



APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: Copperfish Commercial Park MPD

Request: Rezone from: AG-2

To: MPD

Type: ☒ Major PD

☐ Minor PD

☐ DRI w/Rezoning

☐ PRFPD

☐ Major PD Amendment

☐ Minor PD Amendment

Bonus Density included? ☒ NO ☐ YES¹ for: _____ Bonus Units

¹ If YES, submit additional fee required by LDC 2-147(A)(3)

Summary of Project:

Rezone 16.7 acres from AG-2 to MPD to allow 200 dwelling units, 300,000 SF retail/office and
110 room hotel. Maximum building height of 75'

PART 1 APPLICANT/AGENT INFORMATION

A. Name of Applicant: James Ink PE C/O Ink Engineering, Inc

Address: 2055 West First Street

City, State, Zip: Fort Myers, FL 33901

Phone Number: 239-940-2504

E-mail Address: jink@inkengineeringinc.net

B. Relationship of Applicant to owner (check one) and provide [Affidavit of Authorization](#) form:

☐ Applicant is the sole owner of the property. [34-201(a)(1)a.1.]

☒ Applicant has been authorized by the owner(s) to represent them for this action. [34-202(a)(3)]

☐ Application is County initiated. Attach BOCC authorization.

C. Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(a)(4)]

1. Company Name: _____

Contact Person: _____

Address: _____

City, State, Zip: _____

Phone Number: _____

Email: _____

2. **[Additional Agent\(s\)](#):** Provide the names of other agents that the County may contact concerning this application. [34-202(a)(4)]

LEE COUNTY COMMUNITY DEVELOPMENT
PO BOX 398 (1500 MONROE STREET), FORT MYERS, FL 33902
PHONE (239) 533-8585

**PART 2
PROPERTY OWNERSHIP**

A. Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-202(a)(2)]

Name: See attached Property Information Page

Address: _____

City, State, Zip: _____

Phone Number: _____

Email: _____

B. Disclosure of Interest [34-202(a)(2)]:

☒ Attach [Disclosure of Interest](#) Form.

C. Multiple parcels:

☒ Property owners list. [34-202(a)(8)]

☒ Property owners map. [34-202(a)(8)]

D. Certification of Title and Encumbrances [34-202(a)(7)]

1. Title certification document, no greater than 90 days old.

2. Date property was acquired by present owner(s): See attached owners list exhibit

**PART 3
PROPERTY INFORMATION**

A. STRAP Number(s): [Attach extra sheets if additional space is needed.] [34-203(a)(5)]

See attached Property Information Page

B. Street Address of Property: See attached Property Information Page

C. Legal Description (must submit) [34-202(a)(5)]:

☒ Legal description (metes and bounds) (8½"x11") and sealed sketch of the legal description.

OR

☐ Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. ([Click here](#) to see an example of a legal description with no metes and bounds.)

AND

Boundary Survey [34-202(a)(6)]:

☒ A Boundary survey, tied to the state plane coordinate system.

OR

☐ Not required if the property is located within a subdivision platted per F.S. Chapter 177.

D. Surrounding property owners (within 500 feet of the perimeter of the subject parcel or portion thereof that is subject of the request):

1. ☒ List of surrounding property owners. [34-202(a)(9)]

2. ☒ Map of surrounding property owners. [34-202(a)(9)]

3. ☒ One set of mailing labels. [34-202(a)(9)]

Note: When the case is found complete/ sufficient, a new list and mailing labels must be submitted.

E. Current Zoning of Property: AG-2

☐ Provide a list of all Zoning Resolutions and Zoning Approvals applicable to the subject property.

F. Use(s) of Property:

1. Current uses of property are: Vacant Pasture Land

2. Intended uses of property are: Mixed use development

G. Future Land Use Classification (Lee Plan):

General Interchange	<u>16.69</u>	Acres	<u>100</u>	% of Total
		Acres		% of Total
		Acres		% of Total

H. Property Dimensions:

1. Width (average if irregular parcel):	<u>623</u>	Feet		
2. Depth (average if irregular parcel):	<u>1218</u>	Feet		
3. Total area:	<u>16.69</u>	Acres or square feet		
4. Frontage on road or street:	<u>487</u>	Feet on	<u>Arterial</u>	Street
2 nd Frontage on road or street:		Feet on		Street

I. Planning Communities/Community Plan Area Requirements: If located in one of the following planning communities/community plan areas, provide a meeting summary document of the required public informational session.

- ☐ Not Applicable
☐ Captiva Planning Community (Captiva Island). [33-1612(a)&(b); Lee Plan Policy 13.1.7]
☐ North (Upper) Captiva Community Plan area. [33-1711]
☐ Boca Grande Planning Community. [Lee Plan Policy 22.1.5]
☐ Caloosahatchee Shores Community Plan area. [33-1482(a)&(b); Lee Plan Policy 21.6.3]
☐ Page Park Community Plan area. [33-1203(a) & (b); Lee Plan Policy 27.11.2]
☐ Palm Beach Boulevard Community Plan area. [Lee Plan Policy 23.5.2]
☐ Buckingham Planning Community. [Lee Plan Policy 17.7.2]
☐ Pine Island Planning Community. [33-1004(a) & (b); Lee Plan Policy 14.7.1]
☐ Lehigh Acres Planning Community. [33-1401(a)&(b); Lee Plan Policy 32.12.2]
☒ North Fort Myers Planning Community. [33-1532(a)&(b)]
☐ North Olga Community Plan area. [33-1663(a)&(b)]

J. Waivers from Application Submission Requirements: Attach waivers, if any, approved by the Director of Zoning. [34-201(c)]

PART 4
TYPES OF LAND AREA ON PROPERTY

A. Gross Acres (total area within described parcel)		<u>16.69</u>	Acres
1. Submerged land subject to tidal influence		<u>0</u>	Acres
2. a. Preserved freshwater wetlands	<u>0.29</u>	Acres	
b. Impacted wetlands	<u>0</u>	Acres	
c. Preserved saltwater wetlands	<u>0</u>	Acres	
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)		<u>0.29</u>	Acres
3. R-O-W providing access to non-residential uses		<u>0</u>	Acres
4. Non-residential use areas ^{(1) (2)}		<u>0</u>	Acres
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.).		<u>0.29</u>	Acres
C. Gross residential acres. (A minus B) ⁽³⁾		<u>16.40</u>	Acres
D. Gross residential acres (by Land Use Category)			
1. a. Intensive Development – upland			Acres
b. Intensive Development – preserved freshwater wetlands			Acres
c. Intensive Development – impacted wetlands			Acres
2. a. Central Urban – upland			Acres
b. Central Urban – preserved freshwater wetlands			Acres
c. Central Urban – impacted wetlands			Acres
3. a. Urban Community or Suburban – upland			Acres
b. Urban Community or Suburban – preserved freshwater wetlands			Acres
c. Urban Community or Suburban – impacted wetlands			Acres

4.	a.	Suburban – upland	_____	Acres
	b.	Suburban – preserved freshwater wetlands	_____	Acres
	c.	Suburban – impacted wetlands	_____	Acres
5.	a.	Outlying Suburban – upland	_____	Acres
	b.	Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Outlying Suburban – impacted wetlands	_____	Acres
6.	a.	Sub-Outlying Suburban – upland	_____	Acres
	b.	Sub-Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Sub-Outlying Suburban – impacted wetlands	_____	Acres
7.	a.	Rural, Outer Island, Rural Community Preserve – upland	_____	Acres
	b.	Rural, Outer Island, Rural Community Preserve – wetlands	_____	Acres
8.	a.	Open Lands – upland	_____	Acres
	b.	Open Lands – wetlands	_____	Acres
9.	a.	Resource – upland	_____	Acres
	b.	Resource – wetlands	_____	Acres
10.	a.	Wetlands	_____	Acres
11.	a.	New Community – upland	_____	Acres
	b.	New Community – wetlands	_____	Acres
12.	a.	University Community – upland	_____	Acres
	b.	University Community – wetlands	_____	Acres
13.	a.	Coastal Rural – upland	_____	Acres
	b.	Coastal Rural – wetlands	_____	Acres

TOTAL (should equal "C" above)

16.40 Acres

Notes:

- (1) Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included except within the Mixed Use Overlay {see Note (2) below}.
- (2) Within the Mixed Use Overlay, lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses may be included in density calculations {see Lee Plan Objective 4.3}.
- (3) Lands to be used for residential uses including land within the development proposed to be used for streets & street rights of way, utility rights-of-way, public & private parks, recreation & open space, schools, community centers, & facilities such as police, fire & emergency services, sewage & water, drainage, and existing man-made waterbodies.

PART 5 RESIDENTIAL DEVELOPMENT - PRELIMINARY DENSITY CALCULATIONS

- i. Complete only if living units are proposed in a Future Land Use Category.
- ii. If more than one classification, calculations for each classification must be submitted. Attach extra sheets as necessary.
- iii. If wetlands are located on the property, density calculations are considered preliminary pending a wetlands jurisdictional determination.

A. Future Land Use Category: General Interchange

		Lee Plan Table 1(a)		
		Max. standard density		Units
1.	Standard Units			
	a. Total upland acres (from Part 4, D.)	16.40	x 14 equals	229
	b. Total preserved freshwater wetlands acres (from Part 4, D.)	_____	x _____ equals	_____
	c. Total impacted wetlands acres (from Part 4, D.)	_____	x _____ equals	_____
	d. Total Allowed Standard Units ⁽¹⁾			229
2.	Bonus Units [2-143]			
	a. Site-built Affordable Housing			_____
	b. Transferrable Dwelling Units			_____
	c. Sub-total			_____
3.	Total Permitted Units ⁽¹⁾			229

Note:

- (1) Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.

PART 6
COMMERCIAL, INDUSTRIAL, MINING, ASSISTED LIVING FACILITIES, HOTELS & MOTELS
PRELIMINARY INTENSITY CALCUATIONS

		Height	Total Floor Area (Square Feet)
A. Commercial			
1.	Medical	--	--
2.	General Office	--	--
3.	Retail	75	300000
4.	Other: _____	--	--
5.	TOTAL FLOOR AREA		300000
		Height	Total Floor Area (Square Feet)
B. Industrial			
1.	Under Roof	--	--
2.	Not Under Roof	--	--
3.	TOTAL FLOOR AREA		--
		Depth	Total Acres
C. Mining			
1.	Area to be excavated	--	--
		Height	Total Beds/Units
D. Assisted Living Facilities			
1.	Dependent Living Units	--	--
2.	Independent Living Units	--	--
3.	TOTAL BEDS/UNITS		--
		Height	Total Rental Units
E. Hotels/Motels (Room Size)			
1.	< 425 sq. ft.	--	--
2.	426-725 sq. ft.	75	125
3.	725 < sq. ft.	--	--
4.	TOTAL UNITS		125

PART 7
ACTION REQUESTED

- A. Request Statement:** Provide a single narrative explaining the nature of the request and how the property qualifies for the rezoning to a planned development. This narrative should include how the proposed development complies with the Lee Plan, the Land Development Code, and the applicable findings/review criteria set forth in LDC section 34-145(d)(4). This narrative may be utilized by the Board of County Commissioners, Hearing Examiner and staff in establishing a factual basis for the granting or denial of the rezoning. **[34-373(a)(5)]**
- B. Traffic Impact Statement.** A traffic impact statement in a format and to the degree of detail required by the County and in conformance with the adopted Lee County Administrative Code. TIS is not required for an existing development. **[34-373(a)(7)]**
- C. Master Concept Plan:**
- Master Concept Plan, Non-PRFPD:** A graphic illustration (Master Concept Plan) of the proposed development, showing and identifying the information required by LCLDC Section 34-373(a)(6)a. Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. In addition to the Master Concept Plan, an open space design plan delineating the indigenous preserves and/or native tree preservation areas as required by LDC Section 10-415(b) must be submitted. **[34-373(a)(6)]**
 - Schedule of Uses:** A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by LCLDC Section 34-373(a)(8)]. **[34-373(a)(8)]**

- 3. Schedule of Deviations and Written Justification:** A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan accompanied by documentation including sample detail drawings illustrating how each deviation would enhance the achievement of the objectives of the planned development and will not cause a detriment to public interests. The location of each requested deviation must be located/shown on the Master Concept Plan. **[34-373(a)(9)]**

D. Bonus Density: [34-202(a)(11)]

- ☐ Not Applicable
- ☐ Bonus Density will be used. Provide the number of Bonus Density units being requested and a narrative of how the request meets the requirements of LDC Section 2-146.

**PART 8
ENVIRONMENTAL REQUIREMENTS**

- A. Topography:** Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property. **[34-373(a)(4)b.iv.]**
Mostly level with range of elevation from 5.0 to 8.0 NAVD88
-
- B. Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flowways, creek beds, sand dunes, other unique land forms [see LEE Plan Policy 77.1.1 (2)] or listed species occupied habitat [see LCLDC Section 10-473(f)].
Coveyance swale and forested indigenous areas located on MCP and FLUCCS
-
- C. Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
Within Local, State and Federal regulations
-
- D. Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:
No navigable waterways
-
- E. Soils Map:** Attach maps drawn at the same scale as the Master Concept Plan marked or overprinted to show the soils classified in accordance with the USDA/SCS System. **[34-373(a)(4)b.i.]**
-
- F. FLUCCS Map:** A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands. **[34-373(a)(4)c.]**
-
- G. Rare & Unique Upland Habitat Map:** Maps drawn at the same scale as the Master Concept Plan marked or overprinted to show significant areas of rare and unique upland habitat as defined in the LEE Plan Section XII. **[34-373(a)(4)b.iii.]**
-
- H. Existing and Historic Flow-Ways Map:** Map(s) drawn at the same scale as the master concept plan marked or overprinted to show existing and historic flow-ways. **[34-373(a)(4)b.v.]**

**PART 9
SANITARY SEWER & POTABLE WATER FACILITIES**

- A. Special Effluent:** If the discharge of any special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:
None
-
- B. Private On-Site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:
1. Method and degree of treatment:
N/A
 2. Quality of the effluent:
N/A

3. Expected life of the facility:

N/A

4. Who will operate and maintain the internal collection and treatment facilities:

N/A

5. Receiving bodies or other means of effluent disposal:

N/A

C. Spray Irrigation: If spray irrigation will be used, specify:

1. The location and approximate area of the spray fields:

N/A

2. Current water table conditions:

N/A

3. Proposed rate of application:

N/A

4. Back-up system capacity:

N/A

PART 10 ADDITIONAL REQUIREMENTS

A. Major Planned Developments:

1. **Surface Water Management Plan.** A written description of the surface water management plan as required by LCLDC Section 34-373(b)(1). **[34-373(b)(1)]**
2. **Phasing Program.** If the development is to be constructed in phases or if the Traffic Impact Statement utilized phasing, then a description of the phasing program must be submitted. **[34-373(b)(3)]**
3. **Protected Species Survey.** A protected species survey is required for large developments (as defined in LCLDC Section 10-1) as specified in LCLDC Section 10-473. **[34-373(b)(2)]**

B. Amendments to Built Planned Developments: The consent of the owners of the remainder of the original planned development is not required, but these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property. Attach proof of notice to other property. **[34-373(c)]**

C. Development of Regional Impact: Binding letter of interpretation from DCA or a complete and sufficient ADA. (See also Application for Public Hearing for DRI Form.) **[34-373(d)(9)]**

D. Private Recreational Facility Planned Developments (PRFPDs):

1. **Master Concept Plan, PRFPD.** Master Concept Plan showing and identifying information required by LDC Section 34-941(g)(1). Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. **[34-941(g)(1)]**
2. **Conceptual Surface Water Management Plan.** A Conceptual Surface Water Management Plan must be submitted. The plan must be viable and take into consideration any natural flowway corridors, cypress heads, natural lakes, and the restoration of impacted natural flowway corridors. **[34-941(d)(3)b.i.1)]**
3. **Well Drawdown Information.** If within an area identified as an anticipated drawdown area for existing or future well development, demonstration of compliance with LCLDC Section 34-941(d)(3)d.i & ii. must be provided. **[34-941(d)(3)d.]**
4. **Preliminary Indigenous Restoration Plan.** A Preliminary Indigenous Restoration Plan must be provided if on-site indigenous restoration is being used to meet the indigenous native plant community preservation requirement. **[34-941(e)(5)f.iii.]**

5. **Environmental Assessment.** An Environmental Assessment must be provided which includes, at a minimum, an analysis of the environment, historical and natural resources. **[34-941(g)(2)]**
6. **Demonstration of Compatibility.** Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. **[34-941(g)(4)]**
- E. **Potable Water & Central Sewer.** Will the project be connected to potable water and central sewer as part of any development of the property?
- ☒ **YES** (Provide a letter from the appropriate Utility to which the connection(s) are proposed confirming availability of service.) **[34-202(a)(10)]**
- ☐ **NO** (Provide a narrative explaining why the connection is not planned and how the water and sewer needs of the project will be met.) **[34-202(a)(10)]**
- F. **Existing Agricultural Use:** If the property owner intends to continue an existing agricultural use on the property subsequent to the zoning approval, an Existing Agricultural Use Affidavit must be provided. Entitle as "Existing Agricultural Uses at Time of Zoning Application." **[34-202(a)(12)]**
- G. **Flood Hazard:**
- ☐ Not applicable
- ☒ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- ☒ The minimum elevation required for the first habitable floor is AE:EL11 Coastal A NAVD (MSL)
- H. **Excavations/Blasting:**
- ☒ No blasting will be used in the excavation of lakes or other site elements.
- ☐ If blasting is proposed, provide Information Regarding Proposed Blasting (including soil borings, a map indicating the location of the proposed blasting, and other required information).
- I. **Hazardous Materials Emergency Plan for Port Facilities: [12-110(a)(16)]**
- ☒ Not Applicable
- ☐ Provide a Hazardous materials emergency plan.
- J. **Mobile Home Park: [34-174(h)]**
- ☒ Not Applicable
- ☐ Request includes rezoning of a Mobile Home Park. Provide facts related to the relocation of dislocated owners that meets the requirements of F.S. § 723.083 (1995).
- K. **Airport Zones & Lee County Port Authority (LCPA) Requirements:**
- ☒ Not Applicable
- ☐ Property is located within _____ Airport Noise Zone: **[34-1104]**
- ☐ Property is located within Airport Runway Protection Zone. Indicate which Zone below. **[34-1105]**
- ☐ Property is located within Airport Residential and Educational Protection Zone: **[34-1106]**
- ☐ Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. **[34-1107]**
- ☐ A Tall Structures Permit is required. **[34-1108]**

PART 5 SUBMITTAL REQUIREMENT CHECKLIST		
<i>Clearly label your attachments as noted in bold below</i>		
Copies Required		SUBMITTAL ITEMS
3	☒	Completed application for Public Hearing [34-202(a)(1)]
1	☒	Filing Fee - [34-201(d)]copy
1	☐	Bonus Density Filing Fee - (if applicable) [34-202(a)(11)]
3	☒	Affidavit of Authorization (notarized) Form [34-202(a)(3)]
3	☒	Additional Agents [34-202(a)(4)]
3	☒	Multiple Owners List (if applicable) [34-202(a)(2)]
3	☒	Disclosure of Interest Form (multiple owners) [34-202(a)(2)]
3	☒	Legal description (must submit) [34-202(a)(5)]
	☒	Legal description (metes and bounds) and sealed sketch of legal description
		OR
	☐	Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)
3	☒	Boundary Survey – not required if platted lot (2 originals required) [34-202(a)(6)]
3	☒	Property Owners list (if applicable) [34-202(a)(8)]
3	☒	Property Owners map (if applicable) [34-202(a)(8)]
3	☒	Confirmation of Ownership/Title Certification [34-202(a)(7)]
3	☒	STRAP Numbers (if additional sheet is required) [34-202(a)(5)]
1	☒	List of Surrounding Property Owners [34-202(a)(9)]
1	☒	Map of Surrounding Property Owners [34-202(a)(9)]
1	☒	Mailing labels [34-202(a)(9)]
3	☐	List of Zoning Resolutions and Approvals
3	☐	Summary of Public Informational Session (if applicable)
3	☐	Waivers from Application Submission Requirements (if applicable) [34-201(c)]
3	☒	Preliminary Density Calculations (if applicable)
3	☒	Request Statement [34-373(a)(5)]
3	☒	Traffic Impact Statement (TIS) (not required for existing development) [34-373(a)(7)]
3	☒	Master Concept Plan (MCP), Non-PRFPD [34-373(a)(6)]
3	☒	Schedule of Uses [34-373(a)(8)]
3	☒	Schedule of Deviations and Written Justification [34-373(a)(9)]
3	☐	Topography (if available) [34-373(a)(4)b.iv.]
3	☒	Soils Map [34-373(a)(4)b.9.]
3	☒	FLUCCS Map [34-373(a)(4)c.]
3	☒	Rare & Unique Upland Habitat Map [34-373(a)(4)b.iii.]
3	☒	Existing and Historic Flow-Ways Map [34-373(a)(4)b.v.]
3	☐	Surface Water Management Plan (if applicable) [34-373(b)(1)]
3	☐	Phasing Program (if applicable) [34-373(b)(3)]
3	☒	Protected Species Survey (if applicable) [34-373(b)(2)]

3	☐	Proof of Notice (if applicable) [34-373(c)]
3	☐	Binding Letter from DCA (if applicable) [34-373(d)(9)]
3	☐	Master Concept Plan (MCP), PRFPD (if applicable) [34-941(g)(1)]
3	☐	Conceptual Surface Water Management Plan (if applicable) [34-941(d)(3)b.i.1)]
3	☐	Well Drawdown Information (if applicable) [34-941(d)(3)d.]
3	☐	Preliminary Indigenous Restoration Plan (if applicable) [34-941(e)(5)f.iii.]
3	☒	Environmental Assessment (if applicable) [34-941(g)(2)]
3	☒	Demonstration of Compatibility (if applicable) [34-941(g)(4)]
3	☒	Potable Water & Sanitary Sewer . Letter from the appropriate utility entity indicating the utility entity or explanation of how water and sewer needs will be met if connection will not be made. [34-202(a)(10)]
3	☐	Existing Agricultural Use Affidavit (if applicable) [34-202(a)(12)]
3	☐	Information Regarding Proposed Blasting (if applicable).
3	☐	Hazardous Materials Emergency Plan (if applicable)
3	☐	Mobile Home Park Dislocated Owners Information (if applicable) [34-202(b)(4)]
3	☐	Tall Structures Permit (if applicable) [34-1108]

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**

I, JOHN J. SKALIKO (name), as MANAGER
 (owner/title) of BAYSHORE-CORP INC LLC (company/property), swear or affirm under oath, that
 I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

***Notes:**

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trustee, then they must include their title of "trustee."
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

John J. Skalik
 Signature

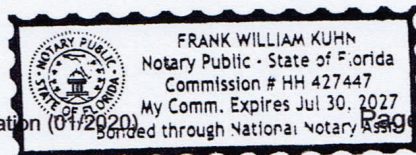
4/9/24
 Date

*****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, this 9th day of APRIL, 2024, by John J. Skalik (name of person providing oath or affirmation), who is personally known to me or who has produced FL DL (type of identification) as identification.

