to the underground storage vaults 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 underground storage vaults, 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 2023 Public Facilities Level of Service and Concurrency Report, the Required Capacity for Parks and Recreation is 5,682 acres of regional parks and 314 acres of community parks. The Available Capacity is currently at 7,066 acres of regional parks and 762 acres of community parks. The subject property is located near North Shore Park, located on U.S. 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 2023 Lee County Concurrency Report. A total of fifteen (15) school-aged

Horizon Tamiami January 2025 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.

From:

Sam Cain <Sam.Cain@fgua.com>

Sent: To: Friday, December 20, 2024 2:26 PM Michael Currier; Veronica Martin

Cc:

Paul Arnett; William Fontaine

Subject:

RE: sanitary sewer LOS in North Fort Myers

Attachments:

2023Concurrency.pdf

#### Junopi

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Afternoon, Veronica!

Summarized below are the current and future treatment capacities for the Lehigh Acres and Del Prado WWTPs along with the projected demands for each facility through 2027 based on the most recent capacity analysis report:

System	Capacity (MGD)		Projected Demand (MGD)	
	Current	*Future	2025	2027
Lehigh Acres WWTP	2.76	4.00	2.831	2.975
Del Prado WWTP	4.25	4.25	3.5	3.6
Total:	7.01	8.25	6.331	6.575

<sup>\*</sup>Anticipated by 2026

As shown above, the current treatment capacity of the Del Prado WWTP is adequate for providing service to both the projected future demand in 2027 and the estimated demand from the proposed development.

The Concurrency Report only lists capacity and demand values for the FGUA based on the <u>sum</u> of both the Del Prado and Lehigh Acres systems, therefore the values included in the report can't be used when evaluating the individual capacity of each system. The flow projections listed in the Concurrency Report also appear to be highly conservative compared to those in the most recent capacity analysis report for each system.

If any additional information is needed, please let us know.

Thanks!



Sam Cain, P.E.
Utility Engineer,
Florida Governmental Utility Authority

407-629-6900 www.fgua.com/ sam.cain@fgua.com

**Latest News** 

Find out the latest happenings at the FGUA

Sent: Tuesday, December 17, 2024 3:23 PM

To: Douglas Black <douglas.black@anseradvisory.com>; Paul Arnett <paul.arnett@anseradvisory.com>;

Michael Currier < michael.currier@anseradvisory.com > Subject: FW: sanitary sewer LOS in North Fort Myers

Hello,

Lee County has asked me to find out from FGUA if there are any plans to expand sanitary sewer/treatment plants in the North Fort Myers area. I received the attached letter of availability, but Lee County staff is saying that the addition of this parcel exceeds the GPD currently provided by FGUA. Please see me email below for more information.

Thank you so much for your time and assistance.

# Veronica Martin

Senior Planner

vmartin@tdmconsulting.com

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From: Veronica Martin

Sent: Wednesday, December 11, 2024 3:50 PM
To: Douglas Black < <a href="mailto:dblack@govmserv.com">dblack@govmserv.com</a>
Subject: sanitary sewer LOS in North Fort Myers

Hello Mr. Black,

I hope you can help me. I'm working on Lee County staffs requests for additional information regarding a comprehensive plan amendment for property at 1450, 1456, 1460 and 1470 N. Tamiami Trail, North Fort Myers. You provided a Letter of Availability for sanitary sewer service. Lee County's Concurrency Report states that FGUA currently operates at 7.0 MGD with a projected demand of 7.4 MGD by 2026. Staff wants me to provide any future measures that will expand the capacity of wastewater service provided by FGUA. Does FGUA have plan to expand service or enter into agreements with other providers to meet future demand? Are you able to help me address LC staff questions? If not, please let me know who I can contact. I really appreciate any assistance you can provide.

Thank you.

Veronica Martin

Senior Planner

ymartin@tdmconsulting.com

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# EXHIBIT M18



## Board of County Commissioners

Kevin Ruane District One

Cecil L Pendergrass District Two

July 29, 2024

Ray Sandelli

District Three Veronica Martin

Brian Hamman District Four TDM Consulting, Inc 1520 Royalm Palm Square Blvd, Suite 100

Mike Greenwell District Five Fort Myers, FL 33919

Dave Harner, II County Manager Re: Letter of Service Availability - Horizon Tamiami

Richard Wm. Wesch County Attorney Ms. Martin,

Donna Marie Collins County Hearing Examiner I am in receipt of your letter requesting a Letter of Service Availability for a Compreneisve 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,

Benjamin Abes

Director, Public Safety

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

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P.O. Box 3507 \* 2900 Trail Dairy Circle N. Ft. Myers, FL 33918-3507 (239) 997-8654 (239) 995-3757 fax

April 3, 2024

Letter of Adequacy and Support

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

From:

Veronica Martin

Sent: To: Tuesday, April 2, 2024 2:45 PM 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 ymartin@tdmconsulting.com

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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 lacquelineHE@leeschools.net www.leeschools.net

THE SCHOOL DISTRICT OF LEE COUNTY

I 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

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From: Veronica Martin

Sent: Tuesday, April 2, 2024 2:52 PM

To: Heredia, Jacqueline < 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 multifamily 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

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# Carmine Marceno Sheriff



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,

Chris Reeves

Major, Patrol Bureau



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

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#### Board of County Commissioners

Kevin Ruane

July 19, 2024

Cecil L Pendergrass District Two

TDM Consulting, Inc. 1520 Royal Pam Square Blvd, Suite 100

Ray Sandelli District Three

Fort Myers, FL 33919

Brian Hamman District Four 1011 Wyers, 12 33313

Mike Greenwell District Five Re: N. Tamiami Trail and Brooks Road Letter of Review

Dave Harner, II County Manager

Richard Wm. Wesch County Attorney

Donna Marie Collins County Hearing Examiner 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 <a href="mailto:ocassidy@leegov.com">ocassidy@leegov.com</a>

Sincerely,

Olivia Cassidy

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

From:

Veronica Martin

Sent:

Tuesday, April 2, 2024 3:01 PM

To: Subject: Marino Diaz, Clarissa 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 Martin

Senior Planner

vmartin@tdmconsulting.com

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From:

Lighthall, Justin <JLighthall@leegov.com>

Sent:

Tuesday, April 2, 2024 3:12 PM

To: Subject: Veronica Martin 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 web: www.leegov.com/solidwaste

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

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

Subject: Letter of Review

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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

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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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# State Policy Plan and Regional Policy Plan – Exhibit M19

# Florida Department of Economic Opportunity - Comprehensive Plan

There are no State Policy Plan goals, strategies, actions, or policies that are relevant to the proposed amendment.

#### Southwest Florida Regional Planning Council (SWFRPC)

There are no Regional Policy Plan goals, strategies, actions, or policies that are relevant to the proposed amendment.



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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.



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#### HORIZON TAMIAMI PLANNING COMMUNITY AREA REQUIREMENTS - PIM SUMMARY EXHIBIT M21

A Public Information Meeting was held at the North Fort Myers Recreation Center on April 2, 2024 at 6:00 p.m. The Notice of Meeting was published in the News-Press and meeting signs were posted on the property, as required by the North Fort Myers Community Planning Panel. A copy of the News-Press Ad, Meeting Agenda, and Sign-in Sheets are included with this summary.

TDM Consulting presented a Comprehensive Plan Amendment to add 20.23 acres of the subject property to Lee Plan Map 1-C, the Mixed Use Overlay, and a Conventional Rezoning application from RS-1, C-1, and CG to C-1 for a consistent zoning district. A copy of the presentation is included with this Summary.

#### Questions and Comments:

- Who is the property owner/developer?
   Horizon Tamiami, LLC. TDM has worked with this developer on projects in the City of
   Fort Myers and Cape Coral and this is their first project in Lee County unincorporated.
- Doesn't the Mixed-Use Overlay automatically guarantee bonus density?
   No. The property has a FLU classification of Intensive Development which permits a base density of 14 du/ac with a bonus density of 22 du/ac.
- Will this be an affordable housing project low income?
   No, the developer's typical product is aimed at renters at 80-120% of the median income.
- 4. Why are you rezoning if it already permits mixed-use? One of the current zoning districts is RS-1, which does not permit multi-family use. Instead of rezoning just the RS-1 portion of the property, we decided to rezone the entire property for a consistent zoning district.
- 5. Why didn't you rezone to a planned development? We don't anticipate needing any deviations or variances from the LDC. And although we've gone through several iterations of the site plan, it's still a work in progress. The comprehensive plan amendment is a long process, so we wanted to start that before submitting a site plan.
- 6. We don't believe the roads will support the density.

The property has a FLU classification of Intensive Development and is already zoned to permit commercial, multi-family, and single-family uses. The traffic engineer is required to analyze the development at maximum density and intensity. The traffic associated with the comprehensive plan amendment will not degrade the level of service of the surrounding roadway network beyond what is already permitted by right.

- 7. Why isn't there a site plan for us to look at?

  The comprehensive plan amendment application is quite complex, but it doesn't require a site plan. Neither does a conventional rezoning application. It would be premature to present a site plan at this stage when we're only in the planning and zoning stages of this development. We'll be back to present at time of DO permitting to show the site plans, landscaping plans, and architectural elevations.
- 8. Won't you need an FDOT permit? Yes, the applicant is proposing 2 entrances to the property from N. Tamiami Trail, so FDOT permitting will be required at time of DO permitting.
- 9. You mentioned a SFWMD permit. Is that a new one? The previous property owner, Joe Bonora with Catalyst obtained a District Permit. To my knowledge the permit is still current, but will need to be amended with the new site plan.

The North Fort Myers Community Planning Panel would have preferred to see a Site Plan, but realize its not required at this stage. Overall, they were supportive of the proposed Comp Plan Amendment and Rezoning. The public didn't have much to add. Their biggest concern is traffic.

## Horizon Tamiami PIM Presentation

#### Summary

- Horizon Tamiami, LLC
- · Previously presented by Joe Bonora with Catalyst Asset Management
- comprehensive plan amendment and conventional rezoning application
- 27-acre property located at the NE corner of N Tamiami Trl and Brooks Rd (1450, 1456, 1460 and 1470 N Tamiami Trail)
- 2 drainage areas owned by FDOT
- FLU Intensive Development
- Mixed-use development with commercial development along N Tamiami Trail and MFR along Brooks Rd and the interior.
- We've already had a wetland jurisdictional determination from SFWMD and we're preserving approx. 7 ac of wetlands.

## Comprehensive Plan Amendment

- Site is 27.35-acres
- 20.23 ac is uplands and 7.14 ac wetlands
- Requesting to amend the Mixed-Use Overlay Map, Lee Plan Map 1-C, by adding the 20.23 upland acres into the Mixed-Use Overlay.
- Intensive Development FLU permits 14 du/ac with bonus density up to 22 du/ac and an average commercial intensity of 10,000 sf/ac
- Public facilities: potable water, sanitary sewer, fire/EMS & police protection, parks, rec & open space and schools are all available and adequate to serve the proposed development at maximum density/intensity.
- The traffic analysis also demonstrated that the comprehensive plan amendment would not degrade the level of service of the surrounding roadways.
- FDOT permitting will be required at time of development order submittal.
- An Environmental Report

#### **Conventional Rezoning**

- Current zoning: RS-1 (SFR), C-1 (Mixed-Use) and CG (General Commercial).
- Requesting to rezone to C-1 for a true Mixed-Use development.
- Intensive Development FLU permits 14 du/ac with bonus density up to 22 du/ac and an average commercial intensity of 10,000 sf/ac (448 dwelling units)
- A Site Plan isn't required for conventional rezoning applications; however, existing site
  conditions kind of dictate the layout in this instance. Primary entrance to residential
  development on Brooks Road with a secondary entrance on N. Tamiami. Primary
  entrance to commercial component from N Tamiami.
- Code required buffers, landscaping, open space, drainage, and parking will be provided at time of development order permitting. The applicant isn't anticipating requesting any deviations or variances at this time.

# News-Press.

# **Public Notices**

Originally published at news-press.com on 03/24/2024

#### NOTICE OF MEETING

TDM Consulting, Inc. will be presenting a Comprehensive Plan Map Amendment and Conventional Rezoning application at the North Fort Myers Community Planning & Design Review Panel meeting on April 2, 2024 at 6:00 pm. The meeting will be held at the North Fort Myers Recreation Center, 2000 Recreation Way, North Fort Myers. The applicant, Horizon Tamiami, LLC, is requesting to amend Lee Plan Map 1-C by adding 27.35± acres located at 1450, 1456, 1460 and 1470 N. Tamiami Trail, North Fort Myers into the Mixed-Use Overlay. The applicant is also requesting to rezone the property from RS-1, C-1 and CG to C-1 for a consistent zoning district. For additional information please contact Veronica Martin with TDM Consulting, Inc. at 239-433-4231.

March 24, 204 9989435

# AGENDA

# JOINT MEETING OF THE NORTH FORT MYERS **DESIGN REVIEW PANEL &**

# THE NORTH FORT MYERS COMMUNITY PLANNING PANEL

NORTH FORT MYERS RECREATION CENTER 2000 N. RECREATION PARK WAY NORTH FORT MYERS, FL

April 2, 2024

6:00 PM

- 1. CALL TO ORDER
- 2. APPROVAL OF AGENDA
- 3. APPROVAL OF LAST MEETING MINUTES
- 4. NEW BUSINESS -

  - (1) Pine Lakes Country Club II Rezoning Request Kimley-Horn 2) 1450, 1456, 1460 & 1470 N. Tamiami Trail Comp Plan Amendment TDM Consulting Veronica Martin
    - 3) 764 July Circle Rear Setback Variance Norberto Menina
    - 4) Spring Woods Mobile Home Subdivision, Tract B site plan Hole Montes, a BOWMAN company - Tyler Bonnough
- OLD BUSINESS
- OTHER BUSINESS
- 7. ADJOURNMENT

NEXT MEETING May 7th, 2024- NFM REC. CTR.

PUBLIC INFORMATIONAL MEETING SIGN-IN SHEET					
Project No Name:	MHPD French Parcel	Date:	April 2, 2024 @ 6pm		
Facilitator:	NFM PLANNING PANEL	Location:	2000 Recreation Way, 33903		
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# CPA2025-00001

# Honc 41 CPA

# STAFF REPORT FOR CPA2025-00001: HONC 41 CPA



Privately Initiated Small-Scale Lee Plan Map Amendment

#### **Recommendation:**

Adopt

#### **Applicant:**

Honc Docks and Lifts, Inc.

#### **Representatives:**

Cindy Leal Brizuela, AICP EnSite

## Amended Element(s): Future Land Use Map

Planning District:
District 19

## <u>Commissioner District:</u> District 4

#### <u>Hearing Dates:</u> LPA: August 25, 2025 BoCC #1: TBD

### Attachment(s):

- 1: Map Amendment
- 2: Applicant Materials

#### **REQUEST**

Amend Lee Plan Map 1-A, Future Land Use Map, to redesignate the 19.36-acre subject property to the Central Urban future land use category from the Suburban future land use category.

#### **SUMMARY**

This is a privately initiated Comprehensive Plan Amendment to the Future Land Use Map (Map 1-A), requesting to change the future land use category from Suburban to Central Urban to support a mixture of light industrial and commercial uses. The applicant has also submitted a companion rezone application, DCI2024-00014, to rezone the property from Industrial (IL) and Commercial General (CG) to Multi-Use Planned Development.

#### **PROPERTY LOCATION**

The subject property is located along the west side of North Tamiami Trail, approximately 0.25 miles south of Del Prado Boulevard North.



Figure 1: Aerial location of the subject property

#### **RECOMMENDATION**

Staff recommends that the Board of County Commissioners (BoCC) *adopt* the proposed amendment based on the analysis and findings provided in this staff report.

## PART 1 STAFF DISCUSSION AND ANALYSIS

#### **BACKGROUND AND REQUEST**

The approximately 19.36-acre subject property is located approximately one-quarter mile south of the intersection of North Tamiami Trail and Del Prado Boulevard and consists of one parcel. The parcel is currently undeveloped. The property owner, Honc Docks and Lifts Inc., intends to create a mixed-use planned development consisting of commercial and light industrial uses by redesignating the future land use category from Suburban to Central Urban.

The subject property is located within the county's North Fort Myers Community Plan Area. Water and sewer connections are readily available at the site. The Future Land Use Map, Map 1-A, currently does not identify any wetlands on the subject property; however, the South Florida Water Management District has determined approximately 4.92 acres of the subject property are wetlands based on the methodology described in Lee Plan Objective 1.5. Therefore, these areas are considered to be within the Wetlands future land use category. The subject property is not located within the County's Coastal High Hazard Area.

The applicant has concurrently filed an application to rezone the subject property from Light Industrial (IL) and General Commercial (CG) to Mixed Use Planned Development (MPD), indicating future commercial and industrial development. The existing IL zoning includes limited uses that are consistent with the Suburban future land use category.

#### Future Land Use Category

The subject property is currently within the Suburban future land use category, which allows a mixture of residential and commercial uses, but specifically prohibits industrial uses. **Policy 1.1.5** describes the Suburban future land use category and is reproduced below.

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

The subject property contains wetlands, as determined by the South Florida Water Management District, that are not depicted on the Future Land Use Map. **Policy 124.1.2** of the Lee Plan describes the County's wetlands protection regulations. Any future development within the subject property that may impact wetlands or require any mitigation must first obtain approval from the South Florida Water Management District. Additionally, if any residential uses are proposed in the future, the allowed density may be impacted by the wetlands acreage.

#### Community Plan Area

The subject property is located within the North Fort Myers Community Plan Area, which is generally located north of the Caloosahatchee River, west of Interstate 75 (I-75), and east of the City of Cape Coral. Lee Plan Goal 30, reproduced below, describes the North Fort Myers Community Plan Area.

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.

Goal 30 is divided into six objectives, each with supporting policies, that address neighborhoods and housing, centers and corridors, transportation, community facilities and services, parks, recreation, & conservation, and the downtown waterfront. The subject property lies within a Corridor Overlay District and just outside a designated Neighborhood Center. **Lee Plan Policies 30.2.4 and 30.2.5** describe the areas within the Neighborhood Centers or a Commercial Corridor Overlay. The policies are reproduced below.

POLICY 30.2.4: The following areas are designated as Neighborhood Centers appropriate for moderate intensity, pedestrian-oriented, mixed use development: Littleton and North Cleveland Avenue; North Tamiami Trail and Del Prado Boulevard; North Tamiami Trail and Nalle Grade Road; Hancock Bridge Parkway and Orange Grove Boulevard; North Tamiami Trail and Pine Island/Bayshore Roads; Bayshore Road and Slater Road; and Bayshore Road and Hart Road. For these areas, neighborhood-serving, mixed use development; pedestrian-friendly street, site, and Future Land Use II-97 April 2024 building designs; the incorporation of live/work, multi-family, and attached housing; and sidewalk and path connections to nearby neighborhoods, parks, and public uses are preferred.

**POLICY 30.2.5:** Certain areas along major road corridors outside designated Town Centers and Neighborhood Centers, are located within a Corridor Overlay District with provisions in the LDC requiring enhanced landscaping, greater buffering and shading of parking areas, improved commercial signage, enhanced standards to ensure architectural quality and compatibility, and incentives for quality development. Within the Corridor Overlay District, deviations from landscaping, buffering, signage or architectural requirements may not be granted, unless the request meets the approval criteria for variances set forth in the LDC, Chapter 34.

#### **Planning District**

The subject property is in the North Fort Myers Planning District (District 19). Table 1(b) in the Lee Plan displays projected allocations for the year 2045 for each Planning District. The proposed amendment to the Future Land Use Map will change the subject property's future land use category from Suburban to Central Urban. In District 19, the Suburban future land use category allocates 6,345 acres for residential development, and the Central Urban future land use category allocates 2,225 acres for residential development. District 19 also allocates 1,121 acres for commercial uses and 244 acres for industrial uses. The subject property has a total area of 19.36 acres, and the intended future development of both commercial and industrial uses is not anticipated to exceed the Planning District's allocated acreage for those uses.

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#### **Surrounding Properties**

The subject property is comprised of one parcel, located on the west side of North Tamiami Trail, approximately 0.25 miles south of Del Prado Boulevard North.

**TABLE 1: SURROUNDING PROPERTIES INFORMATION** 

	Future Land Use	Zoning	Existing Use  Commercial  Commercial/Vacant		
North	Suburban	CPD			
East	Suburban	AG-2, CPD, RPD			
South	Suburban	C-2, AG-2	Vacant		
West	Mixed Use	Residential Multi-Family Low	Vacant/Residential		

The surrounding development includes a mix of commercial, residential, and agricultural zoning. The property bordering the north is a Commercial Planned Development (CPD) with auto repair services. Along the east side of North Tamiami Trail are undeveloped parcels zoned AG-2 and CPD, and a commercial parcel zoned CPD. South of the commercial parcel is the main access to Sabel Springs, a residential community zoned Residential Planned Development (RPD). South of the subject property is a golf cart retailer zoned C-2 and vacant land zoned AG-2. Directly west of the subject property is the City of Cape Coral. Additional details on the surrounding properties are provided in Table 1 above.

#### **PROCEDURAL REQUIREMENTS**

The Lee Plan is Lee County's comprehensive plan, which provides the long-term vision for development in the county. Florida Statutes require comprehensive plans to include certain topics as elements. The Lee Plan divides these elements into chapters, which are further supported by goals, objectives, standards, and policies. Lee Plan Chapter XIII, entitled Administration, section "d" addresses Amendments to the Plan. The applicable paragraph is reproduced below.

This plan, including the Future Land Use Map, may be amended in accordance with Florida Statutes and administrative procedures adopted by the Board of County Commissioners in Lee County Administrative Code 13-6. In accordance with § 163.3177(1)(f), Fla. Stat., all amendments must be based upon relevant and appropriate data and analysis.

Lee County Administrative Code 13-6 establishes procedures for amendments to the Lee Plan, including notice requirements and provisions for public participation during the amendment process. The subject application requests privately initiated map amendments to the Lee Plan, meaning it has been requested by an entity other than the County and follows the amendment process described in Florida Statutes section 163.3184. The applicant has met the procedural requirements in AC 13-6 and Florida Statutes.

Because the applicant is proposing a new map designation within a Community Plan Area, one public information meeting is required prior to the application being found sufficient under Lee Plan Policy 17.3.2. The applicant has provided the community presentation and meeting summary for the community meeting held at the North Fort Myers Recreation Center on July 01, 2025, at 6:00 pm. The applicant has met the public input requirements of Lee Plan Objective 17.1.

Staff Report for LPA August 15, 2025 CPA2025-00001 Page 4 of 7 The 19.36-acre subject property is well below the 50-acre threshold for small-scale amendments, and no text amendments are proposed. **The proposed amendments are small-scale amendments under F.S. 163.3187**, which will require one public hearing before the Local Planning Agency for recommendation to the BOCC and one adoption hearing with the BOCC.

Small-scale development amendments may not become effective until 31 days after adoption. If challenged within 30 days after adoption, small-scale development amendments may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small-scale development amendment is in compliance.

#### **LEE PLAN ANALYSIS**

The comprehensive plan applies to all land use decisions within the county. Where goals, objectives, standards, or policies of particular elements conflict, those conflicts will be resolved based on an analysis of the Lee Plan as a whole. The Lee Plan analysis included in this staff report considers the proposed amendments in relation to the applicable Lee Plan goals, objectives, and policies to determine overall consistency with the Lee Plan.

Lee Plan Policy 1.1.5 describes the Suburban future land use category, which generally allows a mixture of residential and commercial uses. This policy is included in full on page 2 of this report. The applicant contends that the existing Suburban future land use category is less appropriate for the subject property than the requested Central Urban future land use category. The subject property is surrounded by commercially zoned properties to the north and east. It is located in the North Fort Myers Commercial Corridor, which allows for uses that are more consistent with the Central Urban future land use category. In addition, the Central Urban future land use category is located approximately 860 feet to the south along North Tamiami Trail. North Tamiami Trail serves as an arterial roadway allowing traffic to move efficiently through the area. It should also be noted that the existing zoning on the subject property, IL (Light Industrial), allows for extremely limited uses consistent with the Suburban future land use category, which prohibits industrial uses.

The applicant is proposing to change the subject property's future land use category to Central Urban. Policy 1.1.3 describes the Central Urban future land use category and is reproduced below.

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

The subject property is in an area of the county that is experiencing growth. Public facilities are available at the site, and a variety of residential, commercial, and public uses exist around the site. The Lee Plan

Staff Report for LPA August 15, 2025 CPA2025-00001 Page 5 of 7 encourages mixed-use development within both the North Fort Myers Community Plan area and the Central Urban future land use category. The Central Urban future land use category allows for the same uses as the Suburban category, with the addition of limited light industrial uses and the use of Bonus Density if certain criteria are met. To develop the property with light industrial uses, the applicant will be required to demonstrate compatibility through a planned development.<sup>1</sup> Therefore, the proposed amendment would not create incompatibility between existing uses that could not be mitigated through appropriate conditions. The Central Urban future land use category is more consistent with the subject property's location than the Suburban future land use category.

Objective 2.2 from the Lee Plan describes that future growth in Lee County should be concentrated in areas where public infrastructure is already in place or guaranteed, and where development can occur cohesively. The objective is reproduced below.

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

The properties around the subject site include a mixture of developed and vacant sites, and there are adequate public facilities available. Development of the site will result in a cohesive and contiguous development pattern. There are currently public facilities and services available at the site, allowing the subject property to be developed in a timely manner. The proposed amendment would facilitate development in an area with adequate public facilities and compact development patterns, consistent with Lee Plan Objective 2.2.

Lee Plan Goal 30 describes the North Fort Myers Community Plan Area and is reproduced on page 2 of this report. The subject property is situated in the North Fort Myers Community Plan Area, Goal 30 of the Lee Plan, which aims to enhance the livability and economic vitality of the area. The County seeks to achieve this goal by encouraging compact, mixed use development and revitalizing commercial corridors in the North Fort Myers Community Plan area. The proposed map amendment facilitates the development of this site, located along the North Fort Myers Commercial Corridor, and is consistent with Goal 30, broadly, and Policies 30.2.4 and 30.2.5.

#### **SERVICE AVAILABLITY**

Site-specific impacts to public services and the availability of services will be examined in any future development applications for construction on the impacted site. Preliminary analyses of the request are based on the "worst case scenario" for the proposed Future Land Use change.

Transportation: Lee County DOT staff reviewed the reference application. The applicant for an amendment to the Lee Plan is required to provide information for both a short-range (5 years) and longrange (20+ years) level of service (LOS) analysis. The 5-year analysis indicates US 41 from Bus 41 to Del Prado Blvd, from Pondella Rd to SR 78, Del Prado Blvd Malagrotta Cir to US 41, Littleton Rd from Corbett

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Staff Report for LPA August 15, 2025 CPA2025-00001

<sup>&</sup>lt;sup>1</sup> See Lee Plan Polices 5.1.5 and 7.1.2.

Rd to US 41, SR 78 from Corbett Rd to US 41, Bayshore Rd (SR 78) from BUS 41 to Hart Rd will operate at LOS "F" with and without the proposed change.

The Long Range 2045 Horizon LOS analysis indicates US 41 from Bus 41 to Trail Dairy Cir, from Pondella Rd to Littleton Rd, Del Prado Blvd Malagrotta Cir to US 41, Littleton Rd from Corbett Rd to US 41, SR 78 from Corbett Rd to US 41, Bayshore Rd (SR 78) from BUS 41 to Hart Rd will operate at LOS "F" with and without the proposed change.

US 41 and SR 78 (Pine Island Rd and Bayshore Rd) are arterials maintained by the State. Del Prado Blvd is an arterial, and Littleton Rd is a major collector maintained by the County.

The county roads surrounding the subject property will operate at a LOS "F" with or without the proposed amendment. Transportation concurrency is non-regulatory, as per Florida Statutes Section 163.3180 and Lee Plan Policy 95.1.3, which states, "Compliance with non-regulatory LOS standards will not be a requirement for continued development permitting but will be used for facility planning purposes."

*Mass Transit:* The letter of service availability provided by LeeTran confirms that there are no existing or planned transit services or bus stops in the area. **The proposed amendment will not negatively impact transit facilities.** 

*Utilities:* The subject property is within the Lee County Utilities' water infrastructure, as shown on Map 4-A, and the Florida Governmental Utility Authority's sewer infrastructure. **The proposed amendment will not negatively impact public utilities and infrastructure LOS.** 

**Public Facilities:** The applicant has provided letters of availability for Lee County Solid Waste, Lee County Sheriff's Office, Lee County EMS, Lee County Transit, and the North Fort Myers Fire Department. A letter of availability for Lee County Public Schools does not apply to the property. **The proposed amendment will not overburden public facilities in the area.** 

#### **CONCLUSIONS**

Staff has reviewed the proposed amendment and provides the following conclusions:

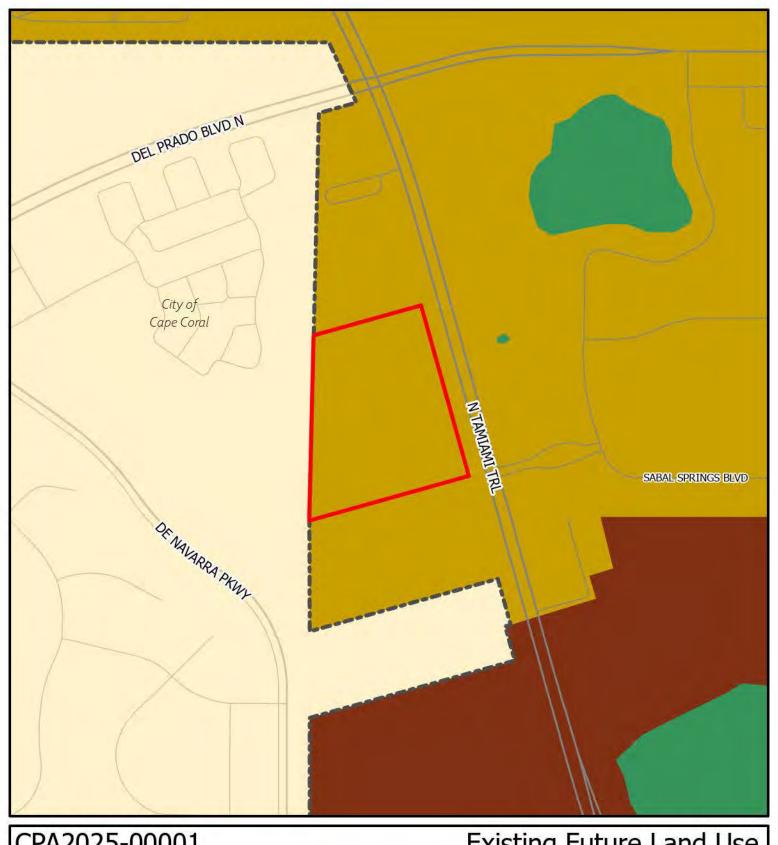
- The subject property is in an area of the County that's experiencing significant growth, and the property is located approximately 0.25 miles from the intersection of two major arterial roadways (Del Prado and US 41)
- Public services and infrastructure are currently available at the subject property.
- The applicant has provided all the required documentation for the proposed amendments according to AC 13-6.

For the reasons discussed in this staff report, staff recommends that the Board of County Commissioners *adopt* the proposed amendment as provided in Attachment 1.

Staff Report for LPA August 15, 2025 CPA2025-00001 Page 7 of 7

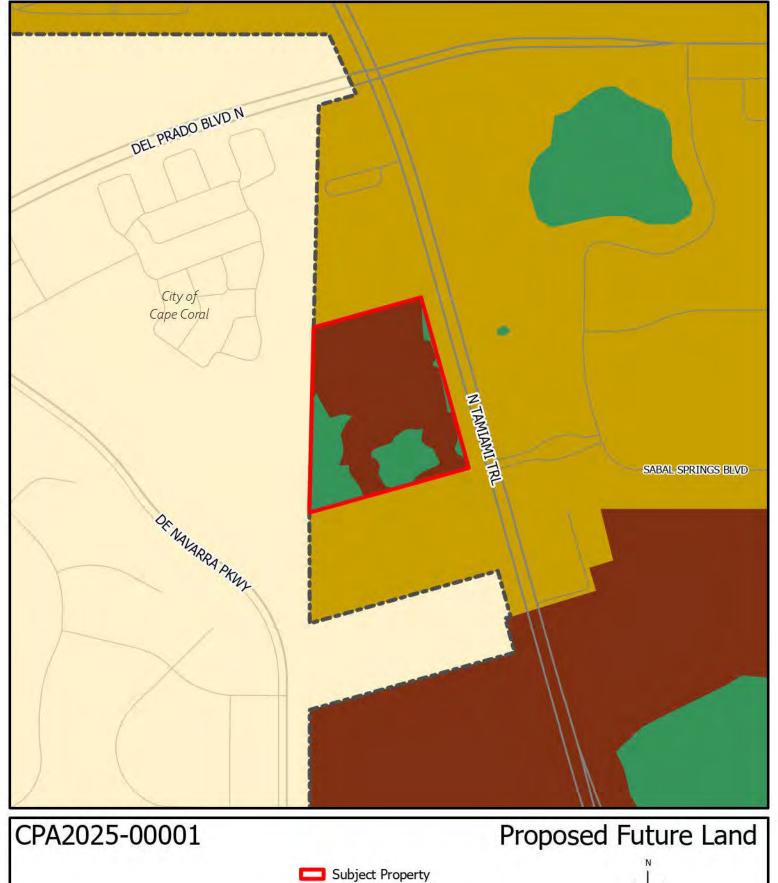
## **ATTACHMENT 1**

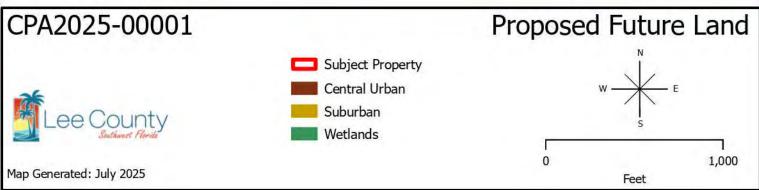
- ➤ Map 1A Existing Future Land Use Map
- ➤ Map 1A Proposed Future Land Use Map





Attachment 1 Page 1 of 2





Attachment 1 Page 2 of 2



# APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT - MAP

	ject Name: Hone 41 ject Description: Amend subject property from	n Suburban to Central Urban to allow f	or industrial uses along US41/Tamiami Trail.							
Maj	o(s) to Be Amended: Map 1A - Future land use ma	ар								
Stat	e Review Process: Small-Scale Re	view State Coordinated	Review Expedited State Review							
1.	Name of Applicant: Honc Docks and Lifts, Address: 1130 Pondella Rd #3	Inc.	PECEIVE							
	City, State, Zip: Cape Coral, FL 33909 Phone Number:	E-mail:	AUG 1 4 2025							
2.	Name of Contact: Cindy Leal Brizuela, AICI Address: 2401 First St		COMMUNITY DEVELOPMENT							
	City, State, Zip: Fort Myers, FL 33901 Phone Number: 239-226-0024	E-mail:	CindyL@en-site.com							
3.	Owner(s) of Record: Honc Docks and Lifts Address: 1130 Pondella Rd #3 City, State, Zip: Cape Coral, FL 33909	, Inc.								
	Phone Number:	E-mail:								
4.	Property Location: 1. Site Address: 17701 N Tamiami Trail, 2. STRAP(s): 22-43-24-01-00001.0160	North Fort Myers, FL 33903								
5.	Property Information:	=	40.20							
	Total Acreage Included in Request: 19.36  Total Uplands: 14.44  Total Wetlands: 0 per FLU & 4.92 per JD Current Zoning: IL: & CG  Current Future Land Use Category(ies): Suburban									
	Area in Each Future Land Use Category: Existing Land Use: Vacant	100%								
6.	Calculation of maximum allowable deve Residential Units/Density: 108	Commercial Intensity: N/A	Industrial Intensity: N/A							
7.	Calculation of maximum allowable deve Residential Units/Density: <sup>269</sup>	elopment with proposed amends	ments:  Industrial Intensity: N/A							

#### **Public Facilities Impacts**

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

- 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:
    - 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:

- 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:

- 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 LeeCounty.