STAMP/SEAL



Frank William Kuhn
 Signature of Notary Public

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**

I, JOHN J. SKALKO (name), as MANAGER
 (owner/title) of BAYSHORE-FISHGALLS (company/property), swear or affirm under oath, that
 I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

***Notes:**

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trustee, then they must include their title of "trustee."
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

John J. Skalko
 Signature

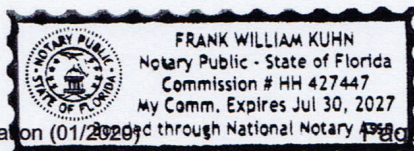
4/9/24
 Date

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 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, this 9TH day of APRIL, 2024, by JOHN J. SKALKO (name of person providing oath or affirmation), who is personally known to me or who has produced FL DL (type of identification) as identification.

STAMP/SEAL



Frank William Kuhn
 Signature of Notary Public

ADDITIONAL AGENTS

Company Name:	RMEC, LLC		
Contact Person:	Ron Edenfield		
Address:	2223 McGregor Blvd		
City, State, Zip:	Fort Myers, FL 33901		
Phone Number:	(239) 789-1951	Email:	ron@rmec-llc.com

Company Name:	TR Transportation		
Contact Person:	Ted Treesh		
Address:	2726 Oak Ridge Ct, Suite 503		
City, State, Zip:	Fort Myers, FL 33901		
Phone Number:	(239) 278-3090	Email:	tbt@trtans.net

Company Name:	Atwell, LLC		
Contact Person:	Tyler King		
Address:	4470 Camino Real Way, #101		
City, State, Zip:	Fort Myers FL 33966		
Phone Number:	(239) 334-3680	Email:	tking@atwell-group.com

Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME this day appeared JOHN J. SKALKA, 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 south of 8600 Bayshore Road N Ft Myers and is the subject of an Application for zoning action (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
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

John J. Skalko

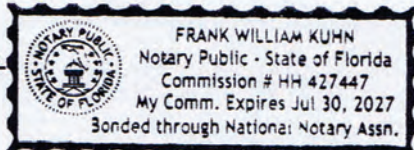
JOHN J. SKALKO

*****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 4/9/2024 (date) by JOHN J. SKALKO (name of person providing oath or affirmation), who is personally known to me or who has produced FL DL (type of identification) as identification.

STAMP/SEAL



Frank William Kuhn
Signature of Notary Public

KP Surveying, Inc.
LB NUMBER 8152
2802 W. Cypress Avenue S.E.
Fort Myers, Florida 33905
(239) 462-1901
www.kpsurveying.com

DESCRIPTION OF A PARCEL OF LAND LYING IN
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHEAST CORNER OF THE
SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 43
SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA;
THENCE N00°05'37"E ALONG THE EAST LINE OF THE
SOUTHWEST QUARTER, A DISTANCE OF 819.34 FEET;
THENCE S89°41'17"E A DISTANCE OF 432.87 FEET;
THENCE S00°04'10"W A DISTANCE OF 819.67 FEET;
THENCE N89°38'37"W ALONG THE SOUTH LINE OF SAID
SECTION 21 A DISTANCE OF 433.22 FEET
TO THE POINT OF BEGINNING,

THIS LEGAL DESCRIPTION IS BASED ON A BOUNDARY
SURVEY THAT WAS COMPLETED ON 02/09/2024.

*** THIS IS NOT A SURVEY ***

KENNETH PUFAHL Digitally signed by KENNETH PUFAHL
Date: 2024.04.14 18:53:46 -04'00'

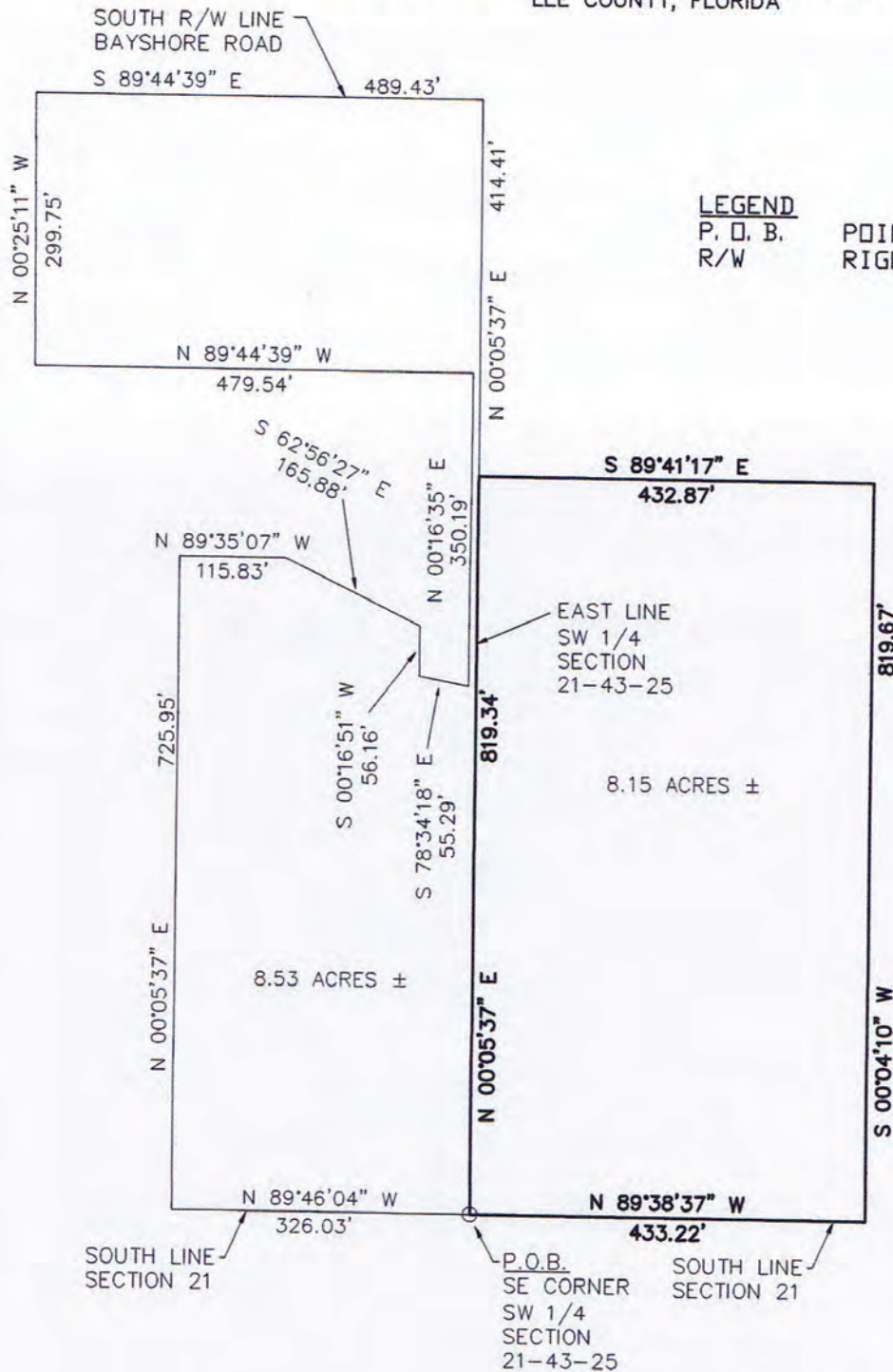
Ken Pufahl, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE No. 6126

KP Surveying, Inc.
 LB NUMBER 8152
 2802 W. Cypress Avenue S.E.
 Fort Myers, Florida 33905
 (239) 462-1901
 www.kpsurveying.com

SKETCH OF A PARCEL OF LAND LYING IN
 SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
 LEE COUNTY, FLORIDA



1"=200'



THE INFORMATION HEREON
 IS SUBJECT TO EASEMENTS,
 RESTRICTIONS,
 RESERVATIONS AND
 RIGHT-OF-WAYS (WRITTEN
 AND UNWRITTEN, RECORDED
 AND UNRECORDED).

*** THIS IS NOT A SURVEY ***

KENNETH PUFAHL Digitally signed by KENNETH PUFAHL
 Date: 2024.04.14 18:53:26 -04'00'

Ken Pufahl, P.S.M.
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE No. 6126

DISCLOSURE OF INTEREST
AFFIDAVIT

BEFORE ME this day appeared JOHN J. SKALKO, 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 8440-8520 Bayshore Rd, N Ft Myers and is the subject of an Application for zoning action (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
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.

John J. Skalko
Property Owner

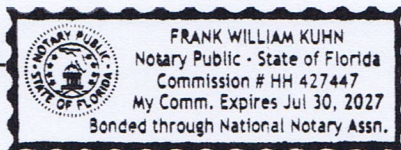
JOHN J. SKALKO
Print Name

*****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 4/19/2024 (date) by JOHN J. SKALKO (name of person providing oath or affirmation), who is personally known to me or who has produced FL DL (type of identification) as identification.

STAMP/SEAL



Frank William Kuhn
Signature of Notary Public

KP Surveying, Inc.
LB NUMBER 8152
2802 W. Cypress Avenue S.E.
Fort Myers, Florida 33905
(239) 462-1901
www.kpsurveying.com

DESCRIPTION OF A PARCEL OF LAND LYING IN
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHEAST CORNER OF THE
SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 43
SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA;
THENCE N89°46'04"W ALONG THE SOUTH LINE OF SAID
SECTION 21, A DISTANCE OF 326.03 FEET;
THENCE N00°05'37"E A DISTANCE OF 725.95 FEET;
THENCE S89°35'07"E A DISTANCE OF 115.83 FEET;
THENCE S62°56'27"E A DISTANCE OF 165.88 FEET;
THENCE S00°16'51"W A DISTANCE OF 56.16 FEET;
THENCE S78°34'18"E A DISTANCE OF 55.29 FEET;
THENCE N00°16'35"E A DISTANCE OF 350.19 FEET;
THENCE N89°44'39"W A DISTANCE OF 479.54 FEET;
THENCE N00°25'11"W A DISTANCE OF 299.75 FEET TO
THE SOUTH RIGHT-OF-WAY LINE OF BAYSHORE ROAD
(SR 78); THENCE S89°44'39"E, ALONG SAID SOUTH
RIGHT-OF-WAY LINE, A DISTANCE OF 489.43 FEET;
THENCE S00°05'37"W, ALONG THE EAST LINE OF THE
SOUTHWEST QUARTER; A DISTANCE OF 1233.75 FEET
TO THE POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS BASED ON A BOUNDARY
SURVEY THAT WAS COMPLETED ON 02/09/2024.

*** THIS IS NOT A SURVEY ***

KENNETH PUFAHL Digitally signed by KENNETH PUFAHL
Date: 2024.04.14 18:54:27 -04'00'

Ken Pufahl, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE No. 6126

KP Surveying, Inc.

LB NUMBER 8152

2802 W. Cypress Avenue S.E.

Fort Myers, Florida 33905

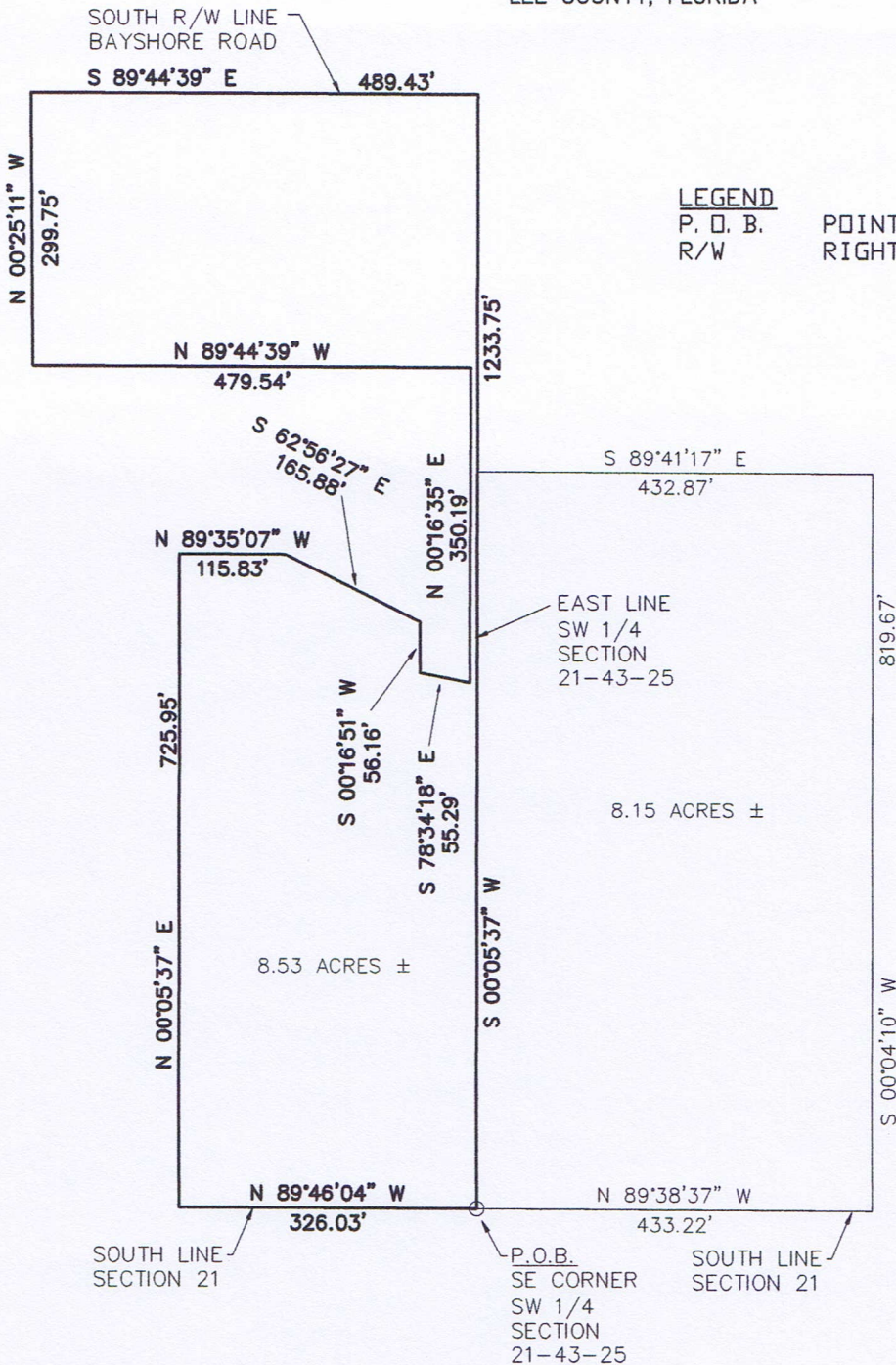
(239) 462-1901

www.kpsurveying.com

SKETCH OF A PARCEL OF LAND LYING IN
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



1"=200'

LEGEND

P.O.B.

POINT OF BEGINNING

R/W

RIGHT OF WAY

THE INFORMATION HEREON
IS SUBJECT TO EASEMENTS,
RESTRICTIONS,
RESERVATIONS AND
RIGHT-OF-WAYS (WRITTEN
AND UNWRITTEN, RECORDED
AND UNRECORDED).

*** THIS IS NOT A SURVEY ***

KENNETH PUFAHL

Digitally signed by KENNETH PUFAHL
Date: 2024.04.14 18:54:42 -04'00'

Ken Pufahl, P.S.M.

PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE No. 6126



REQUEST FOR WAIVER OF STATUTORY ZONING APPLICATION REVIEW DEADLINES

Please email application to ZoningAdmin@leegov.com or submit to the Zoning counter at 1500 Monroe St. Fort Myers, FL 33901. Call 239-533-8585 with questions.

*Please provide the required information below.

*Project Case Number:

Copperfish MPD

*Project Name:

Ink Engineering, Inc

*Applicant Name:

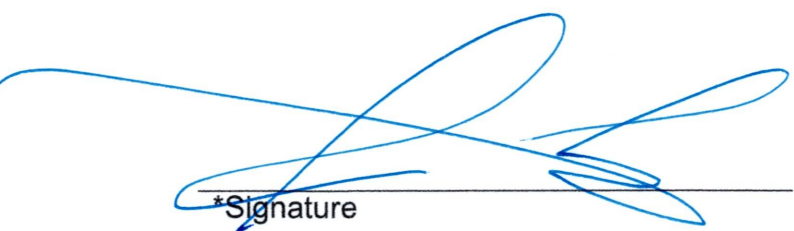
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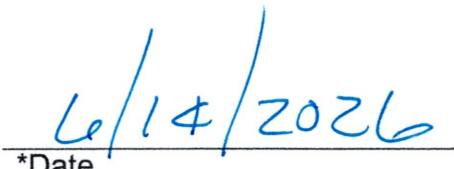
*Phone Number:

jink@inkengineeringinc.net

*Email:

Applicant hereby requests a waiver of the statutory development order review deadlines found in § 125.022, Florida Statutes, for the application identified above. This waiver will allow additional time for Applicant to submit, and for Lee County to review, any supplemental or corrected materials which have been deemed necessary by the Department of Community Development to substantiate compliance with the applicable application requirements of the Lee County Land Development Code. Applicant acknowledges that the maximum response time, notwithstanding this waiver request, is 365 days from the original submittal date at which time the submittal must be approved, approved with stipulations, or denied.


*Signature


*Date



Copperfish MPD Amended Request Statement

Rezone a 16.7+/- acre from AG-2 to MPD. The approved MPD will allow a mixture of uses that includes allowing for a minimum of 50 multi-family dwelling units to a maximum of 97 standard multi-family dwelling units and a maximum of 170 multi-family dwelling units with bonus units, 200,000 square feet of commercial retail/office space, and a 150-room hotel. A maximum building height of 75 feet.

Copperfish MPD LeePlan Consistency Narrative

The following narrative is to provide a supporting statement with LeePlan sections for the Copperfish Commercial Park MPD at the SW corner of I-75 and Bayshore Road, North Fort Myers.

Future Land Use

The subject property is in the General Interchange Future Land Use.

POLICY 1.3.2: The General Interchange areas are intended primarily for land uses that serve the traveling public: service stations, hotel, motel, restaurants, and gift shops. But because of their location, market attractions, and desire for flexibility, these interchange uses permit a broad range of land uses that include tourist commercial, general commercial, light industrial⁴/commercial, and multi-family dwelling units. The standard density range is from eight dwelling units per acre (8 du/acre) to fourteen dwelling units per acre (14 du/acre). Maximum density is twenty-two dwelling units per acre (22 du/acre). (Ord. No. 94-30, 99-18, 16-02, 17-12)

The General Interchange FLU anticipates a wide mix of uses including the proposed commercial, lodging, and multifamily uses. This application is CONSISTENT with Policy 1.3.2.

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. (Ord. No. 94-30, 00-22)

The project is located at the SW corner of Bayshore Road and I-75. The location next to the interstate and along an existing arterial is ideal for a high level of commercial development. Bayshore road is fully developed, has traffic capacity, and is within the utility service areas for potable water and sanitary sewer. This application is CONSISTENT with Objective 2.1.

POLICY 2.2.1: Rezoning and DRI proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Ord. No. 94-30, 00-22)

The project has all necessary services adjacent to the site of within provider service areas. Letters of availability for utility services is provided in this application. This application is CONSISTENT with Policy 2.2.1.

STANDARD 4.1.1: WATER. 1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Fla. Admin. Code R. 62-550).

A letter of availability for potable water as provided by Lee County Utilities (LCU). This application is CONSISTENT with Standard 4.1.1.

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.

A letter of availability for potable water as provided by Florida Governmental Utility Authority (FGUA). This application is CONSISTENT with Standard 4.1.2.

STANDARD 4.1.4: ENVIRONMENTAL FACTORS. 1. 2. 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.

A formal determination from SFWMD and an environmental assessment is provided to show the only jurisdictional wetland areas are the water conveyance that runs through the property. The only proposed impact to the jurisdictional area is for a single roadway with utilities crossing. This design for a crossing is in progress to apply for a SFWMD ERP and ACOE nationwide authorization. This application is CONSISTENT with Standard 4.1.4.

POLICY 5.1.3: During the rezoning process, direct high-density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities. (Ord. No. 94-30)

The plan proposed the potential of high-density multi-family use on Tract 3 south of the creek. This is an ideal location for potential residents with employment in the General Interchange Area. This application is CONSISTENT with Policy 5.1.3

POLICY 5.1.6: Maintain development regulations that require high-density, multi-family, cluster, and mixed-use developments to have open space, buffering, landscaping, and recreation areas appropriate to their density and design. (Ord. No. 94-30)

The proposed project has significant indigenous native upland vegetation. These areas will be preserved consistent with 10-415(b) of the land development code at the development order permitting stage. This proposal is CONSISTENT with Policy 5.1.6.

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

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

The proposed project documents as submitted address this policy as follows:

1. A zoning level Traffic Impact Statement is provided in this submittal that demonstrates the maximum requested development intensities is within the requirements of the Comprehensive Plan and Zoning use. A detailed Traffic Impact Statement is required at the Development Order stage to address the Land Development Code requirements and any offsite traffic improvements that may be required.
2. Landscaping and detailed site planning is required at the Development Order stage. The submitted master concept plan shows the general layout of the proposed project, Traffic access points, required Land Development Code buffers on exterior property lines and general location of all jurisdictional areas, as applicable.
3. Screening and buffering as required by the Land Development Code is shown on the Master Concept Plan.
4. Availability of adequacy of services and facilities. Letters of availability from LCU for potable water and FGUA (sanitary sewer) are provided in the application submittal.
5. There are no adverse impacts on adjacent lands. The adjacent lands may have a current AG-2 zoning but are within the General Interchange FLU and all lands bordered by Bayshore Road, I-75 and the Railroad right of way have either the General Interchange FLU or Industrial FLU. There is no adjacent residential, wetland or conservation FLU.
6. Bayshore Interchange area is a developing area with the surrounding area having existing Commercial Planned Development, Industrial, and other Commercial zoned properties in place. The proposed Copperfish MPD is the last AG-2 zoning property on the west side of the interstate in the General Interchange FLU.
7. The subject property has only minimal environmental considerations. These areas are the water conveyance that transverses the property and subject to an existing formal determination from SFWMD and indigenous native uplands that are subject to

10-415 LCLDC. A protective species report is provided in the application that does not show any existing habitat of listed species of concern. This application is CONSISTENT with Policy 6.1.1.

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. (Ord. No. 94-30, 00-22)

The subject property has right of way boundaries on the north (Bayshore), east (I-75) and west (Railroad ROW). This area is within the General Interchange and Industrial FLU. Zoning of adjacent properties mostly commercial zoning districts with a few parcels still at AG-2 with intense Future Land Use classification. This proposal is CONSISTENT with Policy 6.1.4.

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. (Ord. No. 17-13) 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). (Ord. No. 17-13)

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. (Ord. No. 09-11, 18-18)

Although the proposed project is not in an area that need revitalization the proposed uses will improve the livability and economic vitality of the North Fort Myers area. This application is CONSISTENT with Goal 30.

OBJECTIVE 36.2: Lee County recognizes that development immediately adjoining the I-75 ramps could render future interchange improvements extremely costly if not prohibitive. To assist the County in evaluating the impacts of specific rezoning proposals located within 1000 feet of I-75 ramps, County staff will estimate the possible right-of-way needs for interchange improvements in that quadrant and present this information during the rezoning process. Where possible, development approvals must be phased to protect land critical for future interchange improvements. (Ord. No. 1713, 99-18, 00-22, 21-09)

The analysis of the I-75/Bayshore access is currently underway with the adjacent property to the Northeast. This property for a Racetrac Truck stop has obtained a CPD zoning (DCI2001-00053) and a pending Development Order (DOS2023-00142). This analysis is moving the access point for the Southwest quadrant parcels westerly from I-75. This will continue with the development order application pending an approval of this zoning request. This application is CONSISTENT with Objective 36.2.

GOAL 37: LEVEL OF SERVICE (LOS) STANDARDS. Establish and maintain specified transportation LOS standards. (Ord. No. 98-09, 99-15, 00-08, 17-13)

The Traffic Impact Statement provided in this application provides competent expert documentation that the proposed project is within the requirements of zoning standards for Level of Service. This application is CONSISTENT with Goal 37.

OBJECTIVE 53.1: The County will ensure the provision of acceptable levels of potable water service throughout the future urban areas of the unincorporated County, either directly by Lee County Utilities, or indirectly through franchised utility companies. (Ord. No. 94-30, 00-22, 03-04)

The provided Letter of Availability from Lee County Utilities provides sufficient potable water capacity to serve the proposed uses. This application is CONSISTENT with Objective 53.1.

GOAL 56: SANITARY SEWER INFRASTRUCTURE. In partnership with franchised/certificated utilities providers, provide sanitary sewer service and wastewater treatment and disposal throughout Lee County. (Ord. No. 98-09, 17-19) OBJECTIVE 56.1: The County will ensure the provision of acceptable levels of sanitary sewer service throughout the future urban areas of the unincorporated County, either directly by Lee County Utilities or a utility authority, or indirectly through franchised utility companies. (Ord. No. 00-22)

The provided Letter of Availability from FGUA, a certified utilities provider, states that sufficient potable water capacity to serve the proposed uses. This application is CONSISTENT with Objective 53.1.

OBJECTIVE 59.1: Lee County will continue its efforts in developing a surface water management planning process designed to produce and maintain an up-to-date body of technical information, and, based on that information, the necessary surface water management plans, regulatory mechanisms, and facility proposals that will improve the protection of present and future uses of real property from stormwater flooding, while preserving or enhancing the environmental and natural resource values of both land and water. (Ord. No. 94-30, 00-22)

An Environmental Resource Permit is required at the time of Development Order. It will address not only stormwater design per SFWMD requirements but environmental impact mitigation if required. A SFWMD Environmental Resource permit is deemed to comply with 10-321(a) LCLDC for stormwater requirements. This application is CONSISTENT with Objective 59.1.

POLICY 60.1.1: Require design of surface water management systems to protect or enhance the groundwater. (Ord. No. 07-12, 18-28)

In addition to the SFWMD Environmental Resource Permit a SFWMD consumptive use permit will be required for ground water. These two permits are required during the Development Order stage of development and must be in place prior to commencement of site construction. This application is CONSISTENT with Policy 60.1.1.

POLICY 60.1.2: Incorporate, utilize, and where practicable restore natural surface water flow ways and associated habitats. (Ord. No. 07-12)

The master stormwater and ground water design performed in the Development Order stage of design and permitting will address and ensure that surface water that enters or exits the subject property will accommodate water flow without impact to on-site and off-site water flows including flooding. This application is CONSISTENT with Policy 60.1.2.

POLICY 60.4.1: Encourage new developments to design surface water management systems with Best Management Practices including, but not limited to, filtration marshes, grassed swales planted with native or Florida Friendly Landscaping vegetation, retention/detention lakes with enlarged littoral zones, preserved, or restored wetlands, and meandering flow-ways. (Ord. No. 0306, 18-28, 19-02)

Stormwater design, construction and operation will be consistent with Federal, State, and local rules, regulations, and requirements. This application is CONSISTENT with Policy 60.4.1.

POLICY 60.4.3: The County encourages the preservation of existing natural flow-ways and the restoration of historic natural flow-ways. (Ord. No. 03-06, 19-02)

The stormwater design in the Development Order stage will retain in pre-development flows and rates to ensure no detrimental impacts will occur upstream of the proposed development. This application is CONSISTENT with Policy 60.4.3.

POLICY 61.1.6: When and where available, reuse water should be the first option for meeting irrigation needs of a development. Where reuse water is not available, surface water or low-quality groundwater should be utilized for irrigation. All other potential water sources must be eliminated prior to selecting potable water as the sole source for meeting the irrigation needs of a development. New developments will coordinate with County staff regarding the source of irrigation water. (Ord. No. 17-19)

Reuse water is unavailable. It is the intent of the project at Development Order to provide SFWMD permitted wells for irrigation. A SFWMD consumptive use permit will be provided prior to commencement of construction of an issued development order.

POLICY 61.3.3: Keep floodways as unobstructed as possible. (Ord. No. 00-22, 18-28)

The existing floodway is within the native upland buffer on each side of the creek and is upstream of the LiMWA line on the FEMA flood map. Property below the LiMWA line is in a

coastal A FEMA flood zone and requires special construction consideration. These considerations include but not limited to compensating storage, foundation design, flood venting.

POLICY 61.2.4: Encourage surface water management plans that mimic the functions of natural systems. (Ord. No. 18-28)

The stormwater system will be designed to accommodate the existing conveyance system. This application is CONSISTENT with Policy 61.2.4.

POLICY 61.3.7: Channelization of natural streams and rivers is prohibited; channelization of other natural watercourses is discouraged. (Ord. No. 00-22)

The current condition of the water conveyance has historical manmade impacts for stormwater conveyance. The proposed development will not cause any further detrimental impact. This application is CONSISTENT with Policy 61.3.7.

OBJECTIVE 77.2: Development regulations will continue to require that new commercial and industrial developments provide sufficient open space for the benefit of their patrons and the general public. (Ord. No. 02-02)

Development at the Development Order phase will provide for the requirements of open space, buffering and Landscaping per Division 6, Chapter 10 LCLDC. This will include required open space as shown on Open Space table on Master Concept Plan and consistent with 10-415 (b) Indigenous native vegetation and trees. This application is CONSISTENT with Objective 77.2.

OBJECTIVE 77.3: New developments must use innovative open space design to preserve existing native vegetation, provide visual relief, and buffer adjacent uses and proposed and/or existing rights of-way. This objective and subsequent policies are to be implemented through the zoning process. (Ord. No. 02-02)

Development at the Development Order phase will be consistent with 10-415 (b) Indigenous native vegetation and trees for the upland forested lands. This application is CONSISTENT with Objective 77.3.

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. (Ord. No. 00-22, 18-28)

Compliance with this Policy is required during a Development Order permitting phase. This application is CONSISTENT with Policy 101.1.1.

POLICY 101.3.2: Restrict development in the Coastal High Hazard Area to uplands except as needed for the provision of public facilities. (Ord. No. 18-28)

All land in the Coastal High Hazard Properties within the subject property are in uplands. This application is CONSISTENT with Policy 101.3.2.

POLICY 123.2.15: Protect Rare and Unique upland habitats from development impacts, to the maximum extent possible, through conservation and/or site design. (Ord. No. 94-30, 00-22, 1828)

As required by 10-415(b) the proposed development will retain indigenous native vegetation. This application is CONSISTENT with Policy 123.2.15.

POLICY 123.8.1: Protect Gopher Tortoise burrows wherever they are found. If unavoidable conflicts make on-site protection infeasible, off-site mitigation may be provided in accordance with FWC requirements. (Ord. No. 94-30, 18-28)

Per the submitted protective species survey Gopher Tortoises may be on the property. Management of on-site protection and off-site mitigation will be addressed at Development Order stage. A management plan approved FWC will be provided prior to start of construction.

OBJECTIVE 125.1: Maintain high water quality, meeting or exceeding state and federal water quality standards. (Ord. No. 18-28)

Issuance of a SFWMD Environmental Resource Permit will provide a state certification of compliance with water quality standards. This application is CONSISTENT with Objective 125.1.

POLICY 125.1.2: New development and additions to existing development must not degrade surface and ground water quality. (Ord. No. 00-22, 18-28)

All development within the project will be required to be consistent with the South Florida Water Management Environmental Resource Permitting criteria. This will include the most current requirements of water quality and quantity of surface and sub surface water.

POLICY 125.1.4: Developments which have the potential of lowering existing water quality below state and federal water quality standards will provide standardized appropriate monitoring data. (Ord. No. 00-22, 18-28)

All development within the project will obtain a water quality determination from South Florida Water Management District as required by Florida Statute. All development within the project will obtain a consumptive use permit for any groundwater withdrawal. These standards and regulations will be provided to Lee County prior to commencement of construction.

POLICY 126.1.1: Natural water system features which are essential for retention, detention, purification, runoff, recharge, and maintenance of stream flows and groundwater levels shall be identified, protected, and managed. (Ord. No. 18-28)

The creek that transverse the property is jurisdictional and will not be part of the internal stormwater management system that is to be permitted by SFMWD through the ERP process. The attached ACOE and SFWMD documents are provided as reference for jurisdictional lands. All waters from a permitted stormwater management system will be required to meet water quality standards in effect at time of permitting to authorize development construction.

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. (Ord. No. 00-22, 18-28)

The creek that transverse the property is jurisdictional and will not be part of the internal stormwater management system that is to be permitted by SFMWD through the ERP process. The attached ACOE and SFWMD documents are provided as reference for jurisdictional lands. All waters from a permitted stormwater management system will be required to meet water quality standards in effect at time of permitting to authorize development construction.



Copperfish MPD Schedule of Uses

The following is the proposed schedule of uses per and defined by Tracts as depicted on the Master Concept Plan.

TRACT 1:

Accessory Uses
Administrative Offices
ATM
Auto Parts Store
Automobile Repair and Service, Group I
Banks and Financial: Group I
Bar or Cocktail Lounge: SE required
Business Services: all groups
Car Wash
Clothing Stores, General
Consumption on Premises: SE required
Convenience Food and Beverage Store
Drive-Through Facilities for any permitted use
Drugstore, Pharmacy
Essential Services
Excavation: water retention
Fences, Walls
Food and Beverage Service, Limited
Food Stores: All groups

Gift and Souvenir Shop
Hardware Store
Healthcare: Group I and II
Hobby, Toy and Games Shops
Insurance Companies
Laundromat
Medical Office
Package Store
Parking: Accessory
Personal Services
Pet Shop
Post Office
Real Estate Office
Restaurant: Fast Food
Restaurant: Group I, II and III
Signs in Compliance with Chapter 30
Specialty Retail Shops: All Groups
Temporary Uses
Variety Store

TRACT 2:

Accessory Uses
Administrative Offices
ATM
Auto Parts Store
Automobile Repair and Service
Banks and Financial: Group I
Bar or Cocktail Lounge: SE required
Business Services: all groups
Car Wash
Clothing Stores, General
Consumption on Premises: SE required
Convenience Food and Beverage Store
Day Care Center, Child, Adult

Drive-Through Facilities for any permitted use
Drugstore, Pharmacy
Dwelling Unit: Multi-family (97 units with qualified bonus 170 max. total per site)
Entrance Gates and Gate House
EMS, Fire, Sheriff's Station
Essential Services
Excavation: water retention
Fences, Walls
Food and Beverage Service, Limited
Food Stores: All groups

Gift and Souvenir Shop
 Hardware Store
 Healthcare: Group I and II
 Hobby, Toy and Games Shops
 Hotel/Motel: Max 100 rooms
 Insurance Companies
 Laundromat
 Medical Office
 Models
 Package Store
 Parking: All Groups
 Personal Services
 Pet Shop

Post Office
 Real Estate Office
 Restaurant: Fast Food
 Restaurant: Group I, II and III
 Signs in Compliance with Chapter 30
 Specialty Retail Shops: All Groups
 Storage: Indoor and Outdoor
 Temporary Uses
 Variety Store
 Warehouse: All

TRACT 3:

Accessory Uses
 Administrative Offices
 ATM
 Auto Parts Store
 Automobile Repair and Service
 Banks and Financial: Group I
 Bar or Cocktail Lounge: SE required
 Business Services: all groups
 Car Wash
 Clothing Stores, General
 Consumption on Premises: SE required
 Convenience Food and Beverage Store
 Cultural Facilities
 Day Care Center, Child, Adult
 Drive-Through Facilities for any permitted use
 Drugstore, Pharmacy
 Dwelling Unit: Multifamily (97 units with qualified bonus of 170 max. total per site)
 Entrance Gates and Gate House
 EMS, Fire, Sheriff's Station
 Essential Services
 Excavation: water retention
 Fences, Walls
 Food and Beverage Service, Limited
 Food Stores: All groups
 Gift and Souvenir Shop

Hardware Store
 Hobby, Toy and Games Shops
 Motel/Hotel: Max 150 rooms
 Insurance Companies
 Laundromat
 Medical Office
 Models
 Package Store
 Parking: All Groups
 Personal Services
 Pet Shop
 Place of Worship
 Post Office
 Real Estate Office
 Restaurant: Fast Food
 Restaurant: Group I, II and III
 Signs in Compliance with Chapter 30
 Specialty Retail Shops: All Groups
 Storage: Indoor and Outdoor
 Temporary Uses
 Variety Store
 Warehouse: All



Copperfish MPD

Deviations and Justifications

The following are requested deviations as shown on Master Concept Plan and the justification for each request.

1. **NATURAL WATERBODY SETBACK:** Request to deviate from Section 10-416(d)(9) requiring a 50-foot-wide vegetative buffer landward of non-seawalled natural waterways as measured from the mean high water line or top of bank, whichever is further landward in lieu of a 100' wide natural buffer with a minimum of 25' landward of existing waterbody top of bank with a corresponding 75' setback to opposite side of opposite side tope of bank. Restoration and spoil removal shall be authorized within buffer area.

Justification: The intent of this code is to protect the areas along natural waterways to ensure the function of the waterway continues, allows wildlife a natural cooridor along the waterway, and protect the natural vegetation that is present along the waterway. The request is to follow the natural vegetation line that is not parallel with the waterway. A 25' minimum provides for these protections and be able to include additional the existing natural vegetation with the cooresponding 75' opposite bank buffer. Sections a and b of 10-416(d)(9) remain unchanged. Section c will include authorization for restoration of the native buffer with spoil removal from historic Lee County excavations to increase flow in the waterway.

2. **INTERSECTION SEPARATION:** Request to deviate from Seciton 10-285 Connection Separation requiring a connection separation of 660' for a major arterial roadway in lieu of the existing 487' from the two existing access points as shown on the Master Concept Plan.

Justification: Bayshore Road is a FDOT jurisdiction divided arterial roadway. All access to Bayshore Road is subject to a FDOT right of way permit and not under the jurisdicion of Lee County. The existing conditions have access points on adjacent to the east and west property line of the subject property. The proposed Master Concept Plan is for the internal traffic flow to not access Bayshore Road directly but at the two existing access points. The eastern access point is under permitting from the adjacent property development (Racetrac) under an issued Development Order (DOS2023-00142). The western access point is a current easement that is used by FDOT to access their stormwater pond in the middle of the proposed project. This access is proposed to be improved with movement determined by FDOT ROW permitting at time of Development.

3. SIDEWALK DELETION: Request to deviate from Table 15 Suburban Local Street in Section 10-296 – Street design and construction standards requiring a 6' sidewalk on both sides of the street in lieu of requiring a 6' sidewalk on one side the street for only the portion of roadways adjacent to the FDOT stormwater property.

Justification: The intent of providing sidewalks is to allow safe pedestrian access within developed areas. The areas that are requesting to not place sidewalks is the area on the south and west property line directly adjacent to the existing FDOT stormwater area. An existing chain link fence denies any access to the FDOT property and provides no benefit to a pedestrian. The southern property line has a natural waterway that further limits a rational need for pedestrian access and the need for a sidewalk.



Copperfish MPD

PHASING PLAN

Copperfish MPD will be a platted subdivision with all infrastructure completed in a single phase. The individual parcels will be developed independently.



Copperfish MPD

PROPERTY INFORMATION EXHIBIT

Parcel One:

Owner: Bayshore-Fisher, LLC
Strap #: 21-43-25-00-00009.0020
Address: 8520 Bayshore Road, North Fort Myers, FL 33917
Zoning: AG-2
FLU: General Interchange

Parcel Two:

Owner: Bayshore-Fisher, LLC
Strap #: 21-43-25-00-00009.0040
Address: 8480 Bayshore Road, North Fort Myers, FL 33917
Zoning: AG-2
FLU: General Interchange

Parcel Three:

Owner: Bayshore-Fisher, LLC
Strap #: 21-43-25-00-00009.0050
Address: 8440 Bayshore Road, North Fort Myers, FL 33917
Zoning: AG-2
FLU: General Interchange



Parcel Four:

Owner:	Bayshore-Fisher, LLC
Strap #:	21-43-25-00-00009.0000
Address:	Access Undetermined, North Fort Myers, FL 33917
Zoning:	AG-2
FLU:	General Interchange

Parcel Five:

Owner:	Bayshore-Copping, LLC
Strap #:	21-43-25-00-00007.0070
Address:	Access Undetermined, North Fort Myers, FL 33917
Zoning:	AG-2
FLU:	General Interchange



Copperfish MPD

Property Regulations

The following is the property regulations for the tracts per the Master Concept Plan.