#### Internal Consistency with the Lee Plan

- 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.
- 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)

X	Completed Application (Exhibit - M1)
8	Disclosure of Interest (Exhibit – M2)
	Surrounding Property Owners List, Mailing Labels, and Map For All Parcels Within 500 Feet of the Subject Property (Exhibit – M3)
×	Existing Future Land Use Map (Exhibit – M4)
	Map and Description of Existing Land Uses (Not Designations) of the Subject Property and Surrounding Properties (Exhibit - M5)
х	Map and Description of Existing Zoning of the Subject Property and Surrounding Properties (Exhibit - M6)
	Signed/Sealed Legal Description and Sketch of the Description for Each FLUC Proposed (Exhibit - M7)
×	Copy of the Deed(s) of the Subject Property (Exhibit – M8)
	Aerial Map Showing the Subject Property and Surrounding Properties (Exhibit - M9)
x	Authorization Letter From the Property Owner(s) Authorizing the Applicant to Represent the Owner (Exhibit - M10)
	Proposed Amendments (Exhibit – M11)
x	Lee Plan Analysis (Exhibit – M12)
	Environmental Impacts Analysis (Exhibit – M13)
	Historic Resources Impact Analysis (Exhibit - M14)
×	Public Facilities Impacts Analysis (Exhibit - M15)
×	Traffic Circulation Analysis (Exhibit – M16)
	Existing and Future Conditions Analysis - Sanitary Sewer, Potable Water, Surface Water/Drainage Basins, Parks and Rec, Open Space, Public Schools (Exhibit – M17)
	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)
X	State Policy Plan and Regional Policy Plan (Exhibit - M19)
×	Justification of Proposed Amendment (Exhibit - M20)
Х	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, Daniel Stovall	, certify that I am the owner or authorized representative of the
other supplementary matter attac my knowledge and belief. I also	at all answers to the questions in this application and any sketches, data, or hed to and made a part of this application, are honest and true to the best of authorize the staff of Lee County Community Development to enter upon
the property during normal work through this application.	ing hours for the purpose of investigating and evaluating the request made
2/2	2-12-25
Signature of Applicant	Date
Daniel Stovall	
Printed Name of Applicant	
STATE OF FLORIDA COUNTY OF LEE	
The foregoing instrument was sw presence or □ online notarization	orn to (or affirmed) and subscribed before me by means of physical on Decide by Daniel Stovall
	or affirmation), who is personally known to me or who has produced f identification) as identification.
Signature of Notary Publi	$\frac{1}{c}$
Amanda Yang (Name typed, printed or stan	Notary Public State of Florida Amanda Yancey My Commission HH 465420 Explore 14/14/2007

#### DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME this day appeared <u>Daniel Stovall</u>, who, being first duly sworn and deposed says:

- 1. That I am the record owner, or a legal representative of the record owner, of the property that is located at <u>22-43-24-01-00001.0160</u> and is the subject of an Application for a Comprehensive Plan amendment (hereinafter the "Property").
- 2. That I am familiar with the legal ownership of the Property and have full knowledge of the names of all individuals that have an ownership interest in the Property or a legal entity owning an interest in the Property.

[OPTIONAL PROVISION IF APPLICANT IS CONTRACT PURCHASER: In addition, I am familiar with the individuals that have an ownership interest in the legal entity that is under contract to purchase the Property.]

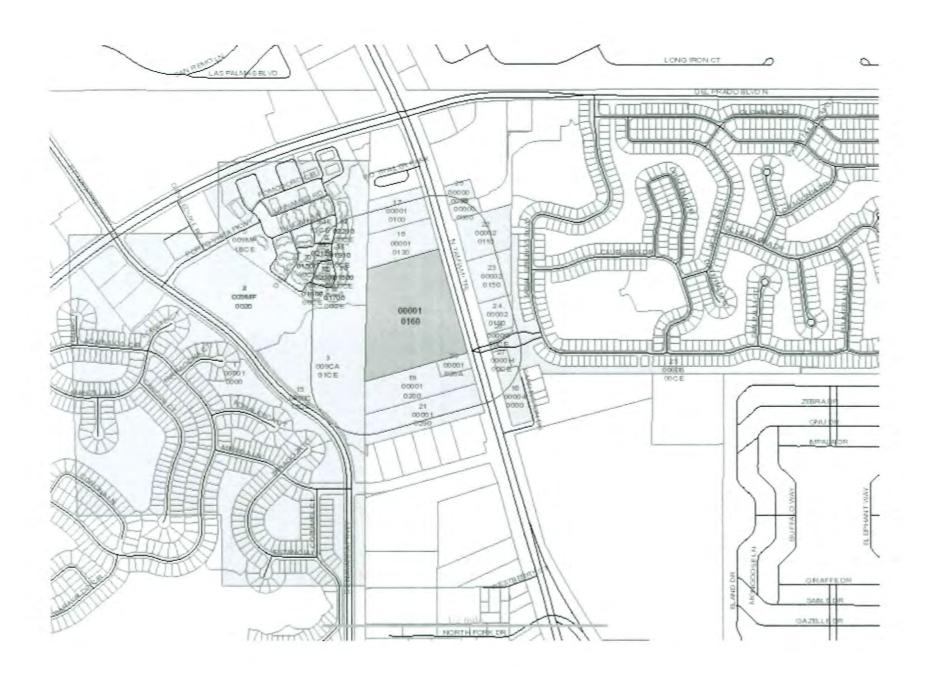
- 3. That, unless otherwise specified in paragraph 6 below, no Lee County Employee, County Commissioner, or Hearing Examiner has an Ownership Interest in the Property or any legal entity (Corporation, Company, Partnership, Limited Partnership, Trust, etc.) that has an Ownership Interest in the Property or that has contracted to purchase the Property.
- 4. That the disclosure identified herein does not include any beneficial Ownership Interest that a Lee County Employee, County Commissioner, or Hearing Examiner may have in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, whose interest is for sale to the general public.
- 5. That, if the Ownership Interest in the Property changes and results in this affidavit no longer being accurate, the undersigned will file a supplemental Affidavit that identifies the name of any Lee County Employee, County Commissioner, or Hearing Examiner that subsequently acquires an interest in the Property.
- 6. Disclosure of Interest held by a Lee County Employee, County Commissioner, or Hearing Examiner.

Name and Address	Percentage of Ownership		

Under penalty of perjury, I declare that I have read the foregoing and the facts alleged are true to the best of my knowledge and belief. Property Owner Daniel Stovall Print Name \*\*\*\*\*\*\*NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS\*\*\*\*\*\*\*\*\* **ALL OTHER APPLICATION TYPES MUST BE NOTARIZED** STATE OF FLORIDA COUNTY OF LEE The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, on (date) by Daniel Stovall (name of person providing oath or affirmation), who is personally known to me or who has produced (type of identification) as identification. STAMP/SEAL Signature of Notary Public Notary Public State of Florida Chice Riccardi My Commission HH 690208 man Million

Expires 10/10/2029

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PUBLIX SUPER MARKETS INC TAX AND TREASURY PO BOX 32018 LAKELAND FL 33802

SANDHU ROSY 20 TYLER RD LEXINGTON MA 02420

BAIRD MIKE & GWEN 7 SOUTHHARBOUR DR BOBCAYGEON ON KOM 1AO CANADA

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BYLICKI RICHARD 28 GARFIELD AVE FARMINGDALE NY 11735

VIANEST BARBARA L/E 3947 DEL SOL LN #201 CAPE CORAL FL 33909

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MARTIN JACKIE W & JUDITH K 3953 POMODORO CIR #103 CAPE CORAL FL 33909

LONG-CAMPBELL SHERRI LYNN + 920 NE 11TH ST CAPE CORAL FL 33909

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SIMON OFFENBERG LLC SINGER BERGER PRESS 23500 MERCANTILE RD STE A BEACHWOOD OH 44122

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ALKATIB JAMAL & 3957 POMODORO CIR #102 CAPE CORAL FL 33909 BARZ PATRICIA TR 3957 POMODORO CIR #103 CAPE CORAL FL 33909

TRACY JACQUELINE A L/E 3957 POMODORO CIR #104 CAPE CORAL FL 33909 MCGARRAH LARRY J & INA M TR 2901 VALLEY VIEW DR SPRINGDALE AR 72762

MISHLER GAIL EVELYN TR 3957 POMODORO CIR #202 CAPE CORAL FL 33909 SHEPPARD SHIRLEY 3957 POMODORO CIR #203 CAPE CORAL FL 33909

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VILJOEN CLARRY MARTIN & PO BOX CH492 CHISIPITE HARARE MASHONALAND ZIMBABWE

ROJAS CARLOS A & LILIANA C 311 SE 13TH ST CAPE CORAL FL 33990

TAX FREE STRATEGIES LLC DAVID R BROCKWELL 1728 SW CIMARRON COURT PALM CITY FL 34990 ISLE PROPERTY VENTURES LLC TROY CARROTHERS W72N1170 AUGUSTA LN CEDARBURG WI 53012

DORAN STEPHANIE R 1448 SE 20TH ST CAPE CORAL FL 33990 LAIER F SCOTT + 5510 SW 12TH AV CAPE CORAL FL 33914

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RICE DAVID + 18314 HAMPTON HILLS DR HUMBLE TX 77338 PETERSFELDT FRANCISCO JAVIER D GABRIELE TERGIT PROMENADE 21 BERLIN 10963 GERMANY

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OFT 2004 LLC BERNARD OFFENBERG 19667 TURNBERRY WAY APT 8D AVENTURA FL 33180

SIMMONDS KATHI 3830 GOLF VISTA DR LAPEER MI 48446

MARCHESE MARIA A TR 3965 POMODORO CIR #202 CAPE CORAL FL 33909 MURACZEWSKI DAVID 3965 POMODORO CIR #203 CAPE CORAL FL 33909

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VIVIANI CHARLES JOSEPH & 1956 FORD ST BROOKLYN NY 11229 XAVIER INVESTMENTS LLC 4313 BREWSTER LN WEST PALM BEACH FL 33417

LORITZ ANITA M & W4242 HILLTOP DR FOND DU LAC WI 54937 STUMPFIG REBECCA + 3956 POMODORO CIR #201 CAPE CORAL FL 33909

PRACHER LANNIE HELEN & 3956 POMODORO CIR #202 CAPE CORAL FL 33909 NEGRON DIANA 3956 POMODORO CIR #203 CAPE CORAL FL 33909

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CHILELLI ROSINA 131 KILBURN RD S WEST HEMPSTEAD NY 11552 KEATING JENNY + 1135 SE 16TH ST CAPE CORAL FL 33990

SCHARMACH PATRICIA M TR 3964 POMODORO CIR #102 CAPE CORAL FL 33909 ABRAHAO NATALIA SALOMAO 932 CARLETON RD WESTFIELD NJ 07090

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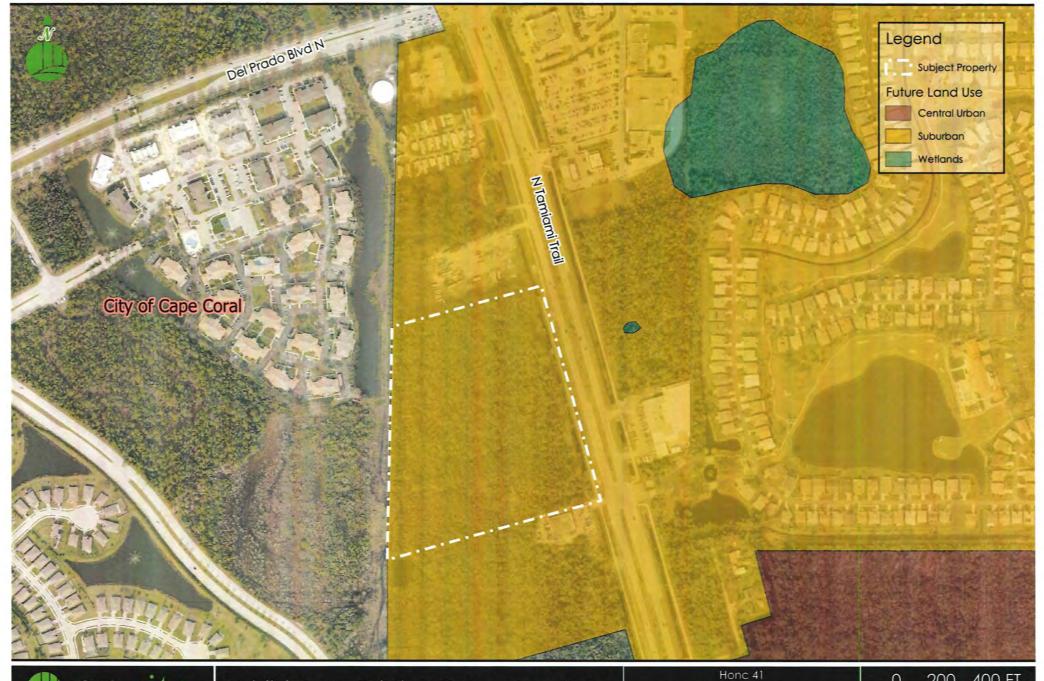
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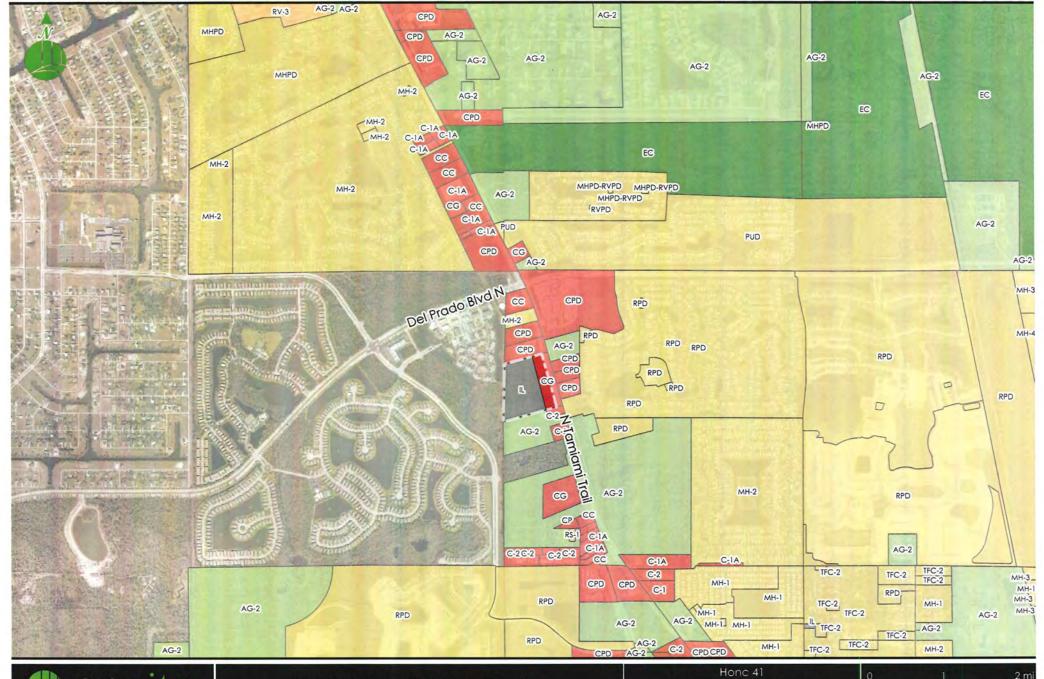
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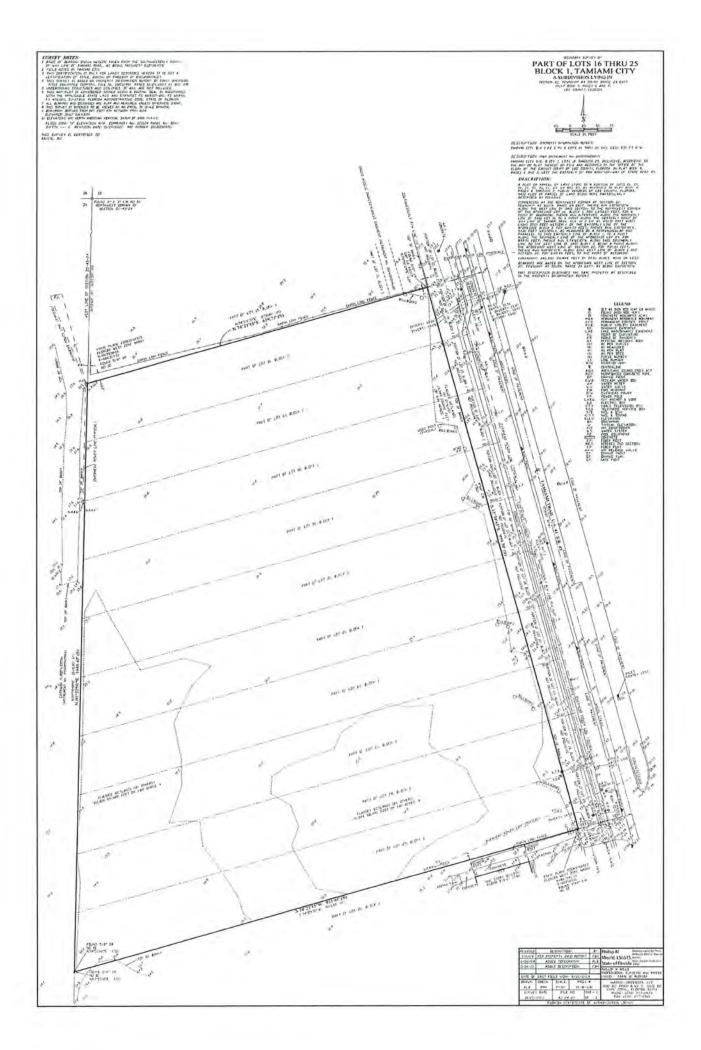
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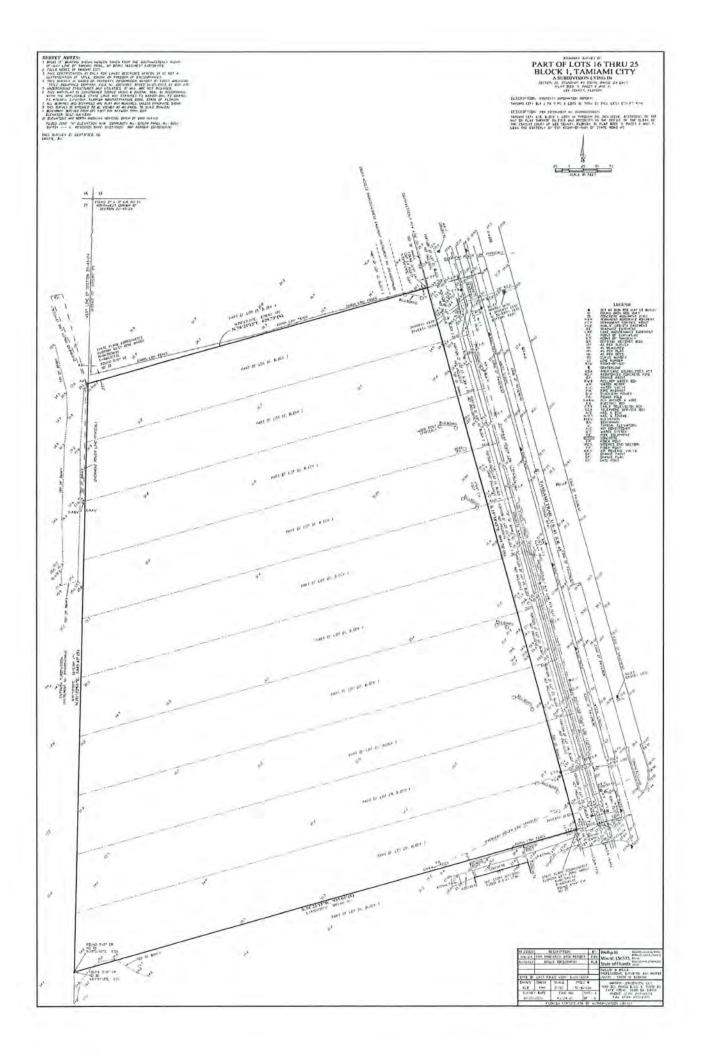


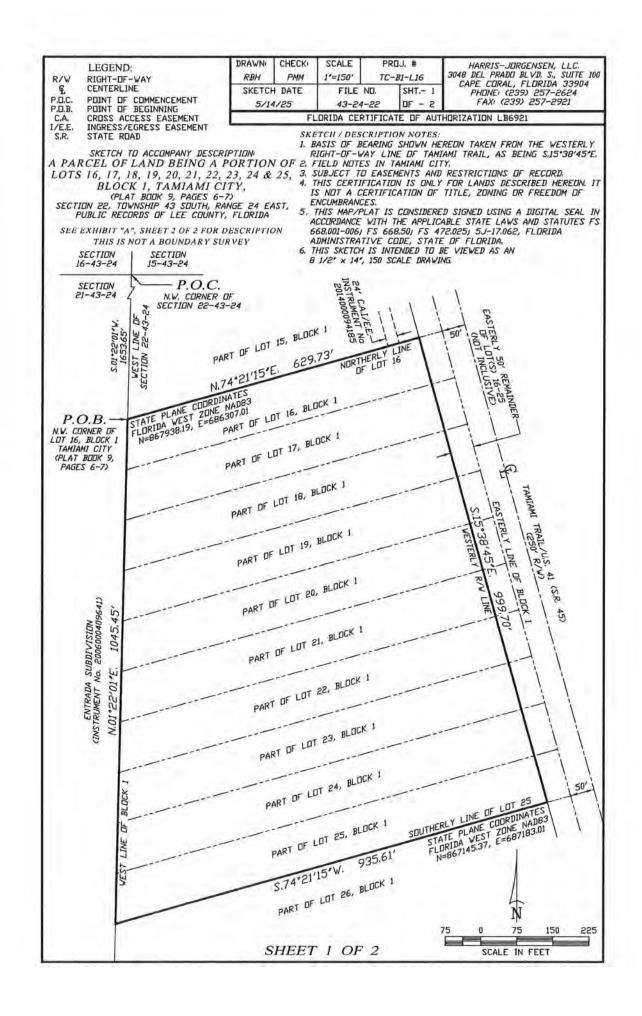












# EXHIBIT "A"

## A PARCEL OF LAND BEING A PORTION OF LOTS 16, 17, 18, 19, 20, 21, 22, 23, 24 & 25, BLOCK 1, TAMIAMI CITY,

(PLAT BOOK 9, PAGES 6-7) SECTION 22, TOWNSHIP 43 SOUTH, RANGE 24 EAST, PUBLIC RECORDS OF LEE COUNTY, FLORIDA

#### DESCRIPTION:

A PLOT OR PARCEL OF LAND LYING IN A PORTION OF LOTS 16, 17, 18, 19, 20, 21, 22, 23, 24 AND 25, AS RECORDED IN PLAT BOOK 9, PAGES 6 THROUGH 7, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID PLOT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 43 SOUTH, RANGE 24 EAST, THENCE RUN S.01°22′01″W. ALONG THE WEST LINE OF SAID SECTION TO THE NORTHWEST CORNER OF THE AFORESAID LOT 16, BLOCK 1, FOR 1,653.65 FEET, FOR A POINT OF BEGINNING; THENCE RUN N.74°21′15″E. ALONG THE NORTHERLY LINE OF SAID LOT 16 TO A POINT ALONG THE WESTERLY RIGHT OF WAY LINE OF TAMIAMI TRAIL (U.S. 41 / S.R. 45, 250.00 FEET WIDE), LYING 50.00 FEET WESTERLY OF THE EASTERLY LINE OF THE AFORESAID BLOCK 1, FOR 629.73 FEET; THENCE RUN S.15°38′45″E., 50.00 FEET WESTERLY, AS MEASURED ON A PERPENDICULAR AND PARALLEL TO SAID EASTERLY LINE OF BLOCK 1, TO A POINT ALONG THE SOUTHERLY LINE OF THE AFORESAID LOT 25, FOR 999.70 FEET; THENCE RUN S.74°21′15″W. ALONG SAID SOUTHERLY LINE TO THE WEST LINE OF SAID BLOCK 1, BEING A POINT ALONG THE AFORESAID WEST LINE OF SECTION 22, FOR 935.61 FEET; THENCE RUN N.01°22′01″E. ALONG SAID WEST LINE OF BLOCK 1 AND SECTION 22, FOR 1045.45 FEET; TO THE POINT OF BEGINNING.

CONTAINING 782,432 SQUARE FEET OR 17.96 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE AFORESAID WEST LINE OF SECTION 22, TOWNSHIP 43 SOUTH, RANGE 24 EAST, AS BEING S.01°22'01'W.

Phillip M Digitally signed by Phillip M Mould, Mould, LS6515, LS6515, State of Florida State of Florida Date: 2025.05.16 08:14:25 - 04'00'

PHILLIP M. MOULD PROFESSIONAL SURVEYOR AND MAPPER, LS6515 MAY 14, 2025 Kevin C. Karnes, Lee County Clerk of the Circuit Court & Comptroller INSTR# 2024000064927, DocType D, Pages 2, Recorded 3/7/2024 at 10:30 AM, DeputyClerk CMASSEY

Rec Fees: \$18.50 Deed Doc: \$11,550.00 ERECORD

Prepared By and Return To:

Title Plus, LLC Attn: Kris Unkrich 6609 Willow Park Drive, #201 Naples, FL 34109

Consideration: \$1,650,000.00 Order No.: PLUS-23-294

Property Appraiser's Parcel I.D. (folio) Number: 22-43-24-01-00001.0160

#### SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made this March 4, 2024 by Lisa T. Morrison, a married person whose address is 2040 Ellejoy Road, Seymour, TN 37865 and Jon Tyus, a married person whose post office address is 1268 Tittsworth Rd., Seymour, TN 37865 (the "Grantor"), and Honc Docks and Lifts, Inc., a Florida corporation whose post office address is 1130-3 Pondella Road, Cape Coral, FL 33909 (the "Grantee"):

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representative and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situated in County of Lee, State of Florida, viz:

Lots 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25, Block 1, Tamiami City, according to the plat thereof as recorded in Plat Book 9, Page 6, of the Public Records of Lee County, Florida, less the Easterly 50 feet for right-of-way of State Road 45.

Grantor(s) warrant that at the time of this conveyance, the subject property is not the Grantor's homestead within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.

Subject to encumbrances, easements and restrictions of record and taxes for 2024.

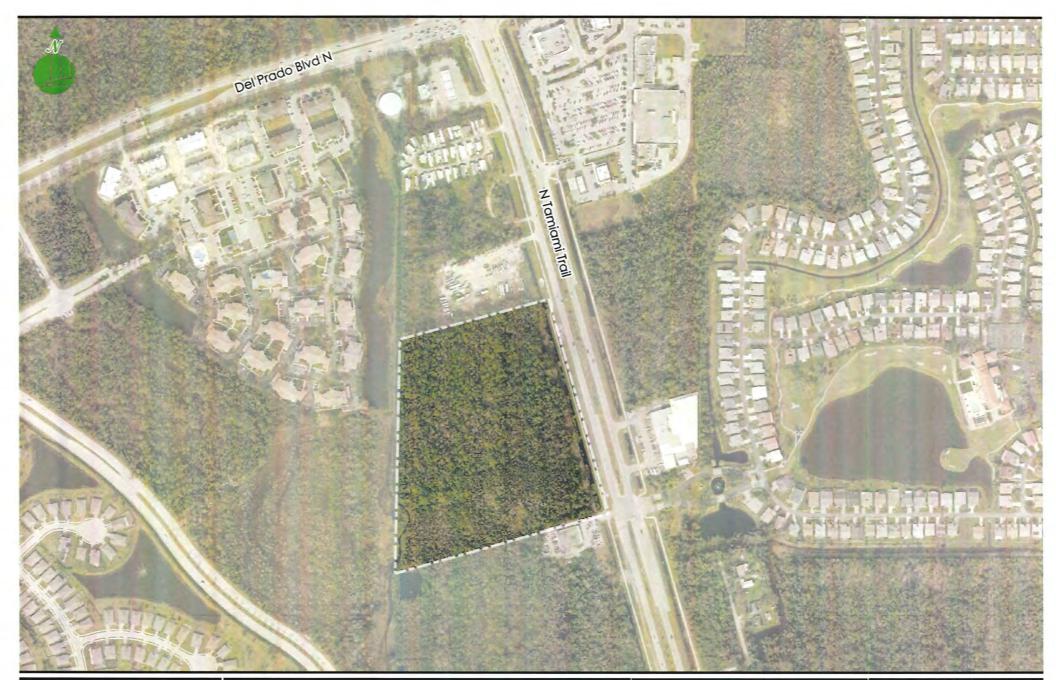
TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said Grantor, but no further or otherwise.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers duly authorized, the day and year first above written.

Signed, sealed and delivered in presence of:	
PhAD Tint	Marism
Witness Signature Lisa T. Morrison	
Eta KJShoo	
Printed Name of First Witness Jon Tyus	7-
10>27 Chapman Hot James Til	
Address of First Witness Grantor Address:	
Man Ballana 1268 Tittsworth Rd.	
Seymour, TN 37865	
Witness Signature	
Macy Balleryor	
Printed Name of Second Witness	
10727 Chapman Hury Seyman TN37865	11
Address of Second Witness	£ (
	1
STATE OF TENNESSEE	11
COUNTY OF Source.	11
BOOM FOR ABERTAIN	
The foregoing instrument was executed and acknowledged before me by re-	neans of Physical
Presence or Online Notarization this day of 2024,	by Lisa T. Morrison, who
Is/are personally known to me or who has/have produced Tor barro	at Zee type of
Identification) as Identification.	
Presence or Online Notarization this day of	1
Notary Public Notary Public	+
Printed Name: Rta F Todason STATE STATE	4
Commission # n/n.	Ť
My Commission Expires: 2:25 3626 : IENNESSEE	
NOTARY :	1
S. FOBLIC A	
STATE OF TENNESSEE	
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Commission # 200 OF TENNESSEE NOTARY  STATE OF TENNESSEE  COUNTY OF SOME OF TENNESSEE  The foregoing instrument was executed and acknowledged before me by me of the commission of the commissio	neans of Physical
Presence or Online Notarization this / of day of massed, 2024	by Jon Tyus, who is/are
personally known to me or who has/have produced In Octob	type of
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Identification) as identification  Notary Public  Printed Name:   Commission # 20	
Notary Public	1
Printed Name: Fix F (Sh-US) STATE	1
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WINE NER COUNTY	
My Commission Expires: 2:20 - 3036 TENNERRY NOTARY PUBLIC STATE OF VIEW CONTINUES.	
V	T.



#### AFFIDAVIT OF AUTHORIZATION

APPLICATION IS SIGNED BY INDIVIDUAL OWNER, APPLICANT, CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

1 Dan	STOUALL		(name) as	Danz	PRESSORAT
(owner/title	e) of Hove Dates	Y LIFE, LINE	(company	(property), swe	ar or affirm under oath, tha
I am the o	wner or the authorized rep	presentative of the ow	ner(s) of the p	roperty and tha	t:
1.	I have full authority to se the referenced property application and the Land	as a result of any act	ion approved b		
2.				ches, data or o	ther supplementary matter
	attached hereto and made				
3.	I have authorized the sta normal working hours for application; and that				
4.	The property will not be and restrictions imposed			ivided unencun	nbered by the conditions
*Notes:					
<ul> <li>If the ap</li> </ul>	plicant is a corporation, the	en it is usually execut	led by the corp.	pres. or v. pre	S.
typically	plicant is a Limited Liability be signed by the Compan	y's "Managing Memb	er."		
	plicant is a partnership, the				
	plicant is a limited partners of the named partnership.	snip, then the general	partner must s	sign and be ide	nuneo as the general
	plicant is a trustee, then th	ey must include their	title of "trustee	."	
	instance, first determine the nuse the appropriate forma		e.g., individual,	corporate, trus	st, partnership, estate, etc.,
	nalties of perjury, I decla	ire that I have read	the foregoing		
-9/	00			- 2.	-17-75
0	Signature				Date
******	NOTE: NOTARY PUBLIC ALL OTHER	C IS NOT REQUIRED APPLICATION TYP			PROVALS*******
STATE OF	FLORIDA				
COUNTY	OF LEE				
The forego presence o	ing instrument was sworn to	is day of	tebru	PK	, 20 <u></u> 3 5, by
<u>12000</u>	Stovall	(name of p	erson providing	oath or affirm	
as identifica	known to me or who has p ation.	produced 13(1VC)	S UCE	130.	(type of identification)
STAMP/SEAL		a State of Florida	Signature of	of Notary Publ	ic /
Web/Affidavite	Amand	da Yancey ::			



Lee County Dept. of Community Development Long-Range Planning 1500 Monroe Street Fort Myers, FL 33901



Exhibit M12 - Lee Plan Analysis

#### I. BACKGROUND

The subject property is located at 17701 N Tamiami Trail, north of the intersection of N Tamiami Trail and Sabal Springs Blvd. The property is under one (1) STRAP (22-43-24-01-00001.0160). The zoning of the subject property is split; the segment of land adjacent to N Tamiami Trail is part of the CG zoning district whereas the remainder of the property is within the IL zoning district. The property is currently located within the Suburban future land use category.

#### II. REQUEST

Due to the property's location and underlying zoning districts, the Applicant is requesting that the property be redesignating to the Central Urban future land use category. The current Suburban FLU category prohibits the development of industrial uses per Lee Plan Policy 1.1.5, posing a conflict for the development of the IL-zoned portion of the site which comprises approximately 78% of the subject property.

#### 111. LEE PLAN ANALYSIS

The proposed map amendment from Suburban to Central Urban is consistent with a number of goals, objectives, and policies outlined within the Lee Plan as well as regional and state plans as outlined below.

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

The Lee Plan describes the Central Urban category as the most heavily settled with the highest range of public services. This category permits light industrial uses and encourages mixed-use where appropriate. The companion Planned Development zoning application is inclusive of a master concept plan which depicts the proposed development, associated with this MCP is a Schedule of Uses which is catered to the site and further specifies the commercial and industrial development program for the property.

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

The property's location along N Tamiami Trail, a state-maintained arterial, supports Objective 2.1 by allowing for future development of the site to have readily available access to a number of utilities and services. Additionally, the subject property is located within the North Fort Myers community and abuts the City of Cape Coral, this unique location allows for residents of either community to easily traverse through N Tamiami Trail or Del Prado Blvd N, major roads in each respective community, in order to access the site.