Tract One:

Minimum Lot size:	7,500 SF
Lot Width:	75 feet
Lot Depth:	100 feet
Street Setback:	25 feet
Side Setback:	15 feet
Rear Setback:	15 feet
Maximum Building Height:	35 feet
Maximum Lot Coverage:	40%

Tract Two:

Minimum Lot size:	10,000 SF
Lot Width:	100 feet
Lot Depth:	100 feet
Street Setback:	25 feet
Side Setback:	15 feet
Rear Setback:	15 feet
Maximum Building Height:	75 feet
Maximum Lot Coverage:	40%

Tract Three:

Minimum Lot size:	10,000 SF
Lot Width:	100 feet
Lot Depth:	100 feet
Street Setback:	25 feet
Side Setback:	15 feet
Rear Setback:	15 feet
Maximum Building Height:	75 feet
Maximum Lot Coverage:	40%

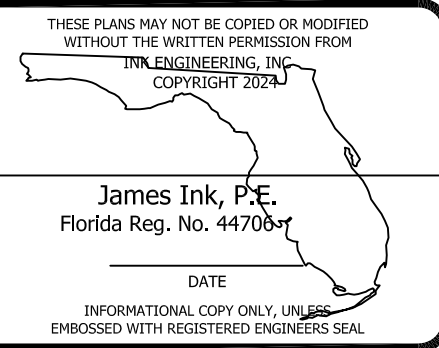


SITE 2023 AERIAL

BAYSHORE MPD - ZONING APPLICATION

PROJECT NO.	23022
PROJECT MANAGER	JAMES JINK P.E.
DRAWN BY	BWM
DATE	04.2024
SCALE	1" = 100'
SHEET NO.	1
OF	1

INK ENGINEERING, INC
2055 West First Street
Fort Myers, Florida 33901
E-mail: jink@inkengineeringinc.net



2023 AERIAL PLAN
COPPERFISH COMMERCIAL PARK MPD
BAYSHORE - FISHER, LLC
8520 BAYSHORE RD, NORTH FORT MYERS, FL

NO.	DATE	DESCRIPTION	BY
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SURVEYOR'S NOTES:
THIS PLAT OF THE HEREON DESCRIBED PROPERTY IS A TRUE AND CORRECT PRESENTATION OF A RECENT SURVEY MADE UNDER AND PLATTED UNDER MY DIRECTION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF MEETS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE STATE OF FLORIDA AS PER CHAPTER SJ-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 427, FLORIDA STATUTES.
THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON.
THIS SURVEY IS BASED ON TITLE CERTIFICATION BY ATTORNEYS' TITLE FUND SERVICES, LLC AND ANTHONY J. GARGANO, P.A., FUND FILE NUMBER 1473809 A2, SEPTEMBER 23, 2024, AT 11:00 PM.
LEGAL DESCRIPTION: (PER ATTORNEYS' TITLE FUND SERVICES, LLC AND ANTHONY J. GARGANO, P.A., FILE 1473809 A2).
BEARINGS AND COORDINATES SHOWN ARE ON STATE PLANE, FLORIDA WEST ZONE.
ELEVATIONS SHOWN, IF ANY, HAVE BEEN SURVEYED FROM DATA DERIVED FROM NORTH AMERICAN VERTICAL DATUM 1988 (NAVD 88). ELEVATIONS ARE BASED UPON TIES TO THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT CONTROL NETWORK.
ONLY ABOVE GROUND EVIDENCE OF UNDERGROUND UTILITIES SHOWN.
THIS SURVEY IS FOR THE SOLE PURPOSES INTENDED BY THE SURVEYOR AND ONLY FOR THE INDIVIDUALS AND OR INSTITUTIONS LISTED UNDER "CERTIFIED TO".
BEARINGS ARE BASED ON THE SOUTH RIGHT-OF-WAY LINE OF BAYSHORE ROAD BEING S 89°44'39" E.
PARCEL LIES IN FLOOD ZONE X AND AE WITH BASE FLOOD ELEVATIONS OF 10 AND 11 FEET, AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY MAP 12071C02706, EFFECTIVE DATE: 11/17/2022.
THE CREEK LOCATION WAS PROVIDED BY THE CLIENT AND IS GRAPHICALLY SHOWN HEREON.
THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT CONTROL NETWORK WAS UTILIZED ON THIS BOUNDARY SURVEY AND THE DATUM IS NORTH AMERICAN DATUM (NAVD83). ACCURACY IS 1-2 CENTIMETER. THE STATED VERTICAL ACCURACY IS 2-3 CENTIMETER. MEASURED BEARINGS ARE STATE PLANE, FLORIDA WEST ZONE.

- LEGEND:**
- A — ARC LENGTH
 - B.O.B. — BASIS OF BEARINGS
 - B.O.C. — BACK OF CURB
 - (C) — CALCULATED
 - CB — CATCH BASIN
 - C.B. — CHORD BEARING
 - CH — CHORD DISTANCE
 - C.O. — CLEAN OUT
 - COR. — CORNER
 - CPP — CORRUGATED PLASTIC PIPE
 - CONC. — CONCRETE
 - (D) — DELTA ANGLE
 - (D) — DEED
 - D.U.E. — DRAINAGE AND UTILITY EASEMENT
 - ELEV. — ELEVATION
 - E.O.P. — EDGE OF PAVEMENT
 - FCM — FOUND CONCRETE MONUMENT
 - FNC. — FENCE
 - (F) — FIELD
 - (F&P) — FIELD AND PLAT
 - (F&D) — FIELD AND DEED
 - FF — FINISHED FLOOR
 - FIR — FOUND IRON ROD
 - FIRC — FOUND IRON ROD AND CAP
 - FNC. — FENCE
 - FND. — FOUND
 - G.E. — GRATE ELEVATION
 - GV — GATE VALVE
 - ID. — IDENTIFICATION
 - I.E. — INVERT ELEVATION
 - G.W. — GUY WIRE
 - (M) — MEASURED
 - MES — MITERED END SECTION
 - N&D — NAIL & DISK
 - N.A.V.D. — NORTH AMERICAN VERTICAL DATUM (1988)
 - N.T.S. — NOT TO SCALE
 - (NR) — NOT RADIAL
 - O.R. — OFFICIAL RECORDS BOOK
 - (P) — PLAT
 - P.B. — PLAT BOOK
 - P.C. — POINT OF CURVATURE
 - P.C.C. — POINT OF COMPOUND CURVATURE
 - P.C.P. — PERMANENT CONTROL POINT
 - P.I. — POINT OF INTERSECT
 - PG. — PAGE
 - P.O.B. — POINT OF BEGINNING
 - P.O.C. — POINT OF COMMENCEMENT
 - PP — POWER POLE
 - P.R.C. — POINT OF REVERSE CURVATURE
 - P.R.M. — PERMANENT REFERENCE MONUMENT
 - P.T. — POINT OF TANGENCY
 - P.U.E. — PUBLIC UTILITY EASEMENT
 - PVC — POLYVINYL CHLORIDE
 - R — RADIUS
 - (R) — RADIAL
 - RCP — REINFORCED CONCRETE PIPE
 - R.E. — RIM ELEVATION
 - RNG. — RANGE
 - R/W — RIGHT OF WAY
 - SEC. — SECTION
 - SIRC — SET 5/8" IRON ROD "LB 8152"
 - S.W. — SIDEWALK
 - T.O.B. — TOP OF BANK
 - T.O.E. — TOP OF SLOPE
 - U.E. — UTILITY EASEMENT
 - WELL — WELL
 - W.E.C. — ELECTRIC SERVICE CABINET
 - W.F. — FIRE HYDRANT
 - W.P.B. — WIRE PULL BOX
 - W.V. — SEWER VALVE
 - W.P. — WOOD POST
 - W.M. — WATER METER
 - W.V. — WATER VALVE
 - P.S. — PEDESTRIAN SIGNAL
 - SIGN — SIGN
 - A.R.V. — AIR RELEASE VALVE
 - B.G.L.P. — BURIED GAS LINE POST
 - H.V.B. — HIGH VOLTAGE BOX
 - L.P. — LIGHT POLE
 - T.P. — TELEPHONE PEDESTAL
 - P.P. — POWER POLE
 - C.A. — GUY ANCHOR
 - C.L. — CENTERLINE
 - FENCE — FENCE
 - F.P. — FENCE POST
 - B. — BOLLARD
 - O.W. — OVERHEAD WIRES
 - B.F.P. — BACK FLOW PREVENTOR
 - E. — EXISTING ELEVATION



LOCATION SKETCH
(NOT TO SCALE)

LEGAL DESCRIPTION:
BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE N89°46'04"W ALONG THE SOUTH LINE OF SAID SECTION 21, A DISTANCE OF 326.03 FEET;
THENCE N00°05'37"E A DISTANCE OF 725.95 FEET;
THENCE S89°35'07"E A DISTANCE OF 115.83 FEET;
THENCE S62°56'27"E A DISTANCE OF 165.88 FEET;
THENCE S00°16'51"W A DISTANCE OF 56.16 FEET;
THENCE S78°34'18"E A DISTANCE OF 55.29 FEET;
THENCE N00°16'35"E A DISTANCE OF 350.19 FEET;
THENCE N89°44'39"E A DISTANCE OF 479.54 FEET;
THENCE N00°25'11"W A DISTANCE OF 299.75 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF BAYSHORE ROAD (SR 78);
THENCE S89°44'39"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 489.43 FEET;
THENCE S00°05'37"W A DISTANCE OF 414.41 FEET;
THENCE S89°41'17"E A DISTANCE OF 432.87 FEET;
THENCE S00°04'10"W A DISTANCE OF 819.67 FEET TO THE SOUTH LINE OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST;
THENCE N89°38'37"W ALONG SAID SECTION LINE A DISTANCE OF 433.22 FEET TO THE POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS BASED ON A BOUNDARY SURVEY THAT WAS COMPLETED ON 02/09/2024.

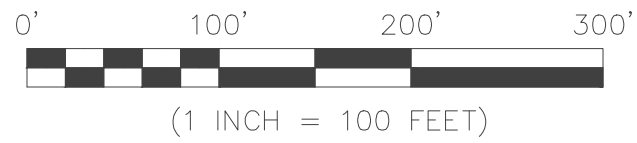
ENCUMBRANCES AFFECTING TITLE

- EASEMENT RESERVED IN DEED RECORDED IN O.R. BOOK 217, PAGE 280, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
- EASEMENT IN FAVOR OF LEE COUNTY ELECTRIC COOP RECORDED IN O.R. BOOK 1113, PAGE 2113, SUBORDINATION OF UTILITY INTERESTS RECORDED IN CLERK'S FILE NUMBER 2007 — 242640, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
- GRANT OF EASEMENT RECORDED IN O.R. BOOK 1441, PAGE 542, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
- ORDER OF TAKING RECORDED IN O.R. BOOK 4131, PAGE 4567, AS AMENDED IN O.R. BOOK 4200, PAGE 2716, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
- (ADDED A2) RECIPROCAL EASEMENT AGREEMENT WITH COVENANTS AND RESTRICTIONS RECORDED IN CLERK'S FILE NUMBER 2024 — 140137, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

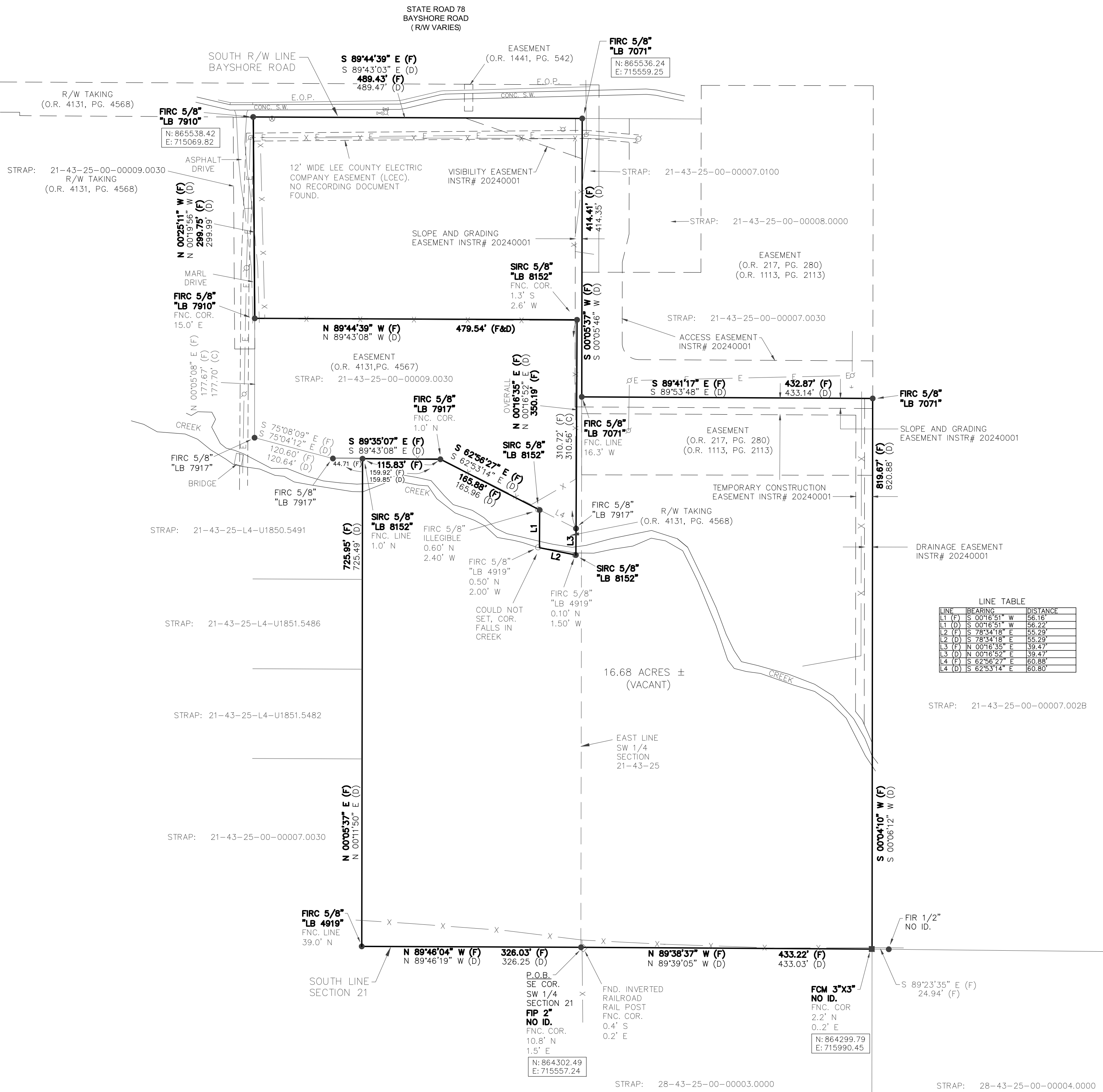
CERTIFIED TO:

ADDRESS:
BAYSHORE ROAD
NORTH FORT MYERS, FL 33917

BOUNDARY SURVEY LYING IN
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



(1 INCH = 100 FEET)



LINE TABLE		
LINE	BEARING	DISTANCE
L1 (D)	S 00°16'51" W	56.16
L1 (D)	S 00°16'51" W	56.22
L2 (D)	S 78°34'18" E	55.29
L2 (D)	S 78°34'18" E	55.29
L3 (D)	N 00°16'35" E	350.19
L3 (D)	N 00°16'35" E	350.19
L4 (D)	S 89°44'39" E	479.54
L4 (D)	S 89°44'39" E	479.54

REVISIONS		DATE
1	ADDED STATE PLANE COORDINATES	04/09/24
2	UPDATED BOUNDARY	04/14/24
3	LEGAL DESCRIPTION CORRECTION	07/29/24
4	ADDED ADDITIONAL COVENANTS AND CRESTED TITLE COMMENT	10/07/24
APPROVED		
KENNETH PUFAHL		
Digitally signed by KENNETH PUFAHL		
Date: 2024.03.08 11:45:50 -0400		
KENNETH PUFAHL		
REGISTERED LAND SURVEYOR PSM #6126		
STATE OF FLORIDA		
2802 WEST CYPRESS AVENUE		
FORT MYERS, FL 33905		
VALID ONLY WITH EMBOSSED SEAL OR DIGITAL SIGNATURE		
FIELD SURVEY	02/09/2024	
CREW CHIEF	K. PUFAHL	
DRAWN BY	KP	
SCALE	1"=100'	
KP JOB NO	24-0048	
SHEET: 1 OF 1	DATE: 02/15/2024	

KP Surveying, Inc.
LB NUMBER 8152
2802 W. Cypress Avenue S.E.
Fort Myers, Florida 33905
(239) 462-1901
www.kpsurveying.com

DESCRIPTION OF A PARCEL OF LAND LYING IN
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHEAST CORNER OF THE
SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 43
SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA;
THENCE N89°46'04"W ALONG THE SOUTH LINE OF SAID
SECTION 21, A DISTANCE OF 326.03 FEET;
THENCE N00°05'37"E A DISTANCE OF 725.95 FEET;
THENCE S89°35'07"E A DISTANCE OF 115.83 FEET;
THENCE S62°56'27"E A DISTANCE OF 165.88 FEET;
THENCE S00°16'51"W A DISTANCE OF 56.16 FEET;
THENCE S78°34'18"E A DISTANCE OF 55.29 FEET;
THENCE N00°16'35"E A DISTANCE OF 350.19 FEET;
THENCE N89°44'39"W A DISTANCE OF 479.54 FEET;
THENCE N00°25'11"W A DISTANCE OF 299.75 FEET TO
THE SOUTH RIGHT-OF-WAY LINE OF BAYSHORE ROAD
(SR 78); THENCE S89°44'39"E, ALONG SAID SOUTH
RIGHT-OF-WAY LINE, A DISTANCE OF 489.43 FEET;
THENCE S00°05'37"W A DISTANCE OF 414.41 FEET;
THENCE S89°41'17"E A DISTANCE OF 432.87 FEET;
THENCE S00°04'10"W A DISTANCE OF 819.67 FEET TO
THE SOUTH LINE OF SECTION 21, TOWNSHIP 43
SOUTH, RANGE 25 EAST; THENCE N89°38'37"W ALONG
SAID SECTION LINE A DISTANCE OF 433.22 FEET TO
THE POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS BASED ON A BOUNDARY
SURVEY THAT WAS COMPLETED ON 02/09/2024.

*** THIS IS NOT A SURVEY ***

KENNETH PUFAHL

Digitally signed by KENNETH PUFAHL
Date: 2024.09.19 18:10:35 -04'00'

Ken Pufahl, P.S.M.

PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE No. 6126

KP Surveying, Inc.

LB NUMBER 8152

2802 W. Cypress Avenue S.E.

Fort Myers, Florida 33905

(239) 462-1901

www.kpsurveying.com

SKETCH OF A PARCEL OF LAND LYING IN
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



1"=200'

SOUTH R/W LINE
BAYSHORE ROAD

S 89°44'39" E 489.43'

N 00°25'11" W 299.75'

N 89°44'39" W 479.54'

S 62°56'27" E 165.88'

N 89°35'07" W 115.83'

725.95'

N 00°05'37" E

SOUTH LINE
SECTION 21

N 89°46'04" W 326.03'

P.O.B.
SE CORNER
SW 1/4
SECTION
21-43-25

N 89°38'37" W 433.22'

16.68 ACRES ±

EAST LINE
SW 1/4
SECTION
21-43-25

S 78°34'18" E 55.29'

S 00°16'51" W 56.16'

N 00°16'35" E 350.19'

S 89°41'17" E 432.87'

819.67'

S 00°04'10" W

LEGEND

P. O. B.

POINT OF BEGINNING

R/W

RIGHT OF WAY

THE INFORMATION HEREON
IS SUBJECT TO EASEMENTS,
RESTRICTIONS,
RESERVATIONS AND
RIGHT-OF-WAYS (WRITTEN
AND UNWRITTEN, RECORDED
AND UNRECORDED).

*** THIS IS NOT A SURVEY ***

KENNETH PUFAHL

Digitally signed by KENNETH PUFAHL
Date: 2024.09.19 18:10:49 -04'00'

Ken Pufahl, P.S.M.

PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE No. 6126

TITLE CERTIFICATION/PROPERTY INFORMATION REPORT**Showing Information Required by Lee County Land Development Code 34-202(a)(3)****Issuer: Old Republic Title and Anthony J. Gargano, P.A.
Recipient: Lee County Board of County Commissioners****Fund File Number:** 1473809 A3**Provided For:** Anthony J. Gargano, P.A.**Agent's File Reference:** 777.27**Effective Date of Search:** April 21, 2026 at 11:00 PM**Description of Real Property Situated in Lee County, Florida:**

See Exhibit A

Record Title Vested in:

Bayshore-Fisher, LLC, a Florida limited liability company and Bayshore-Copping, LLC, a Florida limited liability company by Fee Simple Deeds recorded in Clerk's File Number [2013 - 96700](#); Clerk's File Number [2013 - 96701](#); Clerk's File Number [2013 - 116935](#); Clerk's File Number [2013 - 116936](#); Clerk's File Number [2014 - 80467](#); Clerk's File Number [2014 - 125951](#), Public Records of Lee County, Florida.

Prepared Date: May 5, 2026**Old Republic Title****Prepared by:** Jo Anne Young, Senior Examiner**Email Address:** jyoung@OldRepublicTitle.com

Cyndi Bolyard
Production Manager, Ft. Myers

TITLE CERTIFICATION/PROPERTY INFORMATION REPORT

Fund File Number: 1473809 A3

The following mortgages are all the mortgages of record that have not been satisfied or released of record nor otherwise terminated by law:

1. None

Other encumbrances affecting the title:

1. (Revised A-3) FOR INFORMATIONAL PURPOSES ONLY: General or special taxes and assessments the year 2025, have been paid.
2. Easement reserved in Deed recorded in O.R. Book [217, Page 280](#), Public Records of Lee County, Florida.
3. Easement in favor of Lee County Electric Coop recorded in O.R. Book [1113, Page 2113](#), Subordination of Utility Interests recorded in Clerk's File Number [2007 - 242640](#), Public Records of Lee County, Florida.
4. Grant of Easement recorded in O.R. Book [1441, Page 542](#), Public Records of Lee County, Florida.
5. Lee County Ordinance No. 86-14 recorded November 30, 1990, in O.R. Book [2189, Page 3281](#) and amended by Ordinance No. 86-38 in O.R. Book [2189, Page 3334](#), Public Records of Lee County, Florida.
6. Order of Taking recorded in O.R. Book [4131, Page 4567](#), as amended in O.R. Book [4200, Page 2716](#), Public Records of Lee County, Florida.
7. Rights of the lessees under unrecorded leases.
8. (Added A2) Reciprocal Easement Agreement with Covenants and Restrictions recorded in Clerk's File Number [2024 - 140137](#), Public Records of Lee County, Florida.

This search is provided pursuant to the requirements of Lee County Land Development Code 34-202(a)(3) for the uses and purposes specifically stated therein and is not to be used as the basis for issuance of an insurance commitment and/or policy.

The information contained herein is furnished for information only.

This report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this title certification/property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

TITLE CERTIFICATION/PROPERTY INFORMATION REPORT**Exhibit A**

Fund File Number: 1473809 A2

(REVISED A2)

DESCRIPTION OF A PARCEL OF LAND LYING IN SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA.

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE N89°46'04"W ALONG THE SOUTH LINE OF SAID SECTION 21, A DISTANCE OF 326.03 FEET; THENCE N00°05'37"E A DISTANCE OF 725.95 FEET; THENCE S89°35'07"E A DISTANCE OF 115.83 FEET; THENCE S62°56'27"E A DISTANCE OF 165.88 FEET; THENCE S00°16'51"W A DISTANCE OF 56.16 FEET; THENCE S78°34'18"E A DISTANCE OF 55.29 FEET; THENCE N00°16'35"E A DISTANCE OF 350.19 FEET; THENCE N89°44'39"W A DISTANCE OF 479.54 FEET; THENCE N00°25'11"W A DISTANCE OF 299.75 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF BAYSHORE ROAD (SR 78); THENCE S89°44'39"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 489.43 FEET; THENCE S00°05'37"W A DISTANCE OF 414.41 FEET; THENCE S89°41'17"E A DISTANCE OF 432.87 FEET; THENCE S00°04'10"W A DISTANCE OF 819.67 FEET TO THE SOUTH LINE OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N89°38'37"W ALONG SAID SECTION LINE A DISTANCE OF 433.22 FEET TO THE POINT OF BEGINNING.



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

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT ANALYSIS

FOR

COPPERFISH MPD
LEE COUNTY, FLORIDA

PROJECT NO. F2403.04

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

REVISED:
November 20, 2024



CONTENTS

- I. INTRODUCTION
- II. EXISTING CONDITIONS
- III. PROPOSED DEVELOPMENT
- IV. TRIP GENERATION
- V. PROJECT IMPACT
- VI. LEVEL OF SERVICE ANALYSIS
- VII. INTERSECTION ANALYSIS
- VIII. CONCLUSION

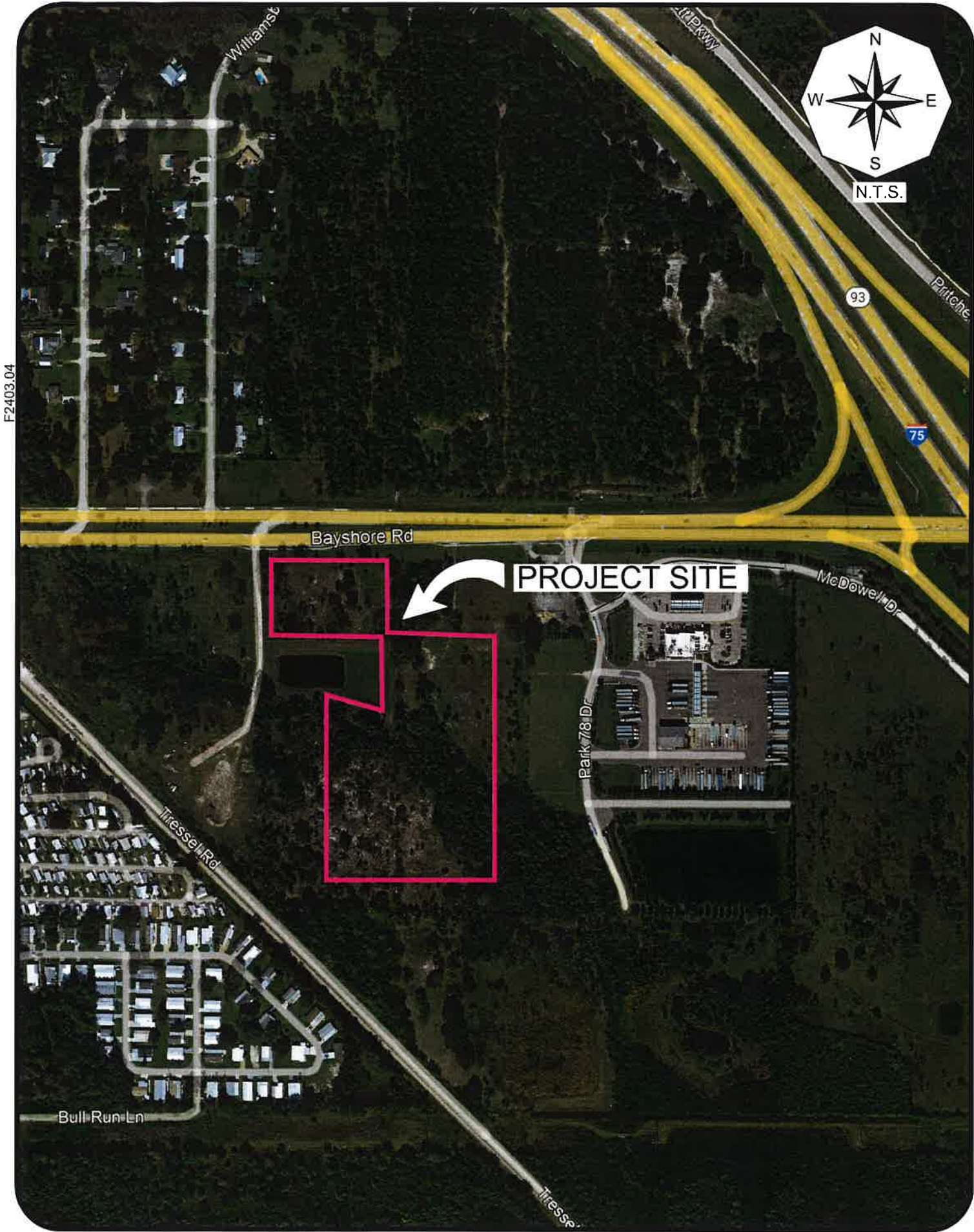


I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking rezoning approval. The project site is located on the south side of SR 78 (Bayshore Road) west of Park 78 Drive in Lee County, Florida. **Figure 1** illustrates the approximate location of the subject site.

The proposed rezoning application is to permit a mix of commercial and residential uses on approximately 16.7 acres. The Master Concept Plan indicates three (3) development tracts with the site bi-furcated by a flow-way. The site is currently zoned AG-2 and is proposed to be rezoned to a Mixed Planned Development. The Master Concept Plan and Schedule of Uses indicates that there will be both commercial retail, office and residential uses. Access to the site will be provided to SR 78 via a cross access connection to the east and via a direct access connection near the western property boundary.

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





II. EXISTING CONDITIONS

The subject site is currently vacant. The subject site is bordered by SR 78 (Bayshore Road) to the north, The recently approved RaceTrac gas station is located in the northeast corner of the site. Vacant AG-2 land borders the site to the south and west and a Florida Department of Transportation water management pond is located in the middle of the site.

SR 78 (Bayshore Road) is a four-lane divided arterial roadway that borders the subject site to the north. SR 78 has an Access Management Classification of Class 3, which requires a minimum connection spacing of 660 feet between driveway connections, 1,320 feet between directional median openings, and 2,640 feet between full median openings. SR 78 has a posted speed limit of 50 mph with a C3R Context Classification and is under the jurisdiction of the Florida Department of Transportation (FDOT).

III. PROPOSED DEVELOPMENT

The zoning request is to provide a mix of both commercial and residential uses on the subject site. The Master Concept Plan would permit up to 100,000 square feet of commercial retail and office uses and up to 240 multi-family dwelling units on the subject site as well as a 150 room hotel. **Table 1** summarizes the land uses utilized for the purposes of this analysis.

Table 1
Land Use
Copperfish MPD

Land Use	Size
Commercial Retail (LUC 820)	200,000 Sq. Ft.
Multi-Family Residential (LUC 220)	200 Dwelling Units
Hotel (LUC 310)	150 Rooms



Access to the subject site is proposed to SR 78 (Bayshore Road) via a cross access connection to the east as well as a direct access connection to S.R 78 at the northwest corner of the site.

IV. TRIP GENERATION

The trip generation for the proposed Copperfish MPD was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled *Trip Generation Manual*, 11th Edition. For the commercial uses, Land Use Code 820 (Shopping Plaza 40-150k with Supermarket) was utilized for the trip generation purposes since this will ensure a "worst case" analysis of all of the commercial uses that are proposed. For the multi-family residential uses, Land Use Code 220 (Multi-Family Housing Low-Rise) was utilized for the trip generation estimates and Land Use Code 310 (Hotel) was utilized for the Hotel trip generation. **Table 2** outlines the anticipated total weekday AM and PM peak hour trip generation of the proposed development. The anticipated daily trip generation is also indicated within Table 2.

Table 2
Trip Generation – Total Trips
Copperfish MPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Shopping Center (200,000 Sq. Ft.)	156	96	252	446	484	930	11,086
Multi-Family (200 Dwelling Units)	20	65	85	67	40	107	1,357
Hotel (150 Rooms)	38	30	68	42	41	83	1,202
Total Trips	214	191	405	555	565	1,120	13,645

The trips shown for the commercial retail uses in Table 2 will not all be new trips to the adjacent roadway system. ITE estimates that retail uses may attract a significant amount of its traffic from vehicles already traveling the adjoining roadway system. This traffic, called "pass-by" traffic, reduces the development's overall impact on the surrounding



roadway system but does not decrease the actual driveway volumes. Lee County permits a maximum reduction in trips due to “pass-by” traffic for retail uses of thirty-percent (30%).

For this analysis, the “pass-by” traffic was accounted for in order to determine the number of “new” trips the development will add to the surrounding roadways. **Table 3** summarizes the “pass-by” percentage for the proposed use. **Table 4** summarizes the development traffic and the breakdown between the new trips the development is anticipated to generate and the “pass-by” trips the development is anticipated to attract. It should be noted that the driveway volumes are not reduced as a result of the “pass-by” reduction, only the traffic added to the surrounding streets and intersections.

Table 3
Pass-by Trip Reduction Factor
Copperfish MPD

Land Use	Percentage Trip Reduction
Retail	30%

Table 4
Trip Generation – New Trips
Copperfish MPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Total Trips	214	191	405	555	565	1,120	13,645
Less Pass-by	-38	-38	-76	-140	-140	-280	-3,326
New Trips	176	153	329	415	425	840	10,319

The trips the proposed development is anticipated to generate were assigned to the site access drives and the surrounding roadway network. The net new trips anticipated to be added to the surrounding roadway network were assigned based upon the routes drivers are anticipated to utilize to approach the subject site. **Figure A-1**, included in the Appendix of this report, illustrates the percent project traffic distribution and assignment of the net new project trips. **Figure A-2**, included in the Appendix of this report,

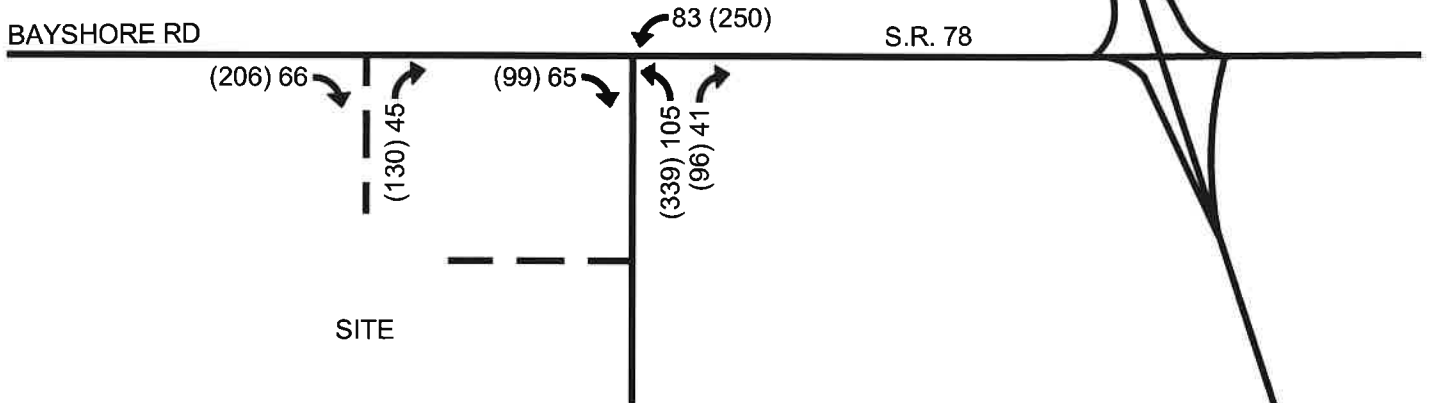
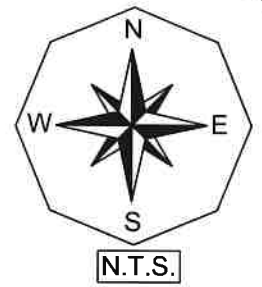


illustrates the percent project traffic distribution and assignment of pass-by trips. **Figure 2** illustrates the resulting assignment of all project related trips (net new + pass-by).

V. PROJECT IMPACT

In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines **Table 1A**, in the Appendix, was created. Table 1A indicates which roadway links will accommodate greater than 10% of the Peak Hour Level of Service “C” volumes. The Level of Service Threshold volumes for SR 78 were obtained from the FDOT’s *2023 Multimodal Quality/Level of Service Handbook*. Based on Table 1A, none of the roadway segments analyzed are anticipated to be significantly by the proposed development of the subject site.

F2403.04/Sufficiency

LEGEND

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

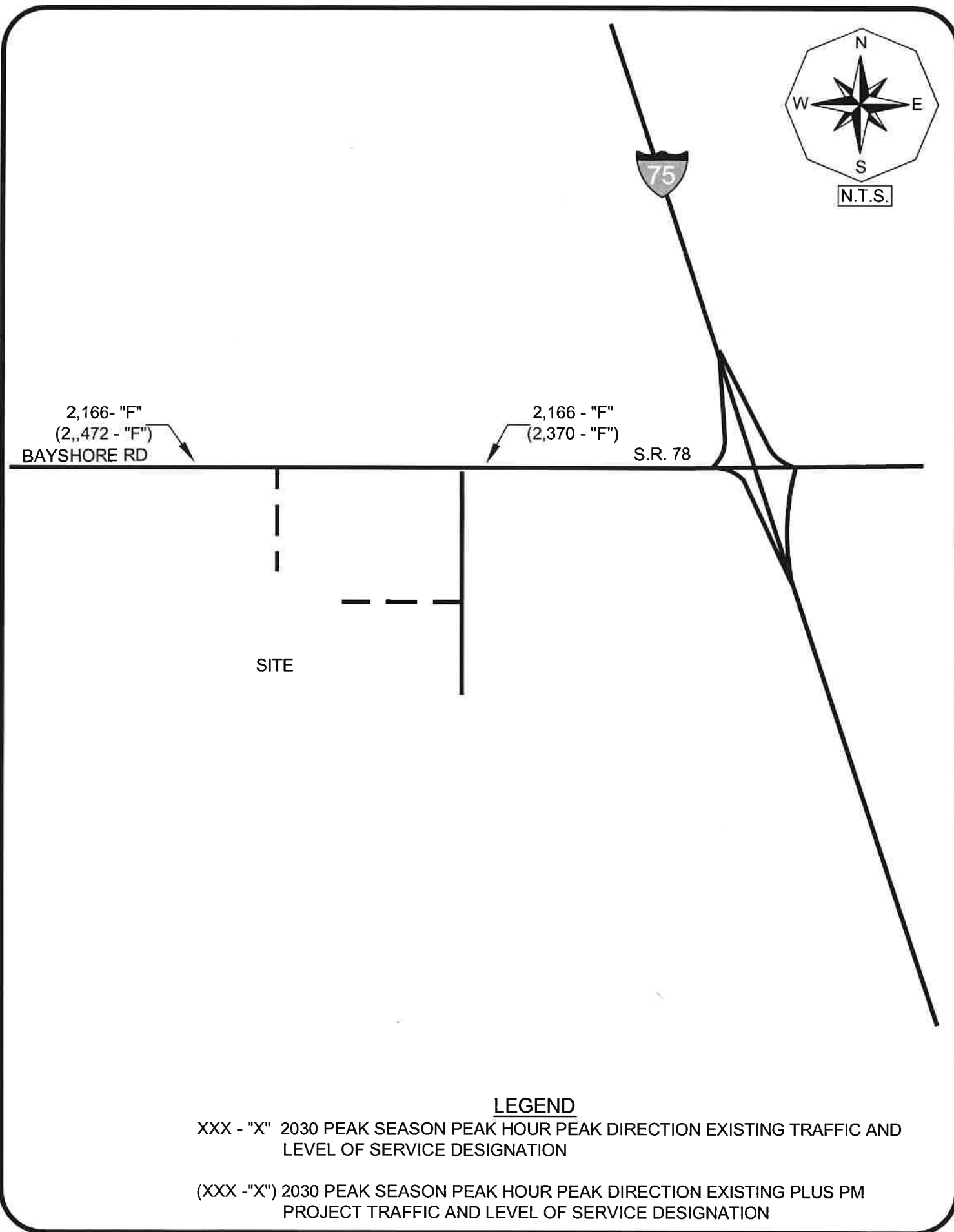


VI. LEVEL OF SERVICE ANALYSIS

A Level of Service analysis was conducted on the surrounding roadway links. The road segments included in the analysis were SR 78, east and west of the site. The existing 2024 peak hour peak season peak direction volumes were obtained from the *Lee County Traffic Count Database System*. Traffic Count Station #64 is located on Bayshore Road west of I-75 and is currently functioning and collecting traffic data. The traffic data in the most recent *Lee County Public Facilities Level of Service and Concurrency Report* for Bayshore Road in this area is based on out date traffic count data. In order to determine the projected Level of Service on the roadway links directly accessed by the proposed development, the project traffic was added to the projected 2030 background traffic volumes. The projected 2030 background traffic volumes were formulated by increasing the existing 2024 peak hour peak season peak direction traffic volumes by a historical growth factor as determined by referencing historical traffic data as contained in the Lee County Traffic Count Databased Management System for Location ID #64. The historical traffic data for Bayshore Road (Station 64) was referenced in order to determine the Annual Growth Rate (AGR) to estimate the future 2030 background traffic volumes on Bayshore Road. A copy of the Lee County DOT traffic data is included in the Appendix of this report for reference. **Table 2A**, located in the Appendix of this report indicates the methodology utilized to conduct the projected 2030 Level of Service Analysis.

From the analysis indicated in Table 2A, there is projected to be sufficient capacity on all segments of analyzed roadways to accommodate the trips anticipated to be generated by the proposed development on the subject site. SR 78 is shown to operate at a Level of Service "F" both with and without the addition of the project traffic. Therefore, no roadway capacity improvements will be required as a result of this analysis. **Figure 3** illustrates the results of the Level of Service Analysis. Turn lanes at the site access drive intersections will be evaluated at the time of Local Development Order approval.

F2403.04/Sufficiency





VII. INTERSECTION ANALYSIS

Intersection analysis was performed at the future intersection of SR 78 with the RaceTrac access, which will be a signalized intersection, as well as the unsignalized intersection of S.R. 78 and Park 78 Drive and the proposed right-in/right-out site access drive to S.R. 78 to the west of the RaceTrac access. These are the only intersections that are within $\frac{1}{4}$ mile of the site. The analysis was conducted utilizing the latest version of **SYNCHRO**®. The intersection analysis was based on the projected 2030 weekday AM and PM peak hour traffic conditions with the project traffic. Traffic counts were conducted at the intersection of SR 78 with Park 78 Drive during the weekday between the hours of 7:00 to 6:00 PM. on September 28, 2023. A copy of the raw turning movement count data for this intersection is included in the Appendix of this report for reference.

The peak hour turning movements were then adjusted for peak season conditions based on peak season factor data as provided by FDOT in their *Traffic Information Online* resource. The FDOT peak season correction factor is included in the Appendix of this report for reference. The existing peak season traffic volumes were then increased by a growth rate factor to determine the projected 2030 background turning movement volumes. **Table 2A** of the Appendix illustrates the methodology utilized to formulate the appropriate annual growth rate on SR 78. The turning volumes projected to be added to the intersection as illustrated on Figure 2 were then added to the 2030 background volumes to estimate the future 2030 traffic volumes with the project. These volumes are based on the data from the spreadsheet contained in the Appendix of this report titled *Development of Future Year Background Turning Volumes*.

The results of the intersection analysis are contained in the Appendix of this report for reference. As this project proceeds through the Development Order process, additional analysis will be conducted to determine the exact impacts to the intersection and what, if any, additional lanes or turn lanes need to be added to ensure the intersection will operate safely and efficiently based on FDOT criteria.



VIII. CONCLUSION

The proposed rezoning application for Copperfish MPD will include the development of up to 200,000 square feet of various commercial retail and office uses and up to 200 multi-family dwelling units and 150 hotel rooms on the 16.7-acre property. Bayshore Road is shown to operate at LOS "F" in 2030 regardless if this project is approved, therefore, this is a pre-existing deficiency that this project is not responsible for mitigating. The project will pay road impact fees to off-set the road impacts off-site.

Turn lanes serving the subject site will be evaluated at the time the project seeks site development permitting from the Florida Department of Transportation.