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

The subject property is currently in the Suburban future land use category which is defined as a Future Suburban area by the Lee Plan. The subject property is also surrounded by development and fits the definition of infill development per the Lee Plan. Infill projects already have public services available, making them ideal for development in terms of timing.

Goal 4: GENERAL DEVELOPMENT STANDARDS. Pursue or maintain land development regulations which protect the public health, safety and welfare, encourage creative site designs and balance development with service availability and protection of natural resources.

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

#### Standard 4.1.1: WATER.

 Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of

- gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Fla. Admin. Code R. 62-550).
- 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 4A), then the development must be connected to that utility.
- The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.
- 4. All waterline extensions to new development will be designed to provide minimum fire flows, as well as adequate domestic services as required by Fla. Admin. Code R. 62-555.
- 5. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 4-A), and the utility cannot provide the service or cannot provide the service except at a clearly unreasonable cost to the developer, the developer is encouraged to petition the appropriate regulatory agency to contract the service area so that the development may establish its own community water system or invite another adjacent utility to expand its service area in order to provide the required service.
- 6. If a development lies outside any service area as described above, the developer may:
  - request that the service area of Lee County Utilities or an adjacent water utility be extended to incorporate the property;
  - establish a community water system for the development; or
  - develop at an intensity that does not require a community water system.
- 7. Lee County Utilities may provide potable water service to properties not located within the future water service area when such potable water service is found to benefit public health, safety, and welfare, including protection of Lee County's natural resources.

As outlined in Standard 4.1.1(1) any commercial or industrial project exceeding 30,000 SF of gross floor area per parcel must connect to public water. The subject property's companion Planned Development further defines the future development parameters of the site and specifies the industrial and commercial uses proposed for the property which include industrial and commercial development in excess of 30,000 SF, therefore the subject property will be complying with this standard by connecting to public water as further supported by the Lee County Utilities Letter of Availability.

#### Standard 4.1.2: SEWER.

- 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 I/4 mile from any part of the development.
- If there is not sufficient capacity nor adequate infrastructure within I/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.
- 4. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and the utility cannot provide the service, or cannot provide the service except at a clearly unreasonable cost to the developer, II-16 April 2024 Future Land Use the developer may establish on a temporary basis a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may also petition the appropriate regulatory agency to contract the service area of the utility in order that another utility may be invited to provide the service.
- 5. If a development lies outside any service area as described above, the developer may:

  request that the service area of Lee County Utilities or an adjacent sewer utility be expanded to incorporate the property;
  establish a self-provided sanitary sewer system for the development;
  develop at an intensity that does not require sanitary sewer service; or
  if no more than 5000 gallons of effluent per day per parcel is produced, an individual sewage disposal system per Fla. Admin. Code R. 64E-6 may be utilized, contingent on approval by all relevant authorities.
- Lee County Utilities may provide sanitary sewer service to properties not located within
  the future sewer service area when such sanitary sewer service is found to benefit public
  health, safety, and welfare, including protection of Lee County's natural resources.

As outlined in Standard 4.1.2(1) any commercial or industrial project generating an excess of 5,000 gallons of wastewater per day must connect to public sanitary sewer system. The subject property's companion Planned Development further defines the future development parameters of the site and specifies the industrial and commercial uses proposed for the property which include industrial and commercial development in excess of 30,000 SF, therefore the subject property will be complying with

this standard by connecting to public wastewater as further supported by the forthcoming Florida Governmental Utility Authority Letter of Availability.

#### Standard 4.1.4: ENVIRONMENTAL FACTORS.

- 1. In any case where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District (SFWMD), or other applicable regulatory agency), the developer/applicant must prepare an environmental assessment that examines the existing conditions, addresses existing or anticipated environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources.
- Ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site.
- Ensure development minimizes the need for expansion and construction of street and utility improvements.

An environmental assessment of the site was conducted in November 2023 by Pennoni and the findings resulted in the conclusion that the property is heavily impacted by exotic vegetation. There are approximately 4.82 acres of wetlands across the 19.36-acre site and these lands feature exotic infestation with portions of the wetlands consisting solely of melaleuca or disturbed lands. The uplands on the site feature a similar range of exotic infestation; pine flatwoods are found on site but are made up of nearly 51-75% exotics and the area described as a palm hammock is made up of 26-50% exotic vegetation. Due to the absence of viable wetlands, or rare and unique uplands of high quality, the Applicant's improvement of the site will be inclusive of clearing the disturbed and exotic infested property while replanting with predominantly native vegetation for buffer areas and supplemental plantings throughout the site's designated open space.

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

The companion rezoning is being pursued as a Planned Development which further defines the development parameters for the limited commercial uses being proposed while allowing for flexibility for future commercial tenants which would further support proximate patrons. The subject property's current split zoning allows for commercial uses to be located along the eastern portion of the site, abutting N Tamiami Trail. The site's current partial commercial zoning along the arterial was previously impacted by a right-of-way taking which has resulted in a reduced depth for the commercially zoned area. As currently configured, the site's narrow commercial zoning promotes strip commercial development. The companion planned development zoning application alters this configuration by

creating additional depth for commercial tracts, effectively creating commercial outparcels to the industrial portion of the development. This creates a gradual transition from the more intense industrial uses proposed on the western portion of the site to more service/retail-oriented commercial being proposed along the eastern portion of the site abutting N Tamiami Trail. This configuration further separates any future industrial uses from the Sabal Springs residential community to the east of N Tamiami Trail.

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

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

Consistent with Policy 6.1.4, the proposed project is compatible with existing and planned adjacent uses. The proposed PD rezone clarifies the location and square footage of commercial uses which would provide additional growth in the North Fort Myers community at an appropriate location. This policy also requires that the proposed commercial uses be supported by public facilities; the property has direct access onto N Tamiami Trail which is a four-lane to five-lane state-maintained arterial roadway. Additionally, the project will be supported by urban services via Lee County Utilities for potable water and FGUA for sanitary sewer as noted in the provided Letter of Availability from LCU and forthcoming Letter of Availability from FGUA.

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

Policy 6.1.5 protects the traffic-carrying capacity of roads and streets from incompatible commercial development. The companion Traffic Impact Study supports the assessment that the uses will not trigger a level of service deficiency for the adjacent road network. Alternatively, the proposed reconfiguration of uses and intensities results in a reduction in the maximum trip generation of the project via the partial conversion from commercial to industrial uses, which generally generate less trips than their retail and service-based counterparts.

Policy 6.1.6: Maintain land development regulations that require commercial development provide adequate and appropriate landscaping, open space, buffering, and architectural standards.

Policy 6.1.6 requires commercial developments to "provide adequate and appropriate landscaping, open space, and buffering." The companion MPD is inclusive of a Master Concept Plan which outlines the landscaping including open space and buffering being proposed. The project will provide appropriate landscaping, open space, and buffering as consistent with the Land Development Code at time of development order. Architectural standards are also reviewed at time of development order and are further governed by Chapter 33 regarding the North Fort Myers Commercial Corridor.

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

N Tamiami Trail features a mixture of commercial, industrial, and residential uses throughout the transportation corridor. The subject property features heavy commercial uses to the north of the site which services automobiles and appears to have an outdoor storage component based off recent aerials. Additionally, the property to the south of the site is a golf cart dealership which also features an outdoor/display component. The subject property abuts N Tamiami Trail to the east and further east are residential uses. Residential uses are also located immediately to the west of the subject property. This combination of abutting residential and commercial uses is addressed in the companion PD rezone's Master Concept Plan. This plan further defines the project's development program including open space, buffering, and setbacks, all of which are considered with the existing surrounding uses at the forefront. Additionally, the increased depth of the commercial tracts when compared to the existing commercially zoned portion of the site promotes the development of outparcels instead of the strip development currently supported by the narrow commercial zoning.

### Policy 6.1.8: Prohibit commercial development from locating near existing or planned school areas in such a way as to jeopardize the safety of students.

Consistent with Policy 6.1.8, the subject property is not located near an existing or planned school.

### Goal 7: INDUSTRIAL LAND USES. To promote opportunities for well-planned industrial development at suitable locations within the County

The companion rezoning is being pursued as a Planned Development which further defines the development parameters for the limited industrial uses being proposed. The industrial uses being proposed are visibly shielded from pass by traffic through the site's configuration as well as buffering and landscaping. The uses being proposed are also tailored to the site as further noted in the Schedule of Uses.

Policy 7.1.3: Industrial land uses must be located in areas appropriate to their special needs and constraints, including, but not limited to, considerations of: topography; choice and flexibility in site selection; access by truck, air, deep water, and rail; commuter access from home-to-work trips; and utilities; greenbelt and other amenities; air and water quality considerations; proximity to supportive and related land uses; and compatibility with neighboring uses.

The industrial uses proposed are further defined by the Schedule of Uses in the companion MPD rezone. The site's location along an arterial supports the ability to easily access the site without having to traverse through residential corridors or communities. The location being proximate to Cape Coral and being located within the North Fort Myers community facilitates the commute for current and future employees who reside in either the City of Cape Coral or North Fort Myers. As described above, the mixture of surrounding adjacent uses have further defined the proposed buffers and setbacks which promote compatibility with the subject property's adjacent land uses.

### Policy 7.1.4: The timing and location of industrial development will be permitted only with the availability and adequacy of existing or planned services and facilities.

The availability of planned services and facilities have been confirmed from numerous agencies via the supporting Letters of Availability which have been provided to the County for review. These agencies include LCU for water, FGUA for sewer (forthcoming), Lee County Solid Waste, the Lee County's Sheriff's Office, the local fire department and the County's School District.

## Policy 7.1.6: Maintain land development regulations that require industrial uses be adequately buffered and screened from adjacent existing or proposed residential areas so as to prevent visual blight and noise pollution.

Consistent with the LDC, buffering and screening from the adjacent residential will be achieved to address site compatibility. Additionally, due to the incorporation of commercial outparcels on the companion rezoning's Master Concept Plan, there won't be visibility to the industrial area from N Tamiami Trail given the commercial outparcels proposed between the industrial area and N Tamiami Trail.

### POLICY 7.1.7: Industrial development will not be permitted if it allows industrial traffic to travel through predominantly residential areas.

The subject property's location along N Tamiami Trail, a major transportation corridor, allows for any potential associated industrial traffic to be directed through the roadway and away from local streets feeding into predominantly residential areas.

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.

The subject property's location within the North Fort Myers Community will improve the economic vitality of the community; a major local business would be relocating their 6.5-acre headquarters in Cape Coral to North Fort Myers. This is an enhancement to the local economy of North Fort Myers and supports the business' growth which ultimately brings jobs to the community that currently requires North Fort Myers employees to traverse across the community via Pondella Road.

Policy 30.3.1: Encourage streetscape and landscape improvements along major roadways consistent with the general provisions of the LeeScape Master Plan, including Bayshore and Pine Island Roads, North Cleveland Avenue, North Tamiami Trail, Pondella Road, Hancock Bridge Parkway, and Del Prado Boulevard.

The property's frontage along N Tamiami Trail would traditionally require it to feature a 15-foot wide Type D right-of-way buffer along the frontage. Per LDC Table 10-416(d)(4), the Type D buffer requires a minimum of five (5) trees and a double-staggered hedge per 100 linear feet. However, Lee Plan 30.2.6 allows for developments within the Commercial Corridor Overlay (such as the proposed) to utilize the development standards for the Mixed-Use Overlay. Per LDC Sec. 10-425(f)(1) the buffer adjacent to the roadway is required to be 5-feet wide and planted with five (5) trees per 100-linear feet.

### Policy 124.1.2: The County's wetlands protection regulations will be consistent with the following:

- The Couty will not undertake an independent review at the development order stage
  of impacts to wetlands resulting from development in wetlands that is specifically
  authorized by a DEP or SFWMD dredge and dill permit or exemption.
- 2. No development in wetlands regulated by the State of Florida may be commenced without the appropriate state agency permit or authorization. Development orders and development permits authorizing development within wetlands or lands located within the Wetlands future land use category may be issued subject to a condition that construction may not commence until issuance of the required state permits.

- Lee County will incorporate the terms and conditions of state permits into County permits and will prosecute violations of state regulations and permit conditions through its code enforcement procedures.
- 4. Every reasonable effort will be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. On- or off-site mitigation will only be permitted in accordance with applicable state standards.
- Mitigation banks and the issuance and use of mitigation bank credits will be permitted to the extent authorized by applicable state agencies.
- 6. The density on wetlands that have been impacted, or will be impacted, in accordance with a state agency permit will be calculated at a density of one dwelling unit per 20 acres. Non-residential uses on wetlands that have been impacted, or will be impacted, in accordance with a state agency permit must be consistent with the non-residential uses permitted in the immediately adjacent, least intense, upland future land use category.

Consistent with the above policy's points one (1) through three (3), the subject property will obtain approval from South Florida Water Management District prior to any development which may impact wetlands or require any mitigation. A companion Master Concept Plan will be provided at time of Planned Development rezoning to further depict compliance with point four (4) above. The Applicant acknowledges points five (5) and six (6) – more specifically, that any non-residential land uses proposed on wetlands that have been or will be impacted will be consistent with the non-residential land uses permitted in the central urban FLU as this is proposed to be the immediately adjacent and least intense and upland category.

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

The project will obtain approval from SFWMD consistent with the requirements of local Development Order permitting. Additionally, a surface water management plan will be provided at time of Planned Development rezoning to further describe surface water flows, groundwater levels and lake levels.



### 17701 N. Tamiami Trail, North Fort Myers, Florida

Environmental Assessment November 2023

Prepared for:

**EnSite** 

Prepared by:

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#### Attachments

Attachment 1: Location Map

Atatchment 2: Aerial Map

Attachment 3: FLUCFCS Map

Attachment 4; Soils Map

Attachment 5: USGS Quad Map

Attachment 6: Protected Species Survey Map

Attachment 7: Eagle Buffer Zone Map

Attachment 8: National Wetalnds Inventory Map

#### **Project Purpose / Location**

A due diligence site survey for a single parcel approximating 19.36 acres in North Fort Myers, Lee County with the STRAP #22-43-24-01-00001.0160, was conducted in November 2023. The parcel is west of N. Tamiami Trail and northeast of De Navarra Parkway and south of Del Prado Boulevard North. The parcels to the north and south are developed and the parcel to the west is undeveloped. The parcel is located within Section 22, Township 43 South, and Range 24 East.

#### **Site Conditions**

The parcels are located on undeveloped land in North Fort Myers (Lee County) and are a mixture of uplands and wetlands disturbed by invasive exotic plant infestations.

#### **Vegetation Communities / FLUCFCS Codes**

The cover and vegetation associations for the project area were verified and delineated using 2023 aerial photography (1" = 200") and on-site field investigations. The cover and vegetation assemblages were classified according to levels III and IV of the Florida Land Use, Cover and Forms Classification System, also known as FLUCFCS (FDOT 1999). An aerial and exhibit with FLUCFCS overlay is attached to this report, The following table outlines the FLUCFCS codes identified within the project area, followed by detailed descriptions below.

The majority (15.09 acres) of the site contains wetlands heavily impacted by nonnative invasive species. Other areas include mesic pine flatwoods, a small palm hammock and a ditch.

FLUCFCS Code	Description	Acreage	Federal Status	State Status
411-E3	Pine Flatwoods (Exotics 51-75%)	2.75	N	N
428-E2	Palm Hammock (Exotics 26-50%)	0.33	N	N
510	Ditch	0.72	NJD	OSW
619	Melaleuca	3.27	NJD	W
625-E3	Hydric Pine Flatwoods (Exotics 51-75%)	9.52	NJD	W
641-E2	Freshwater Marsh (Exotics 26-50%)	0.77	NJD	W
740-H	Hydric Disturbed Land	1.53	NJD	W
814	Roads	0.47	N	N

Total: 19.36 acres

#### LEGEND

N = Non-Wetland

NJD = Non-Jurisdictional Wetlands or Waters of the U.S.

W = Wetland

OSW = Other Surface Waters

WUS = Waters of the U.S.

#### FLUCFCS Code: 411-E3 Pine Flatwoods (2.75 acres)

The northwest corner of the site contains pine flatwoods invaded by invasive exotic plants. No obligate wetland plants, buttressing, nor adventitious roots were observed within this community. Dominant canopy species include slash pine (*Pinus elliottii* var densa), melaleuca (*Melaleuca quinquenervia*), Java plum (*Syzygium cumini*) and Brazilian pepper (*Schinus terebinthifolius*). Less dominant canopy and midstory trees include earleaf acacia (*Acacia auriculiformis*) and Australian pines (*Casuarina equisetifolia*). Mid and understory plants include saw palmetto (*Serenoa repens*), gallberry (*Ilex glabra*), wax myrtle (*Myrica cerifera*), carrotwood (*Cupaniopsis anacardioides*), climbing cassia (*Senna pendula*), beauty berry (*Callicarpa americana*), caesarsweed (*Urena lobata*), bracken fern (*Pteridium aqulinum*) and chamber bitter (*Phyllanthus urinaria*). Vines include muscadine grape (*Vitis rotundifolia*), greenbrier (*Smilax* spp.), poison ivy (*Toxicodendron radicans*) and rosary pea (*Abrus precatorius*).

#### FLUCFCS Code: 428E2 - Palm Hammock (0.33 acres)

The palm hammock is dominated by cabbage palms (*Sabal palmetto*), over an understory of beauty berry (*Callicarpa americana*), myrsine (*Myrsine guianensis*), and woods grass (*Oplismenus* 

hirtellus). Golden polypody (*Phelbodium aureum*) and shoestring fern (*Vittaria lenata*) are on the palm trunks and boots.

#### FLUCFCS Code: 510-Ditch (0.72 acres)

A ditch parallels US 41 but is within the property boundary. Plants within the ditch include water hyacinth (*Eichhornia crassipes*), marshweed (*Limnophila* sp.) and common reed (*Phragmites australis*).

#### FLUCFCS Code: 619-Melaleuca (3.27acres)

Melaleuca occurs in the southern portion of the site and occurs almost as a pure stand. The melaleucas are buttressed and have adventitious rooting. Widely scattered native trees include buttressed slash pines and young laurel oaks. The understory is largely bare with rafted debris. Scattered plants within the midstory include Senegal date palm (*Phoenix reclinata*), salt bush (*Baccharis halimifolia*), wax myrtle and ferns.

#### FLUCFCS Code: 625 E2-Hydric Flatwoods (9.52 acres)

Hydric flatwoods dominate the property. The plants within this community are similar to the pine flatwoods but with more melaleuca and fewer earleaf acacia, Australin pines and Brazilian pepper. laurel oaks (*Quercus hemeisphaerica*), swamp sedge (*Cyperus ligularis*), swamp fern (*Blechnum serrulatum*) and Old-World climbing fern (*Lygodium microphyllum*) also occur.

#### FLUCFCS Code: 641 E2-Freshwater Marsh (0.77 acres)

The freshwater marsh is dominated by grasses including maidencane (*Panicum hemitomon*) and para grass (*Brachiaria mutica*). Other plants on the edges include pickerelweed (*Pontederia cordata*) duck potato (*Sagittaria latifolia*), Alligator flag (*Thalia geniculata*), Carolina pony foot (*Dichondra carolinensis*), fleabane (*Erigeron* sp.), horned beakrush (*Rhyncospora inundata*) and broomsedge (*Andropogon glomeratus*).

#### FLUCFCS Code: 740H- Disturbed Land Hydric(1.53 acres)

A mowed area occurs between the ditch and the forested portion of the property. Vegetation is a mixture of hydric and non-hydric vegetation and includes Spanish needles (*Bidens alba*), Florida snow (*Richardia grandiflora*), chocolate weed (*Melochia corchorifolia*), Caesarweed, Spermococea (*Spermacoce verticillata*), love grass (*Eragrostis* sp.), whitetop sedge (*Rhynchospora colorata*),

broomgrass (Andropogon virginicus), broomsedge, smut grass (Sporobolus indicus), torpedo grass (Panicum repens), guinea grass (Megathyrsus maximum), cogongrass (Imperata cylindrica) and multiple beaksedges (Rhyncospora spp.) and Cyperus sedges.

#### FLUCFCS Code: 814 Roads - (0.47 acres)

A small portion of the site includes US 41 and it's right of way.

#### Soils

The soil types that occur or occurred historically within the proposed project area was determined using the Natural Resource Conservation Service (NRCS) Geographic Information System soil layer. The site is comprised of Isles fine sand-frequently ponded (#39), Wabasso sand, limestone substratum (#42), Copeland fine sandy loam, frequently ponded (45), Cypress lake fine sand, slough (#74) and Wabasso sand, Limestone substratum-Urban land complex (#138). Both types of Wabasso sand (42 and 138) are categorized as non-hydric soils while the other three soils mapped on site are hydric. A soils map is attached to this report.

#### Wetlands and Other Surface Waters (OSW)

The limits of potential SFWMD and federal 404 jurisdictional wetlands have been identified in the field (see the attached FLUCFCS Map). The extent of the potential jurisdictional wetlands was established using the "Delineation of the Landward Extent of Wetlands and Surface Waters" (Chapter 62-340, Florida Administrative Code (F.A.C.) methodology. The wetland limits for the project have not yet been field verified by the SFWMD or the Florida Department of Environmental Protection (FDEP) who have assumed jurisdiction of federal 404 wetlands and Waters of the United States (WOTUS) in this area of the State of Florida. State regulatory agency personnel will have to approve the wetland limits through a jurisdictional wetland determination and therefore, the wetland limits are subject to change. A jurisdictional wetland determination can be accomplished through a Formal or Informal Jurisdictional Wetland Determination Application or through the Environmental Resource Permitting process. The site contains state jurisdictional wetlands; however, the on-site wetlands may not be considered federally jurisdictional due to their isolation and/or lack of connection to navigable waters.

#### **Listed Species**

A protected species survey was conducted on the property by Pennoni Associates Inc. environmental scientists on November 6, 2023. Meandering pedestrian transects were utilized to cover a minimum 80% coverage of the project area in accordance with methodologies outlined by the U.S. Fish and Wildlife Service (FWS) and the Florida Fish and Wildlife Conservation Commission (FWC). The purpose of the survey was to identify and document the presence of listed species inhabiting the site that are regulated by the FWS and the FWC. No state or federally listed species, nor their sign, were observed on site.

No gopher tortoise (*Gopherus polyphemus*), their burrows nor scat were observed within the property limits. An updated 100% coverage gopher tortoise survey may be required within 90 days of construction. If tortoise burrows are found, a Relocation Permit from the FWC will be required prior to any impacts proposed within 25° of a potentially occupied (active and inactive) gopher tortoise burrow. Burrows must be excavated per FWC Guidelines and any recovered tortoises relocated to an approved recipient site.

The property is outside the FWS designated Florida panther (*Puma concolor coryi*) focus areas and no panthers nor their sign were observed.

Trees on the parcel were surveyed for cavities that could be utilized by the federally endangered Florida bonneted bat (*Eumops floridanus*). The Florida bonneted bat roost site survey consisted of onsite observations of dead trees and snags with hollows, crevices, loose bark, and/or cavities and the inspection of cabbage palms to the extent possible, as no red-cockaded woodpecker (*Picoides borealis*) cavity trees, bridges, overpasses or other man-made structures exist onsite that may provide suitable roosting habitat. Cavity trees were observed onsite, however no evidence of Florida bonneted bat roosting was found during the site inspection. Updated surveys may be required by the permitting agencies prior to construction. The parcel is outside of proposed designated critical habitat.

While none was observed, suitable habitat for the federally threatened Eastern indigo snake (*Drymarchon corais couperi*) is present onsite. Potential impacts to this species can be minimized through the implementation of the FWS Standard Protection Measures for the Eastern Indigo Snake.

The closest identified bald eagle (*Haliaeetus leucocephalus*) nest (LE939) is located 0.81 miles to the southwest of the property. The subject property is well outside of the 660-foot buffer zone so no impacts to bald eagles are anticipated. Historic bald eagle nest LE-045 occurred south of the property. The nest is no longer there and has been deemed abandoned by the Lee County Eagle Technical Advisory Committee. No action is needed unless a new nest is built.

No snail kites (*Rostrhamus sociabilis*) nor wood storks (*Mycteria americana*) were seen on site during the site visits. The area is within the FWS snail kite consultation area but well outside of critical habitat. Foraging opportunities occur within the ditch for both species.

The wood stork colony known as Caloosahatchee River West is within 5 miles of the project area. Because the project is located within a Core Foraging Area (CFA) of the colony, proposed impacts to wetlands will require habitat compensation within the appropriate CFA or within the service area of a Service-approved mitigation bank. The habitat compensation required will be based on a FWS Foraging Analysis protocol and must replace the foraging value, consisting of wetland enhancement or restoration matching the hydroperiod of the wetlands affected. The purchase of wetland mitigation credits for wetland impacts may be sufficient mitigation for impacts to the wood stork foraging habitat. The federally threatened wood stork is currently being reviewed for delisting, but there is no set timeline for the determination.

Suitable foraging areas for the state threatened little blue heron (*Egretta caerulea*) and tricolored heron (*Egretta tricolor*) occur on site and both species were seen foraging within the ditch south of the property during the site visit. A nesting survey may be required prior to clearing and construction.

No additional nests, dens, burrows, tracks, scat, or signs indicative of protected species use of the property were identified during the site inspections. No federally or state listed plant species were observed on site. Species seen or heard on site include red-bellied woodpecker (Melanerpes carolinus), Eastern phoebe (Sayornis phoebe), blue jay (Cyanocitta cristata), fish crow (Corvus ossifragus), Carolina wren (Thryothorus ludivicianus), common yellowthroat (Geothlypsis trichas), palm warbler (Setophaga palmarum), northern cardinal (Cardinalis cardinalis), gray squirrel (Sciurus carolinensis), armadillo (Dasypus novemcinctus), brown anole (Anolis sagrei), white peacock (Anartia jatrophae) little sulphur (Eurima lisa) and autumn meadowhawk (Sympetrum vicinum). Turkey vultures (Cathartes aura) and osprey (Pandion haliaetus) were observed flying over the site.

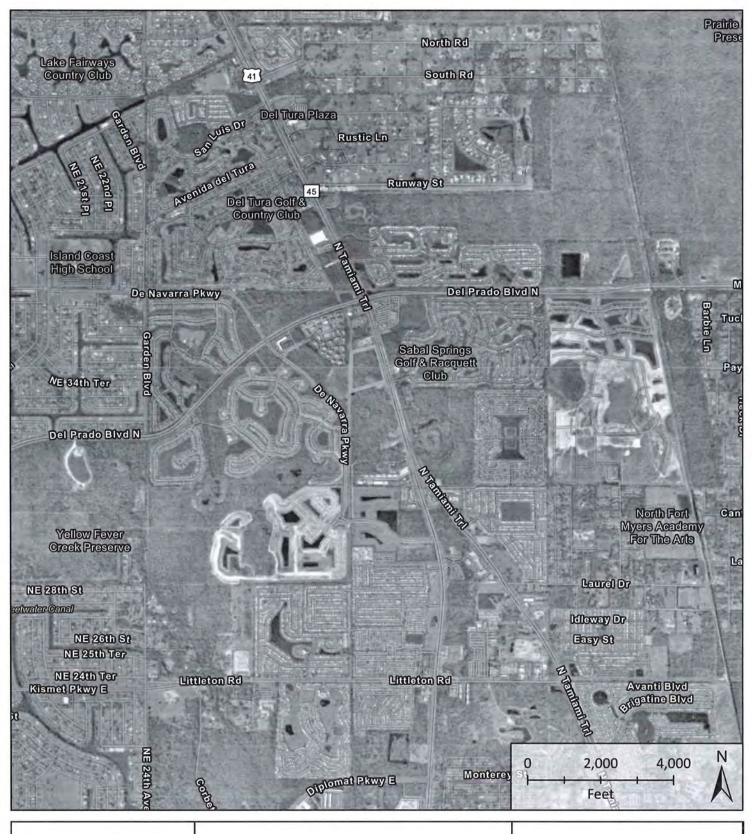
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#### 17701 N Tamiami Trail North Fort Myers, FL

Project: ENSTE23006

Site Outline

Location Map





1212 Country Club Blvd, #202 Cape Coral, FL 33990 T: 239.202.2195 www.Pennoni.com 17701 N Tamiami Trail North Fort Myers, FL

Project: ENSTE23006

Lee County Parcels
Site Outline

Aerial Map





#### PENNONI ASSOCIATES INC.

4706 Chiquita Blvd S - 200-E02 Cape Coral, FL 33914 T: 239.360.3075 www.Pennoni.com 17701 N. Tamiami Trail, North Fort Myers, FL

Project: ENSTE23006

FLUCFCS Map

FLUCFCS Code	Description	Acreage	Federal Status	State Status
411-E3	Pine Flatwoods (Exotics 51-75%)	2.75	N	N
428-E2 Cabbage Palm Hammock (Exotics 1-25%)		0.33	N	N
510	Ditch	0.72	NJD	OSW
619	Melaleuca	3.27	NJD	W
625-E3 Hydric flatwoods (Exotics 51-75%)		9.52	NJD	W
641-E2	Freshwater Marsh (Exotics 26-50%)	0.77	NJD	W
740-H	Hydric Disturbed Land	1.53	NJD	W
814	Roads	0.47	N	N

Lee County Parcels

Site Outline

Notes:

1. FLUCFCS Lines estimated from 1" = 100' aerial photographs and locations are approximate. 2. FLUCFCS per Florida

land use, cover and forms classification system (FDOT 1999).





1212 Country Club Blvd, #202 Cape Coral, FL 33990 T: 239.360.3075 www.Pennoni.com 17701 N Tamiami Trail North Fort Myers, FL

Project: ENSTE23006 Survey Date: 11/03/2023 Site Outline

Lee County Parcels

Soil #39 - Isles fine sand, frequently ponded - hydric

Soil #42 - Wabasso sand, limestone substratum - non-hydric

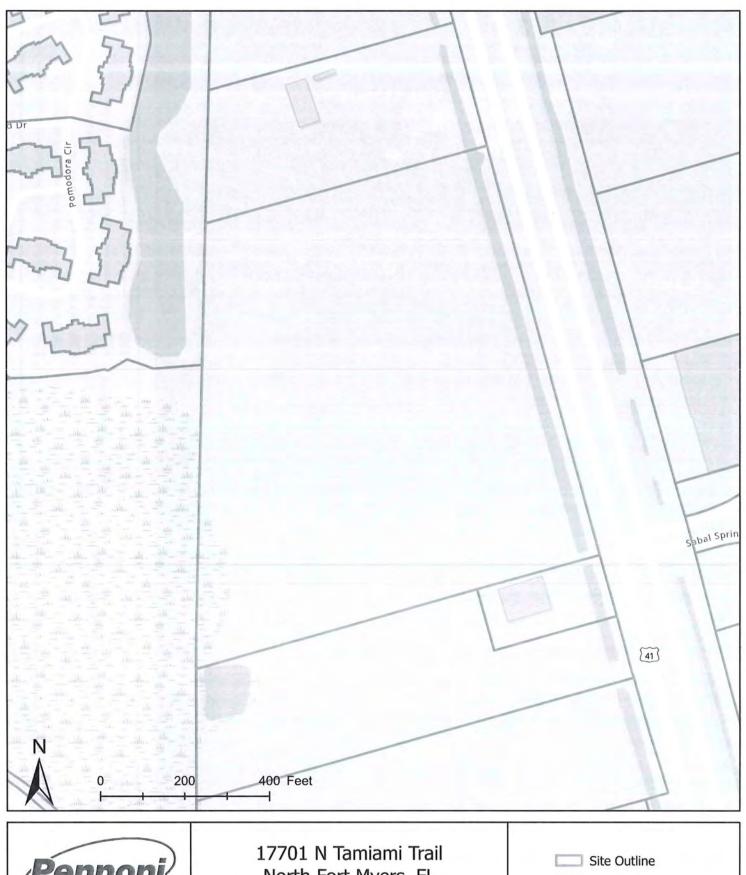
Soil #45 - Copeland fine sandy loam, frequently ponded - hydric

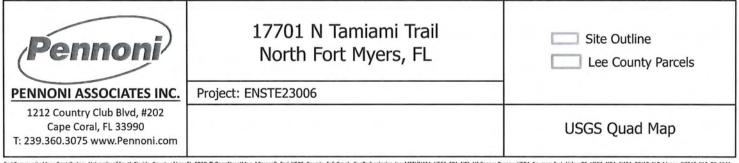
Soil #74 - Cypress Lake fine sand slough - hydric

Soil #142 - Cypress Lake fine sand, slough-Urban land complex - hydric

Soil #138 - Wabasso sand, limestone substratum-Urban land complex - non-hydric

Soils Map









1212 Country Club Blvd, #202 Cape Coral, FL 33990 T: 239.202.2195 www.Pennoni.com

#### 17701 N Tamiami Trl North Fort Myers, FL

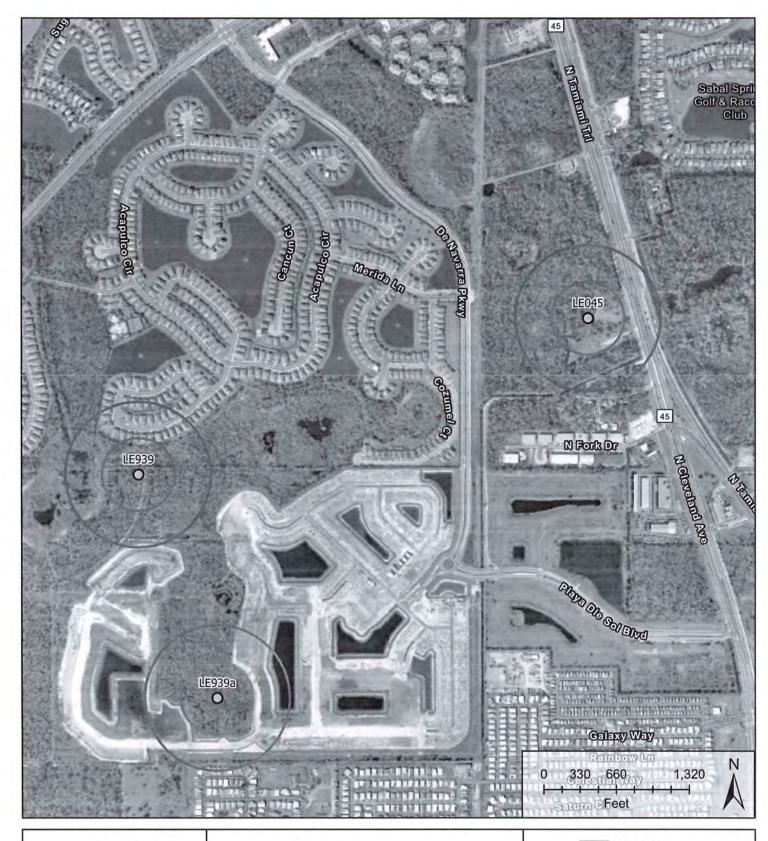
Project: ENSTE23006

Authorized Agent: GTA-20-00041 and RAG-20-00009

Survey Date: 11/10/2023

- Abandoned Gopher Tortoise BurrowInactive Gopher Tortoise Burrow
- Active Gopher Tortoise Burrow
- Lee County Parcels
- Site Outline

**Protected Species Survey** 





1212 Country Club Blvd, #202 Cape Coral, FL 33990 T: 239.360.3075 www.Pennoni.com

#### 17701 N Tamiami Trail North Fort Myers, FL

Project: ENSTE23006

Site Outline

330 ft buffer

660 ft buffer

**Bald Eagle Nest** 

Eagle Nest Buffer Zone Map





1212 Country Club Blvd, #202 Cape Coral, FL 33990 T: 239.360.3075 www.Pennoni.com 17701 N Tamiami Trail North Fort Myers, FL

Project: ENSTE23006 Survey Date: 11/03/2023 Site Outline

Lee County Parcels

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland
Freshwater Pond

Riverine

National Wetland Inventory Map

Lee County
Dept. of Community Development
Long-Range Planning
1500 Monroe Street
Fort Myers, FL 33901



Comprehensive Plan Map Amendment Exhibit M14 - Historic Resources Impacts Analysis

#### AS OUTLINED IN THE SUPPORTING EMAIL DOCUMENTED BELOW, NO HISTORICAL RESOURCES ARE LOCATED WITHIN THE SUBJECT PROPERTY.