APPENDIX

TABLES 1A & 2A

TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
BAYSHORE MPD

Revised 11-20-2024

TOTAL AM PEAK HOUR PROJECT TRAFFIC =	329 VPH	IN=	176	OUT=	153
TOTAL PM PEAK HOUR PROJECT TRAFFIC =	840 VPH	IN=	415	OUT=	425

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>ROADWAY CLASS</u>	<u>LOS A VOLUME</u>	<u>LOS B VOLUME</u>	<u>LOS C VOLUME</u>	<u>LOS D VOLUME</u>	<u>LOS E VOLUME</u>	<u>PERCENT PROJECT TRAFFIC</u>	<u>PROJECT TRAFFIC</u>	<u>PROJ/ LOS C</u>
Bayshore Road	West of Site Access	4LD	0	0	1,700	1,850	1,850	60%	255	15.0%
	East of Site Access	4LD	0	0	1,700	1,850	1,850	40%	170	10.0%

* Level of Service thresholds was obtained from the FDOT 2023 Multimodal Q/LOS Handbook
 Bayshore Road is C3R Context Classification

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
BAYSHORE MPD

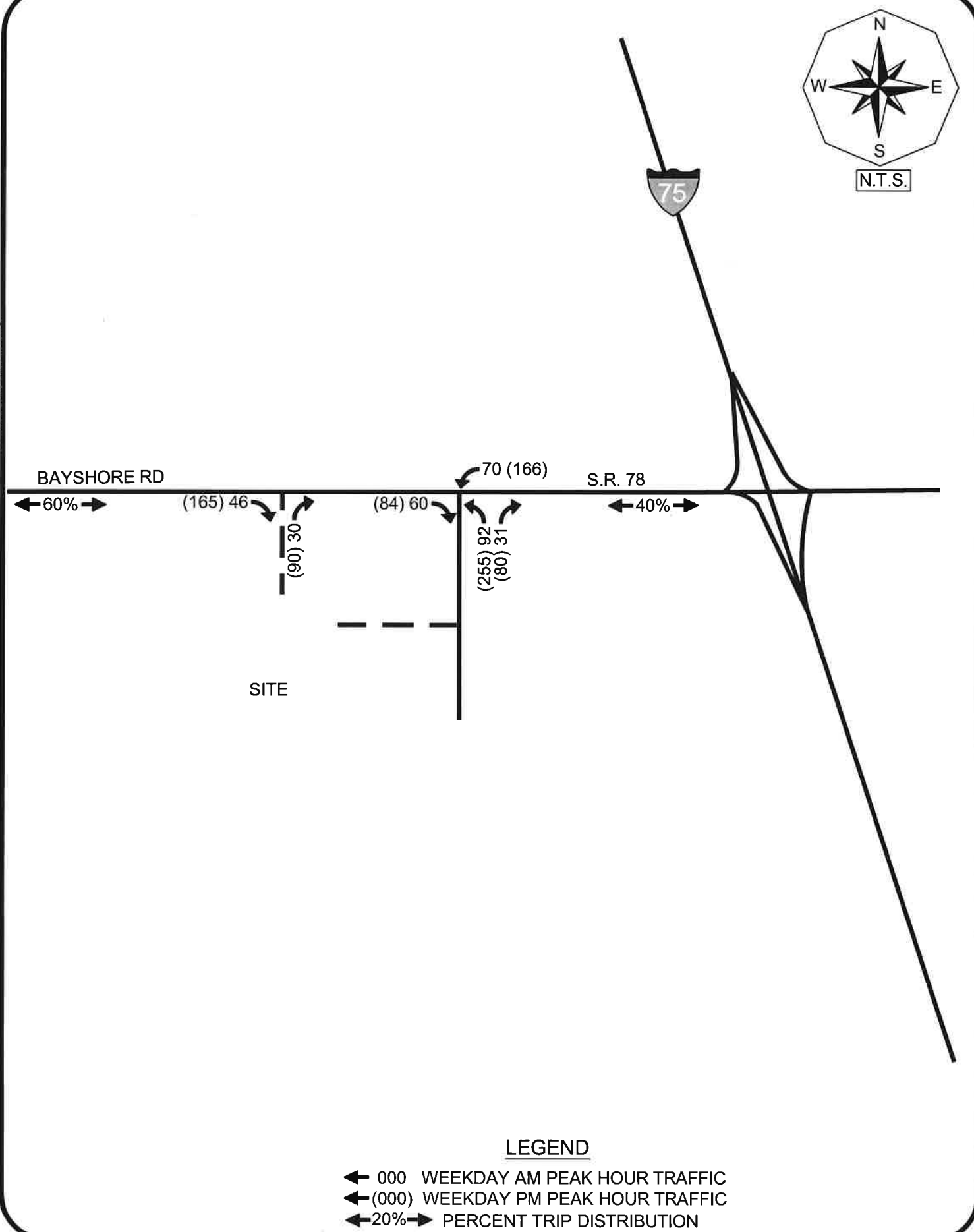
TOTAL PROJECT TRAFFIC AM = 303 VPH IN = 167 OUT= 136
 TOTAL PROJECT TRAFFIC PM = 978 VPH IN= 477 OUT= 510

ROADWAY	SEGMENT	2024									2024		2030			
		2015					PK HR	PERCENT			CONCURRENCY	FUTURE PLANNING ANALYSIS				
		COUNT	BASE YR	2023	YRS OF	ANNUAL	PK SEASON	PROJECT	AM PROJ	PM PROJ	ANALYSIS	BACKGROUND	BCKGRND + PROJ			
		STATION	ADT	ADT	GROWTH	RATE	PEAK DIR. ¹	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	LOS	PEAK DIR.	LOS	TRAFFIC	LOS
Bayshore Road	West of Site Access	126064	22,800	32,800	9	4.12%	1,700	60%	100	306	2,006	F	2,166	F	2,472	F
	East of Site Access	126064	22,800	32,800	9	4.12%	1,700	40%	67	204	1,904	F	2,166	F	2,370	F

¹ Obtained from the 2024 Lee County Traffic Count Database System online for Count Station ID 64 (Represent 2024 Peak Season Volume)
 Historical count data collected from the Lee County Traffic Count Database System for Location ID 64

SUPPLEMENTAL FIGURES A-1 & A-2

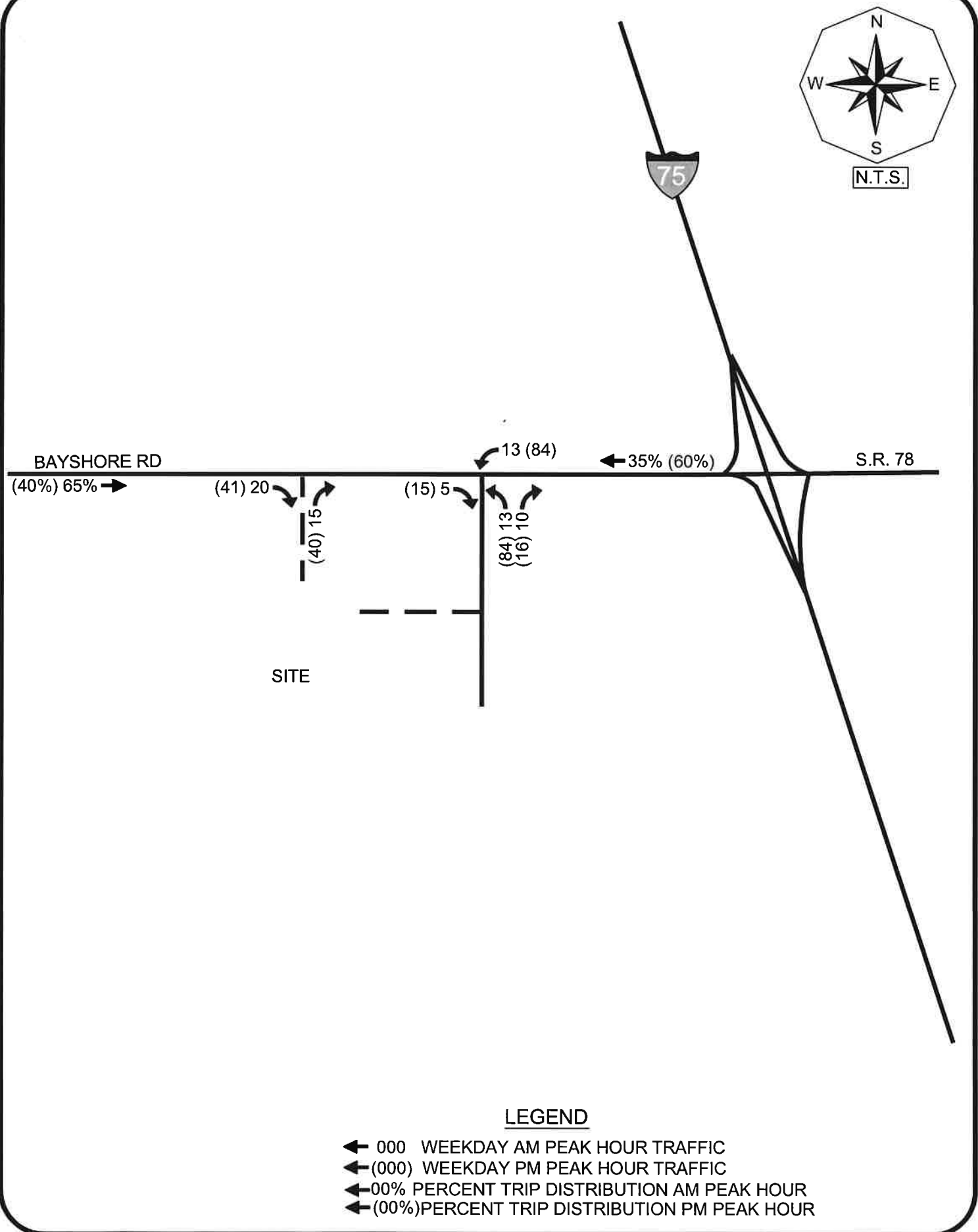
F2403.04/Sufficiency



**ASSIGNMENT & DISTRIBUTION OF
NET NEW PROJECT TRIPS
BAYSHORE MPD**

Figure A-1

F2403.04/Sufficiency



**FDOT MULTI-MODAL
QUALITY/LEVEL OF SERVICE
HANDBOOK
C3R CONTEXT
CLASSIFICATION**

C3C & C3R

Motor Vehicle Arterial Generalized Service Volume Tables

Peak Hour Directional

	B	C	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	**

Peak Hour Two-Way

	B	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	**

AADT

	B	C	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	**



(C3C-Suburban Commercial)



(C3R-Suburban Residential)

	B	C	D	E
1 Lane	*	970	1,110	**
2 Lane	*	1,700	1,850	**
3 Lane	*	2,620	2,730	**

	B	C	D	E
2 Lane	*	1,760	2,020	**
4 Lane	*	3,090	3,360	**
6 Lane	*	4,760	4,960	**

	B	C	D	E
2 Lane	*	19,600	22,400	**
4 Lane	*	34,300	37,300	**
6 Lane	*	52,900	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.

** 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.

FDOT PEAK SEASON CORRECTION FACTOR DATA

2022 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL
 CATEGORY: 1203 SR80, 31 & 78 E OF I-75

WEEK	DATES	SF	MOCF: 0.95 PSCF
1	01/01/2022 - 01/01/2022	0.99	1.04
2	01/02/2022 - 01/08/2022	1.00	1.05
3	01/09/2022 - 01/15/2022	1.02	1.07
4	01/16/2022 - 01/22/2022	1.00	1.05
* 5	01/23/2022 - 01/29/2022	0.98	1.03
* 6	01/30/2022 - 02/05/2022	0.96	1.01
* 7	02/06/2022 - 02/12/2022	0.94	0.99
* 8	02/13/2022 - 02/19/2022	0.92	0.97
* 9	02/20/2022 - 02/26/2022	0.92	0.97
*10	02/27/2022 - 03/05/2022	0.92	0.97
*11	03/06/2022 - 03/12/2022	0.92	0.97
*12	03/13/2022 - 03/19/2022	0.92	0.97
*13	03/20/2022 - 03/26/2022	0.93	0.98
*14	03/27/2022 - 04/02/2022	0.95	1.00
*15	04/03/2022 - 04/09/2022	0.96	1.01
*16	04/10/2022 - 04/16/2022	0.98	1.03
*17	04/17/2022 - 04/23/2022	0.99	1.04
18	04/24/2022 - 04/30/2022	1.01	1.06
19	05/01/2022 - 05/07/2022	1.03	1.08
20	05/08/2022 - 05/14/2022	1.04	1.09
21	05/15/2022 - 05/21/2022	1.06	1.12
22	05/22/2022 - 05/28/2022	1.08	1.14
23	05/29/2022 - 06/04/2022	1.09	1.15
24	06/05/2022 - 06/11/2022	1.11	1.17
25	06/12/2022 - 06/18/2022	1.12	1.18
26	06/19/2022 - 06/25/2022	1.12	1.18
27	06/26/2022 - 07/02/2022	1.12	1.18
28	07/03/2022 - 07/09/2022	1.11	1.17
29	07/10/2022 - 07/16/2022	1.11	1.17
30	07/17/2022 - 07/23/2022	1.10	1.16
31	07/24/2022 - 07/30/2022	1.09	1.15
32	07/31/2022 - 08/06/2022	1.08	1.14
33	08/07/2022 - 08/13/2022	1.07	1.13
34	08/14/2022 - 08/20/2022	1.06	1.12
35	08/21/2022 - 08/27/2022	1.07	1.13
36	08/28/2022 - 09/03/2022	1.09	1.15
37	09/04/2022 - 09/10/2022	1.10	1.16
38	09/11/2022 - 09/17/2022	1.11	1.17
39	09/18/2022 - 09/24/2022	1.09	1.15
40	09/25/2022 - 10/01/2022	1.08	1.14
41	10/02/2022 - 10/08/2022	1.06	1.12
42	10/09/2022 - 10/15/2022	1.04	1.09
43	10/16/2022 - 10/22/2022	1.03	1.08
44	10/23/2022 - 10/29/2022	1.02	1.07
45	10/30/2022 - 11/05/2022	1.01	1.06
46	11/06/2022 - 11/12/2022	1.00	1.05
47	11/13/2022 - 11/19/2022	1.00	1.05
48	11/20/2022 - 11/26/2022	0.99	1.04
49	11/27/2022 - 12/03/2022	0.99	1.04
50	12/04/2022 - 12/10/2022	0.99	1.04
51	12/11/2022 - 12/17/2022	0.99	1.04
52	12/18/2022 - 12/24/2022	1.00	1.05
53	12/25/2022 - 12/31/2022	1.02	1.07

* PEAK SEASON

23-FEB-2023 09:11:18

830UPD

1_1203_PKSEASON.TXT

**LEE COUNTY PUBLIC
FACILITIES LEVEL OF
SERVICE AND CONCURRENCY
REPORT**

Table 21 b): Link-Level Service Volumes and LOS Table

Table 21 b) 1 of 7

LEE COUNTY ROAD LINK VOLUMES (County- and State-Maintained Roadways)														
Link No.	NAME	ROADWAY LINK		F. Class	ROAD TYPE	PERFORMANCE STANDARD		2021 100TH HIGHEST HOUR			FUTURE FORECAST (2026)			Notes
		FROM	TO			LOS	DIRECTIONAL CAPACITY	LOS	VOL	V/C	LOS	VOL	V/C	
00100	A & W BULB RD	GLADIOLUS DR	MCGREGOR BLVD	Maj. Col	2LN	E	860	C	342	0.40	C	360	0.42	
00200	ALABAMA RD	SR 82	MILWAUKEE BLVD	M. Art	2LN	E	990	C	265	0.27	C	279	0.28	
00300	ALABAMA RD	MILWAUKEE BLVD	HOMESTEAD RD	M. Art	2LN	E	990	C	349	0.35	C	367	0.37	
00400	ALEXANDER BELL BLVD	SR 82	MILWAUKEE BLVD	M. Art	2LN	E	990	D	561	0.57	D	590	0.60	
00500	ALEXANDER BELL BLVD	MILWAUKEE BLVD	LEELAND HEIGHTS	M. Art	2LN	E	990	D	561	0.57	D	654	0.66	Shadow Lakes
00590	ALICO RD	US 41	DUSTY RD	P. Art	4LD	E	1,980	B	1,171	0.59	B	1,230	0.62	
00600	ALICO RD	DUSTY RD	LEE RD	P. Art	6LD	E	2,960	B	1,171	0.40	B	1,532	0.52	Alco Business Park
00700	ALICO RD	LEE RD	THREE OAKS PKWY	P. Art	6LD	E	2,960	B	1,171	0.40	B	1,419	0.48	Three Oaks Regional Center
00800	ALICO RD	THREE OAKS PKWY	I-75	P. Art	6LD	E	2,960	B	2,428	0.82	B	2,552	0.86	EEPCO Study
00900	ALICO RD	I-75	BEN HILL GRIFFIN BLVD	P. Art	6LD	E	2,960	B	1,278	0.43	B	1,425	0.48	EEPCO Study
01000	ALICO RD	BEN HILL GRIFFIN BLVD	GREEN MEADOW DR	Maj. Col	2LN	E	1,100	C	395	0.36	E	808	0.73	4 Ln constr.2018, EEPCO Study*
01050	ALICO RD	GREEN MEADOW DR	CORKSCREW RD	Maj. Col	2LN	E	1,100	B	151	0.12	B	224	0.20	EEPCO Study
01200	BABCOCK RD	US 41	ROCKEFELLER CIR	Min. Col	2LN	E	860	C	55	0.06	C	162	0.19	old count
01400	BARRETT RD	PONDELLA RD	PINE ISLAND RD (US 78)	Maj. Col	2LN	E	860	C	103	0.12	C	116	0.14	old count projection(2009)
01500	BASS RD	SUMMERLIN RD	GLADIOLUS DR	Maj. Col	4LN	E	1,790	C	564	0.32	C	822	0.46	
01600	BAYSHORE RD (SR 78)	BUS 41	NEW POST RD/HART RD	State	4LD	D	2,100	C	1,975	0.94	D	2,076	0.99	
01700	BAYSHORE RD (SR 78)	HART RD	SLATER RD	State	4LD	D	2,100	C	1,821	0.87	F	2,152	1.02	
01800	BAYSHORE RD (SR 78)	SLATER RD	I-75	State	4LD	D	2,100	C	1,222	0.58	C	1,441	0.69	
01900	BAYSHORE RD (SR 78)	I-75	NALLE RD	State	2LN	D	924	C	741	0.80	F	941	1.02	
02000	BAYSHORE RD (SR 78)	NALLE RD	SR 31	State	2LN	D	924	C	741	0.80	F	941	1.02	
02100	BEN HILL GRIFFIN PKWY	CORKSCREW RD	FGCU ENTRANCE	P. Art	4LD	E	2,000	B	1,361	0.68	B	1,763	0.88	
02200	BEN HILL GRIFFIN PKWY	FGCU BOULEVARD S	COLLEGE CLUB DR	P. Art	4LD	E	2,000	B	1,361	0.68	B	1,430	0.72	
02250	BEN HILL GRIFFIN PKWY	COLLEGE CLUB DR	ALICO RD	P. Art	6LD	E	3,000	A	1,123	0.37	A	1,215	0.41	
26950	BEN HILL GRIFFIN PKWY	ALICO RD	TERMINAL ACCESS RD	Controlled xs	4LD	E	1,980	A	980	0.49	A	1,030	0.52	
02300	BETH STACEY BLVD	23RD ST	HOMESTEAD RD	Maj. Col	2LN	E	860	C	340	0.40	C	565	0.66	
02400	BONITA BEACH RD	HICKORY BLVD	VANDERBILT DR	P. Art	4LD	E	1,900	C	736	0.39	C	774	0.41	Constrained In City Plan *
02500	BONITA BEACH RD	VANDERBILT DR	US 41	P. Art	4LD	E	1,900	C	1,433	0.75	C	1,506	0.79	Constrained In City Plan
02600	BONITA BEACH RD	US 41	OLD 41	P. Art	4LD	E	1,860	C	1,427	0.77	C	1,500	0.81	Constrained, old count projection(2010)
02700	BONITA BEACH RD	OLD 41	IMPERIAL ST	P. Art	6LD	E	2,800	C	1,908	0.68	C	2,005	0.72	Constrained In City Plan(2010)
02800	BONITA BEACH RD	IMPERIAL ST	W OF I-75	P. Art	6LD	E	2,800	C	2,091	0.75	C	2,197	0.78	Constrained In City Plan
02900	BONITA BEACH RD	E OF I-75	BONITA GRAND DR	M. Art	4LD	E	2,020	B	626	0.31	B	658	0.33	Constrained In City Plan
02950	BONITA BEACH RD	BONITA GRANDE DR	Logan Boulevard	M. Art	4LD	E	2,020	B	626	0.31	B	658	0.33	Constrained In City Plan
03100	BONITA GRANDE DR	BONITA BEACH RD	E TERRY ST	Maj. Col	2LN	E	860	D	692	0.80	E	782	0.91	old count projection(2009)
03200	BOYSCOUT RD	SUMMERLIN RD	US 41	P. Art	6LN	E	2,520	E	1,847	0.73	E	1,941	0.77	
03300	BRANTLEY RD	SUMMERLIN RD	US 41	Maj. Col	2LN	E	860	C	287	0.33	C	302	0.35	
03400	BRIARCLIFF RD	US 41	TRIPLE CROWN CT	Maj. Col	2LN	E	860	C	158	0.18	C	166	0.19	
03500	BROADWAY RD (ALVA)	SR 80	North RIVER RD	Maj. Col	2LN	E	860	C	280	0.33	C	294	0.34	old count projection(2009)
03700	BUCKINGHAM RD	SR 82	GUNNERY RD	P. Art	2LN	E	990	D	491	0.50	D	516	0.52	
03730	BUCKINGHAM RD	GUNNERY RD	ORANGE RIVER BLVD	P. Art	2LN	E	990	C	395	0.40	C	415	0.42	
03800	BUCKINGHAM RD	ORANGE RIVER BLVD	SR 80	P. Art	2LN	E	990	D	644	0.65	F	1,057	1.07	Buckingham 345 & Portico
03900	BURNT STORE RD	SR 78	VAN BUREN PKWY	Controlled xs	4LD	E	2,950	B	828	0.28	B	870	0.29	
04000	BURNT STORE RD	VAN BUREN PKWY	COUNTY LINE	Controlled xs	2LN	E	1,140	C	528	0.46	C	626	0.55	
04200	BUS 41 (N TAMIAMI TR, CITY LIMITS (N END EDISON BRG))	SR 78	PONDELLA RD	State	6LD	D	3,171	C	1,715	0.54	C	2,082	0.66	
04300	BUS 41 (N TAMIAMI TR, SR 78)	SR 78	PONDELLA RD	State	6LD	D	3,171	C	1,715	0.54	C	2,082	0.66	
04400	BUS 41 (N TAMIAMI TR, SR 78)	SR 78	LITTLETON RD	State	4LD	D	2,100	C	994	0.47	C	1,245	0.59	
04500	BUS 41 (N TAMIAMI TR, LITTLETON RD)	SR 78	US 41	State	4LD	D	2,100	C	596	0.28	C	796	0.38	
04600	CAPE CORAL BRIDGE	DEL PRADO BLVD	MCGREGOR BLVD	P. Art	4LB	E	4,000	D	3,097	0.77	D	3,255	0.81	
04700	CAPTIVA DR	BLIND PASS	SOUTH SEAS	Maj. Col	2LN	E	860	C	267	0.31	C	302	0.35	Constrained, old count(2010)