6/17/24, 1:10 PM

Mail - Cindy Leal - Outlook

RE: Lee County, FL request

Greenwood, Ezekiel <Ezekiel.Greenwood@dos.fl.gov> Mon 6/17/2024 1:01 PM To:Cindy Leal <cindyl@en-site.com>

1 attachments (711 KB) Map.pdf,

Hello:

I have completed the requested search. We have no previously recorded resources within the parmit. I have attached a PDF map for your reference. Please let me know if you need anything else.

This record starts to to informational purposes only and does NOT constitute a project review. This search only identifies resources received at the Florice basics file file and does NOT provide project approval from the Division of Ministrical Resources. Contact the Compliance and Review Section of the Rivision of Ministrical Resources in ESD-245-6222 for project review Intermedian.

#### Ezekiel Greenwood

Historic Data Analyst | Florida Master Site File | Bureau of Historic Preservation | Division of Historical Resources | Florida Department of State | 500 South Bronough Street | Tallahassee, Florida 32399 | 850,245.6315 | 1.800.847.7278 | Fax: 850.245.6439 | flheritage.com



From Cindy Lead + Endylana folis com: Sent: Manday, Itan 17, 2024 17:55-667 To: Greenwood, Ezekel - Chekel Greenwoodsodos (Egos-Subject: No. Lea County, Et majusa)

EMAIL RECOVED FROM EXTERNAL SOURCE

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

Thanks Ezekial, the parcel STRAP is 22-43-24-01-00001.0160 and the address is 17701 N Tamami Trail in North Fort Myers, FL (Lee County)

An aerial map of the parcel is below;

planning | landscape architecture | engineering | urban design | sustainability

Mail - Cindy Leal - Outlook



Just trying to confirm if there are any recorded historic resources on the site itself, no buffer area.

Please let me know if you need anything else to process this request.

-Cindy

Cindy Leal Brizuela, MURP



site

2401 First Street, Suite 201 | Fort Myers, FL 33901

office: 239.226.0024 | cell: 305.321.8756



Think Green. Please consider the environment before printing this e-mail.

From: Greenwood, Ezekiel < Ezekiel. Greenwood@dos.fl.gov >

Sent: Monday, June 17, 2024 9:47 AM To: Cindy Leal < cindyl@en-site.com> Subject: RE: Lee County, FL request

Hello,

You can provide us with a parcel number and any other location information you have, including a map Please let us know if you would like a buffer area around the parcel searched as well and what information you are looking for (site, surveys, buildings). We do not provide letters for these searches as they are just a preliminary search of our dalabase. If correspondence is required per local ordinance, the email with the results will suffice.

Mall - Cindy Leal - Outlook

#### Ezekiel Greenwood

Historic Data Analyst | Florida Master Site File | Bureau of Historic Preservation | Division of Historical Resources | Florida Department of State | 500 South Bronough Street | Tallahassee, Florida 32399 | 850.245.6315 | 1.800.847.7278 | Fax: 850.245.6439 | flheritage.com



From: Cindy Leal < cindyl@en-site.com>
Sent: Monday, June 17, 2024 9:29 AM
To: FMSFILE < FMSFILE@dos.myflorida.com>
Subject: Lee County, FL request

#### EMAIL RECEIVED FROM EXTERNAL SOURCE

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

#### Good morning,

I need to request a FL Master Site File letter regarding a subject property in Lee County, FL. Is there a form I should be utilizing for this request or do I provide you with the local parcel number? Please let me know and I can provide ASAP.

-Cindy

Cindy Leal Brizuela, MURP



2401 First Street, Suite 201 | Fort Myers, FL 33901

office: 239.226.0024 | cell: 305.321.8756

Think Green, Please consider the environment before printing this e-mail.

### THE BELOW IMAGE WAS PROVIDED AS AN ATTACHMENT FROM THE DIVISION OF HISTORIAL RESOURCES IN REFERENCE TO ABOVE EMAIL REQUEST



planning | landscape architecture | engineering | urban design | sustainability

Lee County
Dept. of Community Development
Long-Range Planning
1500 Monroe Street
Fort Myers, FL 33901



Comprehensive Plan Map Amendment Exhibit M15 - Public Facilities Impacts Analysis

#### a. SANITARY SEWER

The below impact analysis for sanitary sewer is further supported by the provided Letter of Availability from Florida Governmental Utility Authority's response letter. The subject property is located within the Florida Governmental Utility Authority's wastewater service area and is not located within a future sewer service area per Lee Plan Map 4-B.

#### LEVEL OF SERVICE (PER 2024 LOS CONCURRENCY REPORT)

- Required Capacity average 200 gallons per day per dwelling unit in service area
- Available Capacity (combined Lee County Utilities and City of Fort Myers infrastructure through inter-local agreement) - average 247 gallons per day per equivalent residential connection (ERC)

[Pending Response from FGUA LOA Application #24-129]

#### **b. POTABLE WATER**

The below impact analysis for potable water is further supported by the provided Letter of Availability depicted on the following page from Lee County Utilities. The subject property is located within the Lee County Utility's water service area and is located within a future water service area per Lee Plan Map 4-A.

#### LEVEL OF SERVICE (PER 2024 LOS CONCURRENCY REPORT)

- Required Capacity average 250 gallons per day per equivalent residential connection (ERC)
- Available Capacity (Lee County Utilities infrastructure only) average 320 gallons per day per ERC.

#### CALCULATIONS:

Shopping centers = .1 gpd per SF =  $35,000 \times .1 = 3,500 \text{ GPD}$ Self-storage over 200 units = 1 gpd per 2 units =  $265 / 2 \times 1 = 133 \text{ GPD}$ Per loading Bay = 100 GPD per bay =  $30 \text{ bays} \times 100 = 3,000 \text{ GPD}$ Office = 100 gpd per  $100 \text{ s.f.} = 9,000/100 \times 100 = 9,000 \text{ GPD}$ 

Total SF: 310,000

Average Estimated GPD: 15,633



#### BOARD OF COUNTY COMMISSIONERS

Kevin Ruane

District One

February 6, 2025

Via E-Mail

Cecil L Pendergrass

District Two

Brian R. Smith En-Site, Inc.

David Mulicka

2401 First Street, Suite 201 Fort Myers, FL 33901

Brian Hamman Mike Greenwell District Five

Potable Water Availability

Dave Harner, II County Manager Honc US 41 MPD - 17701 N. Tamiami Trail, North Fort Myers, FL 33903

STRAP # 22-43-24-01-00001.0160

Richard Wm. Wesch County Attorney

To whom this may concern:

Donna Mane Collins County Hearing Examiner

The subject property is 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 four commercial units consisting of shopping center, self-storage facility, and office building with an estimated flow demand of approximately 15,633 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.

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

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

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

Carreyrico Paper

P.O. Box 398, Fort Myers, Florida 33902-0398, (239) 533-2111 lee-county.com
AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

Honc US 41 MPD - En-Site - Letter Docx February 6, 2025 Page 2

Further, this letter of availability of potable water service is to be utilized for Planned Development Application only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely.

Ashanti Shahriyar

LEE COUNTY UTILITIES Ashanti Shahriyar Plan Reviewer 239-533-8531 UTILITIES ENGINEERING

#### c. SURFACE WATER/DRAINAGE BASINS

The subject parcel is over 10 acres in size and does have wetlands as further indicated in Exhibit M21, therefore the property is subject to the rules and regulations of the South Florida Water Management District (SFWMD) for water management needs and requirements for pre-treatment and attenuation. The project will propose a master stormwater system that will be permitted through the SFWMD. This permit will regulate the requirements of stormwater based on the final design, intensity, and land uses.

#### d. PARKS, RECREATION, AND OPEN SPACE

N/A - Please see companion MPD Rezoning which is being sought concurrently. No residential units are proposed within the Planned Development therefore no residences are being generated from this request.

Additionally, open space will be provided consistent with the Land Development Code's Chapter 10 and 33 as they apply to the future development of the site. Further detailed plans for open space are located on the companion MPD Rezoning's Master Concept Plan.

#### e. PUBLIC SCHOOLS

N/A - Please see companion MPD Rezoning which is being sought concurrently. No residential units are proposed within the Planned Development therefore no students are being generated from this request.



TRANSPORTATION CONSULTANTS, INC.

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

> TRAFFIC ENGINEERING TRANSPORTATION PLANNING SIGNAL SYSTEMS/DESIGN

# MEMORANDUM

TO:

Mr. Brian R. Smith, P.E.

EnSite, Inc.

FROM:

Yury Bykau, P.E.

Senior Project Manager

DATE:

June 18, 2024

RE:

17701 N. Tamiami Trail

Strap No. 22-43-24-01-00001.0160 Comprehensive Plan Amendment

Lee County, Florida

TR Transportation Consultants, Inc. has completed a traffic circulation analysis for the proposed Comprehensive Plan Amendment for approximately 17.96 acres of property located at 17701 North Tamiami Trail (US 41) in Lee County, Florida. Based on the discussion with EnSite, Inc., the approximate 17.96-acre site will be subject to a Map Amendment that will change the land use designation from Suburban to Central Urban.

The transportation related impacts of the proposed Amendment to the Lee Plan were evaluated pursuant to the criteria in the application document. This included an evaluation of the long-range impact (20-year horizon) and short-range impact (5-year horizon) the proposed amendment would have on the existing and future roadway infrastructure.

Under the existing Suburban Land Use Category (FLU), the permitted development on site was assumed to consist of up to 179,600 square feet of commercial uses based on a typical development density of 10,000 square foot per acre. The Applicant is proposing a Map Amendment on the approximate 17.96-acre site to change the land use designation from Suburban to Central Urban. The main intent of this change is to allow for industrial development on the subject property. For analysis purposes, under the Central Urban Future Land Use category the site was assumed to consist of up to 120,000 square feet of light industrial uses and up to 30,000 square feet of commercial retail uses along Pine Island Road. Table 1 summarizes the uses/intensities that could be developed under the existing land use designation and uses/intensities assumed under the proposed land use designation.



# Table 1 Land Uses 17701 N. Tamiami Trail

Existing/ Proposed	Land Use Category	Intensity
Existing	Suburban	179,600 Sq. Ft. Commercial (10,000 Sq. Ft./Acre)
Proposed	Central Urban	120,000 Sq. Ft. Industrial 30,000 Sq. Ft. Commercial

The trip generation for the with and without amendment scenarios was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled *Trip Generation Manual*, 11<sup>th</sup> Edition. Land Use Code 820 (Shopping Center >150k), Land Use Code 822 (Strip Retail Plaza <40k) and Land Use Code 110 (General Light Industrial) were utilized for the trip generation purposes of the permitted/proposed uses on site. The trip generation equations utilized are attached to this Memorandum for reference.

Table 2 and Table 3 outline the anticipated weekday AM and PM peak hour and daily trip generation based on the existing and proposed future land use categories, respectively. Both tables also incorporated a reduction in trips due to "pass-by" traffic. Consistent with historical traffic studies in Lee County, the "pass-by" rate was limited to thirty percent (30%).

Table 2
Trip Generation
Based on Existing Land Use Category
17701 N. Tamiami Trail

The Cart	Weekda	y A.M. Pe	ak Hour	Weekda	y P.M. Pe	ak Hour	Daily	
Land Use	In	Out	Total	In	Out	Total	(2-way)	
Shopping Center (179,600 Sq. Ft.)	148	92	240	413	447	860	10,553	
Less Retail Pass-by	-36	-36	-72	-129	-129	-258	-3,160	
Net New Trips	112	56	168	284	318	602	7,373	



# Table 3 Trip Generation Based on Proposed Land Use Category 17701 N. Tamiami Trail

10 100	Weekda	y A.M. Pe	ak Hour	Weekda	y P.M. Pe	ak Hour	Daily
Land Use	In	Out	Total	In	Out	Total	(2-way)
General Light Industrial (120,000 Sq. Ft.)	75	10	85	6	40	46	502
Strip Retail Plaza (30,000 Sq. Ft.)	36	23	59	85	85	170	1,496
Total Trips	111	33	144	91	125	216	1,998
Less Retail Pass-by	-9	-9	-18	-25	-25	-50	-449
Net New Trips	102	24	126	66	100	166	1,549

Table 4 indicates the trip generation difference between the proposed and existing land use categories (Table 2 vs Table 3). The resultant trip change in Table 4 indicates that the trip generation will be <u>decreased</u> in the AM and PM peak hour conditions as a result of the proposed amendment. This is due to the fact that the main intent of this change is to allow for industrial development on the subject property, which is a lower traffic generator.

Table 4
Trip Generation – Resultant Trip Change (Table 2 vs Table 3)
17701 N. Tamiami Trail

V 2 W	Weekda	y A.M. Pe	ak Hour	Weekd:	Daily			
Land Use	In	Out	Total	In	Out	Total	(2-way)	
Proposed Land Use Designations	102	24	126	66	100	166	1,549	
Existing Land Use Designations	-112	-56	-168	-284	-318	-602	-7,373	
Resultant Trip Change	-10	-32	-42	-218	-218	-436	-5,824	

# Long Range Impacts (20-year horizon)

The Lee County Metropolitan Planning Organization's (MPO) 2045 Long Range Transportation Plan was reviewed to determine if any future roadway improvements were planned in the vicinity of the subject site. Based on the review, the only roadway improvements within the vicinity of the subject site shown on the 2045 Financially Feasible Plan were the widening of Littleton Road to a three-lane facility from Corbett Road to US 41 and widening of Bayshore Road (SR 78) to a six-lane facility from Business 41 to Slater Road. The Lee County 2045 Highway Cost Feasible Plan map is attached to this Memorandum for reference.



The Lee County Metropolitan Planning Organization's (MPO) long range transportation travel model was also reviewed in order to determine the impacts the amendment would have on the surrounding area. The base 2045 loaded network volumes were determined for the roadways within the study area and then the PM peak hour trips to be generated by additional trips in Table 3 were added to the projected 2045 volumes. The Level of Service for the surrounding roadways was then evaluated. The Level of Service threshold volumes for County maintained roadways were derived based on the attached *Lee County Generalized Peak Hour Directional Service Volumes* table. The Level of Service threshold volumes for City of Cape Coral and State maintained roadways were derived based on the attached *FDOT's Generalized Service Volume Tables* consistent with FDOT's District One Level of Service Report.

The results of the analysis indicate that the addition of the project trips to the network will not cause any roadway links to fall below the adopted Level of Service standard for each analyzed roadway link within the study area. Therefore, no changes to the adopted long range transportation plan are required as result of the proposed land use change. Attached **Table 1A** and **Table 2A** reflect the Level of Service analysis based on the 2045 conditions.

# Short Term Impacts Analysis (2029)

The 2021/2022-2025/2026 Lee County Transportation Capital Improvement Plan as well as the latest Cape Coral Capital Improvement Program and FDOT's 5-Year Work Program were reviewed to determine if any future roadway improvements were planned in the vicinity of the subject site in the next five (5) years. Based on the review, Littleton Road was shown to be widened to a three-lane facility from Corbett Road to US 41. There are no other roadway capacity improvements identified on the aforementioned work programs.

Table 3A and Table 4A attached to this report indicate the projected 5-year planning Level of Service on the surrounding roadways based on the trips shown in Table 3. The existing peak hour, peak season, peak direction traffic volumes on the various roadway links were obtained from the most recent *Lee County Public Facilities Level of Service and Concurrency Report*. Due to lack of traffic data in the County's Concurrency Report, the existing peak hour, peak season, peak direction traffic volumes on Del Prado Boulevard segment west of US 41 as well as De Navarra Parkway were obtained by adjusting the latest AADT volumes by appropriate K and D factors.

The existing peak hour, peak season, peak direction traffic volumes were then factored by the appropriate annual growth rates in order to obtain the 2029 background traffic conditions on the area roadway network. The growth rates for each roadway were calculated based on historical traffic data obtained from the FDOT's Florida Traffic Online webpage as well as Lee County's Traffic Count Database System GIS webpage. Based on the project traffic distribution illustrated within Table 4A, the roadway link data was analyzed for the year 2029 without the proposed amendment and year 2029 with the



proposed amendment. Historical traffic data obtained from the FDOT's and Lee County's traffic count report are attached to this Memorandum for reference.

The results of the analysis indicate that the addition of the project trips to the network will not cause any roadway link to fall below the adopted Level of Service standard for each analyzed roadway link within the study area. Note, there were several roadway segments that were shown to operate at a poor Level of Service in the 2029 background (without project) traffic conditions, and not as a result of the proposed amendment. Therefore, based on this analysis no modifications will be necessary to the Lee County or Cape Coral short term capital improvement programs. Capacity analysis will be evaluated again at the time the project will seek rezoning and local Development Order approvals. Additionally, Transportation concurrency is non-regulatory per Florida Statutes Section 163.3180 and Lee Plan Policy 95.1.3, which provides "Compliance with non-regulatory LOS standards will not be a requirement for continued development permitting, but will be used for facility planning purposes."

# Conclusion

The proposed Comprehensive Plan Amendment is for approximately 17.96 acres of property located at 17701 North Tamiami Trail (US 41) in Lee County, Florida. The proposed Map Amendment on the subject property will change the land use designation from Suburban to Central Urban with the intent to allow for industrial development on the subject property.

The results of the long-range and short-range link Level of Service analysis indicated that the addition of the trips as a result of the proposed request to the projected 2045 and 2029 volumes will NOT cause any roadway links to fall below the recommended minimum acceptable Level of Service thresholds, respectively.

There were several roadway segments that were shown to operate at a poor Level of Service regardless of this project. Capacity analysis will be evaluated again at the time the project will seek rezoning and local Development Order approvals. Additionally, Transportation concurrency is non-regulatory per Florida Statutes Section 163.3180 and Lee Plan Policy 95.1.3, which provides "Compliance with non-regulatory LOS standards will not be a requirement for continued development permitting, but will be used for facility planning purposes." Therefore, no modifications are necessary to the Short-Term Capital Improvement Plan or the Long-Range Transportation Plan to support the proposed Amendment.

Attachments

# TABLES 1A & 2A 2045 LOS ANALYSIS

TABLE 1A

LEVEL OF SERVICE THRESHOLDS

2045 LONG RANGE TRANSPORTATION ANALYSIS - 17701 N. TAMIAMI TRAIL

#### **GENERALIZED SERVICE VOLUMES**

		2045 E	+ C NETWORK LANES	LOS A	LOS B	LOSC	LOSD	LOSE
ROADWAY	ROADWAY SEGMENT	# Lanes	Roadway Designation	VOLUME	VOLUME	VOLUME	VOLUME	VOLUME
US 41	S. of Charlotte County	4LD	Arterial	0	1,670	2,390	2,910	3,340
	S. Trail Dairy Cir	4LD	Arterial	0	0	1,596	1,900	1,900
	S. of Del Prado Blvd	4LD	Arterial	0	0	1,785	1,942	1,942
	S, of Site	4LD	Arterial	0	0	1,785	1,942	1,942
	S. of Business 41	4LD	Arterial	0	0	1,785	1,942	1,942
	S. of Littleton Rd	4LD	Arterial	0	0	1,596	1,900	1,900
	S. of Pine Island Rd	4LD	Arterial	0	0	1,596	1,900	1,900
Business 41	S. of US 41	4LD	Arterial	Ó	0	1,596	1,900	1,900
	S. of Littleton Rd	4LD	Arterial	0	0	1,596	1,900	1,900
	N. of Pine Island Rd	4LD	Arterial	0	0	1,596	1,900	1,900
	S. of Pine Island Rd	6LU	Arterial	0	0	2,320	2,950	3,140
Del Prado Blvd	E. of US 41	2LU	Arterial	0	250	1,840	1,960	1,960
	W. of US 41	4LD	Arterial	0	250	1,840	1,960	1,960
	W. of De Navarra Pkwy	4LD	Arterial	0	25	1,840	1,960	1,960
Littleton Rd	W. of US 41	2LU	Collector	o	Ď	310	660	740
Pine Island Rd (SR 78)	W. of US 41	4LD	Arterial	0	σ	1,596	1,900	1,900
Bayshore Rd (SR 78)	E. of Business 41	6LD	Arterial	0	0	2,751	2,866	2,866
De Navarra Pkwy	N. of Del Prado Blvd	2LU	Collector	0	0	310	660	740

- Denotes the LOS Standard for each roadway segment

<sup>\*</sup> Level of Service Thresholds for Lee County roadways were taken from the Generalized Peak Hour Directional Service Volume tables for Urbanized Areas (dated April 2016)

<sup>\*</sup> Level of Service Thresholds for State mantained roadways were taken from FDOT's Generalized Service Volume Tables consistent with FDOT's D1 LOS report.

TABLE 2A 2045 ROADWAY LINK LEVEL OF SERVICE CALCULATIONS 17701 N. TAMIAMI TRAIL

TOTAL PM PEAK HOUR PROJECT TRAFFIC =

166 VP

IN=

66

OUT=

100

									2	045			2045 BACKGR	OUND PLUS PROJ
		2045		AADT		100TH HIGHEST		PM PK HR	PEAK D	RECTION	PROJECT	PK DIR	PEAK C	DIRECTION
		FSUTMS	COUNTY PCS /	BACKGROUND	K-100	HOUR PK DIR	D	PEAK	TRAFFIC VO	LUMES & LOS	TRAFFIC	PM PROJ	TRAFFIC VC	DLUMES & LOS
ROADWAY	ROADWAY SEGMENT	AADT	FDOT SITE #	TRAFFIC		2-WAY VOLUME		DIRECTION	VOLUME	LOS	DIST.	TRAFFIC	VOLUME	LOS
US 41	S. of Charlotte County	54,156	120103	54,156	0.090	4,874	0.538	SOUTH	2,622	D	20%	20	2,642	D
	S. Trail Dairy Cir	66,137	120109	66,137	0.090	5,952	0.538	NORTH	3,202	F	25%	25	3,227	F
	S. of Del Prado Blvd	41,997	120036	41,997	0.090	3,780	0.538	NORTH	2,033	F	50%	50	2,083	F
	S. of Site	44,717	120036	44,717	0.090	4,025	0.538	NORTH	2,165	F	50%	50	2,215	F
	S. of Business 41	31,979	120079	31,979	0.090	2,878	0.538	NORTH	1,548	C	25%	25	1,573	C
	S. of Littleton Rd	42,384	125029	42,384	0.090	3,815	0.538	NORTH	2,052	F	20%	20	2,072	F
	S of Pine Island Rd	41,073	125023	41,073	0.090	3,697	0.538	NORTH	1,989	F	10%	10	1,999	F
Business 41	S. of US 41	26,182	120078	26,182	0.090	2,356	0.545	NORTH	1,284	C	25%	25	1,309	C
	S. of Littleton Rd	36,844	125027	36,844	0.090	3,316	0.545	NORTH	1,807	0	20%	20	1,827	D
	N. of Pine Island Rd	34,523	125027	34,523	0.090	3,107	0.545	NORTH	1,693	D	15%	15	1,708	D
	S. of Pine Island Rd	51,753	125043	51,753	0.090	4,658	0.545	NORTH	2,538	D	5%	5	2,543	D
Del Prado Blvd	E. of US 41	9,085	443	9,085	0.100	909	0.52	WEST	472	C	10%	10	482	C
	W of US 41	41,866	123053	41,866	0.090	3,768	0.554	WEST	2,087	F	15%	15	2,102	F
	W. of De Navarra Pkwy	35,377	123053	35,377	0.090	3,184	0.554	WEST	1,764	C	5%	5	1.769	C
Littleton Rd	W. of US 41	25,468	316	25,468	0,100	2,547	0.52	WEST	1,324	F	5%	5	1,329	ę.
Pine Island Rd (SR 78)	W. of US 41	44,222	125042	44,222	0.090	3,980	0.535	WEST	2,129	F	10%	10	2,139	F
Bayshore Rd (SR 78)	E of Business 41	67,367	125028	67,367	0.090	6,063	0.535	WEST	3,244	F	10%	10	3,254	F
De Navarra Pkwy	N, of Del Prado Blvd	10,440	120197	10,440	0.090	940	0.554	NORTH	521	D	10%	10	531	D

<sup>\*</sup> The K-100 and D factors for County mantained roadways were obtained from Lee County Traffic Count Database System.

<sup>\*</sup> The K-100 and D factors for the City of Cape Coral and FDOT roadways were obtained from the FDOT Traffic Online webpage.

# TABLES 3A & 4A 5-YEAR LOS ANALYSIS

# TABLE 3A LEVEL OF SERVICE THRESHOLDS 17701 N. TAMIAMI TRAIL

# **GENERALIZED SERVICE VOLUMES**

						2. (2.2.)		
		1.500	1 × 534.10 ( En 140.1) = 360	LOS A	LOSB	LOS C	LOS D	LOSE
ROADWAY	ROADWAY SEGMENT	# LANES	ROADWAY DESIGNATION	VOLUME	VOLUME	VOLUME	VOLUME	VOLUME
US 41	S. of Charlotte County	4LD	Arterial	0	1,670	2,390	2,910	3,340
	S. Trail Dairy Cir	4LD	Arterial	0	0	1,596	1,900	1,900
	S. of Del Prado Blvd	4LD	Arterial	0	0	1,785	1,942	1,942
	S, of Site	4LD	Arterial	0	0	1,785	1,942	1,942
	S. of Business 41	4LD	Arterial	D	0	1,785	1,942	1,942
	S. of Littleton Rd	4LD	Arterial	0	0	1,596	1,900	1,900
	S. of Pine Island Rd	4LD	Arterial	0	0	1,596	1,900	1,900
Business 41	S. of US 41	4LD	Arterial	0	0	1,596	1,900	1,900
	S. of Littleton Rd	4LD	Arterial	0	0	1,596	1,900	1,900
	N. of Pine Island Rd	4LD	Arterial	0	0	1,596	1,900	1,900
	S. of Pine Island Rd	6LU	Arterial	0	0	2,320	2,950	3,140
Del Prado Blvd	E. of US 41	2LU	Arterial	0	250	1,840	1,960	1,960
	W. of US 41	4LD	Arterial	0	250	1,840	1,960	1,960
	W. of De Navarra Pkwy	4LD	Arterial	0	25	1,840	1,960	1,960
Littleton Rd	W. of US 41	2LU	Collector	0	Ö	310	660	740
Pine Island Rd (SR 78)	W. of US 41	4LD	Arterial	0	0	1,596	1,900	1,900
Bayshore Rd (SR 78)	E. of Business 41	4LD	Arterial	0	0	1,785	1,942	1,942
De Navarra Pkwy	N. of Del Prado Blvd	2LU	Collector	0.	0	310	660	740

- Denotes the LOS Standard for each roadway segment

<sup>\*</sup> Level of Service Thresholds for Lee County roadways were taken from the Generalized Peak Hour Directional Service Volume tables for Urbanized Areas (dated April 2016)

<sup>\*</sup> Level of Service Thresholds for State mantained roadways were taken from FDOT's Generalized Service Volume Tables consistent with FDOT's D1 LOS report.

# TABLE 4A LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS 17701 N. TAMIAMI TRAIL

TOTAL PROJECT TRAFFIC AM = 126 VPH IN = 102 OUT = 24

TOTAL PROJECT TRAFFIC PM = 166 VPH IN = 66 OUT = 100

FDOT Sta K-Factor D-Factor 123053 0.090 0.554 120197 0.090 0.554

		(Z. ZUZ 1			52030	Consul	2022 PK HR	PK HR PK	SEASON		PERCENT			2029 BCKGR	ND		2029 BCKGR	RND	
		LCDOT PCS OR	and the	2022	YRS OF		PK SEASON	PEAK DIF		VIC	PROJECT	AM PROJ		+ AM PF	SO1	V/C	+ PM PF	YE'S	VIC
ROADWAY	ROADWAY SEGMENT	FDOT SITE#	ADT	ADT	GROWTH. 1	RATE	PEAK DIR.	VOLUME	LOS	Ratio	TRAFFIC	TRAFFIC	TRAFFIC	VOLUME	LOS	Ratio	VOLUME	LOS	Ratio
US 41	S. of Charlotte County	120103	15,700	24,500	15	3.01%	1,087	1,338	В	0.46	20%	20	20	1,358	В	0.47	1,358	В	0.47
	S. Trail Dairy Cir.	120109	23,500	39,000	15	3.43%	1,087	1,377	C	0.72	25%	26	25	1,402	C	0.74	1,402	C	0.74
	S. of Del Prado Blvd	120036	22,500	36,000	15	3.18%	1,692	2,107	F	1 08	50%	51	50	2,158	F	1.11	2,157	F	1,11
	S of Site	120036	22,500	36,000	15	3.18%	1,692	2,107	F	1.08	50%	51	50	2,158	F	1.11	2,157	F	1.11
	S. of Business 41	120079	18,800	25,000	15	2.00%	1.160	1 332	C	0,69	25%	26	25	1,358	C	0.70	1,357	C	0.70
	S of Littleton Rd	125029	27,000	30,500	15	2 00%	1,257	1,502	C	0.79	20%	20	20	1,523	C	0.80	1,522	C	0.80
	S. of Pine Island Rd	125023	29,500	31,000	15	2 00%	1,595	1,906	F	1 00	10%	10	10	1,916	F	1.01	1,916	F	1.01
Business 41	S. of US 41	120078	8,300	13,900	15	3.50%	617	841	c	0.44	25%	25	25	868	C	0.46	966	C	0.46
	S of Littleton Rd	125027	17,100	24,000	15	2 29%	1,186	1,453	C	0.76	20%	20	20	1.474	C	0.78	1,473	C	0.78
	N of Pine Island Rd	125027	17,100	24,000	15	2.29%	1,186	1,453	C	0.75	15%	15	15	1.469	C	0.77	1,468	C	0.77
	S. of Pine Island Rd	125043	23,500	34,500	15	2.59%	1,494	1,881	C	0.64	5%	5	5	1,885	С	0.64	1,886	C	0.64
Del Prado Blvd	E of US 41	443	7,800	11,100	5	7.31%	503	949	C	0.48	10%	10	10	959	С	0 49	959	C	0.49
	W of US 41	123053	14,400	30,000	15	5.01%	1,496	2,323	F	1.19	15%	15	15	2,339	F	1.19	2,338	F	1_19
	W. of De Navarra Pkwy	123053	14,400	30,000	15	501%	1,496	2,323	F	1.19	5%	5	5	2,329	F	1.19	2,328	F	1.19
Littleton Rd	W. of US 41	316	7,600	12,100	5	9.75%	498	1,150	F	1,55	5%	5	5	1.155	F	1 56	1,155	F	1 56
Pine Island Rd (SR 78)	W, of US 41	125042	30,500	39,500	15	2.00%	1,823	2,179	F	1,15	10%	10	10	2,189	F	1 15	2,189	Ė	1.15
Bayshore Rd (SR 78)	E. of Business 41	125028	35,500	42,500	15	2.00%	1,920	2,295	F	1.18	10%	10	10	2,305	F	1 19	2,305	F	1.19
De Navarra Pkwy	N. of Del Prado Blvd	120197	2,900	6,300	8	10.18%	314	752	F	1.14	10%	10	10	762	F	1 15	762	F	1.15

<sup>1</sup> AGR for roadways was calculated based the historical traffic data obtained from the FDOT's Florida Traffic Online webapge and Lee County Traffic Count Database System.