County-Maintained Collector Roadway - Unincorporated Lee County

State-Maintained Arterial Roadway - Unincorporated Lee County

County-Maintained Collector Roadway - Incorporated Lee County

County Maintained Controlled Access Arterial Facility

County-Maintained Arterial Roadway - Unincorporated Lee County

County Maintained Expressway

County-Maintained Arterial Roadway - Incorporated Lee County

**LEE COUNTY TRAFFIC COUNT
DATABASE SYSTEM
TRAFFIC DATA FOR
BAYSHORE ROAD
LOCATION ID 64
BAYSORE ROAD
EAST OF FIRST STREET**

Location Info					
Location ID	64_EB				
Type	I-SECTION				
Functional Class	-				
Located On	Bayshore Rd				
EAST OF	First St				
Direction	EB				
Community	-				
MPO_ID					
HPMS ID					
Agency	Lee County				
Interval: 15 mins					
Time	15 Min				Hourly Count
	1st	2nd	3rd	4th	
00:00 - 01:00	24	15	21	16	76
01:00 - 02:00	9	14	18	8	49
02:00 - 03:00	18	7	22	15	62
03:00 - 04:00	21	14	41	33	109
04:00 - 05:00	46	43	60	95	244
05:00 - 06:00	103	141	183	265	692
06:00 - 07:00	315	378	352	336	1381
07:00 - 08:00	299	324	398	359	1380
08:00 - 09:00	310	311	381	380	1382
09:00 - 10:00	316	314	274	264	1168
10:00 - 11:00	264	298	257	289	1108
11:00 - 12:00	268	283	270	244	1065
12:00 - 13:00	241	241	250	283	1015
13:00 - 14:00	279	249	259	247	1034
14:00 - 15:00	283	370	363	295	1311
15:00 - 16:00	341	309	398	394	1442
16:00 - 17:00	386	399	437	441	1663
17:00 - 18:00	447	436	384	329	1596
18:00 - 19:00	288	264	242	210	1004
19:00 - 20:00	179	191	183	144	697
20:00 - 21:00	212	168	156	99	635
21:00 - 22:00	107	101	78	63	349
22:00 - 23:00	67	60	50	48	225
23:00 - 24:00	40	29	30	25	124
TOTAL					19811

Count Data Info	
Start Date	3/13/2024
End Date	3/14/2024
Start Time	12:00 AM
End Time	12:00 AM
Direction	EB
Notes	
Count Source	
File Name	DataQuery_2024-19-03T09-09-59_SSM HD.txt
Weather	
Study	
Owner	LeeAuto
QC Status	Accepted

Location Info					
Location ID	64_WB				
Type	I-SECTION				
Functional Class	-				
Located On	Bayshore Rd				
EAST OF	First St				
Direction	WB				
Community	-				
MPO_ID					
HPMS ID					
Agency	Lee County				
Interval: 15 mins					
Time	15 Min				Hourly Count
	1st	2nd	3rd	4th	
00:00 - 01:00	19	22	25	24	90
01:00 - 02:00	19	16	15	11	61
02:00 - 03:00	16	9	10	9	44
03:00 - 04:00	13	10	10	12	45
04:00 - 05:00	21	32	39	50	142
05:00 - 06:00	40	78	114	149	381
06:00 - 07:00	224	250	300	359	1133
07:00 - 08:00	368	421	438	396	1623
08:00 - 09:00	305	291	269	269	1134
09:00 - 10:00	215	256	245	286	1002
10:00 - 11:00	240	264	254	281	1039
11:00 - 12:00	220	268	246	277	1011
12:00 - 13:00	287	311	263	308	1169
13:00 - 14:00	259	313	299	311	1182
14:00 - 15:00	311	307	319	333	1270
15:00 - 16:00	346	388	378	340	1452
16:00 - 17:00	386	437	480	397	1700
17:00 - 18:00	374	415	440	414	1643
18:00 - 19:00	349	345	259	268	1221
19:00 - 20:00	242	212	201	179	834
20:00 - 21:00	147	145	131	131	554
21:00 - 22:00	92	109	110	73	384
22:00 - 23:00	83	66	65	68	282
23:00 - 24:00	43	62	33	26	164
TOTAL					19560

Count Data Info	
Start Date	3/13/2024
End Date	3/14/2024
Start Time	12:00 AM
End Time	12:00 AM
Direction	WB
Notes	
Count Source	
File Name	DataQuery_2024-19-03T09-09-59_SSM HD.txt
Weather	
Study	
Owner	LeeAuto
QC Status	Accepted

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TRAFFIC COUNTS
SR 78 @ PARK 78 DRIVE

**Bayshore Rd @ Park 78 Dr
Fort Myers FL
Thursday, September 28, 2023**

Time	Southbound 0						Westbound SR 78						Northbound Park 78 Dr						Eastbound SR 78						VEHICLE TOTAL
	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	
12:00 AM	0	0	0	0	0	0	0	3	30	0	0	33	0	2	0	5	0	7	0	0	9	1	0	10	50
12:15 AM	0	0	0	0	0	0	0	4	29	0	0	33	0	2	0	9	0	11	0	0	11	1	0	12	56
12:30 AM	0	0	0	0	0	0	0	6	17	0	0	23	0	0	0	6	0	6	1	0	13	3	0	17	46
12:45 AM	0	0	0	0	0	0	0	10	15	0	0	25	0	0	0	6	0	6	0	0	5	0	0	5	36
Hourly Total	0	0	0	0	0	0	0	23	91	0	0	114	0	4	0	26	0	30	1	0	38	5	0	44	188
1:00 AM	0	0	0	0	0	0	0	5	20	0	0	25	0	0	0	7	0	7	0	0	10	1	0	11	43
1:15 AM	0	0	0	0	0	0	0	2	14	0	0	16	0	0	0	7	0	7	0	0	4	0	0	4	27
1:30 AM	0	0	0	0	0	0	0	5	15	0	0	20	0	0	0	4	0	4	0	0	15	0	0	15	39
1:45 AM	0	0	0	0	0	0	0	4	10	0	0	14	0	3	0	2	0	5	0	0	8	1	0	9	28
Hourly Total	0	0	0	0	0	0	0	16	59	0	0	75	0	3	0	20	0	23	0	0	37	2	0	39	137
2:00 AM	0	0	0	0	0	0	0	4	7	0	0	11	0	0	0	5	0	5	0	0	8	0	0	8	24
2:15 AM	0	0	0	0	0	0	0	3	14	0	0	17	0	0	0	5	0	5	0	0	12	0	0	12	34
2:30 AM	0	0	0	0	0	0	0	6	12	0	0	18	0	2	0	2	0	4	0	0	12	4	0	16	38
2:45 AM	0	0	0	0	0	0	0	2	13	0	0	15	0	0	0	9	0	9	0	0	11	0	0	11	35
Hourly Total	0	0	0	0	0	0	0	15	46	0	0	61	0	2	0	21	0	23	0	0	43	4	0	47	131
3:00 AM	0	0	0	0	0	0	0	2	16	0	0	18	0	0	0	7	0	7	0	0	17	2	0	19	44
3:15 AM	0	0	0	0	0	0	0	3	11	0	0	14	0	0	0	3	0	3	0	0	21	2	0	23	40
3:30 AM	0	0	0	0	0	0	0	6	13	0	0	19	0	0	0	8	0	8	0	0	23	2	0	25	62
3:45 AM	0	0	0	0	0	0	0	4	19	0	0	23	0	0	0	8	0	8	0	0	25	1	0	26	57
Hourly Total	0	0	0	0	0	0	0	15	59	0	0	74	0	0	0	26	0	26	0	0	86	7	0	93	193
4:00 AM	0	0	0	0	0	0	0	1	18	0	0	19	0	0	0	12	0	12	0	0	38	1	0	39	70
4:15 AM	0	0	0	0	0	0	0	2	13	0	0	15	0	0	0	7	0	7	0	0	42	2	0	44	66
4:30 AM	0	0	0	0	0	0	0	7	20	0	0	27	0	0	0	4	0	4	0	0	54	6	0	60	91
4:45 AM	0	0	0	0	0	0	0	13	41	0	0	54	0	0	0	12	0	12	0	0	70	4	0	74	140
Hourly Total	0	0	0	0	0	0	0	23	92	0	0	115	0	0	0	35	0	35	0	0	204	13	0	217	367
5:00 AM	0	0	0	0	0	0	0	13	43	0	0	56	0	0	0	7	0	7	0	0	99	5	0	104	167
5:15 AM	0	0	0	0	0	0	0	4	72	0	0	76	0	0	0	16	0	16	0	0	116	2	0	118	210
5:30 AM	0	0	0	0	0	0	0	12	110	0	0	122	0	0	0	23	0	23	0	0	147	6	0	153	298
5:45 AM	0	0	0	0	0	0	0	11	157	0	0	168	0	1	0	23	0	24	0	0	185	9	0	194	386
Hourly Total	0	0	0	0	0	0	0	40	382	0	0	422	0	1	0	69	0	70	0	0	547	22	0	569	1061
6:00 AM	0	0	0	0	0	0	0	6	210	0	0	216	0	0	0	17	0	17	0	0	249	15	0	264	497
6:15 AM	0	0	0	0	0	0	0	9	241	0	0	250	0	0	0	23	0	23	0	0	329	15	0	344	617
6:30 AM	0	0	0	0	0	0	0	12	267	0	0	279	0	0	0	14	0	14	0	0	371	6	0	377	670
6:45 AM	0	0	0	0	0	0	0	1	323	0	0	324	0	0	0	14	0	14	0	0	359	10	0	369	707
Hourly Total	0	0	0	0	0	0	0	28	1041	0	0	1069	0	0	0	68	0	68	0	0	1308	46	0	1354	2491
7:00 AM	0	0	0	0	0	0	0	16	391	0	0	407	0	0	0	17	0	17	0	0	364	16	0	380	804
7:15 AM	0	0	0	0	0	0	0	18	394	0	0	412	0	0	0	29	0	29	0	0	361	6	0	367	808
7:30 AM	0	0	0	0	0	0	0	10	380	0	0	390	0	1	0	25	0	26	0	0	403	16	0	419	836
7:45 AM	0	0	0	0	0	0	0	14	379	0	0	393	0	0	0	22	0	22	0	0	399	16	0	415	830
Hourly Total	0	0	0	0	0	0	0	58	1544	0	0	1602	0	1	0	93	0	94	0	0	1527	54	0	1581	3277
8:00 AM	0	0	0	0	0	0	0	12	346	0	0	358	0	0	0	24	0	24	0	0	352	17	0	369	751
8:15 AM	0	0	0	0	0	0	0	16	332	0	0	348	0	0	0	42	0	42	0	0	305	17	0	322	712
8:30 AM	0	0	0	0	0	0	0	17	318	0	0	335	0	0	0	32	0	32	0	0	288	12	0	300	667
8:45 AM	0	0	0	0	0	0	0	26	302	0	0	328	0	0	0	44	0	44	0	0	229	15	0	244	616
Hourly Total	0	0	0	0	0	0	0	71	1298	0	0	1369	0	0	0	142	0	142	0	0	1174	61	0	1235	2746
9:00 AM	0	0	0	0	0	0	0	16	293	0	0	309	0	0	0	41	0	41	0	0	232	15	0	247	597
9:15 AM	0	0	0	0	0	0	1	26	274	0	0	301	0	0	0	30	0	30	0	0	246	16	0	262	593
9:30 AM	0	0	0	0	0	0	0	22	234	0	0	256	0	0	0	41	0	41	0	0	230	14	0	244	541
9:45 AM	0	0	0	0	0	0	1	15	250	0	0	266	0	0	0	26	0	26	0	0	258	7	0	265	557
Hourly Total	0	0	0	0	0	0	2	79	1051	0	0	1132	0	0	0	138	0	138	0	0	966	52	0	1018	2288
10:00 AM	0	0	0	0	0	0	0	25	246	0	0	271	0	0	0	30	0	30	0	0	222	9	0	231	632
10:15 AM	0	0	0	0	0	0	0	17	215	0	0	232	0	0	0	31	0	31	0	0	207	14	0	221	484
10:30 AM	0	0	0	0	0	0	1	19	207	0	0	227	0	0	0	34	0	34	0	0	199	18	0	217	478
10:45 AM	0	0	0	0	0	0	1	25	211	0	0	237	0	0	0	40	0	40	0	0	208	9	0	217	494
Hourly Total	0	0	0	0	0	0	2	86	879	0	0	967	0	0	0	135	0	135	0	0	636	50	0	686	1988

11:00 AM	0	0	0	0	0	0	1	26	221	0	0	248	0	0	0	32	0	32	0	0	206	14	0	220	500
11:15 AM	0	0	0	0	0	0	0	31	209	0	0	240	0	0	0	43	0	43	0	0	193	22	0	215	498
11:30 AM	0	0	0	0	0	0	2	30	230	0	0	262	0	0	0	36	0	36	0	0	243	18	0	261	569
11:45 AM	0	0	0	0	0	0	1	22	214	0	0	237	0	0	0	51	0	51	0	0	192	13	0	205	493
Hourly Total	0	0	0	0	0	0	4	109	874	0	0	987	0	0	0	162	0	162	0	0	834	67	0	901	2050
12:00 PM	0	0	0	0	0	0	0	31	231	0	0	262	0	0	0	33	0	33	0	0	216	29	0	245	540
12:15 PM	0	0	0	0	0	0	0	31	215	0	0	246	0	0	0	52	0	52	0	0	168	18	0	186	484
12:30 PM	0	0	0	0	0	0	0	25	191	0	0	216	0	0	0	53	0	53	0	0	220	22	0	242	511
12:45 PM	0	0	0	0	0	0	0	29	215	0	0	244	0	0	0	49	0	49	0	0	209	19	0	228	521
Hourly Total	0	0	0	0	0	0	0	116	852	0	0	968	0	0	0	187	0	187	0	0	813	88	0	901	2056
1:00 PM	0	0	0	0	0	0	0	29	240	0	0	269	0	0	0	46	0	46	0	0	201	18	0	219	534
1:15 PM	0	0	0	0	0	0	0	25	260	0	0	285	0	0	0	52	0	52	0	0	200	22	0	222	569
1:30 PM	0	0	0	0	0	0	1	21	238	0	0	260	0	0	0	44	0	44	0	0	189	18	0	207	511
1:45 PM	0	0	0	0	0	0	0	22	308	0	0	330	0	0	0	43	0	43	0	0	204	14	0	218	591
Hourly Total	0	0	0	0	0	0	1	97	1046	0	0	1144	0	0	0	185	0	185	0	0	794	72	0	866	2195
2:00 PM	0	0	0	0	0	0	1	20	246	0	0	267	0	0	0	32	0	32	0	0	225	16	0	241	640
2:15 PM	0	0	0	0	0	0	0	28	268	0	0	296	0	0	0	36	0	36	0	0	257	17	0	274	606
2:30 PM	0	0	0	0	0	0	0	20	273	0	0	293	0	0	0	39	0	39	0	0	297	21	0	318	650
2:45 PM	0	0	0	0	0	0	1	19	288	0	0	308	0	1	0	43	0	44	0	0	259	22	0	281	633
Hourly Total	0	0	0	0	0	0	2	87	1075	0	0	1164	0	1	0	150	0	151	0	0	1038	76	0	1114	2429
3:00 PM	0	0	0	0	0	0	0	19	273	0	0	292	0	0	0	45	0	45	0	0	308	24	0	332	669
3:15 PM	0	0	0	0	0	0	0	19	360	0	0	379	0	0	0	45	0	45	0	0	324	22	0	346	770
3:30 PM	0	0	0	0	0	0	0	32	309	0	0	341	0	0	0	42	0	42	0	0	365	13	0	378	761
3:45 PM	0	0	0	0	0	0	1	25	359	0	0	385	0	0	0	47	0	47	0	0	314	19	0	333	766
Hourly Total	0	0	0	0	0	0	1	95	1301	0	0	1397	0	0	0	179	0	179	0	0	1311	78	0	1389	2965
4:00 PM	0	0	0	0	0	0	0	24	353	0	0	377	0	0	0	41	0	41	0	0	328	22	0	350	768
4:15 PM	0	0	0	0	0	0	0	16	429	0	0	445	0	0	0	36	0	36	0	0	344	13	0	357	838
4:30 PM	0	0	0	0	0	0	1	19	395	0	0	415	0	0	0	21	0	21	0	0	390	16	0	406	842
4:45 PM	0	0	0	0	0	0	0	20	413	0	0	433	0	0	0	47	0	47	0	0	344	18	0	362	842
Hourly Total	0	0	0	0	0	0	1	79	1590	0	0	1670	0	0	0	145	0	145	0	0	1406	69	0	1475	3290
5:00 PM	0	0	0	0	0	0	0	18	416	0	0	434	0	0	0	33	0	33	0	0	429	15	0	444	911
5:15 PM	0	0	0	0	0	0	0	18	425	0	0	443	0	0	0	43	0	43	0	0	384	11	0	395	881
5:30 PM	0	0	0	0	0	0	0	20	432	0	0	452	0	0	0	34	0	34	0	0	343	9	0	352	838
5:45 PM	0	0	0	0	0	0	0	22	375	0	0	397	0	0	0	30	0	30	0	0	323	14	0	337	764
Hourly Total	0	0	0	0	0	0	0	78	1648	0	0	1726	0	0	0	140	0	140	0	0	1479	49	0	1528	3394
6:00 PM	0	0	0	0	0	0	0	22	314	0	0	336	0	0	0	32	0	32	0	0	258	14	0	272	640
6:15 PM	0	0	0	0	0	0	0	24	269	0	0	293	0	0	0	32	0	32	0	0	295	19	0	314	639
6:30 PM	0	0	0	0	0	0	0	19	287	0	0	306	0	0	0	32	0	32	0	0	195	9	0	204	542
6:45 PM	0	0	0	0	0	0	1	19	207	0	0	227	0	0	0	28	0	28	0	0	178	6	0	184	439
Hourly Total	0	0	0	0	0	0	1	84	1077	0	0	1162	0	0	0	124	0	124	0	0	926	48	0	974	2260
7:00 PM	0	0	0	0	0	0	0	18	197	0	0	215	0	0	0	24	0	24	0	0	178	14	0	192	431
7:15 PM	0	0	0	0	0	0	1	13	164	0	0	178	0	0	0	28	0	28	0	0	137	9	0	146	352
7:30 PM	0	0	0	0	0	0	0	22	145	0	0	167	0	0	0	20	0	20	0	0	131	5	0	136	323
7:45 PM	0	0	0	0	0	0	0	25	142	0	0	167	0	0	0	30	0	30	0	0	115	11	0	126	323
Hourly Total	0	0	0	0	0	0	1	78	648	0	0	727	0	0	0	102	0	102	0	0	561	39	0	600	1429
8:00 PM	0	0	0	0	0	0	0	19	126	0	0	145	0	0	0	30	0	30	0	0	137	6	0	143	318
8:15 PM	0	0	0	0	0	0	0	13	116	0	0	129	0	0	0	26	0	26	0	0	91	10	0	101	256
8:30 PM	0	0	0	0	0	0	0	17	78	0	0	95	0	0	0	28	0	28	0	0	96	5	0	101	224
8:45 PM	0	0	0	0	0	0	0	15	96	0	0	111	0	0	0	18	0	18	0	0	62	4	0	66	195
Hourly Total	0	0	0	0	0	0	0	64	416	0	0	480	0	0	0	102	0	102	0	0	386	25	0	411	993
9:00 PM	0	0	0	0	0	0	0	13	78	0	0	91	0	1	0	20	0	21	0	0	59	3	0	62	174
9:15 PM	0	0	0	0	0	0	0	5	75	0	0	80	0	0	0	14	0	14	0	0	61	2	0	63	157
9:30 PM	0	0	0	0	0	0	0	9	71	0	0	80	0	0	0	17	0	17	0	0	77	10	0	87	184
9:45 PM	0	0	0	0	0	0	0	10	73	0	0	83	0	0	0	13	0	13	0	0	54	8	0	62	158
Hourly Total	0	0	0	0	0	0	0	37	297	0	0	334	0	1	0	64	0	65	0	0	251	23	0	274	673
10:00 PM	0	0	0	0	0	0	0	6	49	0	0	55	0	0	0	12	0	12	0	0	49	2	0	51	118
10:15 PM	0	0	0	0	0	0	0	14	58	0	0	72	0	0	0	10	0	10	0	0	36	4	0	40	122
10:30 PM	0	0	0	0	0	0	0	7	35	0	0	42	0	0	0	18	0	18	0	0	32	3	0	35	95
10:45 PM	0	0	0	0	0	0	0	3	40	0	0	43	0	0	0	13	0	13	0	0	30	4	0	34	90
Hourly Total	0	0	0	0	0	0	0	30	182	0	0	212	0	0	0	53	0	53	0	0	147	13	0	160	425
11:00 PM	0	0	0	0	0	0	0	5	44	0	0	49	0	1	0	9	0	10	0	0	26	0	0	26	85