<sup>2</sup> Current peak hour peak season peak direction traffic volumes for all roadways were obtained from the 2023 Lee County Public Facilities Level of Service and Concurrency Report

<sup>2</sup> Due to lack of traffic date, the current peak hour peak season peak direction traffic volumes for Del Prado Bivd west of US 41 and De Navarra Pkwy north of Del Prado Bivd were obtained by adjusting the AADT by K & D factors

# LEE COUNTY GENERALIZED SERVICE VOLUME TABLE

# Lee County Generalized Peak Hour Directional Service Volumes Urbanized Areas

			upted Flow Level of Se			
Lane	Divided	Α	B	C	D	E
1	Undivided	130	420	850	1,210	1,640
2	Divided	1,060	1,810	2,560	3,240	3,590
3	Divided	1,600	2,720	3,840	4,860	5,380
137.17	0 mph or highe		Level of Se			
Lane	Divided	Α	В	С	D	E
1	Undivided	7	140	800	860	860
2	Divided	*	250	1,840	1,960	1,960
3	Divided	*	400	2,840	2,940	2,940
4	Divided	*	540	3,830	3,940	3,940
Lane 1 2 3	Divided Undivided Divided Divided	A * * * * * * * * * * * * * * * * * * *	B * *	C 330 710 1,150	D 710 1,590 2,450	2,500
1 2	Undivided Divided	* * * * * * * * * * * * * * * * * * *	* * * ed Access	330 710 1,150 1,580 Facilities	710 1,590	780 1,660 2,500
1 2 3 4	Undivided Divided Divided Divided	* * * * * * * * * * * * * * * * * * *	* * * ed Access Level of Se	330 710 1,150 1,580 Facilities	710 1,590 2,450 3,310	780 1,660 2,500 3,340
1 2 3 4	Undivided Divided Divided Divided Divided	* * * * * * * * * * * * * * * * * * *	* * ed Access Level of Se	330 710 1,150 1,580 Facilities	710 1,590 2,450 3,310	780 1,660 2,500 3,340
1 2 3 4 Lane	Undivided Divided Divided Divided Divided Undivided	* * * * * * * * * * * * * * * * * * *	* * ed Access Level of Se B 160	330 710 1,150 1,580 Facilities rvice C 880	710 1,590 2,450 3,310 D 940	780 1,660 2,500 3,340 E 940
1 2 3 4	Undivided Divided Divided Divided Divided	* * * Controll A	* * ed Access Level of Se	330 710 1,150 1,580 Facilities	710 1,590 2,450 3,310	780 1,660 2,500 3,340 E 940 2,100
1 2 3 4 Lane	Undivided Divided Divided Divided Divided Undivided Divided Divided Divided	Controll A	*  *  ed Access Level of Se  B  160  270	330 710 1,150 1,580 Facilities rvice C 880 1,970 3,050	710 1,590 2,450 3,310 D 940 2,100 3,180	780 1,660 2,500 3,340 E 940 2,100 3,180
1 2 3 4 Lane	Divided	Controll A * * A A	*  *  ed Access Level of Se B 160 270 430  Collectors Level of Se	330 710 1,150 1,580 Facilities rvice C 880 1,970 3,050	710 1,590 2,450 3,310 D 940 2,100	780 1,660 2,500 3,340 E 940 2,100
1 2 3 4 Lane 1 2 3 Lane 1	Undivided Divided Divided Divided Divided Undivided Divided Divided Divided	Controll  A  A  A  A	*  *  ed Access Level of Se  B  160 270 430  Collectors Level of Se	330 710 1,150 1,580 Facilities rvice C 880 1,970 3,050	710 1,590 2,450 3,310 D 940 2,100 3,180 D 660	780 1,660 2,500 3,340 E 940 2,100 3,180 E 740
1 2 3 4 Lane 1 2 3 Lane 1 1	Divided	Controll A * * A A	*  *  ed Access Level of Se B 160 270 430  Collectors Level of Se	330 710 1,150 1,580 Facilities rvice C 880 1,970 3,050	710 1,590 2,450 3,310 D 940 2,100 3,180	780 1,660 2,500 3,340 E 940 2,100 3,180
1 2 3 4 Lane 1 2 3 Lane 1	Divided	Controll  A  A  A  A	*  *  ed Access Level of Se B 160 270 430  Collectors Level of Se B	330 710 1,150 1,580 Facilities rvice C 880 1,970 3,050	710 1,590 2,450 3,310 D 940 2,100 3,180 D 660	780 1,660 2,500 3,340 E 940 2,100 3,180 E 740

# FDOT GENERALIZED SERVICE VOLUME TABLES



# C2T, C4, C5, & C6

# Motor Vehicle Arterial Generalized Service Volume Tables



# (C2T-Rural Town)

Peak Hour	Direc	tional		
	В	С	D	E
1 Lane	*	720	940	**
2 Lane	*	1,140	1,640	**
3 Lane	*	2,120	2,510	**

Peak Hou	r Two-	Way			
	В	С	D	E	
2 Lane	*	1,310	1,710	**	
4 Lane	*	2,070	2,980	**	
6 Lane	*	3,850	4,560	**	

AADT				
	В	С	D	E
2 Lane		13,800	18,000	**
4 Lane	*	21,800	31,400	**
6 Lane	*	40,500	48,000	**



(C4-Urban General)

	В	С	D	E
1 Lane	*	*	870	1,190
2 Lane	*	1,210	1,790	2,020
3 Lane	*	2,210	2,810	2,990
4 Lane	*	2,590	3,310	3,510

	В	С	D	E
2 Lane	*		1,580	2,160
4 Lane	*	2,200	3,250	3,670
6 Lane		4,020	5,110	5,440
8 Lane	*	4,710	6,020	6,380

	В	С	D	E
-	U		U	-
2 Lane	*	*	17,600	24,000
4 Lane	*	24,400	36,100	40,800
6 Lane	*	44,700	56,800	60,400
8 Lane	*	52,300	66,900	70,900



(C5-Urban Center)

1	В	С	D	E
1 Lane	*	*	690	1,080
2 Lane	*	1,290	1,900	2,130
3 Lane	*	1,410	2,670	3,110
4 Lane	*	2,910	3,560	3,640

	В	C	D	E
2 Lane	*	*	1,250	1,960
4 Lane	*	2,350	3,450	3,870
6 Lane	*	2,560	4,850	5,650
8 Lane	*	5,290	6,470	6,620

	В	C	D	E
2 Lane	*		13,900	21,800
4 Lane	*	26,100	38,300	43,000
6 Lane	*	28,400	53,900	62,800
8 Lane	*	58,800	71,900	73,600



(C6-Urban Core)

	В	С	D	E
1 Lane	*	***	790	1,030
2 Lane	*	***	1,490	1,920
3 Lane	*	***	2,730	2,940
4 Lane	*	***	3,250	3,490

	8	C	D	E
2 Lane	*	***	1,440	1,870
4 Lane	*	***	2,710	3,490
6 Lane	*	***	4,960	5,350
8 Lane	*	***	5,910	6,350

C D	E
** 16,000	20,800
** 30,100	38,800
** 55,100	59,400
** 65,700	70,600
	** 16,000 ** 30,100 ** 55,100

## **Adjustment Factors**

The peak hour directional service volumes should be adjust by multiplying by 1.2 for one-way facilities. The AADT service volumes should be adjusted by multiplying 0.6 for one way facilities 2 Lane Divided Roadway with an Exclusive Left Turn Lane(s): Multiply by 1.05

2 lane Undivided Roadway with No Exclusive Left Turn Lane(s): Multiply by 0.80

Exclusive right turn lane(s): Multiply by 1.05

Multilane Undivided Roadway with an Exclusive Left Turn Lane(s): Multiply by 0.95

Multilane Roadway with No Exclusive Left Turn Lane(s): Multiply by 0.75

Non-State Signalized Roadway: Multiply by 0,90

This table does not constitute a standard and should be used only for general planning applications. The table should not be used for corridor or intersection design, where more refined techniques exist.

Cannot be achieved using table input value defaults.

<sup>\*\*</sup> Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached.



# C1 & C2

# Motor Vehicle Highway Generalized Service Volume Tables



(C1-Natural & C2-Rural)

9	eak Hour	Direction	nal		
		В	С	D	E
	1 Lane	240	430	730	1,490
	2 Lane	1,670	2,390	2,910	3,340
	3 Lane	2,510	3,570	4,370	5,010

	В	С	D	E
2 Lane	440	780	1,330	2,710
4 Lane	3,040	4,350	5,290	6,070
6 Lane	4,560	6,490	7,950	9,110

	AADT				
		В	С	D	E
1	2 Lane	4,600	8,200	14,000	28,500
	4 Lane	32,000	45,800	55,700	63,900
	6 Lane	48,000	68,300	83,700	95,900

## **Adjustment Factors**

2 Lane Divided Roadway with Exclusive Left Turn Adjustment: Multiply by 1.05 Multilane Undivided Highway with Exclusive Left Turn Adjustment: Multiply by 0.95 Multilane Undivided Highway without Exclusive Left Turn Adjustment:: Multiply by 0.75



# C3C & C3R

# Motor Vehicle Arterial Generalized Service Volume Tables

# **Peak Hour Directional**

# Peak Hour Two-Way

# AADT



(C3C-Suburban Commercial)

	В	С	D	E
1 Lane	*	760	1,070	**
2 Lane	*	1,520	1,810	**
3 Lane	*	2,360	2,680	**
4 Lane	*	3,170	3,180	**

	В	C	D	E
2 Lane	*	1,380	1,950	**
4 Lane	*	2,760	3,290	**
6 Lane	*	4,290	4,870	**
8 Lane	*	5,760	5,780	**

	В	С	D	E
2 Lane	*	15,300	21,700	**
4 Lane	*	30,700	36,600	**
6 Lane	*	47,700	54,100	**
8 Lane	*	64,000	64,200	**



	В	С	D	Ε
1 Lane	*	970	1,110	**
2 Lane	*	1,700	1,850	**
3 Lane	*	2,620	2,730	**

	В	С	D	E
2 Lane	*	1,760	2,020	**
4 Lane	*	3,090	3,360	**
6 Lane	*	4,760	4,960	**

	В	С	D	E
2 Lane	*	19,600	22,400	**
4 Lane	*	34,300	37,300	**
6 Lane	*	52,900	55,100	**

(C3R-Suburban Residential)

# **Adjustment Factors**

The peak hour directional service volumes should be adjust by multiplying by 1.2 for one-way facilities. The AADT service volumes should be adjusted by multiplying 0.6 for one way facilities 2 Lane Divided Roadway with an Exclusive Left Turn Lane(s): Multiply by 1.05

2 lane Undivided Roadway with No Exclusive Left Turn Lane(s): Multiply by 0.80

Exclusive right turn lane(s): Multiply by 1.05

Multilane Undivided Roadway with an Exclusive Left Turn Lane(s): Multiply by 0.95

Multilane Roadway with No Exclusive Left Turn Lane(s): Multiply by 0.75

Non-State Signalized Roadway: Multiply by 0.90

This table does not constitute a standard and should be used only for general planning applications. The table should not be used for corridor or intersection design, where more refined techniques exist.

\* Cannot be achieved using table input value defaults.

<sup>\*\*</sup> Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached.

# TRAFFIC DATA FROM LEE COUNTY TRAFFIC COUNT DATABASE SYSTEM



|<< | > | >>| 1-10 of 52

mm / dd / yyyy

To Date

# Traffic Count (TCDS)



@

Home Locate Locate All **Email This** Auto-Locate: List View All DIRs 4 1 144 of 1 Record Goto Record go MPO ID Location ID 443 SPOT HPMS ID Type On HPMS No On NHS No LRS ID LRS Loc Pt. SF Group **Route Type** AF Group Route **GF Group** Active Yes Category Class Dist Grp Seas Clss Grp WIM Group QC Group Default **Fnct'l Class** Tube Count, Annually Milepost DelPrado Blvd Located On Loc On Alias EAST OF US-41 More Detail STATION DATA Directions: 2-WAY | EB | WB | AADT ( D % Year AADT **DHV-30** K % PA BC Src 2023 11,100 1,101 10 52 2022 9,600 1,025 11 56 2020 8,800 577 7 53 2019 7,800 860 11 57 2018 7,800 848 11 56 |<< >>| 1-5 of 16 **Travel Demand Model** Model Model MD PPV PM PHV PM PPV AM PPV MD PHV NT PHV Year AADT **VOLUME COUNT** VOLUME TREND Date Int Total Year **Annual Growth** Thu 1/25/2024 -15 13,473 2023 16% Wed 1/24/2024 15 13,246 2022 4% -Tue 1/23/2024 15 13,264 2020 13% 1 Wed 10/25/2023 15 12,452 0% 2019 th Tue 10/24/2023 15 12,305 2018 8% -Thu 4/13/2023 15 13,066 2017 9% 1 Wed 4/12/2023 15 11,237 2016 10% Tue 4/11/2023 15 12,550 2015 12% 1 Thu 4/7/2022 15 10,644 2014 14% -Wed 4/6/2022 10,945

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1%

< | > | >>| 1-10 of 15

2013

# Traffic Count (TCDS)

Locate All **Email This** Auto-Locate: Home Locate

( Record	1     4   4   1	90	
Location ID	316	MPO ID	
Туре	SPOT	HPMS ID	
On NHS	No	On HPMS	No
LRS ID		LRS Loc Pt,	
SF Group	2	Route Type	
AF Group		Route	
GF Group		Active	Yes
Class Dist Grp		Category	HPMS
Seas Clss Grp			
WIM Group			
QC Group	Default		
Fnct'l Class		Milepost	
Located On	Littleton Rd		
Loc On Alias			
WEST OF	US-41		
More Detail 🕨			
STATION DAT	TA .		

Directions: 2-WAY EB WB

AADT 🔮

|<<

**DHV-30** AADT K % BC Year 2023 12,100 1,186 10 2021 10,000 1,010 2019 9,500 11 2017 8,000 770 10 2015 7,600 721 1-5 of 11

Travel Demand Model										
	Model Year	Model	AM PHV	AM PPV	MD PHV	MD PPV	PM PHV	PM PPV	NT PHV	NT PPV

	Date	Int	Total
	Wed 10/25/2023	15	12,650
9	Tue 10/24/2023	15	12,483
84	Thu 4/13/2023	15	14,366
8	Wed 4/12/2023	15	12,949
•	Tue 4/11/2023	15	14,304
80	Thu 4/8/2021	15	10,981
9	Wed 4/7/2021	15	11,135
81	Tue 4/6/2021	15	10,867
80	Wed 4/17/2019	15	10,801
to co	Tue 4/16/2019	15	10,574
_	<   <   >   >>   1-10	of 44	-

VOLUME TR	END 🚱
Year	<b>Annual Growth</b>
2023	10%
2021	3%
2019	9%
2017	3%
2015	10%
2013	-8%
2011	1%
2006	-5%
2005	7%
2004	13%

Src

# TRAFFIC DATA FROM FDOT'S FLORIDA TRAFFIC ONLINE

COUNTY: 12 - LEE

SITE: 0103 - SR45/US41/TAMIAMI TR, S OF CHARLOTTE COUNTY LC449

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2023 2022 2021 2020 2019 2018 2017 2016 2015 2014 2012 2011 2012 2011 2010	24500 C 22500 F 22500 C 20500 C 22500 C 21000 C 19400 C 18800 C 17700 C 15700 C 16200 C 16500 C	N 12500 N 11500 N 11500 N 10500 N 10500 N 10500 N 10500 N 9500 N 9000 N 9000 N 7900 N 8100 N 8100	S 12000 S 11000 S 11000 S 10000 S 10000 S 10500 S 9400 S 10000 S 9300 S 8700 S 7800 S 8100 S 7600 S 7900	9.00 9.00 9.00 9.00 9.00 9.50 9.50 9.50	53.80 53.70 53.10 52.80 53.30 53.30 53.20 54.50 54.60 59.70 54.30 55.00 57.60	13.90 12.40 12.40 11.70 10.10 9.30 9.80 9.90 8.60 9.00 9.60 9.20 8.70 8.40
2009	15000 C 15700 C	N 7600 N 7800	S 7400 S 7900	10.24 10.37	54.47 58.94	10.70 8.20

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE

V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
\*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

COUNTY: 12 - LEE

SITE: 0109 - SR 45/US 41/TAMIAMI TRL, NORTH OF DEL PRADO BLVD

YEAR	AADT	DIRECTION 1	DT DIRECTION 1 DIRECTION 2 *K	FACTOR D FACTOR	T FACTOR
2023	39000 C 33000 F	N 19500 N 16500	구기 보호 :	9.00 53.80 9.00 53.70	12.50
2021	33000 C 29000 C	N 16500 N 14500	00 C N 14500 S 14500	9.00 53.10 9.00 52.80	11.00
2019	38500 C 37000 C	N 19500 N 18500	00 C N 18500 S 18500	9.00 53.30 9.00 53.30	7.30 7.50
2017	30500 C 32000 C	N 15000 N 16000	00 C N 16000 S 15000	9.00 53.20 9.00 56.20	8.10 7.60
2015 2014 2013	31500 C 32500 C 26500 C	N 16000 N 16500 N 13500	00 C N 16500 S 16000	9.00 54.50 9.00 54.60 9.00 59.70	6.40 7.40
2012	26500 C	N 13000 N 13500	00 C N 13000 S 13500	9.00 54.30 9.00 55.00	7.50
2010	27500 C 26000 C	N 14000 N 13000	00 C N 14000 S 13500	10.32 57.60 10.24 54.47	6.60 6.80
2008	23500 C	N 11500	00 C N 11500 S 12000	10.37 58.94	5.20

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN \*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

COUNTY: 12 - LEE

SITE: 0036 - SR 45/US 41/TAMIAMI TRAIL, NW OF SR 739/US BUS 41

YEAR	AADT	DIRECTION 1	AADT	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
YEAR 2023 2022 2021 2020 2019 2018 2017 2016 2015	36000 F 35000 C 26000 C 34000 C 26500 C 30500 C 25000 C 29000 C	N 18500 N 13500 N 13500 N 13500 N 13500 N 15500 N 13000 N 15000	36000 F 35000 C 26000 C 34000 C 26500 C 30500 C 25000 C	S 17500 S 17000 S 12500 S 16500 S 13000 S 15000 S 12000 S 14000 S 13000	9.00 9.00 9.00 9.00 9.00 9.00 9.00	53.80 53.70 53.10 52.80 53.30 53.30 53.20 56.20 54.50	11,20 11.20 9.40 6.90 7.60 6.70 6.50 6.70
2014 2013 2012 2011 2010 2009 2008	27500 C 25000 C 23000 C 24000 C 24500 C 23500 C 22500 C	N 14000 N 12500 N 11500 N 12000 N 12500 N 12000 N 11500	27500 C 25000 C 23000 C 24000 C 24500 C 23500 C	S 13500 S 12500 S 11500 S 12000 S 12000 S 11500 S 11000	9.00 9.00 9.00 9.00 10.32 10.24 10,37	54.60 59.70 54.30 55.00 57.60 54.47 58.94	6.30 6.30 6.20 6.00 6.50 6.30 5.30

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE

V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
\*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

COUNTY: 12 - LEE

SITE: 0079 - SR45/US41, SOUTH OF SR739 & N OF LITTLETON RD LC425

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2023	25000 F	N 12500	S 12500	9.00	53.80	6.60
2022	24000 C	N 12000	S 12000	9.00	53.70	6.60
2021	20500 C	N 10500	S 10000	9.00	53.10	6.30
2020	25000 C	N 12500	s 12500	9.00	52.80	4.90
2019	22500 C	N 11500	S 11000	9.00	53.30	4.90
2018	22500 C	N 11000	S 11500	9.00	53.30	5.40
2017	18200 C	N 9100	S 9100	9.00	53.20	5.50
2016	22000° C	N 11000	S 11000	9.00	56.20	4.70
2015	22000 C	N 11000	S 11000	9.00	54.50	4.80
2014	21000 C	N 10500	8 10500	9.00	54.60	3.80
2013	18500 C	N 9100	S 9400	9.00	59.70	5.00
2012	18500 C	N 9000	\$ 9500	9.00	54.30	4.80
2011	19600 C	N 9600	S 10000	9.00	55.00	5.20
2010	21000 C	N 10500	5 10500	10.32	57.60	5.20
2009	18200 C	N 9100	S 9100	10.24	54.47	4.50
2008	18800 C	N 9400	S 9400	10.37	58.94	4.80

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE

V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN \*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

COUNTY: 12 - LEE

SITE: 5029 - SR 45/US 41, N OF DIPLOMAT PKWY E LC419

YEAR	AADT	DIRECTION 1	DIRECTION 1 DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2023	30500 C	N 15000	N 15000 S 15500	9.00	53.80	6.50
2022	26000 F	N 12500	N 12500 S 13500	9.00	53.70	6,20
2021	26000 C	N 12500		9.00	53.10	6.20
2020	31500 C	N 15500	N 15500 S 16000	9.00	52.80	4.10
2019	30000 C	N 14500		9.00	53.30	4.70
2018	29500 C	N 14500		9.00	53.30	4.30
2017	24000 C	N 12000	N 12000 S 12000	3.00	53.20	4.90
2016	29500 C	N 14500	N 14500 S 15000	9.00	56.20	4.10
2015	28500 C	N 14000	N 14000 S 14500	9.00	54.50	3.90
2014	27000 €	N 13500	N 13500 S 13500	9.00	54.60	3.70
2013	23500 C	N 11500	N 11500 S 12000	9.00	59.70	5.30
2012	23500 C	N 11500	N 11500 S 12000	9.00	54.30	4.30
2011	27500 C	N 13000	N 13000 S 14500	9.00	55.00	4.00
2010	28500 C	N 13500	N 13500 S 15000	10.32	57.60	4.50
2009	26000 C	N 12500	N 12500 S 13500	10.24	54.47	5.20
2008	27000 C	N 13000	N 13000 S 14000	10.37	58.94	3.90

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE

V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN

<sup>\*</sup>K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

COUNTY: 12 - LEE

SITE: 5023 - SR 45/US 41, NW OF CR 78A/PONDELLA RD LC431

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2023 2022 2021 2020 2019 2018 2017 2016 2015 2014 2013	31000 C 33000 C 30500 C 33500 C 30000 C 28500 C 29500 C 31500 C 31500 C 30500 C	N 15500 N 17000 N 17000 N 15500 N 17000 N 15500 N 14500 N 16000 N 16000	S 15500 S 16000 S 15000 S 15000 S 14500 S 14000 S 15000 S 15000 S 14500	9.00 9.00 9.00 9.00 9.00 9.00 9.00 9.00	53.80 53.70 53.10 52.80 53.30 53.30 53.20 56.20 54.60 59.70	7.90 5.70 5.60 4.10 5.80 5.70 4.30 4.60 4.20 4.10
2012 2011 2010 2009 2008	29500 C 30000 C 30000 C 27000 C 29500 C	N 15500 N 15500 N 15500 N 14000 N 15500	S 14000 S 14500 S 14500 S 13000 S 14000	9.00 9.00 10.32 10.24 10.37	54.30 55.00 57.60 54.47 58.94	4.30 4.20 4.10 4.20 5.50

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE

V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN \*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

COUNTY: 12 - LEE

SITE: 0078 - SR 739/US BUS 41, NORTH OF LAUREL DRIVE LC396

YEAR	AADT	DII	RECTION 1	DI	RECTION 2	*K FACTOR	D FACTOR	T FACTOR
2023	13900 S	N	7300	S	6600	9.00	54.50	13.10
2022	13000 F	N	6800	S	6200	9.00	52.70	13.10
2021	12600 C	N	6600	S	6000	9.00	52.60	13.10
2020	13200 C	N	6900	S	6300	9.00	51.70	7.00
2019	11800 C	N	6100	S	5700	9.00	52.00	7.50
2018	10800 C	N	5600	S	5200	9.00	52.30	7.10
2017	10000 C	N	5300	S	4700	9.00	53.20	7.60
2016	10300 F	N	5500	S	4800	9.00	57.90	7.60
2013	9800 C	N	5200	S	4600	9.00	58.40	7.60
2014	8200 F	N	4300	S	3900	9.00	56.40	8.00
2013	7800 C	N	4100	S	3700	9.00	64.00	8.00
2012	7100 C	N.	3700	S	3400	9.00	63.40	8.40
2011	7900 F	N	4100	S	3800	9.00	62.50	7.70
2010	8100 C	N	4200	S	3900	11,16	63.35	7.70
2009	7700 C	N	3900	S	3800	11.00	63.18	8.80
2008	8300 C	N	4200	S	4100	11.56	68.04	8.80

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE

V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN

<sup>\*</sup>K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

COUNTY: 12 - LEE

LC394 SITE: 5027 - SR 739/US BUS41, NORTH OF POWELL DRIVE

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2023	24000 C	N 12500	S 11500	9.00	54.50	12.50
2022	25000 C	N 13000	S 12000	9.00	52.70	10.20
2021	21000 C	N 11000	S 10000	9.00	52.60	11.20
2020	21500 C	N 11000	S 10500	9.00	51.70	7.00
2019	20500 C	N 10500	S 10000	9.00	52.00	7.30
2018	18800 C	N 9600	S 9200	9.00	52.30	7.50
2017	18400 C	N 9400	S 9000	9.00	53.20	9.00
2016	18900 C	N 9700	\$ 9200	9.00	57.90	6.30
2015	17200 C	N 8800	S 8400	9.00	58.40	6.00
2014	17300 F	N 8800	5 8500	9.00	56.40	5,50
2013	16300 C	N 8300	S 8000	9.00	64.00	5.50
2012	13900 C	N 7100	S 6800	9.00	63.40	6.10
2011	15400 F	N 7800	S 7600	9.00	62.50	4.90
2010	15800 C	N 8000	S 7800	11.16	63.35	4.90
2009	16400 C	N 8300	S 8100	11.00	63.18	6.00
2008	17100 C	N 8500	S 8500	11.56	68.04	7.10

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN \*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

COUNTY: 12 - LEE

SITE: 5043 - SR 739/US BUS41, NORTH OF PONDELLA ROAD LC397

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2023	34500 C	N 18500	s 16000	9.00	54.50	8.30
2022	31500 F	N 16500	S 15000	9.00	52.70	9.60
2021	30500 C	N 16000	S 14500	9.00	52.60	7.80
2020	25500 C	N 13500	s 12000	9.00	51.70	9.20
2019	32000 C	N 16500	S 15500	9.00	52.00	5.90
2018	31000 C	N 16000	S 15000	9.00	52.30	6.10
2017	27500 C	N 14500	s 13000	9.00	53.20	6.20
2016	31000 C	N 16000	S 15000	9.00	57.90	5.60
2015	28500 C	N 14500	S 14000	9.00	58.40	6.40
2014	29500 C	N 15000	S 14500	9.00	56.40	4.90
2013	23500 F	N 13000	\$ 10500	9.00	64.00	4.90
2012	23500 C	N 13000	S 10500	9.00	63.40	4.90
2011	23000 F	N 12500	S 10500	9.00	62.50	5.20
2010	23500 C	N 13000	S 10500	11.16	63.35	5.20
2009	23500 C	N 13000	S 10500	11.00	63.18	5.20
2008	23500 C	N 13000	S 10500	11.56	68.04	5.40

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE

V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN \*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

COUNTY: 12 - LEE

SITE: 3053 - DEL PRADO BLVD, N OF KISMET PKWY CC

YEAR	AADT	DI	RECTION 1	DI	RECTION 2	*K FACTOR	D FACTOR	T FACTOR
2023	30000 C	N	15000	S	15000	9.00	55.40	5.90
2022	22000 X		0	-	0	9.00	53.90	9.60
2021	21000 X		0		0	9.00	53.50	4.10
2020	20000 E		0		0	9.00	54.00	5.70
2019	20000 C	N	0	S	0	9.00	56.00	3.10
2018	19600 C	N	9900	S	9700	9.00	53.30	2.60
2017	19100 T					9.00	51.40	3.60
2016	18100 S	N	9000	S	9100	9.00	68.20	5.00
2015	17100 F	N	8500	S	8600	9.00	68.60	5.00
2014	16300 C	N	8100	S	8200	9.00	68.30	5.00
2013	13900 S	N	7200	S	6700	9.00	68.70	4.90
2012	14100 F	N	7300	S	6800	9.00	66.80	4.90
2011	14500 C	N	7500	S	7000	9.00	69.00	4.90
2010	14000 S	N	7000	S	7000	10.51	69.83	5.70
2009	14200 F	N	7100	S	7100	10.34	70.40	5.70
2008	14400 C	N	7200	S	7200	10.64	69.53	5.70

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE

V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN

<sup>\*</sup>K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

COUNTY: 12 - LEE

SITE: 5042 - SR 78, WEST OF SR 45/US 41 (LC364)

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2023	39500 F	E 19500	W 20000	9.00	53.50	8.60
2022	37500 C	E 18500	W 19000	9.00	54.00	8.60
2021	35500 C	E 17000	W 18500	9.00	57.00	8.40
2020	36500 E	E 0	W O	9.00	54.00	6.30
2019	36000 C	E 0	W O	9.00	56.00	7.80
2018	35500 C	E 17000	W 18500	9.00	53.30	7.20
2017	34500 C	E 16500	W 18000	9.00	53.20	7.10
2016	33000 C	E 16000	W 17000	9.00	57.10	5.80
2015	30500 C	E 14500	W 16000	9.00	56.60	5.60
2014	28000 F	E 13500	W 14500	9.00	56.60	4.70
2013	27000 C	E 13000	W 14000	9.00	57.20	4.70
2012	26000 C	E 12500	W 13500	9.00	57.10	5.40
2011	24000 F	E 11500	W 12500	9.00	56.70	5.80
2010	25000 C	E 12000	W 13000	10.19	55.56	5.80
2009	29500 C	E 14500	W 15000	9.18	58.15	5.30
2008	30500 C	E 14500	W 16000	9.84	57.71	5,60

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE

V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN \*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

COUNTY: 12 - LEE

SITE: 5028 - SR 78/BAYSHORE DR, EAST OF SR 739/US BUS 41 LC218

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2023	42500 C	E 21500	W 21000	9.00	53.50	6.50
2022	39500 F	E 20000	W 19500	9.00	54.00	6.50
2021	38500 C	E 19500	W 19000	9.00	57.00	6.50
2020	36000 E	E 0	W 0	9.00	54.00	6.90
2019	35000 C	E O	W 0	9.00	56.00	6.80
2018	34000 C	E 17500	W 16500	9.00	53.30	7.10
2017	34500 C	E 17500	W 17000	9.00	53.20	6.30
2016	34500 C	E 17500	W 17000	9.00	57.10	7.10
2015	30500 C	E 15500	W 15000	9.00	56.60	7.20
2014	32500 F	E 16500	W 16000	9.00	56.60	6.00
2013	31500 C	E 16000	W 15500	9.00	57.20	6.00
2012	32000 C	E 16000	W 16000	9.00	57.10	6.40
2011	32500 F	E 17000	W 15500	9.00	56.70	5.60
2010	33500 C	E 17500	W 16000	10.19	55.56	5.60
2009	32500 C	E 16500	W 16000	9.18	58.15	5.40
2008	35500 C	E 18000	W 17500	9.84	57.71	5.80

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN \*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

COUNTY: 12 - LEE

SITE: 0197 - DE NAVARRA PKWY, N OF DEL PRADO BLVD

YEAR	AADT		DI	RECTION 1	DII	RECTION 2	*K FACTOR	D FACTOR	T FACTOR
2023 2022 2021 2020 2019 2018 2017 2016 2015	6300 5700 5500 4100 4000 3900 3100 2900	новномн	មាមមាមមាមមាម	3200 2900 2800 0 2000 1700 1600 1500	W W W W W W W W W W W W W W W W W W W	3100 2800 2700 0 1900 1600 1500 1400	9.00 9.00 9.00 9.00 9.00 9.00	55.40 53.90 53.50 59.30 59.60 53.30 51.40 68.20 55.50	7.40 7.40 7.40 6.90 7.70 8.00 7.40 7.00 5.90

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE

V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
\*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

# LEE COUNTY PUBLIC FACILITIES LEVEL OF SERVICE AND CONCURRENCY REPORT

# LEE COUNTY ROAD LINK VOLUMES (County- and State-Maintained Roadways)

100		LOCATION		ROAD	PERFORMANCE AD STANDARD		2022 100TH HIGHEST HOUR			2027	FUTURE FOR	ECAST	
Link No.	ROAD NAME	FROM	то	TYPE	LOS	CAPACITY <sup>(2)</sup>	105(1)	VOLUME(2)	V/C[3]	LOS(1)	VOLUME <sub>[2]</sub>	V/C <sup>(1)</sup>	Notes
31500	US 41 (N TAMIAMITR)	BUS 41	DEL PRADO BLVD	4LD	D	1,900	D	1,692	0.89	D	1,778	0.94	
31600	US 41 (N TAMIAMITR)	DEL PRADO BLVD	CHARLOTTE CO. LINE	4LD	D	2,910	В	1,087	0.37	B	1,382	0.47	Tara Woods Phase III B, D & E Expansion
27200	VETERANS MEM. PKWY	SR 78	CHIQUITA	4LD	D	2,040	Α	1,011	0.50	A	1,063	0.52	partially located in City of Cape Coral
27300	VETERANS MEM. PKWY	CHIQUITA	SKYLINE	4LD	D	2,040	A	1,215	0.60	A	1,277	0.63	City of Cape Coral
27400	VETERANS MEM. PKWY	SKYLINE	SANTA BARBARA BLVD	6LD	D	3,080	A	2,138	0.69	E	2,247	0.73	(4); City of Cape Coral
27500	VETERANS MEM. PKWY	SANTA BARBARA BLVD	COUNTRY CLUB BLVD	6LD	D	3,080	STOR	3,197	1.04	13	3,360	1.09	City of Cape Coral
27600	VETERANS MEM. PKWY	COUNTRY CLUB BLVD	MIDPOINT BRDG TOLL P	GLD	D	3,080	E	2,819	0.92	E	2,963	0.96	City of Cape Coral
27700	VETERANS MEM. PKWY	MIDPOINT BRDG TOLL P	McGREGOR BLVD	4LB	D	4,000	D	2,841	0.71	D	2,986	0.75	City of Fort Myers
29000	W 6TH ST	WILLIAMS AVE	JOEL BLVD	2LN	E	860	С	184	0.21	С	193	0.22	
29100	W 12TH ST	GUNNERY RD	SUNSHINE BLVD	2LN	E	860	С	277	0.32	С	291	0.34	(4)
29200	W 12TH ST	SUNSHINE BLVD	WILLIAMS AVE	2LN	E	860	С	91	0.11	С	105	0.12	old count projection (2010)
29300	W 12TH ST	WILLIAMS AVE	JOEL BLVD	2LN	E	860	С	110	0.13	С	116	0.13	old count projection (2010)
29400	W 14TH ST	SUNSHINE BLVD	RICHMOND AVE	2LN	E	860	С	57	0.07	C	60	0.07	old count projection (2010)
26400	SW 23RD ST	GUNNERY RD	SUNSHINE BLVD	2LN	E	860	E	711	0.83	BILLE	904	1.05	Classic Hills (Copperhead) Golf Community
15200	WESTGATE BLVD	GUNNERY RD	LEE BLVD	2LN	Ε	860	C	490	0.57	E	630	0.73	
27900	WHISKEY CREEK DR	COLLEGE PKWY	SAUTERN DR	2LD	E	910	С	291	0.32	С	306	0.34	
28000	WHISKEY CREEK DR	SAUTERN DR	McGREGOR BLVD	2LD	E	910	C	291	0.32	С	306	0.34	
28200	WILLIAMS AVE	LEE BLVD	W, 6TH ST	2LN	E	860	D.	707	0.82	D	752	0.87	Carlton Park
28300	WINKLER RD	STOCKBRIDGE DR	SUMMERLIN RD	2LN	E	860	С	465	0.54	C	489	0.57	
28400	WINKLER RD	SUMMERLIN RD	GLADIOLUS DR	4LD	E	1,520	С	294	0.19	С	309	0.20	
28500	WINKLER RD	GLADIOLUS DR	BRANDYWINE CIR	2LN	E	880	В	474	0.54	В	498	0.57	
28600	WINKLER RD	BRANDYWINE CIR	CYPRESS LAKE DR	2LN	E	880	В	474	0.54	8	498	0.57	
28700	WINKLER RD	CYPRESS LAKE DR	COLLEGE PKWY	4LD	E	1,780	E	776	0.44	E	816	0.46	
28800	WINKLER RD	COLLEGE PKWY	McGREGOR BLVD	2LN	E	800	В	389	0,49	В	408	0.51	
28900	WOODLAND BLVD	US 41	AUSTIN ST	2LN	E	860	C	272	0,32	C	286	0.33	

evel of service; [6] directional; vehicles/hour; [9] directional volume-to-capacity ratio; [6] previous years data; [6] EEPCO Study

County-Maintained Arterial Roadway - Incorporated Lee County

County-Maintained Collector Roadway - Unincorporated Lee County	County-Maintained Controlled Access Arterial Facility
County-Maintained Collector Roadway - Incorporated Lee County	County-Maintained Expressway
County-Maintained Arterial Roadway - Unincorporated Lee County	State-Maintained Arterial Roadway - Unincorporated Lee Count

Revised: October 26, 2023

(86)	MATERIAL STATES		LOCATION	ROAD	10000	FORMANCE FANDARD	2022 1	OOTH HIGHES	HOUR	2027	FUTURE FOR	ECAST	
Link No.	ROAD NAME	FROM	то	TYPE	105(1)	CAPACITY(Z)	LOSILI	VOLUME(2)	V/C <sup>(3)</sup>	LOS(1)	VOLUME(2)	V/C <sup>[3]</sup>	Notes
24300	SR 31 (ARCADIA RD)	SR 78	COUNTY LINE	2LN	C	430	THE REAL PROPERTY.	717	1.67		777	1.81	Babcock MPD
24400	STALEY RD	TICE	ORANGE RIVER BLVD	2LN	E	860	С	199	0.23	С	209	0.24	(4)
24500	STRINGFELLOW RD	1ST AVE	BERKSHIRE RD	2LN	E	1,060	В	311	0.29	C	409	0.39	constrained; Tr Cove at Ch Est/Turtle Cy Subd
24600	STRINGFELLOW RD	BERKSHIRE RD	PINE ISLAND RD	2LN	E	1,060	В	311	0.29	C	487	0.46	constrained; Villages of Pine Island
24700	STRINGFELLOW RD	PINE ISLAND RD	PINELAND RD	2LN	E	1,060	D	633	0.60	С	666	0.63	constrained
24800	STRINGFELLOW RD	PINELAND RD	MAIN ST	2LN	E	1,060	D	633	0.60	С	718	0.68	constrained; Bokeelia Harbor Resort
24900	SUMMERLIN RD	McGREGOR BLVD	KELLY COVE RD	4LD	E	1,980	A	1,359	0.69	A	1,429	0.72	unincorporated Lee County
25000	SUMMERLIN RD	KELLY COVE RD	SAN CARLOS BLVD	4LD	E	1,980	A	1,359	0.69	A	1,429	0.72	unincorporated Lee County
25100	SUMMERLIN RD	SAN CARLOS BLVD	PINE RIDGE RD	6LD	E	3,000	A	2,043	0.68	Α	2,159	0.72	unincorporated Lee County
25200	SUMMERLIN RD	PINE RIDGE RD	BASS RD	6LD	E	3,000	A	2,043	0.68	A	2,148	0.72	unincorporated Lee County
25300	SUMMERLIN RD	BASS RD	GLADIOLUS DR	6LD	Ε	3,000	A	2,043	0.68	A	2,148	0.72	unincorporated Lee County
25400	SUMMERUN RD	GLADIOLUS DR	CYPRESS LAKE DR	4LD	E	1,900	E	1,627	0.86	E	1,710	0.90	unincorporated Lee County
25500	SUMMERLIN RD	CYPRESS LAKE DR	COLLEGE PKWY	6LD	E	2,880	В	1,879	0.65	В	1,975	0.69	unincorporated Lee County
25600	SUMMERLIN RD	COLLEGE PKWY	PARK MEADOW DR	6LD	E	2,880	В	1,970	0.68	В	2,071	0.72	unincorporated Lee County
25700	SUMMERLIN RD	PARK MEADOW DR	BOY SCOUT	6LD	E	2,880	В	1,970	0.68	В	2,071	0.72	unincorporated Lee County
25800	SUMMERLIN RD	BOY SCOUT	MATHEWS DR	4LD	E	1,820	D	1,185	0.65	D	1,245	0.68	
25900	SUMMERUN RD	MATHEWS DR	COLONIAL BLVD	4LD	E	1,820	D	1,185	0.65	D	1,245	0.68	
25000	SUNRISE BLVD	BELL BLVD	COLUMBUS BLVD	2LN	E	860	С	45	0.05	С	53	0.06	old count
26100	SUNSHINE BLVD	SR 82	23RD ST SW	2LN	E	1,010	C	452	0.45	С	475	0.47	(4)
26150	SUNSHINE BLVD	23RD ST SW	LEE BLVD	2LN	E	1,010	C	452	0.45	С	475	0.47	(4)
26200	SUNSHINE BLVD	LEE BLVD	W 12TH ST	2LN	E	1,010	D	654	0.65	D	688	0.68	(41
26300	SUNSHINE BLVD	W 12TH ST	W 75TH ST	2LN	E	860	E	631	0.73	Ε	663	0.77	
26500	THREE OAKS PKWY	COCONUT RD	ESTERO PKWY	4LD	E	1,940	Ε	1,425	0.73	E	1,498	0.77	
26600	THREE OAKS PKWY	ESTERO PKWY	SAN CARLOS BLVD	4LD	E	1,940	Ε	797	0.41	E	903	0.47	Villages of San Carlos DRI (Portofino Vineyards
26700	THREE OAKS PKWY	SAN CARLOS BLVD	ALICO RD	4LD	E	1,940	E	797	0.41	E	851	0.44	
26800	TICE ST	SR 80	ORTIZ AVE	2LN	E	860	С	218	0.25	С	229	0.27	
25900	TICE ST	ORTIZ AVE	STALEY RD	2LN	E	860	С	218	0.25	С	229	0.27	
27000	TREEUNE AVE	TERMIMAL ACCESS RD	DANIELS PKWY	4LD	E	1,980	A	1,033	0.52	A	1,175	0.59	unincorporated Lee County; Treeline 28 PD
27030	TREEUNE AVE	DANIELS PKWY	AMBERWOOD RD	4LD	E	1,980	A	862	0.44	Α	912	0.46	
27070	TREELINE AVE	AMBERWOOD RD	COLONIAL BLVD	4LD	E	1,980	A	862	0.44	A	906	0.46	
29800	US 41 (S TAMIAMI TR)	OLD 41	CORKSCREW RD	6LD	D	2,814	-	2,851	1.01	CEN	2,996	1.05	THE RESERVE NAME OF THE PERSON NAMED IN COLUMN 1
29900	US 41 (STAMIAMITR)	CORKSCREW RD	SANIBEL BLVD	5LD	D	2,814	C	2,368	0.84	D	2,489	0.88	
30000	US 41 (S TAMIAMI TR)	SANIBEL BLVD	AUCO RD	6LD	D	2,814	THE R	3,021	1.07	E0 10	3.175	1.13	
30100	US 41 (STAMIAMITR)	ALICO RD	ISLAND PARK RD	6LD	D	2,814		2,900	1.03	65	3,057	1.09	Island Park Commercial Center
30200	US 41 (S TAMIAMI TR)	ISLAND PARK RD	BRIARCUFF RD	6LD	D	2,814	D	2,731	0.97	0	2,870	1.02	
30300	US 41 (STAMIAMITR)	BRIARCLIFF RD	SIX MILE PKWY	6LD	D	2,814	TA S	3,431	1.22	100	3,606	1.28	
30400	US 41 (STAMIAMITR)	SIX MILE PKWY	DANIELS PKWY	6LD	D	2.814	D	2,537	0.90	D	2,666	0.95	
30500	US 41 (CLEVELAND AVE)	DANIELS PKWY	COLLEGE PKWY	6LD	D	2,814	100	3,456	1.23	TATE	3,632	1.29	SR 739 6-In design/right-of-way programmed
30600	US 41 (CLEVELAND AVE)	COLLEGE PKWY	SOUTH AIRPORT RD	6LD	D	2,814	C	2,441	0.87	D	2,566	0.91	5R 739 6-In design/right-of-way programmed
30700	US 41 (CLEVELAND AVE)	SOUTH AIRPORT RD	BOY SCOUT RD	6LD	D	2,814	100	3,045	1.08	757	3,200	1.14	5R 739 6-In design/right-of-way programmed
30800	US 41 (CLEVELAND AVE)	BOY SCOUT RD	NORTH AIRPORT RD	6LD	D	2,814	C	2,392	0.85	D	2,514	0.89	SR 739 6-In design/right-of-way programmed
30810	US 41 (CLEVELAND AVE)	NORTH AIRPORT RD	COLONIAL BLVD	6LD	0	2,814	D	2,610	0.93	D	2,743	0.97	
30900	US 41 (CLEVELAND AVE)	CITY LIMITS	N. KEY DR	4LD	D	1,900		2,102	1.11	192	2,209	1.16	Name and the second
31000	US 41 (CLEVELAND AVE)	N. KEY DR	HANCOCK B. PKWY	4LD	D	1,900	1	2,102	1.11	1	2,209	1.16	
31100	US 41 (CLEVELAND AVE)	HANCOCK B. PKWY	PONDELLA RD	4LD	D	1,900		1,861	0.98		1,956	1.03	
31200	US 41 (CLEVELAND AVE)	PONDELLA RD	SR 78	4LD	D	1,900	C	1,595	0.84	D	1,676	0.88	CARL CONTRACTOR OF THE PARTY OF
31300	US 41 (CLEVELAND AVE)	SR 78	LITTLETON RD	4LD	D	1,942	C	1,257	0.65	C	1,417	0.73	Diplomat Property RPD/CPD
31400	US 41 (N TAMIAMITR)	LITTLETON RD	BUS 41	4LD	D	1.942	C	1.160	0.60	C	1.279	0.66	Coral Bay (aka Estates at Entrada RPD/CPD)

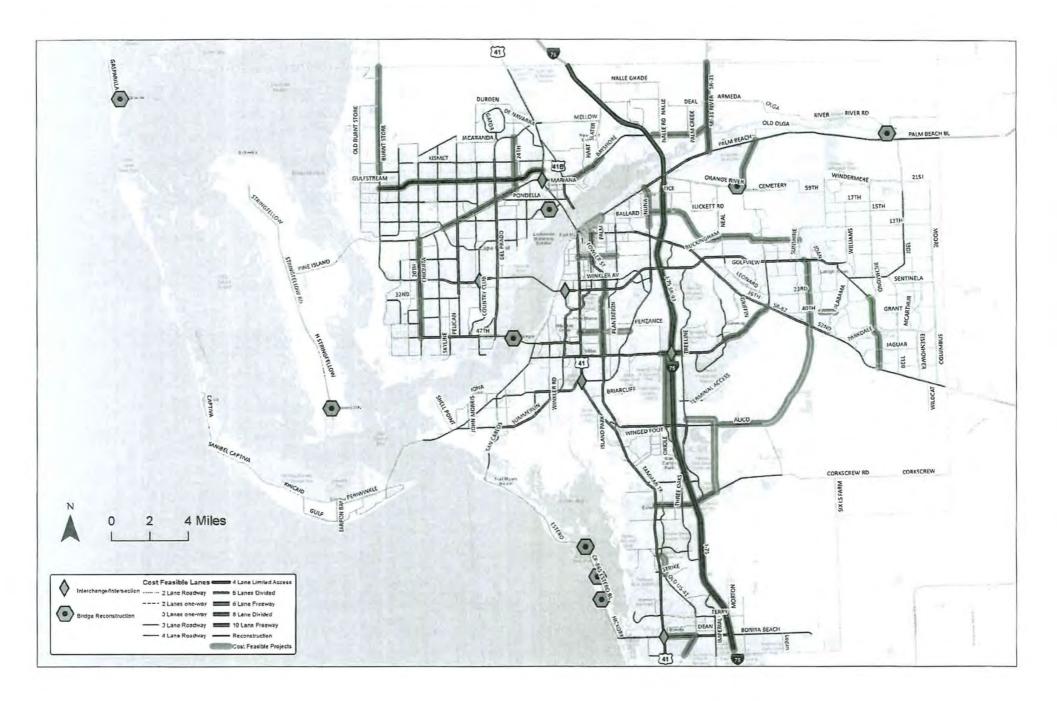
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	the statement of the		CATION	ROAD		ANDARD	-	OOTH HIGHES			FUTURE FOR	-	
link No.	ROAD NAME	FROM	то	TYPE	LOS <sup>(1)</sup>	THE PERSON NAMED IN	_				AOTRINE <sub>(5)</sub>	-	Notes
00100	A & W BULB RD	GLADIOLUS DR	McGREGOR BLVD	2LN	E	860	С	365	0.42	С	384	0.45	
00200	ALABAMA RD	SR 82	MILWAUKEE BLVD	2LN	E	990	C	262	0.26	С	275	0.28	
00300	ALABAMA RD	MILWAUKEE BLVD	HOMESTEAD RD	2LN	E	990	D	515	0.52	D	542	0.55	
00400	ALEXANDER BELL BLVD	SR 82	MILWAUKEE BLVD	2LN	E	990	D	555	0.56	D	583	0.59	
00500	ALEXANDER BELL BLVD	MILWAUKEE BLVD	LEELAND HEIGHTS	2LN	E	990	D	555	0.56	D	649	0.66	pre-development order res development
00590	ALICO RD	US 41	DUSTY RD	4LD	E	1,980	В	1,166	0.59	В	1,225	0.62	
00600	ALICO RD	DUSTY RD	LEE RD	6LD	E	2,960	В	1,166	0.39	В	1,261	0.43	
00700	ALICO RD	LEE RD	THREE OAKS PKWY	6LD	E	2,960	В	1,166	0.39	В	1,533	0.52	Three Oaks Distribution Center
00800	ALICO RD	THREE OAKS PKWY	1-75	6LD	E	2,960	В	2,618	0.88	В	2,752	0.93	[4]
00900	ALICO RD	1-75	BEN HILL GRIFFIN BLVD	6LD	E	2,960	В	1,448	0.49	В	1,533	0.52	(4)
01000	ALICO RD	BEN HILL GRIFFIN BLVD	GREEN MEADOW DR	2LN/4LN	E	1,100	C	406	0.37	D	660	0.60	(4)(5); unincorporated Lee Co; Ctr PI/Prm Aprt P
01050	ALICO RD	GREEN MEADOW DR	CORKSCREW RD	2LN	E	1,100	В	256	0.23	В	269	0.24	[4]
01200	BABCOCK RD	US 41	ROCKEFELLER CIR	2LN	E	860	C	60	0.07	С	65	0.08	
01400	BARRETT RD	PONDELLA RD	PINE ISLAND RD (US 78)	2LN	E	860	C	152	0.18	C	160	0.19	
01500	BASS RD	SUMMERLIN RD	GLADIOLUS DR	4LN	E	1,790	C	712	0.40	C	766	0.43	
01600	BAYSHORE RD (SR 78)	BUS 41	NEW POST RD/HART RD	4LD	D	1,942	0	1,920	0.99	20.00	2,018	1.04	
01700	BAYSHORE RD (SR 78)	HARTRO	SLATER RD	4LD	D	1,942		1,944	1.00		2,043	1.05	
01800	BAYSHORE RD (SR 78)	SLATER RD	1-75	4LD	D	2,910	B	1,215	0.42	В	1,294	0.44	
01900	BAYSHORE RD (SR 78)	1-75	NALLE RD	2LN	D	1,166	C	776	0.67	C	816	0.70	
02000	BAYSHORE RD (SR 78)	NALLE RD	SR 31	2LN	D	1,166	C	776	0.67	C	816	0.70	
02100	BEN HILL GRIFFIN PKWY	CORKSCREW RD	FGCU ENTRANCE	4LD	Ε	2,000	E	1,524	0.76	E	1,615	0.81	
02200	BEN HILL GRIFFIN PKWY	FGCU BOULEVARD S	COLLEGE CLUB DR	4LD	Ε	2,000	E	1,524	0.76	E	1,602	0.80	
02250	BEN HILL GRIFFIN PKWY	COLLEGE CLUB DR	ALICO RD	6LD	E	3,000	A	1,136	0.38	A	1,221	0.41	
26950	BEN HILL GRIFFIN PKWY	ALICO RD	TERMINAL ACCESS RD	4LD	E	1,980	A	1,136	0.57	A	1,195	0.60	unincorporated Lee County
02300	BETH STACEY BLVD	23RD ST	HOMESTEAD RD	2LN	E	860	С	336	0.39	С	529	0.62	Classic Hills (Copperhead) Golf Community
02400	BONITA BEACH RD	HICKORY BLVD	VANDERBILT DR	4LD	E	1,900	E	803	0.42	E	844	0.44	(4); constrained in city plan
02500	BONITA BEACH RD	VANDERBILT DR	US 41	4LD	E	1,900	E	1,417	0.75	E	1,489	0.78	constrained in city plan
02600	BONITA BEACH RD	US 41	OLD 41	4LD	E	1,860	E	1,456	0.78	E	1,530	0.82	constrained; old count projection (2010)
02700	BONITA BEACH RD	OLD 41	IMPERIAL ST	6LD	Ε	2,800	E	1,921	0.69	E	2,019	0.72	constrained in city plan
02800	BONITA BEACH RD	IMPERIAL ST	W OF 1-75	6LD	E	2,800	E	2.139	0.76	E	2,248	0.80	constrained in city plan
02900	BONITA BEACH RD	E OF 1-75	BONITA GRAND DR	4LD	E	2,020	A	655	0.32	A	688	0.34	constrained in city plan
02950	BONITA BEACH RD	BONITA GRANDE DR	Logan Boulevard	4LD	E	2.020	A	655	0.32	A	688	0.34	constrained in city plan
03100	BONITA GRANDE DR	BONITA BEACH RD	E TERRY ST	2LN	E	860	D	695	0.81	D	730	0.85	Constrainted in only plan
03200	BOYSCOUT RD	SUMMERUN RD	US 41	6LN	E	2,520	E	1,798	0.71	E	1,890	0.75	
03300	BRANTLEY RD	SUMMERLIN RD	US 41	2LN	E	860	C	271	0.32	C	285	0.33	
03300	BRIARCLIFF RD	US 41	TRIPLE CROWN CT	2LN	E	860	C	158	0.18	C	166	0.19	
03500	BROADWAY RD (ALVA)	SR 80	North RIVER RD	2LN	E	860	c	262	0.30	c	275	0.32	
03700	BUCKINGHAM RD	SR 82	GUNNERY RD	2LN	E	990	D	487	0.49	D	511	0.52	
	BUCKINGHAM RD	GUNNERY RD	ORANGE RIVER BLVD	2LN	E	990	C	358	0.36	C	392	0.40	
03730	BUCKINGHAM RD	ORANGE RIVER BLVD	SR 80	2LN	E	990	E	578	0.68	E	877	0.40	Portico RPD
03900	BURNT STORE RD	SR 78	VAN BJREN PKWY	4LD	E	2,950	A	851	0.29	В	894	0.30	City of Cape Coral
12.000000	BURNT STORE RD	VAN BUREN PKWY	COUNTY LINE	2LN	E	1.140	c	571	0.50	C	600	0.53	partially located in City of Cape Coral
04000	BUS 41 (N TAMIAMI TR, SR 739)	CITY LIMITS (N END EDISON BRG)		6LD	D	2,810	C	2,158	0.77	D	2,268	0.33	percently tocated in City of Cape Coral
			SR 78	6LD	D	2,694	C	1,494	0.77	C	1,570	0.58	
04300	BUS 41 (N TAMIAMI TR, SR 739)	PONDELLA RD		4LD	0	1,900	_	1,186		C	1,246	0.58	
04400	BUS 41 (N TAMIAMI TR, SR 739)	SR 78	UTTLETON RD				6		0.62	10000			
04500	BUS 41 (N TAMIAMI TR, SR 739)	LITTLETON RD	US 41	4LD	D	1,900	C	51.7	0.32	С	648	0.34	
04600	CAPE CORAL BRIDGE	DEL PRADO BLVD	McGREGOR BLVD	4LB	E	4,000	D	3,097	0.77	D	3,255	0.81	I was a second of the second o

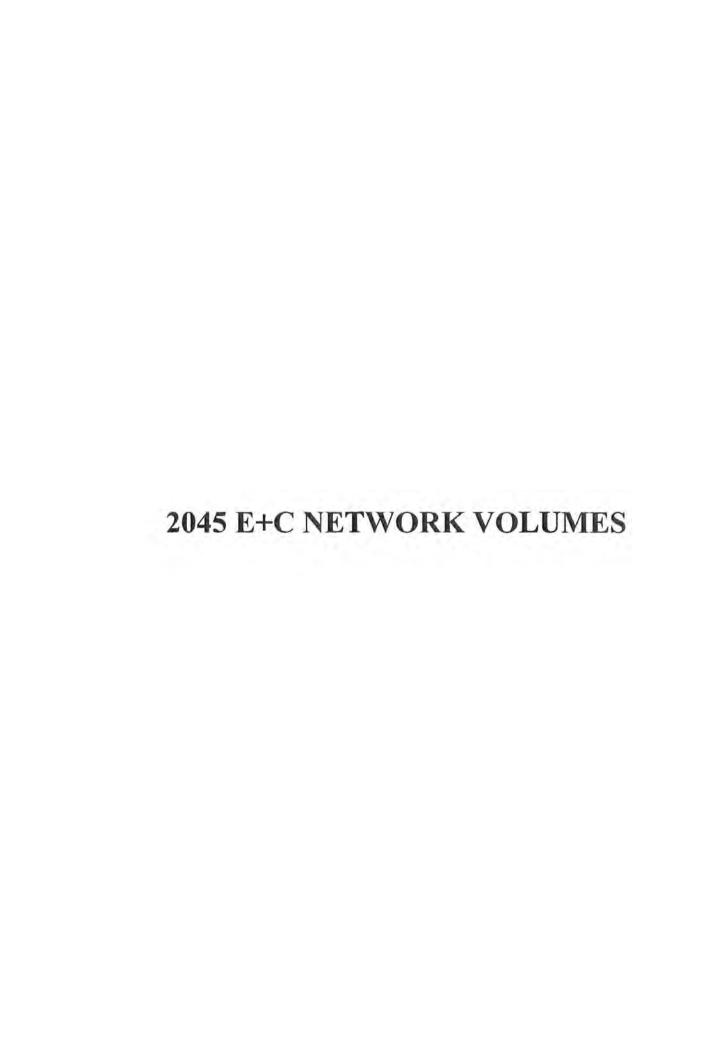
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	B Dispersion -		LOCATION	ROAD	_	ANDARD	_	DOTH HIGHES			FUTURE FOR		
Link No.	ROAD NAME	FROM	то	TYPE	LOSIII	Contract of the last	LOS(1)	VOLUME(2)	V/C(1)	ros(1)		_	Notes
04800	CEMETERY RD	BUCKINGHAM RD	HIGGINS AVE	2LN	E	860	c	326	0.38	С	343	0.40	
04900	CHAMBERLIN PKWY	AIRPORT ENT	DANIELS PKWY	4LN	E	1,790	C	450	0.25	С	473	0.26	Port Authority maintained
05000	COCONUT RD	WEST END	VIA VENETTO BLVD	2LN	E	860	C	275	0.32	C	289	0.34	non-county maintained to east
05100	COLLEGE PKWY	McGREGOR BLVD	WINKLER RD	6LD	E	2,980	D	2,668	0.90	E	2,804	0.94	(4)
05200	COLLEGE PKWY	WINKLER RD	WHISKEY CREEK DR	6LD	E	2,980	D	1,928	0.65	D	2,027	0.68	
05300	COLLEGE PKWY	WHISKEY CREEK DR	SUMMERLIN RD	6LD	E	2,980	D	1,928	0.65	D	2,027	0.68	
05400	COLLEGE PKWY	SUMMERLIN RD	US 41	6LD	E	2,980	D	1,795	0.60	D	1,886	0.63	
05500	COLONIAL BLVD	McGREGOR BLVD	SUMMERLIN RD	6LD	Ε	2,840	E	2,697	0.95	E	2,835	1.00	(4)
05600	COLONIAL BLVD	SUMMERLIN RD	US 41	6LD	E	2,840	E	2,550	0.90	E	2,680	0.94	
06200	COLONIAL BLVD	DYNASTY DR	SR 82	6LD	D	3,040	В	2,115	0.70	В	2,224	0.73	14
06300	COLUMBUS BLVD	SR 82	MILWAUKEE BLVD	2LN	E	860	C	105	0.12	С	110	0.13	
06400	CONSTITUTION BLVD	US 41	CONSTITUTION CIR	2LN	Ε	860	С	347	0.40	C	365	0.42	
06500	CORBETT RD	SR 78 (PINE ISLAND RD)	LITTLETON RD	2LN	E	860	C	30	0.03	C	32	0.04	
06600	CORKSCREW RD	US 41	THREE OAKS PKWY	410	E	1,900	E	901	0.47	E	947	0.50	A SULY DOOR SHALL A SURE OF
06700	CORKSCREW RD	THREE OAKS PKWY	W OF 1-75	4LD	E	1,900	E	1,764	0.93	E	1,854	0.98	
06800	CORKSCREW RD	E OF 1-75	BEN HILL GRIFFIN BLVD	4LD	E	1,900	E	1,080	0.57	E	1,135	0.60	
06900	CORKSCREW RD	BEN HILL GRIFFIN BLVD	ALICO FD	4LD	E	1,960	С	1,222	0.62	C	1,337	0.68	Carkscrew Woods/Wildblue
07000	CORKSCREW RD	AUCO RD	COUNTY LINE	2LN	E	1,140	C	464	0.41	1	1,213	1.06	Verdana Village RPD
07100	COUNTRY LAKES BLVD	LUCKETT RD	TICE ST	2LN	E	860	C	145	0.17	С	154	0.18	
07200	CRYSTAL DR	US 41	METRO PKWY	2LN	8	860	С	534	0.62	D	561	0.65	
07300	CRYSTAL DR	METRO PKWY	PLANTATION RD	2LN	E	860	С	387	0.45	C	407	0.47	
07400	CYPRESS LAKE DR	McGREGOR BLVD	SOUTH POINT BLVD	4LD	E	1,940	D	1,169	0.60	D	1,228	0.63	
07500	CYPRESS LAKE DR	SOUTH POINT BLVD	WINKLER RD	4LD	E	1,940	0	1,447	0.75	D	1,521	0.78	
07600	CYPRESS LAKE DR	WINKLER RD	SUMMERLIN RD	4LD	E	1,940	D	1,447	0.75	D	1,521	0.78	
07700	CYPRESS LAKE DR	SUMMERLIN RD	US 41	6LD	E	2,940	D	2,049	0.70	D	2,154	0.73	
07800	DANIELS PKWY	US 41	METRO PKWY	6LD	E	2,680	D	2,318	0.86	D	2,436	0.91	unincorporated Lee County
07900	DANIELS PKWY	METRO PKWY	SIX MILE PKWY	6LD	E	2,680	D	2,318	0.86	D	2,436	0.91	unincorporated Lee County; constrained
		SIX MILE PKWY	PALOM NO LN	6LD	E	3,040	E	2,985	0.98		3,141	1.03	unincorporated Lee Co; constrained; Dan Fall:
08000	DANIELS PKWY			6LD		3,040	E		0.98	-			
08100	DANIELS PKWY	PALOMINO LN	1-75		E		E	2,985	0.91		3,137	1.03	unincorporated Lee County; constrained
08200	DANIELS PKWY	1-75	TREEUNE AVE	6LD	E	3,260			- Harrison	E	3,113	0.95	unincorporated Lee County
08300	DANIELS PKWY	TREELINE AVE	CHAMBERUN PKWY	6LD	E	3,260	E	2,962	0.91	E	3,113	0.95	unincorporated Lee County
08400	DANIELS PKWY	CHAMBERLIN PKWY	GATEWAY BLVD	6LD	E	3,260	E	2,772	0.85	E	2,914	0.89	unincorporated Lee County
08500	DANIELS PKWY	GATEWAY BLVD	SR 82	4LD	E	2,160		2,232	1.03	1	2,453	1.14	unincorporated Lee County; Timber Creek RPI
08600	DANLEY DR	US 41	METRO PKWY	2LN	E	860	C	426	0.50	C	448	0.52	
08700	DAVIS RD	McGREGOR BLVD	IONA RD	2LN	E	860	С	17	0.02	С	18	0.02	
08800	DEL PRADO BLVD	CAPE CORAL PKWY	SE 46TH ST	6LD	E	2,660	E	1,932	0.73	E	2,031	0.76	
08900	DEL PRADO BLVD	SE 46TH ST	CORONADO PKWY	6LD	E	2,660	E	1,932	0.73	E	2,031	0.76	Committee of the Commit
09000	DEL PRADO BLVD	CORONADO PKWY	CORNWALLIS PKWY	6LD	E	2,660	E	2,069	0.78	E	2,174	0.82	
09100	DEL PRADO BLVD	CORNWALUS PKWY	CORAL POINT DR	6LD	E	2,660	E	2,479	0.93	E	2,605	0.98	
09200	DEL PRADO BLVD	CORAL POINT DR	HANCOCK B, PKWY	6LD	E	2,800	E	2,024	0.72	E	2,127	0.76	time to be a little with the same
09300	DEL PRADO BLVD	HANCOCK B. PKWY	SR 78	6LD	E	2,800	C	1,580	0.56	C	1,660	0.59	(4)
09400	DEL PRADO BLVD	US 41	SLATER RD	2LN	E	860	C	503	0.59	D	574	0.67	Crane Landing Golf Course Community
09700	EAST 21ST ST	JOEL BLVD	GRANT AVE	2LN	E	860	С	34	0.04	C	36	0.04	(4)
09800	ESTERO BLVD	BIG CARLOS PASS BRIDGE	PESCADORA AVE	2LN	E	726	A	374	0.51	A	393	0.54	(4); constrained
09900	ESTERO BLVD	PESCADORA AVE	VOORHIS ST	2LN	E	726	В	606	0.84	C	637	0.88	(4); constrained
10000	ESTERO BLVD	VOORHIS ST	TROPICAL SHORES WAY	2LN	E	726	В	606	0.84	C	637	0.88	(4); constrained
10100	ESTERO BLVD	TROPICAL SHORES WAY	CENTER ST	2LN	E	671	100	722	1.08	TEU	759	1.13	constrained
14400	ESTERO PKWY	US 41	THREE OAKS PKWY	4LD	E	2.000	E	740	0.37	E	916	0.46	non-county maint; T and T DRI/W Cyp Vw CPD

TV	ETERO G	LOC	ATION	ROAD		FORMANCE TANDARD	2022 1	OOTH HIGHES	THOUR	2027	FUTURE FOR	RECAST	
Link No.	ROAD NAME	FROM	то	TYPE	LOS(1)	CAPACITY(2)	LOS[1]	VOLUME <sup>12)</sup>	V/C <sup>(1)</sup>	LOS(1)	VOLUME(2)	V/C <sup>(3)</sup>	Notes
13900	JOEL BLVD	18TH 5T	SR 80	2LN	E	1,010	C	476	0.47	D	500	0.50	
14000	JOHN MORRIS RD	BUNCHE BEACH	SUMMERLIN RD	2LN	E	860	С	65	0.08	С	68	0.08	
14100	JOHN MORRIS RD	SUMMERLIN RD	IONA RD	2LN	E	860	С	322	0.37	С	338	0.39	
14200	KELLY RD	McGREGOR BLVD	SAN CARLOS BLVD	2LN	E	860	C	308	0.36	С	324	0.38	
14300	KELLY RD	SAN CARLOS BLVD	PINE RIDGE RD	2LN	E	860	C	123	0.14	С	129	0.15	
14500	LAUREL DR	BUS 41	BREEZE DR	2LN	E	860	С	393	0.46	С	413	0.48	
14600	LEE BLVD	SR 82	ALVIN AVE	6LD	E	2,840	E	2,429	0.86	E	2,553	0.90	
14700	LEE BLVD	ALVIN AVE	GUNNERY RD	6LD	E	2,840	E	2,001	0.70	E	2,103	0.74	
14800	LEE BLVD	GUNNERY RD	HOMESTEAD RD	6LD	E	2,840	E	2,118	0.75	E	2,255	0.79	
14900	LEE BLVD	HOMESTEAD RD	WILLIAMS AVE	4LD	E	1,980	В	909	0,46	В	955	0.48	
14930	LEE BLVD	WILLIAMS AVE	LEELAND HEIGHTS	2LN	E	1,020	В	909	0.89	E	955	0.94	
15000	LEE RD	SAN CARLOS BLVD	ALICO RD	2LN	E	860	С	549	0.64	D	577	0.67	
15100	LEELAND HEIGHTS	HOMESTEAD RD	JOEL B_VD	4LN	E	1,800	В	764	0.42	В	803	0.45	
15200	LEONARD BLVD	GUNNERY RD	WESTGATE BLVD	2LN	E	860	D	711	0.83	D	851	0.99	Fairway Villages/pre-dev order res dev
15300	LITTLETON RD	CORBETT RD	US 41	2LN	E	860	C	498	0.58	С	523	0.61	
15400	LITTLETON RD	US 41	BUS 41	2LN	E	860	C	425	0.50	C	448	0.52	
15500	LUCKETT RD	ORTIZ AVE	1-75	ZLN	E	880	C	375	0.43	С	427	0.49	Luckett Landing Hotel/Luckett Road C-Store
15600	LUCKETT RD	1-75	COUNTRY LAKES DR	2LN	E	860	C	330	0,38	C	347	0.40	
15700	MAPLE DR*	SUMMERLIN RD	2ND AVE	2LN	E	860	C	79	0.09	C	83	0.10	
15800	McGREGOR BLVD	SANIBELT PLAZA	HARBOR DR	4LD	Ε	1,960	E	1,179	0.60	E	1,239	0.63	
15900	McGREGOR BLVD	HARBOR DR	SUMMERLIN RD	4LD	E	1,960	E	1,129	0.58	E	1,187	0.61	
16000	McGREGOR BLVD	SUMMERUN RD	KELLY RD	4LD	E	1,960	A	965	0.49	Α	1,015	0.52	
16100	McGREGOR BLVD	KELLY RD	GLADIOLUS DR	4LD	E	1,960	A	966	0.49	A	1,015	0.52	
16200	McGREGOR BLVD (SR 867)	OLD McGREGOR /GLADIOLUS DR	IONA LOOP RD	4LD	D	1,900	C	1,334	0,70	C	1,402	0.74	
16300	McGREGOR BLVD (SR 867)	IONA LOOP RD	PINE RIDGE RD	4LD	D	1,900	C	1,334	0.70	C	1,402	0.74	
16400	McGREGOR BLVD (5R 867)	PINE RIDGE RD	CYPRESS LAKE DR	4LD	D	1,942	D	1,837	0.95	D	1,931	0.99	
16500	McGREGOR BLVD (SR 867)	CYPRESS LAKE DR	COLLEGE PKWY	4LD	D	1,810	D	1,716	0,95	D	1,804	1.00	
16600	McGREGOR BLVD (SR 867)	COLLEGE PKWY	WINKLER RD	2LN	D	1,124	C	735	0.65	C	772	0.69	constrained
16700	McGREGOR BLVD (SR 867)	WINKLER RD	TANGLEWOOD BLVD	2LN	D	1,166	100	1,208	1.04	起點	1,270	1.09	constrained
16800	McGREGOR BLVD (SR 867)	TANGLEWOOD BLVD	COLONIAL BLVD	2LN	D	1,224	D	1,087	0.89	D	1,142	0.93	constrained
16900	METRO PKWY (SR 739)	SIX MILE PKWY	DANIELS PKWY	6LD	D	2,814	C	1,186	0.42	C	1,273	0.45	Name of the Owner, which the
17000	METRO PKWY (SR 739)	DANIELS PKWY	CRYSTAL DR	4LD	D	1,900	C	1,186	0.62	C	1,246	0,66	
17100	METRO PKWY (SR 739)	CRYSTAL DR	DANLEY DR	4LD	D	1,900	D	1,684	0.89	D	1,770	0.93	
17200	METRO PKWY (SR 739)	DANLEY DR	COLONIAL BLVD	4LD	D	1,900	D	1,755	0.92	D	1,845	0.97	
	MICHAEL RIPPE PKWY	US41	SIX MILES PKWY	6LD	D	2,866	C	1,589	0.55	C	1,670	0,58	
17600	MILWAUKEE BLVD	ALABAMA BLVD	BELL BLVD	2LN	Ε	860	С	171	0.20	С	180	0.21	341
17700	MILWAUKEE BLVD	BELL BLVD	COLUMBUS BLVD	2LN	E	860	С	171	0.20	С	202	0.23	(a)
17800	MOODY RD	HANCOCK B. PKWY	PONDELLA RD	2LN	Ε	860	C	184	0.21	C	193	0.22	
17900	NALLE GRADE RD	SLATER RD	NALLE RD	2LN	E	860	С	72	0.08	C	76	0.09	
18000	NALLE RD	SR 78	NALLE GRADE RD	2LN	E	860	C	124	0.14	C	130	0.15	(4)
18100	NEAL RD	ORANGE RIVER BLVD	BUCKINGHAM RD	2LN	Ε	860	С	141	0.16	С	148	0.17	(4)
18200	NORTH RIVER RD	SR 31	FRANKLIN LOCK RD	2LN	E	1,140	A	145	0.13	В	265	0.23	The Broadlands
18300	NORTH RIVER RD	FRANKLIN LOCK RD	BROADWAY RD	2LN	E	1,140	A	145	0.13	В	255	0.22	River Run Estates
18400	NORTH RIVER RD	BROADWAY RD	COUNTY LINE	2LN	E	1,140	A	100	0.09	Α	131	0.12	
18900	OLGA RD*	5R 80 W	SR 80 E	2LN	E	860	C	84	0.10	C	88	0.10	
19100	ORANGE GROVE BLVD	CLUB ENTR.	HANCOCK B. PKWY	2LN	Ε	860	C	407	0.47	C	428	0.50	
19200	ORANGE GROVE BLVD	HANCOCK B. PKWY	PONDELLA RD	4LN	E	1,790	C	510	0.28	С	536	0.30	
19300	ORANGE RIVER BLVD	5R 80	STALEY RD	2LN	E	1,000	C	381	0.38	С	400	0.40	

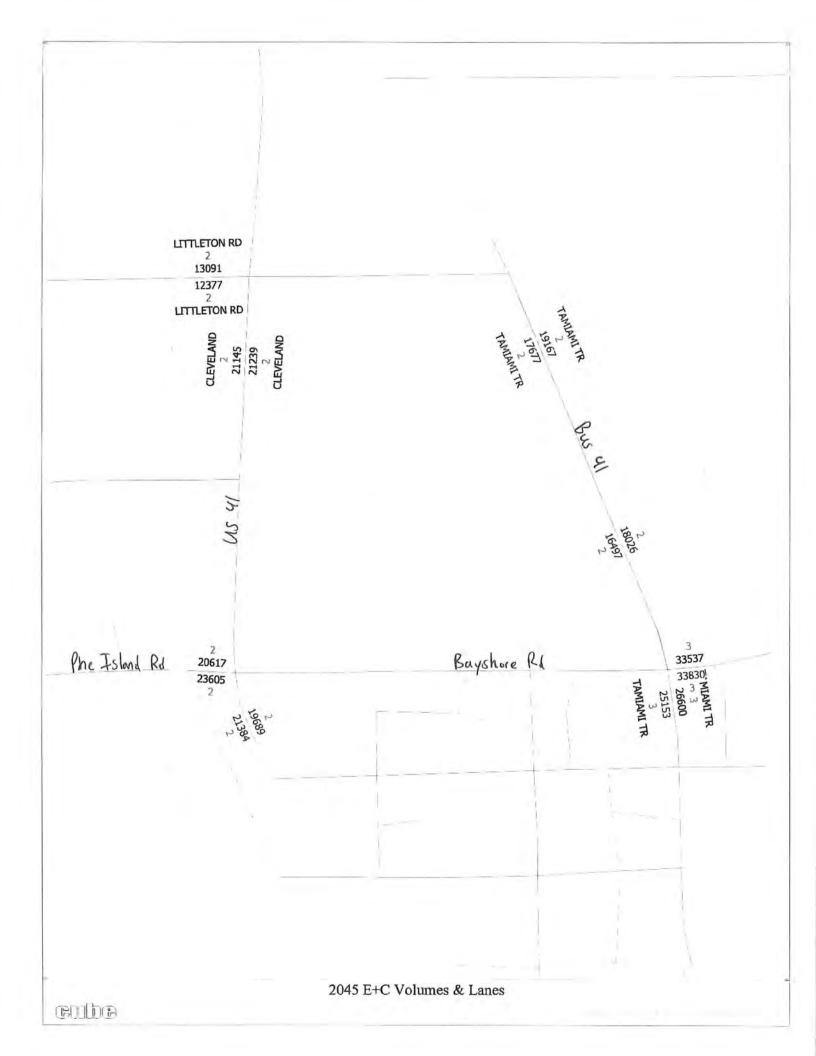
			LEE COUNTY ROAD LINK V	OLOWILD TO		The second second	IUITILU	med Roodive	12421			-	
		ισ	CATION	ROAD	SI	FORMANCE TANDARD	_	OOTH HIGHEST	_	-	FUTURE FOR	_	
ink No.	ROAD NAME	FROM	то	TYPE	LOS <sup>(1)</sup>	CAPACITY(2)	LOS(1)	VOLUME(2)	V/C(3)	LOS	VOLUME(2)	V/C(3)	Notes
19400	ORANGE RIVER BLVD	STALEY RD	BUCKINGHAM RD	2LN	E	1,000	C	381	0.38	C	400	0.40	
19500	ORIOLE RD	SAN CARLOS BLVD	AUCO RD	2LN	E	860	C	130	0.15	C	137	0.16	
19600	ORTIZ AVE	COLONIAL BLVD	SR 82	2LN	E	900	TU I	1,056	1.17	III AND	1,110	1.23	City of Fort Myers
19700	ORTIZ AVE	SR 82	LUCKETT RD	2LN	E	900	E	897	1.00		943	1.05	partially located in City of Fort Myers
19800	ORTIZ AVE	LUCKETT RD	SR 80	2LN	E	900	В	374	0.42	В	393	0.44	9.00
19900	PALM BEACH BLVD (5R 80)	PROSPECT AVE	ORTIZ AVE	4LD	D	1,900	C	1,278	0.67	C	1,343	0.71	
20000	PALM BEACH BLVD (SR 80)	ORTIZ AVE	1-75	6LD	D	2,814	C	1,426	0.51	C	1,499	0.53	
20100	PALM BEACH BLVD (SR 80)	1-75	SR 31	6LD	D	2,814	C	1,618	0.57	C	1,701	0.60	
0200	PALM BEACH BLVD (SR 80)	SR 31	BUCKINGHAM RD	4LD	D	1,900	<b>B</b> III	2,204	1.15		2,316	1.22	
0300	PALM BEACH BLVD (SR 80)	BUCKINGHAM RD	WERNER DR	4LD	D	1,942	C	1,547	0.80	C	1,724	0.89	River Hall Country Club Phase II
0330	PALM BEACH BLVD (SR 80)	WERNER DR	JOEL BLVD	4LD	C	1,785	C	1,336	0.75	C	1,404	0.79	The company of the co
0400	PALM BEACH BLVD (SR 80)	JOEL BLVD	HENDRY CO. LINE	4LD	C	1,785	C	1,138	0.64	C	1,196	0.67	
0500	PALOMINO LN	DANIELS PKWY	PENZANCE BLVD	2LN	E	860	C	352	0.41	C	414	0.48	The Springs at Daniels Road
0600	PARK MEADOWS DR	SUMMERLIN RD	US 41	2LN	E	860	С	194	0.23	С	204	0.24	
20800	PENZANCE BLVD	RANCHETTE RD	SIX MILE PKWY	2LN	E	860	C	151	0.18	С	174	0.20	
20900	PINE ISLAND RD	STRINGFELLOW RD	BURNT STORE RD	2LN	E	950	Ε	661	0.70	E	707	0.74	constrained
21400	PINE ISLAND RD (SR 78)	CITY LIMITS E OF BARRETT RD	US 41	4LD	D	1,900	D	1,823	0.96	173	1,916	1.01	
1500	PINE ISLAND RD (SR 78)	US 41	BUS 41	4LD	D	1,900	C	1,555	0.82	D	1,634	0.86	
1600	PINE RIDGE RD	SAN CARLOS BLVD	SUMMERLIN RD	2LN	E	860	С	535	0.62	D	566	0.66	(4)
1700	PINE RIDGE RD	SUMMERLIN RD	GLADIOLUS DR	2LN	E	860	С	256	0.30	C	396	0.46	[4]; Heritage Isles
1800	PINE RIDGE RD	GLADIOLUS DR	McGREGOR BLVD	2LN	E	860	С	256	0.30	C	269	0.31	
1900	PLANTATION RD	SIX MILE PKWY	DANIELS PKWY	2LN	E	860	С	342	0.40	C	359	0.42	
2000	PLANTATION RD	DANIELS PKWY	IDLEWILD ST	2LN	E	860	D	702	0.82	D	737	0.86	
22050	PLANTATION RD	IDLEWILD ST	COLONIAL BLVD	4LN	Ε	1,790	С	726	0.41	C	763	0.43	
22100	PONDELLA RD	SR 78	ORANGE GROVE BLVD	4LD	E	1,890	E	954	0.50	E	1,003	0.53	[4]
22200	PONDELLA RD	ORANGE GROVE BLVD	US 41	4LD	E	1,890	E	1,397	0.74	E	1,469	0.78	
22300	PONDELLA RD	US 41	BUS 41	4LD	E	1,890	E	1,021	0.54	E	1,073	0.57	
22400	PRITCHETT PKWY	SR 78	RICH RD	2LN	E	860	С	78	0.09	D	664	0.77	Stoneybrook North
2500	RANCHETTE RD	PENZANCE BLVD	IDLEWILD ST	2LN	E	860	c	105	0.12	С	110	0.13	333.073.033.1,0,0.
2600	RICH RD	SLATER RD	PRITCHETT PKWY	2LN	E	860	С	62	0.07	C	65	0.08	
2700	RICHMOND AVE	LEELAND HEIGHTS	E 12TH ST	2LN	E	860	C	107	0.12	C	127	0.15	pre-development order res development
2800	RICHMOND AVE	E 12TH ST	GREENBRIAR BLVD	2LN	E	860	C	107	0.12	C	112	0.13	pre development of der les development
3230	SAN CARLOS BLVD	US 41	THREE OAKS PKWY	2LN	E	860	C	406	0.47	C	427	0.50	(4)
3000	SAN CARLOS BLVD (SR 865)	MANTANZAS PASS BRIDGE	IMAIN ST	2LD	D	1,900	C	1,063	0.56	C	1,117	0.59	constrained
3100	SAN CARLOS BLVD (SR 865)	MAIN ST	SUMMERLIN RD	4LD	D	1,900	C	1,063	0,56	C	1,117	0.59	Constitution
3180	SAN CARLOS BLVD (SR 865)	SUMMERLIN RD	KELLY RD	210	D	1,180	C	730	0.62	c	767	0.65	
3200	SAN CARLOS BLVD (SR 865)	KELLY RD	GLADIOLUS DR	4LD	D	1,180	C	730	0.62	C	767	0.65	
3260	SANIBEL BLVD	US 41	LEE RD	2LN	E	860	C	496	0.58	C	521	0.61	
3300	SANIBEL CAUSEWAY	SANIBEL SHORELINE	TOLL PLAZA	2LN	E	1,140	E	1,035	0.91	E	1,088	0.95	
3400	SHELL POINT BLVD	McGREGOR BLVD	PALM ACRES	2LN	E	860	C	243	0.28	C	255	0.30	[4]
3500	SIX MILE PKWY (SR 739)	US 41	METRO PKWY	4LD	D	1,900	D	1,897	1.00		1,994	1.05	
3600	SIX MILE CYPRESS	METRO PKWY	DANIELS PKWY	4LD	E	2,000	8	1,549	0.77	В	1,628	0.81	(independent of the County)
3700	SIX MILE CYPRESS	DANIELS PKWY	WINKLER EXT.	4LD	E	1,900	E	1,205	0.77	E	1,362	_	unincorporated Lee County
3800	SIX MILE CYPRESS	WINKLER EXT.	CHALLENGER BLVD	4LD	E	1,900	E	1,136	0.60	E	1,352	0.72	unincorporated Lee Co; Cr Mnr RPD/Ok Vill R
		CHALLENGER BLVD	Construction of the constr	6LD			В					100000000000000000000000000000000000000	incorporated Lee County
3900	SIX MILE CYPRESS		COLONIAL BLVD		E	2,860		1,136	0.40	В	1,194	0.42	incorporated Lee County
4000	SLATER RD	SR 78	NALLE GRADE RD	2LN	E	1,010	C	365	0.36	С	384	0,38	[4]
4100	SOUTH POINTE BLVD	CYPRESS LAKE DR	COLLEGE PKWY	2LD	E	910	D	631 778	0.69	D	663	0.73	14)

## LEE COUNTY MPO 2045 COST FEASIBLE HIGHWAY PLAN





DEL PRADO 1 2768 2 4**733** 2453 1 DEL PRADO 21391 20475 **4352** 2 2045 E+C Volumes & Lanes cube





# General Light Industrial (110)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

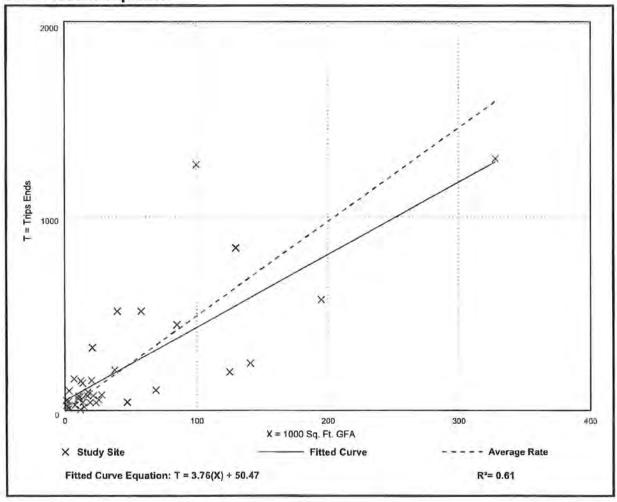
Setting/Location: General Urban/Suburban

Number of Studies: 37 Avg. 1000 Sq. Ft. GFA: 45

Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
4.87	0.34 - 43.86	4.08





## General Light Industrial (110)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

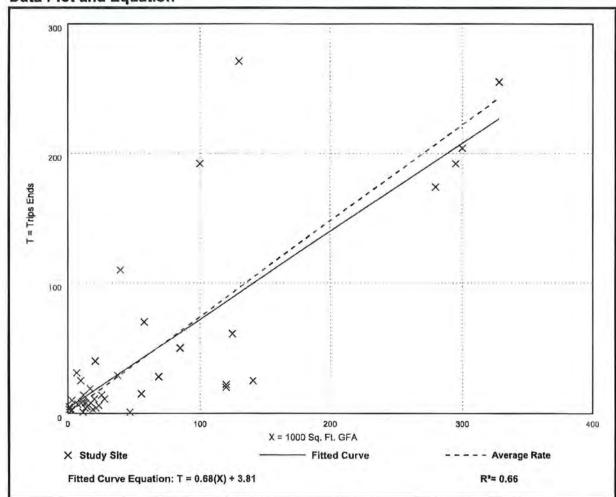
Setting/Location: General Urban/Suburban

Number of Studies: 41 Avg. 1000 Sq. Ft. GFA: 65

Directional Distribution: 88% entering, 12% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.74	0.02 - 4.46	0.61





## General Light Industrial (110)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

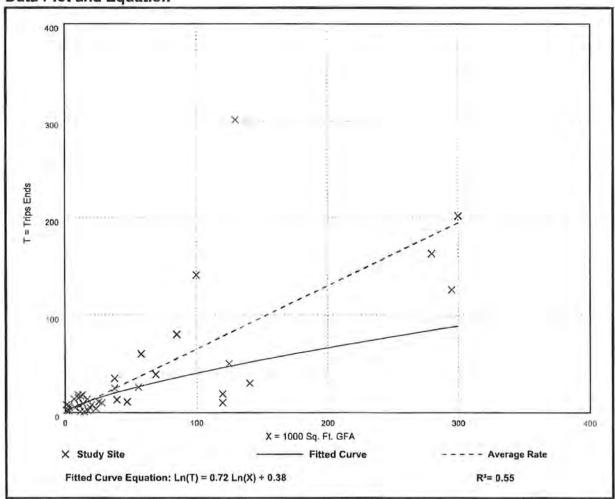
Setting/Location: General Urban/Suburban

Number of Studies: 40 Avg. 1000 Sq. Ft. GFA: 58

Directional Distribution: 14% entering, 86% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.65	0.07 - 7.02	0.56





# Shopping Center (>150k) (820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday

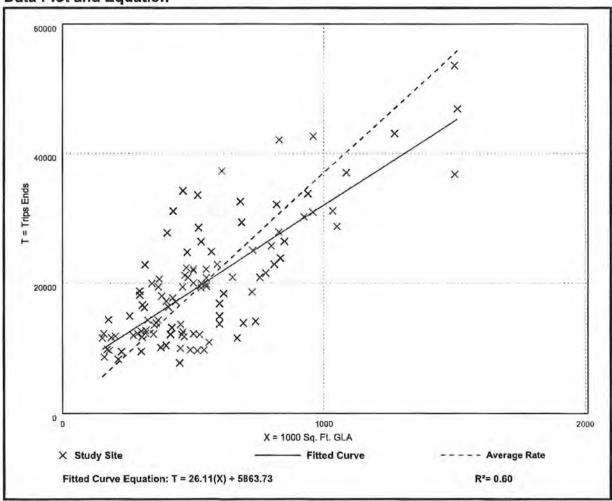
Setting/Location: General Urban/Suburban

Number of Studies: 108 Avg. 1000 Sq. Ft. GLA: 538

Directional Distribution: 50% entering, 50% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
37.01	17.27 - 81.53	12.79





## Shopping Center (>150k) (820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

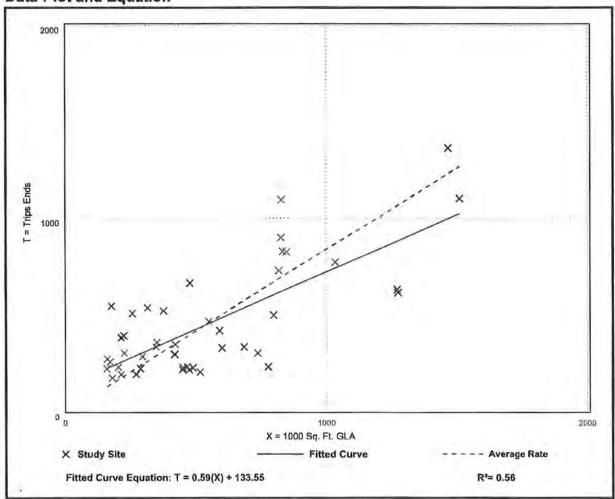
Setting/Location: General Urban/Suburban

Number of Studies: 44 Avg. 1000 Sq. Ft. GLA: 546

Directional Distribution: 62% entering, 38% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
0.84	0.30 - 3.11	0.42



# Shopping Center (>150k) (820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

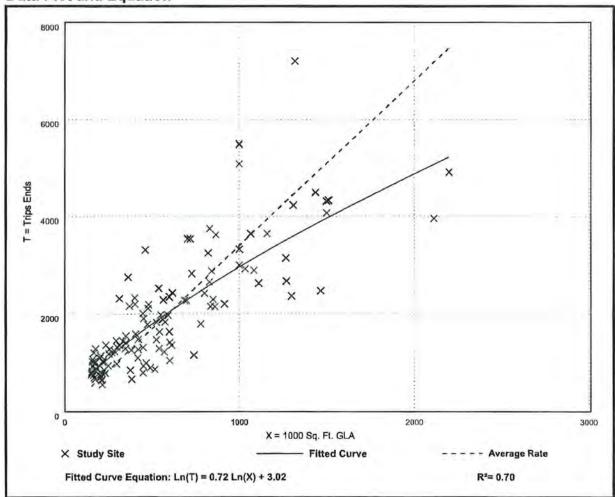
Setting/Location: General Urban/Suburban

Number of Studies: 126 Avg. 1000 Sq. Ft. GLA: 581

Directional Distribution: 48% entering, 52% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
3.40	1.57 - 7.58	1.26





## Strip Retail Plaza (<40k)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA On a: Weekday

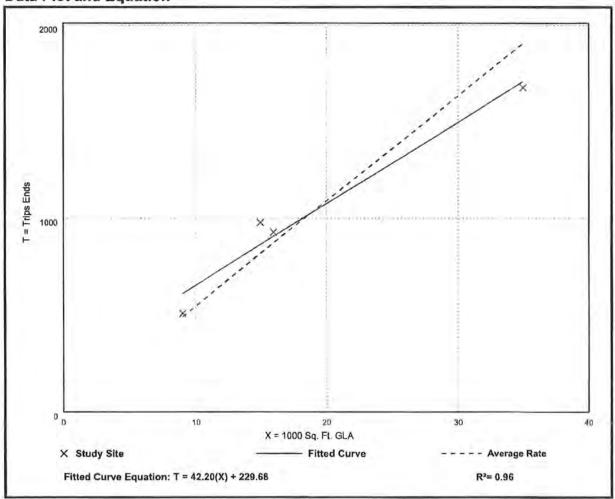
Setting/Location: General Urban/Suburban

Number of Studies: 4 Avg. 1000 Sq. Ft. GLA: 19

Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
54.45	47.86 - 65.07	7.81





## Strip Retail Plaza (<40k) (822)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

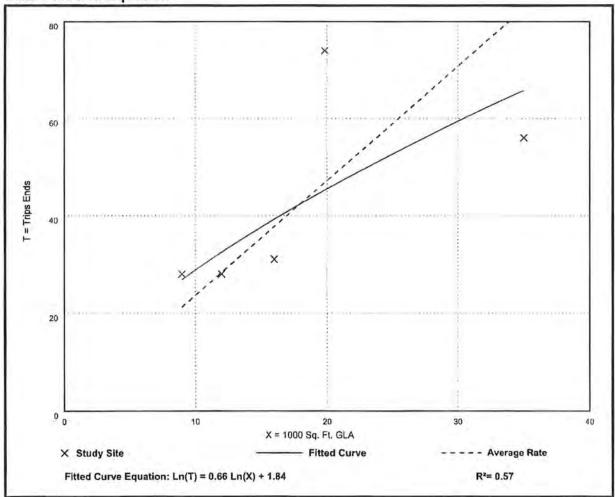
Setting/Location: General Urban/Suburban

Number of Studies: 5 Avg. 1000 Sq. Ft. GLA: 18

Directional Distribution: 60% entering, 40% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
2.36	1.60 - 3.73	0.94



## Strip Retail Plaza (<40k)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday,

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

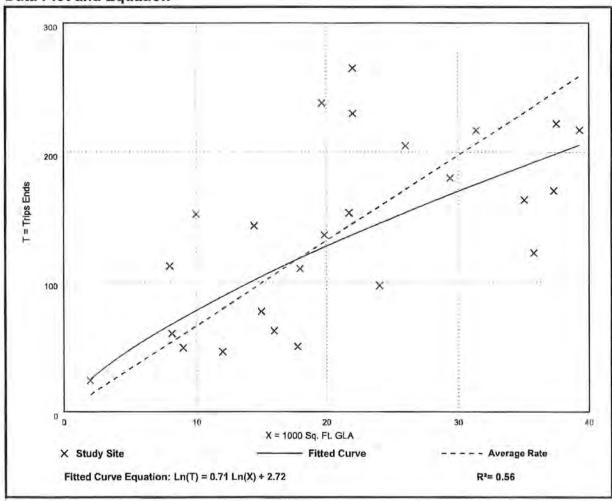
Setting/Location: General Urban/Suburban

Number of Studies: 25 Avg. 1000 Sq. Ft. GLA: 21

Directional Distribution: 50% entering, 50% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
6.59	2.81 - 15.20	2.94





Lee County
Dept. of Community Development
Long-Range Planning
1500 Monroe Street
Fort Myers, FL 33901



Comprehensive Plan Map Amendment

Exhibit M17 - Existing and Future Conditions Analysis

#### I. EXISTING CONDITIONS

The subject property is surrounded by a range of existing and planned uses which are further described in Table 1.

	EXISTING USE	ZONING	FUTURE LAND USE	JURISDICTION
NORTH	Auto repair and service	CPD	Suburban	Lee County
EAST	Commercial/General Office	AG-2, CPD, RPD	Suburban	Lee County
SOUTH	Golf cart dealership	C-2, AG-2	Suburban	Lee County
WEST	Residential (Isles of Porto Vista)	RML	Mixed Use	Cape Coral

Table 1. Surrounding Land Uses

The subject property abuts N Tamiami Trail to the east which is a state-maintained five (5) lane arterial with a median adjacent to the property. Further east is a CPD-zoned office space, east of which is the Sabal Springs residential community. Sabal Springs is made up of 210 single-family homes and a central golf course. The community's primary entrance is Sabal Springs Blvd where it abuts N Tamiami Trail and there is a secondary point of ingress/egress located along Del Prado Blvd N.

To the north of the subject property is another CPD-zoned parcel which was approved for auto repair and servicing uses via Z-92-016. To the west of the subject property is the City of Cape Coral's Isles of Porto Vista, a residential community consisting of approximately 33 townhome buildings with an estimated 5 units per building, totaling approximately 165 residential dwelling units. It should be noted that the subject property abuts the development's buffered stormwater system, therefore no residential units directly abut the subject property due to this configuration. This community and surrounding residences are located within the City of Cape Coral's Mixed Use future land use category which allows for 25 du/AC and a FAR of 1.0 for non-residential development, this category allows for "compound use residences" and promotes vertical mixed use in appropriate locations throughout the City. To the south of the subject property is a commercial (C-2) and agricultural-zoned (AG-2) parcel located within Lee County. The current use for the parcel is a golf cart dealership.

The assortment of surrounding uses can be contributed to the parcel's location along a major transportation corridor, N Tamiami Trail, as well as the configuration of the City of Cape Coral's adjacent boundary. Amending the subject property's future land use category to the Central Urban

category is consistent with the surrounding development pattern and is more appropriate along the regional corridor which ties North Fort Myers to Cape Coral; this is due to the proximity of the subject property to the intersection of Del Prado Blvd N and N Tamiami Trail. The Central Urban category is also compatible with the City of Cape Coral's adjacent Mixed-Use category per the below comparison noted in Table 2.

FLU	MAX DENSITY	MAX INTENSITY	JURISDICTION
Suburban	6 du/AC	N/A	Lee County
Central Urban	15 du/AC	N/A	Lee County
Mixed-Use	25 du/AC	1.00 FAR	Cape Coral

Table 2. Area Comparative FLUs

The amendment of the subject property's future land use from Suburban to Central Urban is not only consistent with the surrounding FLUs and development pattern but provides a gradual transition of uses from the more intense western FLU of Mixed-Use to the lower intensity FLU of suburban.

#### II. FUTURE CONDITIONS

The proposed map amendment is being requested concurrent with a Mixed Use Planned Development (MPD) which further identifies the development's configuration as well as the development's intensity, are outlined in the companion Master Concept Plan. As further outlined in the Planned Development request, no residential density is being sought with this change.

As described in Exhibit M20 - Justification of Proposed Amendment, the request to amend the Future Land Use map from Suburban to Central Urban is consistent with a number of local, regional, and state policies and is further supported by the existing conditions surrounding the site. This request is being made due to the inconsistency between the existing zoning and the language in the Lee Plan which prohibits industrial development to take place within this FLU designation, regardless of the zoning district in which the property is located. The future conditions would therefore reflect the Planned Development's parameters and the Master Concept Plan's proposed configuration.

Additionally, the site's conditions are further outlined in Exhibits M15 - Public Facilities Impacts Analysis, M16 - Traffic Circulation Analysis, and Exhibit M21 - Formal JD Approval, all of which should be reviewed in tandem with the companion Planned Development and Master Concept Plan pursuant to Ch 163.3184(12) F.S.

#### III. CONCLUSION

The proposed map amendment is consistent with several policies set forth by the Lee Plan, the Southwest Florida Strategic Regional Policy Plan, and the State of Florida's Comprehensive Plan. The map amendment from the Suburban FLU to the Central Urban FLU would greatly enhance local economic diversity as well as promote economic stability and allow for infill development to take place at a location previously slated for industrial and commercial uses where public facilities and urban

services are capable of servicing the site.



Figure 2. Proposed Map Amendment of Subject Property



### **Board of County Commissioners**

Kevin Ruane District One May 29, 2025

Cecil L Pendergrass District Two Cindy C. Leal Brizuela EnSite Incorporated

David Mulicka District Three

2401 First Street, Suite 201 Fort Myers, FL 33901

Brian Hamman District Four

VIA ELECTRONIC MAIL

Mike Greenwell District Five VIA ELECTRONIC MAIL

Dave Harner, II County Manager Re: 17701 N Tamiami Trail, Letter of Service Availability

Richard Wm. Wesch County Attorney Ms. Brizuela,

Donna Marie Collins County Hearing Examiner I am in receipt of your email requesting a Letter of Service Availability for a project to be located at 17701 N Tamiami Trail in North Fort Myers.

Lee County Emergency Medical Services is the primary EMS transport agency responsible for coverage at the location you have provided. There is one ambulance located three miles from the proposed project location and two additional ambulances are located within five miles.

It is our opinion that EMS service availability for the location provided is adequate at this time.

Sincerely,

Paul Di Cicco

Deputy Director - EMS Chief

Enclosure:

Copy of proposed project location map



## **Board of County Commissioners**

Lee County Emergency Medical Services c/o Chief Benjamin Abes Public Safety Director 2000 Main St #100 Fort Myers, FL 33901



Comprehensive Plan Map Amendment Letter of Availability Request

Chief Abes,

We are writing to confirm that your agency is able to provide service to the subject property located at 17701 NTamiami Trail, north of the intersection of NTamiami Trail and Sabal Springs Blvd. The property is under one (1) STRAP (22-43-24-01-00001.0160) and is currently located within the Suburban future land use category. Due to the property's location and underlying zoning entitlements, the Applicant is requesting that the property be redesignating to the Central Urban future land use category. This process require verification from several service agencies that they have sufficient resources to support the change in future land use.



Figure 1. Aerial of Subject Property

Please contact me directly at (239) 226-0024 or <u>Cincly! @Fn Site com</u> if you should have any questions or require additional information.

Sincerely, EnSite, Inc.

Ensite, Inc.

Cindy C. Leal Brizuela, AICP, MURP

Principal Planner

planning landscape architecture engineering urban design sustainability

2401 First Street, Suite 201 | Fort Myers, Florida 33901 239.226.0024 | www.en-site.com Lee County
Dept. of Community Development
Long-Range Planning
1500 Monroe Street
Fort Myers, FL 33901



Comprehensive Plan Map Amendment

**Exhibit M18 - Support Facility Letters of Determination** 

### Fire Protection



February 5, 2025

Letter of Availability

Cindy Leal Brizuela Ensite Engineering 2401 First St., Suite 201 Ft. Myers, Fl 33901

Ms. Brizuela:

The North Fort Myers Fire Department has reviewed the information provided for the proposed project located at 17701 N. Tamiami.

The North Fort Myers Fire Department can adequately protect this property. If you have any further questions, please contact our office at 239-731-1931.

Respectfully,

Rick Jones Fire Marshal

## Law Enforcement

## Carmine Marceno Sheriff



State of Florida County of Lee

June 20, 2024

Cindy C. Leal Brizuela EnSite, Inc. 2401 First St., Suite 201 Fort Myers, Florida 33901

Ms. Leal Brizuela,

The Lee County Sheriff's Office has reviewed your service availability request for a property located at 17701 N. Tamiami Trail in North Fort Myers, STRAP 22-43-24-01-00001.0160.

The property is currently located within the Suburban future land use category. A request to redesignate the property to the Central Urban future land use category would not affect our ability to provide law enforcement services. Based on the information provided, the Lee County Sheriff's Office has no objections to this request.

This agency will provide law enforcement services from our 1st Precinct offices in North Fort Myers. At the time of application for new development orders or building permits, the applicant shall 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 comments. Please contact Crime Prevention Practitioner Heather Turco at (239) 477-1863 with any questions regarding the CPTED study.

Respectfully,

Chris Reeves Major, Patrol Bureau 2 N- 7604



### Solid Waste



#### **Board of County Commissioners**

Keyin Ruane

June 21, 2024

Cecil L Pendergrass District Two

En Site

Ray Sandelli District Three Attn: Cindy C Leal Brizuela, Principal Planner

2401 First Street, Suite 201

Brian Hamman

Fort Myers, FL 33901

District Four Mike Greenwell RE: HONC 41 - REQUEST FOR LETTER OF SERVICE AVAILABILITY

Dave Harner

Dear Ms. Brizuela:

Richard Wm. Wesch County Attorney

The Lee County Solid Waste Department is capable of providing solid waste collection service for the proposed Central Urban future land use category, located at 17701 N Tamiami Trail, through our franchised hauling contractors. Disposal of the solid waste from this development will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Plans have been made, allowing for growth, to maintain longterm disposal capacity at these facilities.

Donna Marie Collins County Hearing Examiner

> Please review Lee County Land Development Code, Chapter 10, Section 261, with requirements for on-site space for placement and servicing of solid waste containers. Please note that the property owner will be responsible for all future applicable solid waste assessments and fees.

If you have any questions, please call me at (239) 533-8007.

Sincerely,

Justin Lighthall

Manager, Public Utilities

Justin Lighthall

Lee County Solid Waste Department



#### **Board of County Commissioners**

Kevin Ruone

June 20, 2024

Cecil L Pendergrass

Cindy Leal

Ray Sandelli

2401 First Street, Suite 201,

Fort Myers, FL 33901

Brian Hammon

Mike Greenwell

Re: Honc 41- 17701 N Tamiami Trail Letter of Service Availability

District Five Dave Harner, II County Manager

Dear Ms. Leal,

Richard Wm. Wesch

Donna Marie Collins

County Hearing Examina

LeeTran has reviewed your request for service availability regarding a proposed Comprehensive Plan Amendment. After reviewing the site and comparing the location with our existing and planned route locations according to the 2020 Transit Development Plan (TDP), the following has been determined:

- Subject area is not within one-quarter mile of a fixed-route corridor.
- Closest bus stop is not within one-quarter mile of a bus stop.
- The 2020 TDP does not identify the need for enhanced or additional transit services in the area.

The proposed future development does not meet the applicability outlined in Lee County Transit Land Development Code Sec. 10-442 and Sec. 10-443. The developer will not be required to connect to and improve transit facilities because planning action does not trigger the relevant Lee County Land Development Code.

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

Sincerely,

Olivia Cassidy Planner LeeTran

## **Public Schools**

N/A - Please see companion MPD Rezoning which is being sought concurrently. No residential units are proposed within the Planned Development therefore no students are being generated from this request.

Lee County
Dept. of Community Development
Long-Range Planning
1500 Monroe Street
Fort Myers, FL 33901



Comprehensive Plan Map Amendment Exhibit M19 - State and Regional Policy Plan

#### I. BACKGROUND

The subject property is located at 17701 N Tamiami Trail, north of the intersection of N Tamiami Trail and Sabal Springs Blvd. The property is under one (1) STRAP (22-43-24-01-00001.0160). The zoning of the subject property is split; the segment of land adjacent to N Tamiami Trail is part of the CG zoning district whereas the remainder of the property is within the IL zoning district. The property is currently located within the Suburban future land use category.

#### II. REQUEST

Due to the property's location and underlying zoning districts, the Applicant is requesting that the property be redesignating to the Central Urban future land use category. The current Suburban FLU category prohibits the development of industrial uses per Lee Plan Policy 1.1.5, posing a conflict for the development of the IL-zoned portion of the site which comprises approximately 78% of the subject property.

### III. STATE AND REGIONAL PLAN ANALYSIS

The proposed map amendment from Suburban to Central Urban is consistent with a number of goals, objectives, and policies outlined within the Strategic Regional Policy Plan as well as the State Comprehensive Plan as outlined below.

#### Strategic Regional Policy Plan

The proposed amendment to the future land use map is also consistent with the Southwest Florida Regional Planning Council's Strategic Regional Policy Plan Volume II. Specifically, the amendment support's the **Economic Development Element** and its vision; "Southwest Florida will attract, retain, and create quality businesses to diversify its economic base, while protecting the natural and cultural environments, to promote economic stability, greater job and educational opportunities, and higher income for its residents."

The proposed map amendment would allow for expansion of a currently operational business located within Southwest Florida. By aggregating to the business' operational acreage, which is currently in Cape Coral and is under 7 acres, additional employment opportunities may be achieved, furthering economic diversity and stability in the region.

#### Goal 3: A stable regional economy based on a continuing excellent quality of life.

The proposed map amendment is consistent with this goal by supporting business and industry in a location where public services are readily available. N Tamiami Trail is a major transportation corridor for the North Fort Myers community, connecting it with the City of Fort Myers to the south and Charlotte County to the north. Improvements to sites with readily available infrastructure promote commerce, ensuring economic stability, in appropriate locations.

#### Goal 4: A diverse regional economy.

The amendment would allow for the expansion of both, industrial and commercial services at a location where these uses were previously programmed as noted by the underlying zoning districts.

#### State Comprehensive Plan

At the state level, the proposed map amendment is consistent with the State of Florida Comprehensive Plan found in F.S. 187.201, specifically the Land Use section;

(15)(a) Goal. In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner.

Policy 1. Promote state programs, investments, and development and redevelopment activities which encourage efficient development and occur in areas which will have the capacity to service new population and commerce.

## Policy 3. Enhance the livability and character of urban areas through the encouragement of an attractive and functional mix of living, working, shopping, and recreational activities.

The proposed map amendment is consistent with the goal's sub-policies including; Policy 1 which encourages efficient development and promotes it in areas which will have the capacity to service new population and commerce; and, Policy 3 which promotes the livability and character of urban areas through the encouragement of an attractive and functional mix of living, working, shopping, and recreational activities. The proposed map amendment would effectively improve the employment opportunities of the region and would abide by the development standards of the local Land Development Code, which would promote an attractive product with appropriate architecture and landscaping, including open space and buffering, to address site-specific compatibility with proximate uses.

Lee County
Dept. of Community Development
Long-Range Planning
1500 Monroe Street
Fort Myers, FL 33901



Comprehensive Plan Map Amendment Exhibit M20 - Justification of Proposed Amendment

#### I. BACKGROUND

The subject property is located at 17701 N Tamiami Trail, north of the intersection of N Tamiami Trail and Sabal Springs Blvd. The property is under one (1) STRAP (22-43-24-01-00001.0160). The zoning of the subject property is split; the segment of land adjacent to N Tamiami Trail is part of the CG zoning district whereas the remainder of the property is within the IL zoning district. The property is currently located within the Suburban future land use category.

#### II. REQUEST

Due to the property's location and underlying zoning districts, the Applicant is requesting that the property be redesignating to the Central Urban future land use category. The current Suburban FLU category prohibits the development of industrial uses per Lee Plan Policy 1.1.5, posing a conflict for the development of the IL-zoned portion of the site which comprises approximately 78% of the subject property.



Figure 1. Aerial of Subject Property





Figure 2. Proposed Map Amendment of Subject Property

#### III. SURROUNDING LAND USES & COMPATIBILITY

The subject property is surrounded by a range of existing and planned uses which are further described in Table 1.

-	EXISTING USE	ZONING	FUTURE LAND USE	JURISDICTION
NORTH	Auto repair and service	CPD	Suburban	Lee County
EAST	Commercial/General Office	AG-2, CPD, RPD	Suburban	Lee County
SOUTH	Golf cart dealership	C-2, AG-2	Suburban	Lee County
WEST	Residential (Isles of Porto Vista)	RML	Mixed Use	Cape Coral

Table 1. Surrounding Land Uses

The subject property abuts N Tamiami Trail to the east which is a state-maintained five (5) lane arterial with a median were adjacent to the property. Further east is a CPD-zoned office space, east of which is the Sabal Springs residential community. Sabal Springs is made up of 210 single-family homes and a central golf course. The community's primary entrance is Sabal Springs Blvd where it abuts N Tamiami Trail and there is a secondary point of ingress/egress located along Del Prado Blvd N.

To the north of the subject property is another CPD-zoned parcel which was approved for auto repair and servicing uses via Z-92-016. To the west of the subject property is the City of Cape Coral's Isles of Porto Vista, a residential community consisting of approximately 33 townhome buildings with an estimated 5 units per building, totaling approximately 165 residential dwelling units. It should be noted that the subject property abuts the development's buffered stormwater system, therefore no residential units directly abut the subject property due to this configuration. This community and surrounding residences are located within the City of Cape Coral's Mixed Use future land use category which allows for 25 du/AC and a FAR of 1.0 for non-residential development, this category allows for "compound use residences" and promotes vertical mixed use in appropriate locations throughout the City. To the south of the subject property is a commercial (C-2) and agricultural-zoned (AG-2) parcel located within Lee County. The current use for the parcel is a golf cart dealership.

The assortment of surrounding uses can be contributed to the parcel's location along a major transportation corridor, N Tamiami Trail, as well as the configuration of the City of Cape Coral's adjacent boundary. Amending the subject property's future land use category to the Central Urban category is consistent with the surrounding development pattern and is more appropriate along the regional corridor which ties North Fort Myers to Cape Coral; this is due to the proximity of the subject property to the intersection of Del Prado Blvd N and N Tamiami Trail. The Central Urban category is also compatible with the City of Cape Coral's adjacent Mixed-Use category per the below comparison noted in Table 2.

FLU	MAX DENSITY	MAX INTENSITY	JURISDICTION
Suburban	6 du/AC	N/A	Lee County
Central Urban	15 du/AC	N/A	Lee County
Mixed-Use	25 du/AC	1.00 FAR	Cape Coral

Table 2. Area Comparative FLUs

The amendment of the subject property's future land use from Suburban to Central Urban is not only consistent with the surrounding FLUs and development pattern but provides a gradual transition of uses from the more intense western FLU of Mixed-Use to the lower intensity FLU of suburban.

#### IV. CONCLUSION

The proposed map amendment is consistent with several policies set forth by the Lee Plan, the Southwest Florida Strategic Regional Policy Plan, and the State of Florida's Comprehensive Plan. The map amendment from the Suburban FLU to the Central Urban FLU would greatly enhance local economic diversity as well as promote economic stability and allow for infill development to take place at a location previously slated for industrial and commercial uses where public facilities and urban services are capable of servicing the site.

Please contact me directly at (239) 226-0024 or <u>CindyL@En-Site.com</u> if you should have any questions or require additional information.

Sincerely, EnSite, Inc.

Cindy C. Leal Brizuela, AICP, MURP

Principal Planner

cc: Honc Docks & Lifts Henderson Franklin



### SOUTH FLORIDA WATER MANAGEMENT DISTRICT

December 10, 2024

\* Delivered via email

Dan Stovall \*
Honc Docks and Lifts, Inc
1130-3 Pondella Road
Cape Coral, FL 33909

Subject: 17701 N. Tamiami Trail

Petition for Formal Determination of Wetlands and Surface Waters

Permit No. 36-112182-P

Application No. 240816-45230

Lee County

Your petition for a formal determination of wetlands and other surface waters is approved. This action is taken based on Chapter 373, Part IV of Florida Statutes (F.S.) and the rules in Chapters 62-330 and 62-340, Florida Administrative Code (F.A.C.). Please read this entire agency action thoroughly and understand its contents.

This action is subject to:

- Not receiving a filed request for a Chapter 120, F.S., administrative hearing.
- · All referenced Exhibits.

Should you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance to the "Notice of Rights", we will assume that you concur with the District's action.

### CERTIFICATE OF SERVICE

I hereby certify that this Formal Wetland Determination and Notice of Rights have been mailed or electronically submitted to the addressee (and the persons listed on the attached distribution list) on December 5, 2024 in accordance with Section 120.60(3), F.S. Notice was also electronically posted on this date through a link on the home page of the District's website ( www.sfwmd.gov/regpermitting).

Sincerely,

Lisa Prather, PWS Section Administrator

Esser Prattes

### South Florida Water Management District Formal Wetland Determination Permit No. 36-112182-P Date Issued: December 10, 2024

Project Name: 17701 N. Tamiami Trail

Petitioner: Dan Stovall

Honc Docks and Lifts, Inc 1130-3 Pondella Road Cape Coral, FL 33909

Application No. 240816-45230

Location: Lee County, See Exhibit 1

Acres: 19.36

Expiration Date: December 10, 2029

Type: Certified Survey

### **Project Summary**

This application is for a formal determination of the landward extent of wetlands and other surface waters (OSW), pursuant to Rule 62-330.201 Florida Administrative Code (F.A.C.), for a 19.36 acre property known as 17701 N. Tamiami Trail. The methodology used for the determination is consistent with Rule 62-340, F.A.C.

### **Project Site Description**

The 19.36 acre property is located in Section 22, Township 43 South, Range 24 East, Lee County, Florida. More specifically, the property is located on the west side of N. Tamiami Trail, approximately 0.3 miles south of the intersection of Del Prado Boulevard and N. Tamiami Trail (U.S. 41), in North Fort Myers, Florida. A Location Map is attached as Exhibit No. 1.0. The property is surrounded by commercial businesses to the north, N. Tamiami Trail to the east, undeveloped forested land to the south and to the west. The property consists of forested uplands and wetlands. An aerial photograph depicting the inspection boundaries and wetlands is attached as Exhibit No. 2.0.

### Formal Determination of Wetlands and Other Surface Waters

On August 16, 2024, the District received a request for a formal determination of the boundary of wetlands and OSW on a 19.36 acre property known as 17701 N. Tamiami Trail. The landward extent of wetlands and OSW was established by Pennoni & Associates, Inc. and field verified by Certified Wetland Evaluator (CWE) Matt Brosious on September 23, 2024. Wetlands, as defined by Subsection 373.019(27), F.S. and Rule 62-340, F.A.C., were identified on the property.

Wetlands on the property were delineated using the methods established in Rule 62-340, F.A.C.; more specifically, the wetlands were delineated using the definition of a wetland and the A, B and D tests. Wetlands delineated on the property totaled 4.92 acres. The landward extent of wetlands is depicted on the specific purpose survey, which is attached as Exhibit No 4.0. Wetland delineation information, including wetland data forms and representative photographs of the wetland and upland areas can be found in the permit file. Wetland data forms were filled out by District staff during the September 23, 2024 field inspection.

### Wetland Description:

The wetlands identified on the property totaled 4.92 acres (Exhibit Nos. 3.0 and 4.0). Wetland habitats on the property included cypress-pine-cabbage palm and freshwater marsh wetlands, with varying degrees of exotic vegetation. The wetlands were delineated using the definition of a wetland and the A. B and D tests.

Based on the National Resource Conservation Service (NRCS) data, the property contains four historically mapped hydric soils including Isles Fine Sand, Frequently Ponded (Map Unit 39), Copeland Fine Sandy Loam, Frequently Ponded (Map Unit 45), Cypress Lake Fine Sand Slough (Map Unit 74) and Cypress Lake Fine Sand Slough-Urban Land Complex (Map Unit 142). A soils map is attached as Exhibit No. 4.0. Soil pit data is included within the wetland delineation data forms, which were filled out during the September 23, 2024 field inspection by District staff.

Hydrologic Indicators observed during the delineation included water marks and elevated lichen lines. In the deeper wetlands, 3-6" of standing water was present.

This Formal Determination of Wetlands and Other Surface Waters is the District's determination of the landward extent (boundaries) of wetlands and other surface waters within the property based on the documentation submitted by the Petitioner and field application of Chapter 62-340, F.A.C. This action does not authorize any construction activities or constitute conceptual approval of any anticipated projects or activities in wetlands or other surface waters. It does not in any way establish boundaries of sovereign submerged lands, high water elevations or other elevations/boundaries.

Pursuant to Subsection 373.421 (4), F.S., the Governing Board may revoke the Formal Wetland Determination upon a finding that the Petitioner has submitted inaccurate information to the District.

The Formal Wetland Determination shall be binding for the stated duration provided physical conditions on the property do not change so as to alter the boundaries of wetlands and other surface waters during that period.

### **Distribution List**

Justin Hojnacki, Pennoni Associates Inc \*

Florida Department of Environmental Protection SLERC \*

Lee County Property Appraiser \*

Florida Department of Environmental Protection - Environmental Administrator \*

### **Exhibits**

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's RegPermitting website ( <a href="https://www.sfwmd.gov/regpermitting">www.sfwmd.gov/regpermitting</a>) and searching under this application number 240816-45230.

Exhibit No. 1.0 Location Map

Exhibit No. 2.0 Aerial With Inspection Boundary

Exhibit No. 3.0 Aerial With Wetlands

Exhibit No. 4.0 Wetland Survey

Exhibit No. 5.0 Soils Map

### NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

### RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

### **FILING INSTRUCTIONS**

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.
- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a
  petition to the District's security desk does not constitute filing. It will be necessary to request

that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.

Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov.
 The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

### INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

- Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
- 2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
- An explanation of how the petitioner's substantial interests will be affected by the agency determination.
- 4. A statement of when and how the petitioner received notice of the District's decision.
- A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
- A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
- A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
- If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
- 9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

### MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401–.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

### RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.

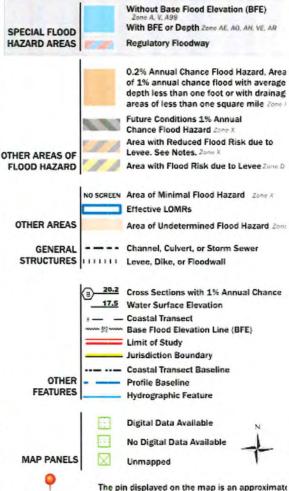
### National Flood Hazard Layer FIRMette





### Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

point selected by the user and does not represe

an authoritative property location.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/17/2023 at 10:37 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes. Lee County
Dept. of Community Development
Zoning Section
1500 Monroe Street
Fort Myers, FL 33901



The Community Meeting before the North Fort Myers Design Review Panel began at 6 PM on July 01, 2025 at 2000 N Recreation Park Way, North Fort Myers, FL 33903 which is located within the North Fort Myers Planning Community. A presentation was given on behalf of the Applicant by Cindy Leal Brizuela, AICP, MURP - Principal Planner at EnSite, Inc., a copy of this presentation has provided in this meeting package. The presentation consisted of a general description of the subject property and the surrounding land uses as well as the Comprehensive Plan Amendment request from Suburban to Central Urban FLU and concurrent zoning request to the Mixed-Use Planned Development district. After the conclusion of the presentation, a few questions were asked by the Panel regarding the Master Concept Plan, predominantly the preservation area and surrounding zoning in North Fort Myers and Cape Coral. One community member attended and asked questions regarding the covered storage in the light manufacturing area of the Master Concept Plan. The Applicant's attorney, Mr. Richard Akin, was also present for questions. The Panel unanimously voted favorably for the comprehensive plan amendment and zoning request.

Sincerely,

EnSite, Inc.

Cindy C. Leal Brizuela, AICP, MURP

Circle Heal 3 De

Principal Planner

# HONC 41

North Fort Myers

Design Review Panel

July 1, 2025

ensite

- Applicant: Honc Docks & Lifts
  - +/- 17.96 AC
  - Abuts N Tamiami Trail
- Future Land Use: Suburban
- Zoning: Industrial Light (IL) and Commercial General (CG)
- Request #1:

to change future land use designation from Suburban to Central Urban; Lee Plan Policy does not allow for industrial uses within the "Suburban" FLU category

### Request #2:

to rezone from IL and CG to MPD (Mixed-Use Planned Development); commercial along the frontage and industrial at the rear of the property.



## Existing Future Land Use

[Policy 1.1.5 - Suburban]

The suburban future land use category will consist of predominantly residential areas that are either on the fringe of the central urban or urban community future land use categories or in areas where it is appropriate to protect existing or emerging residential neighborhoods. This category provides housing near the more urban areas but does not provide the full mix of land uses typical of urban areas. Industrial land uses are not permitted. This category has a standard density range from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre). The maximum total density may only be increased to eight dwelling units per acre (8 du/acre) utilizing greater pine island transfer of development units except in areas that. Specifically prohibit bonus density. Other forms of bonus densities are not allowed.

## Proposed Future Land Use

[Policy 1.1.3 - Central Urban]

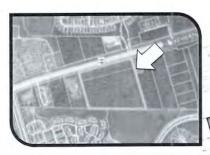
The Central Urban future land use category can best be characterized as the "urban core" of the County. These areas are already the most heavily settled and have, or will have, the greatest range and highest levels of public services. Residential, commercial, public and quasipublic, and limited light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

# FLU Map Amendment

• The proposed Future Land Use map amendment would allow for light industrial uses to take place on the property.

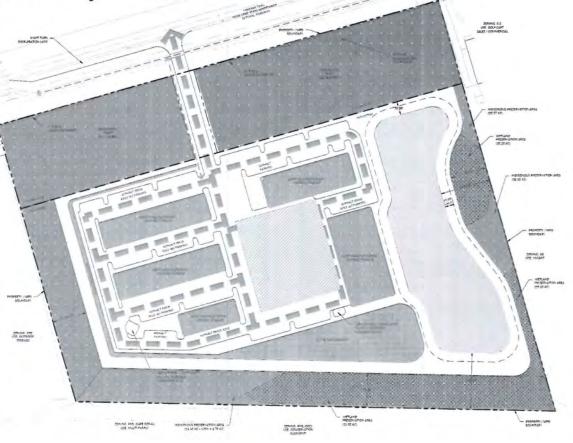


Master Concept Plan



Moving the zoning line which separates the IL & CG districts requires a rezoning.

The property's size & proposed intensity requires a planned development zoning.



TOTAL PROJECT AREA	217.99.45
TOTAL COMMITTO AL APEA	58.30 AC
COMMISSIONS OF BY SPACE REQUIREMENT (36% OF TOTAL)	50.37 AC.
(30% OF REO'D OPEN SPACE INDIGENOUS	20 44 457
TOTAL INDUSTRIAL AREA	213.40 AC
INDUSTRIAL OPEN SPACE REQUIREMENT (20% OF TOTAL)	12.72.45
EAGIN ON MEG JO GRAN SANCE INDICENOUS	11.58 AC)
TOTAL OPEN SPACE REQUIREMENTS	
REQUIRED OPEN SPACE	53.59.40
PROVOES OPEN SPACE	23.59 ac *
RECURRED INDISENDUS OFTH SPACE	21.30.40
PROVIDED INDIGENOUS OPEN SPACE	23.06.00
gregs	20 04 40

PRAMER BUT	ACT	MELISTRIAL TRACT.		
NEDGET	30.000 \$7.	INTENDITO	\$20,000 \$.6	
SETMOS (MULDING)	PROPOSES	SITMONS (BUILDING)	##Q#QSED	
NORTH (SIDE) EAST (MIDNEY) WEST (MEAN) SOUTH (SIDE)	11. 32. 32.	NOTH (SIDE) EAST (MONT) WEST (MEAS) SOUTH (SIDE)	30, 31, 36,	
THATER BOOK SETSAGE	26'	WATER BODY SET BACK	26"	
HEIGHT OF BUILDINGS	35"	HEIGHT OF BUILDINGS	291	
OPEN SPACE	20%	GPEN SPACE	269	
MAY LOT COVERAGE	40%	MAN LO" CONERAGE	45%	

NORTH (DFD)	5/3	NOPTH (CPD)	N/A
EAST (ROW)	T TIPE A	EAST (COMMITTEDIAL)	W/A
20UTH (C-2)	N/A	SOUTH (COMMATRICAL/SE)	1674
WEST (INDUSTRIAL)	16/2	WET IMPROVE EINT	16/3



Questions/Comments

PO Box 631244 Cincinnati, OH 45263-1244

### AFFIDAVIT OF PUBLICATION

EnSite, Inc. 2401 First St, Suite 201 Fort Myers FL 33901

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Lee County, Florida, or in a newspaper by print in the issues of, on:

06/16/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 06/16/2025

Legal Ølerk

Notary, State of W. County of Wown

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Future Land Use Change & Rezoning Public Notice
A Public Informational Meeting will be held on July 1st at 6 PM at North Fort Myers Recreation Center, located at 2000 North Recreation Park Way, North Fort Myers, FL 33903. The meeting presentation will discuss a proposed Comprehensive Plan Amendment and a Mixed Use Planned Development (no residential units proposed) of +/-17 acres of property. The comprehensive plan amendment is to alter the future land use from Suburban to Central Urban. The project site is identified as Lee County STRAP #22-43-24-01-00001.0160 located at 17701 N Tamiami Trail. The Applicant will be seeking project review from the NFM Design Review Panel for this effort, For more information, please contact infinglanningpanel@gmail. com, the NFM Design Review Panel. Clindy Leal Brizuela, AICP, MURP with EnSite, Inc. and Richard Akin with Henderson Franklin will be the representatives for the Applicant.

June 16 2025
LSAR0312517

# LAND DEVELOPMENT CODE AMENDMENTS

### **MEMORANDUM**

# FROM THE DEPARTMENT OF COMMMUNITY DEVELOPMENT

TO: Local Planning Agency DATE: August 25, 2025

Committee (LPA)

FROM: Adam Mendez
Principal Planner

**RE:** Land Development Code (LDC) Amendments

**Dock and Shoreline Structures** 

The attached Land Development Code (LDC) amendments, scheduled for consideration at the August 15, 2025 meeting, propose changes to dock and shoreline regulations pertaining to boathouses and dock pavilions.

Staff seeks input and a recommendation as to whether the proposed amendments are consistent with the Lee Plan.

### Background and Summary

On June 17, 2025, the BoCC directed staff to review and present a proposed ordinance to the Board at a future meeting intended to eliminate inefficiencies and reduce redundancies with respect to the permitting of boathouses and related residential dock accessory structures. The Board directed staff to simplify the permitting process as it relates to these types of structures.

Consistent with BoCC direction, staff proposes amendments to LDC Chapters 26 and 34 to:

- Establish new processes to allow boathouses and dock pavilions exceeding established regulatory maximums to be permitted by right or through an administrative zoning action, thereby eliminating permitting inefficiencies related to these structures;
- Maintain the path for approval of a special exception for departures from established regulatory maximums in instances where these structures cannot be permitted by right or through an administrative zoning action;
- Revise accessory structure regulations to allow boathouses and dock pavilions to be constructed prior to the construction of a principal structure consistent with how docks are regulated; and
- Correct scrivener's errors from prior LDC changes, revise terminology for clarity and consistency, and update cross-references resulting from proposed substantive changes to these regulations.

Land Development Code Advisory Committee (LDCAC) August 8, 2025

The LDCAC committee heard presentation remarks by staff and unanimously approved the proposed language as written.

Attachments
Draft LDC Amendments

### AMENDMENT SUMMARY

Issue: (1) Current LDC regulations allow personal docks to be built prior to construction of a principal

residential use on a buildable lot, but do not allow weather protection/shade structures on the docks until establishing a principal use. (2) Current LDC regulations require boathouses greater than 1,000 square feet to obtain approval through a time-consuming special exception process.

Solution: (1) Adopt LDC amendments in Chapters 26 and 34 to permit the residential accessory uses of

boathouses and dock pavilions prior to establishing a one or two-family residential dwelling type on a buildable lot. (2) Adopt LDC amendments that provide a by-right approval for boathouses in exceedance of the current cap if the property owner obtains letters of no objection from abutting

property owners and establish an administrative approval pathway to consider exceedances.

Outcome: (1) Allow for weather protection/shade structures on personal docks permitted prior to

establishing a residential principal use and (2) streamline permitting processes.

### Sec. 26-41. Definitions.

<u>Staff note</u>: Revise definition of single-family dock for clarity and consistency. Clarify that single-family docks containing more than two slips are subject to Manatee Protection Plan (MPP) evaluation pursuant to LDC section 26-71.

The following words, terms and phrases, when used in this article, will have the following meanings unless the context clearly indicates a different meaning:

Single-family dock means a fixed or floating structure, including moorings, used for berthing buoyant vessels, that is an accessory use to an existing or proposed single-family residence on property which permits residential uses, with no more than two boat slips per residence when located in a waterway. Notwithstanding, a shared Shared single-family docksdock approved in accordance with this Code may contain up to four boat slips. A single-family docksdock may contain containing more than two slips additional slips as provided in Section are subject to section 26-71(a).

### Sec. 26-46. Variances, special exceptions, and administrative approvals.

<u>Staff note</u>: Revise section to provide reference to specific standards for departures and new approval processes as set forth in section 26-74. Remove reference to special exception approval process consistent with process change and remove reference to principal structure requirement for consistency with section 34-1173, as amended.

Sections (a) and (b) remain unchanged.

(c) Specified departures from the <u>roofed area and height</u> standards contained in <u>Section section</u> 26-74 may be requested through the <u>special exception</u> approval <u>processes process in accordance with set forth in section 26-74. Section 34-145(c). A permit authorizing development approved by special exception may not be issued prior to the issuance of a building permit for a principal structure. The principal structure must be either existing or concurrently constructed with any approved departure from the standard regulations contained herein.</u>

### Sec. 26-71. Docking facilities and boat ramps.

Staff note: Revise section to correct scrivener's error adopted by Ordinance 22-24.

Docking facilities will be permitted in accordance with the following regulations:

(a) Number of slips.

(1) No more than sSingle-family docks containing more than two slips must comply with the Manatee Protection Plan boat facility siting criteria.

Remainder of section unchanged.

### Sec. 26-74. Boathouses and dock pavilions.

Staff note: Revise section to establish a new approval process for boathouses and dock pavilions exceeding 1,000 square feet in area or boathouses exceeding 20 feet in height. Boathouses exceeding the established size or height standards, or dock pavilions proposed to exceed the established size standard, are proposed to be permitted by right where letters of no objection from abutting property owners are provided at time of building permit. Where no letters of no objection are provided, a property owner may pursue an administrative zoning action to allow a structure (or structures) to exceed the 1,000-square-foot roofed area maximum, subject to compliance with the criteria for a special exception established in the LDC. Where an administrative approval request is denied for lack of compliance with these approval criteria as determined by the Director, an applicant will have the right to pursue the request through the special exception process.

The following regulations apply to all boathouses and dock pavilions associated with private single-family docks residential uses, except where specifically superseded by other provisions of this article:

Subsections (a) and (b) remain unchanged.

- (c) Design criteria.
  - (1) Maximum <u>roofed</u> area. The total roofed area of a boathouse, dock pavilion, or any combination thereof may not exceed 1,000 square feet of roofed area unless approved in accordance with one of the following approval processes:
    - a. Dock and shoreline permit. A boathouse, dock pavilion, or any combination thereof exceeding 1,000 square feet of roofed area may be constructed pursuant to the requirements of this code where the property owner or their authorized agent obtains letters of no objection from all adjacent property owners, except those separated from the subject property by any waterbody, right-of-way, or easement. Letters of no objection required under this subsection must be notarized and must include the site plan and construction plans presented for building permit approval that clearly identify the total roofed area of the boathouse, dock pavilion, or combination thereof.
    - <u>Administrative approval.</u> Where letters of no objection are not provided in accordance with subsection a., the property owner or their authorized agent may file an application for administrative approval in accordance with sections 26-46 and 34-174.
    - c. Special exception. Where an application for administrative approval filed in accordance with subsection b. is denied for failure to meet the criteria for administrative approval established in section 34-174, the property owner or their authorized agent may file an application for a special exception in accordance with sections 26-46 and 34-145(c).
    - i. A boathouse may not encompass more than 500 square feet of roofed area, except where two boathouses are permitted on an individual property, one boathouse exceeding 500 square feet in roofed area, up to 1,000 square feet, may be constructed in lieu of two individual boathouses. No more than 1,000 square feet of roofed area may be permitted on an individual property unless approved by special exception in accordance with Section 26-46(c).
    - ii. A maximum of one dock pavilion may be permitted on a single-family property in lieu of one boathouse and may not encompass more than 250 square feet of roofed area over decking, except where a shared-use docking facility is permitted the dock pavilion may not exceed 300 square feet.
  - (2) Height.

- i. a. Boathouses. The maximum height of a boathouse is 20 feet above mean high water, as measured from mean high water to the highest point of the boathouse. A boathouse with a maximum height of 35 feet may be approved in accordance with one of the following approval processes: A special exception may be requested in accordance with Section 26-46(c) for a boathouse height up to 35 feet above mean high water.
  - i. Dock and shoreline permit. A boathouse exceeding 20 feet but not 35 feet in height may be constructed pursuant to the requirements of this code where the property owner or their authorized agent obtains letters of no objection from all adjacent property owners, except those separated from the subject property by any waterbody, right-of-way, or easement. Letters of no objection required under this subsection must be notarized and must include the site plan and construction plans presented for building permit approval that clearly identify the height of the boathouse.
  - <u>ii. Administrative approval.</u> Where letters of no objection are not provided in accordance with subsection i., the property owner or their authorized agent may file an application for administrative approval in accordance with sections 26-46 and 34-174.
  - <u>iii. Special exception.</u> Where an application for administrative approval filed in accordance with subsection ii. is denied for failure to meet the criteria for administrative approval established in section 34-174, the property owner or their authorized agent may file an application for a special exception in accordance with sections 26-46 and 34-145(c).
- ii-b. *Dock pavilions*. The maximum height of a dock pavilion is 20 feet above mean high water, as measured from mean high water to the highest point of the dock pavilion; or 12 feet above the grade of the dock to the highest point of the dock pavilion, whichever is lower. The roof of a dock pavilion is prohibited from containing an upper-story deck or guardrails.

Remainder of section unchanged.

### Sec. 34-174. Authority to approve administrative actions.

<u>Staff note</u>: Revise section to provide reference to new administrative approval process referenced in Chapter 26. Renumber section accordingly.

(a) through (j) remain unchanged.

- (k) Administrative approval of boathouses and dock pavilions.
  - (1) Authority. The Director is authorized to administratively approve increases in (1) roofed area and height of boathouses; and (2) roofed area of dock pavilions associated with a single-family dock authorized under section 26-74.
  - (2) Findings/review criteria. Before approving an increase in the roofed area or height of a boathouse, the Director must find the criteria for approval of a special exception established in section 34-145(c)(3)a. and e. are satisfied.

### (k)(I) Decisions of Director.

- (1) The Director may administratively approve a request in accordance with the provisions above with conditions as necessary for the protection of the health, safety, and welfare of the general public. Conditions must be reasonably necessary to effectuate the intent and purpose of this Code and other applicable regulations.
- (2) Decisions by the Director pursuant to this section are discretionary and may not be appealed in accordance with Section 34-145(a).
- (3) If the County determines that an administrative action was approved based on inaccurate or misleading information or if the approval did not comply with this Code when the decision was

- rendered, then, at any time, the Director may issue a modified approval that complies with the Code or revoke the administrative approval.
- (4) If a request for an administrative action is denied, revoked, or an applicant disagrees with the conditions imposed, the applicant must seek approval by filing an application for public hearing in accordance with Section 34-373 Article II or Article IV of this chapter.

### Sec. 34-203. Submittal requirements for administrative action applications.

<u>Staff note</u>: Revise section to incorporate submittal requirements for administrative zoning actions pertaining to boathouses and dock pavilions. These documents are currently required to support applications for special exceptions in accordance with current LDC requirements.

Subsection (a) remains unchanged

(b) Additional submittal requirements. In addition to the application requirements provided in subsection (a) above, the following submittal requirements apply, as specified.

Subsections (1) through (5) remain unchanged

- (6) Boathouses and dock pavilions.
  - a. A dimensioned plan view of the structures subject to the request.
  - b. A benthic species survey assessment, as defined in section 26-41, if the proposed location of the boathouse abuts or is located within a natural body of water.
  - c. Scaled architectural elevations demonstrating the proposed height above mean high water.
  - d. A site plan prepared in accordance with the requirements of sections 34-203(a)(8) and 26-45(b)(6).

### Sec. 34-622. Use activity groups.

<u>Staff note</u>: Revise section to provide reference to "docks, single-family" for consistent terminology. Complete other clean-up for grammatical consistency.

Subsections (a) and (b) remain unchanged.

(c) Use activity groups. Use activity groups are as follows:

Subsections (1) through (41) remain unchanged.

(42) Residential accessory uses (Article VII, Division 2 of this section). This group includes uses customarily accessory to residences provided all property development regulations of the zoning district in which located are complied with.

### Carports and garages

Decks, gazebos, patios and screen enclosures

Docks, single-familypersonal (see Section sections 26-41 and 34-1863)

Excavations for ponds that are accessory to a single-family residence are permitted subject to the regulations set forth in Section 10-329(c).

Fences (Section 34-1741 et seg.)

Garage or yard sales, limited to not more than one week in duration, with sales limited to two garage or yard sales per year

Garden sheds

Recreational facilities, personal, such as pools, spas, jacuzzis, hot tubs, swings, sand boxes and similar equipment

### Sec. 34-1173. Development regulations.

<u>Staff note</u>: Revise subsection (a)(2)d to allow boathouses and dock pavilions to be constructed in conjunction with single-family docks without a principal structure. Currently, only dock structures are permitted to be constructed without a principal structure. Change reference from "dock, personal" to "dock, single-family" for consistency in terminology throughout LDC. Provide reference to lot of record standards to recognize that legally created lots of record, as defined in the LDC, are permitted to be developed with docks, boathouses, and dock pavilions.

- (a) Permitted structures and uses. Unless specifically indicated to the contrary, accessory uses, buildings and structures that are customarily recognized as clearly incidental and subordinate to the principal use of the property, are permitted by right when located on the same lot or parcel and in the same zoning category as the principal use, provided that:
  - (1) All uses, buildings and structures must comply with all applicable development regulations and Building Codes.
  - (2) Accessory buildings or structures may be built concurrently with a principal building or structure but, except as provided herein, no accessory use, building or structure may be commenced, erected, placed or moved onto a lot or parcel prior to the principal use, building or structure.

Exceptions are as follows:

- a. Agricultural accessory structures in the AG District.
- b. Fences or walls when in compliance with Section 34-1741 et seq.
- c. Seawalls or retaining walls (see Section 34-1863).
- d. Docks, single-familypersonal, boathouses, and dock pavilions (see Section sections 26-41 and 34-1863). Only permitted if the lot meets the minimum lot size and dimensions required for a principal use, including lots that conform to lot of record standards in section 34-3272. except that lots Lots created prior to September 27, 1993, which contain submerged lands and which are located on islands without vehicular access to the mainland are exempt from this requirement.
- (b) Attachment to principal building. Authorized accessory buildings or structures may be erected as part of the principal building or may be connected to it by a roofed porch, patio or breezeway, or similar structure, or they may be completely detached, provided that:
  - (1) Any accessory building or structure which is structurally a part of the principal building shall comply in all respects with the regulations for a principal building.
  - (2) Any accessory building or structure not structurally made a part of the principal building shall comply with the location requirements set forth in Section 34-1174.