11:15 PM	0	0	0	0	0	0	0	10	35	0	0	45	0	0	0	11	0	11	0	0	23	5	0	28	84
11:30 PM	0	0	0	0	0	0	0	2	27	0	0	29	0	0	0	4	0	4	0	0	21	2	0	23	56
11:45 PM	0	0	0	0	0	0	0	7	34	0	0	41	0	0	0	8	0	8	0	0	26	6	0	32	82
Hourly Total	0	0	0	0	0	0	0	24	140	0	0	164	0	1	0	33	0	34	0	0	96	13	0	109	307
DAILY TOTAL	0	0	0	0	0	0	15	1432	17688	0	0	19135	0	14	0	2399	0	2413	1	0	16808	976	0	17785	39333
Cars	0	0	0	0	0	0	15	960	16267	0	0	17242	0	14	0	1784	0	1798	1	0	15605	858	0	16464	35504
Heavy Vehicles	0	0	0	0	0	0	0	472	1421	0	0	1893	0	0	0	615	0	615	0	0	1203	118	0	1321	3829
Heavy Vehicle %	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	32.86%	8.03%	0.00%	0.00%	9.89%	0.00%	0.00%	0.00%	25.64%	0.00%	25.49%	0.00%	0.00%	7.16%	12.09%	0.00%	7.43%	9.73%

**Bayshore Rd @ Park 78 Dr
Fort Myers FL**

Thursday, September 28, 2023

AM Peak Hour

Time	Southbound						Westbound						Northbound						Eastbound						VEHICLE TOTAL
	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	
7:00 AM	0	0	0	0	0	0	0	16	391	0	0	407	0	0	0	17	0	17	0	0	364	16	0	380	804
7:15 AM	0	0	0	0	0	0	0	18	394	0	0	412	0	0	0	29	0	29	0	0	361	6	0	367	808
7:30 AM	0	0	0	0	0	0	0	10	380	0	0	390	0	1	0	25	0	26	0	0	403	16	0	419	835
7:45 AM	0	0	0	0	0	0	0	14	376	0	0	393	0	0	0	22	0	22	0	0	399	16	0	415	830
Peak Hour Total	0	0	0	0	0	0	0	58	1544	0	0	1602	0	1	0	93	0	94	0	0	1527	54	0	1581	3277
PHF	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.806	0.980	0.000	0.000	0.972	0.000	0.250	0.000	0.802	0.000	0.810	0.000	0.000	0.947	0.844	0.000	0.943	0.981

PM Peak Hour

Time	Southbound						Westbound						Northbound						Eastbound						VEHICLE TOTAL
	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	U Turns	Left Turns	Straight Through	Right Turns	Crosswalk Crossings	Vehicle Approach Total	
4:30 PM	0	0	0	0	0	0	1	19	395	0	0	415	0	0	0	21	0	21	0	0	390	16	0	406	842
4:45 PM	0	0	0	0	0	0	0	20	413	0	0	433	0	0	0	47	0	47	0	0	344	18	0	362	842
5:00 PM	0	0	0	0	0	0	0	18	416	0	0	434	0	0	0	33	0	33	0	0	429	15	0	444	911
5:15 PM	0	0	0	0	0	0	0	18	425	0	0	443	0	0	0	43	0	43	0	0	384	11	0	395	881
Peak Hour Total	0	0	0	0	0	0	1	75	1649	0	0	1725	0	0	0	144	0	144	0	0	1547	60	0	1607	3476
PHF	0.000	0.000	0.000	0.000	0.000	0.000	0.250	0.838	0.970	0.000	0.000	0.973	0.000	0.000	0.000	0.766	0.000	0.766	0.000	0.000	0.902	0.833	0.000	0.905	0.984

Total Vehicles On Leg		0
Vehicles Entering Intersection	0	Vehicles Exiting Intersection
Southbound		
Cars	0	0
Heavy	0	0
Total	0	0



Total Vehicles on Leg 35488	Vehicles Entering Intersection 17785	Eastbound	Cars	Heavy	Total
			0	0	0
			1	0	1
			0	0	0
			15605	1203	16808
	Vehicles Exiting Intersection 17703		858	118	976



Daily Volumes

Cars	Heavy	Total	Westbound	Vehicles Entering Intersection 19135	Total Vehicles on Leg 38357
0	0	0			
16267	1421	17688			
960	472	1432			
15	0	15			
0	0	0			



					
Cars	0	0	14	0	1784
Heavy	0	0	0	0	615
Total	0	0	14	0	2399
Northbound					
Vehicles Entering Intersection 2413			Vehicles Exiting Intersection 2408		
Total Vehicles On Leg			4821		



**DEVELOPMENT OF FUTURE
YEAR BACKGROUND TURNING
VOLUMES SPREADHEET**

Development of Future Year Background Turning Volumes

Intersection
Count Date
Build-Out Year

SR 78 @ RaceTrac Access
September 28, 2023
2030

AM Peak Hour (7:00 - 8:00 AM)												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	0	0	0	0	0	1,581	0	0	1,544	0
Peak Season Correction Factor	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08
Current Peak Season Volumes	0	0	0	0	0	0	0	1,707	0	0	1,668	0
Growth Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.82%	0.00%	0.00%	2.82%	0.00%
Years to Build-out	7	7	7	7	7	7	7	7	7	7	7	7
2030 Background Turning Volumes	0	0	0	0	0	0	0	2,074	0	0	2,026	0
Project Turning Volumes	105		41						65	83		
RaceTrac Volumes	142		140						154	108		
2030 Background + Project	247	0	181	0	0	0	0	2,074	219	191	2,026	0

PM Peak Hour (4:30- 5:30 PM)												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	0	0	0	0	0	1,607	0	0	1,649	0
Peak Season Correction Factor	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08
Current Peak Season Volumes	0	0	0	0	0	0	0	1,736	0	0	1,781	0
Growth Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.82%	0.00%	0.00%	2.82%	0.00%
Years to Build-out	7	7	7	7	7	7	7	7	7	7	7	7
2030 Background Turning Volumes	0	0	0	0	0	0	0	2,109	0	0	2,164	0
Project Turning Volumes	339		96						99	250		
RaceTrac Volumes	121		118						135	98		
2030 Background + Project	460	0	214	0	0	0	0	2,109	234	348	2,164	0

Development of Future Year Background Turning Volumes

Intersection
Count Date
Build-Out Year

SR 78 @ Park 78 Drive
September 28, 2023
2030

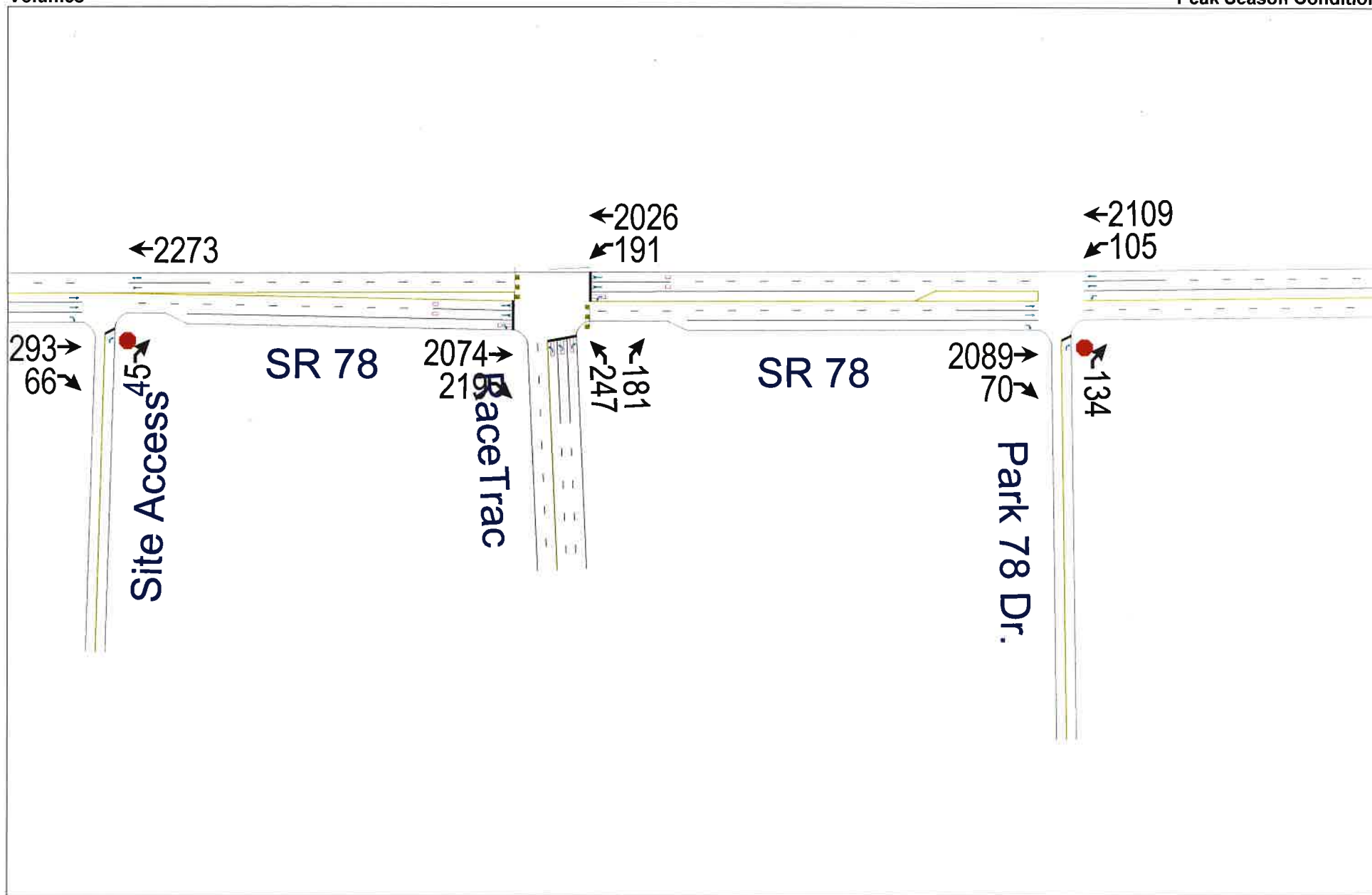
AM Peak Hour (7:00 - 8:00 AM)												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	93	0	0	0	0	1,527	54	58	1,544	0
Peak Season Correction Factor	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08
Current Peak Season Volumes	0	0	100	0	0	0	0	1,649	58	63	1,668	0
Growth Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.82%	0.00%	0.00%	2.82%	0.00%
Years to Build-out	7	7	7	7	7	7	7	7	7	7	7	7
2030 Background Turning Volumes	0	0	100	0	0	0	0	2,003	58	63	2,026	0
Project Turning Volumes	0		0					86	0	0	83	
RaceTrac Volumes	0		34					12	12	42		
2030 Background + Project	0	0	134	0	0	0	0	2,089	70	105	2,109	0

PM Peak Hour (4:30- 5:30 PM)												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	0	144	0	0	0	0	1,547	60	75	1,649	0
Peak Season Correction Factor	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08	1.08
Current Peak Season Volumes	0	0	156	0	0	0	0	1,671	65	81	1,781	0
Growth Rate	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	2.82%	0.00%	0.00%	2.82%	0.00%
Years to Build-out	7	7	7	7	7	7	7	7	7	7	7	7
2030 Background Turning Volumes	0	0	156	0	0	0	0	2,030	65	81	2,164	0
Project Turning Volumes	0		0					226	0	0	250	
RaceTrac Volumes	0		30					6	6	30		
2030 Background + Project	0	0	186	0	0	0	0	2,256	71	111	2,414	0

SYNCHRO SUMMARY SHEETS

Map - RaceTrac
Volumes

2027 With Project Conditions - AM Peak Hour
Peak Season Condition



AM Peak 2030 W Project RaceTrac Baseline

Map - RaceTrac
Volumes

2027 With Project Conditions - PM Peak Hour
Peak Season Condition



PM Peak 2030 W Project RaceTrac

**2030 AM PEAK HOUR
WITH PROJECT
SR 78 @ RACETRAC ACCESS
DRIVE**

Lanes, Volumes, Timings

5: RaceTrac & SR 78

2030 Weekday AM Peak Hour W/Project

11/21/2024

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑	↑	↓	↑↑	↓	↓
Traffic Volume (vph)	2074	219	191	2026	247	181
Future Volume (vph)	2074	219	191	2026	247	181
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12
Grade (%)	0%			0%	0%	
Storage Length (ft)		400	400		0	0
Storage Lanes		1	1		2	1
Taper Length (ft)			25		25	
Lane Util. Factor	0.95	1.00	1.00	0.95	0.97	1.00
Ped Bike Factor						
Frt		0.850				0.850
Flt Protected			0.950		0.950	
Satd. Flow (prot)	3406	1553	1703	3406	3242	1495
Flt Permitted			0.950		0.950	
Satd. Flow (perm)	3406	1553	1703	3406	3242	1495
Right Turn on Red		Yes				Yes
Satd. Flow (RTOR)		238				179
Link Speed (mph)	50			50	30	
Link Distance (ft)	965			620	336	
Travel Time (s)	13.2			8.5	7.6	
Confl. Peds. (#/hr)						
Confl. Bikes (#/hr)						
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Growth Factor	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	6%	4%	6%	6%	8%	8%
Bus Blockages (#/hr)	0	0	0	0	0	0
Parking (#/hr)						
Mid-Block Traffic (%)	0%			0%	0%	
Adj. Flow (vph)	2254	238	208	2202	268	197
Shared Lane Traffic (%)						
Lane Group Flow (vph)	2254	238	208	2202	268	197
Turn Type	NA	Perm	Prot	NA	Perm	Perm
Protected Phases	2		1	6		
Permitted Phases		2			3	8
Detector Phase	2	2	1	6	3	8
Switch Phase						
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	22.5	22.5	9.5	22.5	22.5	22.5
Total Split (s)	104.5	104.5	23.0	127.5	22.5	22.5
Total Split (%)	69.7%	69.7%	15.3%	85.0%	15.0%	15.0%
Maximum Green (s)	100.0	100.0	18.5	123.0	18.0	18.0
Yellow Time (s)	3.5	3.5	3.5	3.5	3.5	3.5
All-Red Time (s)	1.0	1.0	1.0	1.0	1.0	1.0
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Lead/Lag	Lag	Lag	Lead			
Lead-Lag Optimize?	Yes	Yes	Yes			
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0

Lanes, Volumes, Timings

5: RaceTrac & SR 78

2030 Weekday AM Peak Hour W/Project

11/21/2024

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Minimum Gap (s)	3.0	3.0	3.0	3.0	3.0	3.0
Time Before Reduce (s)	0.0	0.0	0.0	0.0	0.0	0.0
Time To Reduce (s)	0.0	0.0	0.0	0.0	0.0	0.0
Recall Mode	C-Max	C-Max	None	C-Max	Max	Max
Walk Time (s)	7.0	7.0		7.0	7.0	7.0
Flash Dont Walk (s)	11.0	11.0		11.0	11.0	11.0
Pedestrian Calls (#/hr)	0	0		0	0	0
Act Effct Green (s)	100.0	100.0	18.5	123.0	18.0	18.0
Actuated g/C Ratio	0.67	0.67	0.12	0.82	0.12	0.12
v/c Ratio	0.99	0.21	0.99	0.79	0.69	0.59
Control Delay	42.0	1.5	124.0	9.5	73.3	18.5
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	42.0	1.5	124.0	9.5	73.3	18.5
LOS	D	A	F	A	E	B
Approach Delay	38.1			19.4	50.1	
Approach LOS	D			B	D	
Queue Length 50th (ft)	1073	0	207	478	131	16
Queue Length 95th (ft)	#1321	29	#379	561	182	98
Internal Link Dist (ft)	885			540	256	
Turn Bay Length (ft)		400	400			
Base Capacity (vph)	2270	1114	210	2792	389	336
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	0.99	0.21	0.99	0.79	0.69	0.59

Intersection Summary

Area Type: Other

Cycle Length: 150

Actuated Cycle Length: 150

Offset: 0 (0%), Referenced to phase 2:EBT and 6:WBT, Start of Green

Natural Cycle: 150

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.99

Intersection Signal Delay: 30.7

Intersection LOS: C

Intersection Capacity Utilization 86.2%

ICU Level of Service E

Analysis Period (min) 15

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 5: RaceTrac & SR 78

↙ Ø1	→ Ø2 (R)	↗ Ø3
23 s	104.5 s	22.5 s
↖ Ø6 (R)		↘ Ø8
127.5 s		22.5 s

**2030 AM PEAK HOUR
WITH PROJECT
SR 78 @ PARK 78 DRIVE**

HCM 2010 TWSC 3: Park 78 Dr. & SR 78

2030 Weekday AM Peak Hour W/Project

11/21/2024

Intersection

* Int Delay, s/veh 3.4

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑	↑	↑	↑↑		↑
Traffic Vol, veh/h	2089	70	105	2109	0	134
Future Vol, veh/h	2089	70	105	2109	0	134
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	430	500	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	5	4	10	4	2	10
Mvmt Flow	2271	76	114	2292	0	146

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	2347
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	4.3	-
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	2.3	-
Pot Cap-1 Maneuver	-	183	0
Stage 1	-	-	0
Stage 2	-	-	0
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	183	-
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	2.5	73.4
HCM LOS			F

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	184	-	-	183	-
HCM Lane V/C Ratio	0.792	-	-	0.624	-
HCM Control Delay (s)	73.4	-	-	52.6	-
HCM Lane LOS	F	-	-	F	-
HCM 95th %tile Q(veh)	5.4	-	-	3.5	-

2030 AM PEAK HOUR
SR 78 @ SITE ACCESS DRIVE

HCM 2010 TWSC 7: Site Access & SR 78

2030 Weekday AM Peak Hour W/Project
11/21/2024

Intersection

Int Delay, s/veh 0.3

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑	↑		↑↑		↑
Traffic Vol, veh/h	2293	66	0	2273	0	45
Future Vol, veh/h	2293	66	0	2273	0	45
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	-	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	2492	72	0	2471	0	49

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	- - - 1246
Stage 1	-	-	- - -
Stage 2	-	-	- - -
Critical Hdwy	-	-	- - - 6.94
Critical Hdwy Stg 1	-	-	- - -
Critical Hdwy Stg 2	-	-	- - -
Follow-up Hdwy	-	-	- - - 3.32
Pot Cap-1 Maneuver	-	-	0 - 0 165
Stage 1	-	-	0 - 0 -
Stage 2	-	-	0 - 0 -
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	- - - 165
Mov Cap-2 Maneuver	-	-	- - -
Stage 1	-	-	- - -
Stage 2	-	-	- - -

Approach	EB	WB	NB
HCM Control Delay, s	0	0	35.8
HCM LOS			E

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBT
Capacity (veh/h)	165	-	-	-
HCM Lane V/C Ratio	0.296	-	-	-
HCM Control Delay (s)	35.8	-	-	-
HCM Lane LOS	E	-	-	-
HCM 95th %tile Q(veh)	1.2	-	-	-

**2030 PM PEAK HOUR
WITH PROJECT
SR 78 @ RACETRAC ACCESS
DRIVE**

Lanes, Volumes, Timings

5: RaceTrac & SR 78

2030 Weekday PM Peak Hour W/Project

11/21/2024

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑	↑	↓	↑↑	↓	↓
Traffic Volume (vph)	2109	234	348	2164	460	214
Future Volume (vph)	2109	234	348	2164	460	214
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Lane Width (ft)	12	12	12	12	12	12
Grade (%)	0%			0%	0%	
Storage Length (ft)		400	400		0	0
Storage Lanes		1	1		2	1
Taper Length (ft)			25		25	
Lane Util. Factor	0.95	1.00	1.00	0.95	0.97	1.00
Ped Bike Factor						
Frt		0.850				0.850
Flt Protected			0.950		0.950	
Satd. Flow (prot)	3406	1553	1703	3406	3242	1495
Flt Permitted			0.950		0.950	
Satd. Flow (perm)	3406	1553	1703	3406	3242	1495
Right Turn on Red		Yes				Yes
Satd. Flow (RTOR)		200				233
Link Speed (mph)	50			50	30	
Link Distance (ft)	965			620	336	
Travel Time (s)	13.2			8.5	7.6	
Confl. Peds. (#/hr)						
Confl. Bikes (#/hr)						
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Growth Factor	100%	100%	100%	100%	100%	100%
Heavy Vehicles (%)	6%	4%	6%	6%	8%	8%
Bus Blockages (#/hr)	0	0	0	0	0	0
Parking (#/hr)						
Mid-Block Traffic (%)	0%			0%	0%	
Adj. Flow (vph)	2292	254	378	2352	500	233
Shared Lane Traffic (%)						
Lane Group Flow (vph)	2292	254	378	2352	500	233
Turn Type	NA	Perm	Prot	NA	Prot	Perm
Protected Phases	4		3	8	2	
Permitted Phases		4				2
Detector Phase	4	4	3	8	2	2
Switch Phase						
Minimum Initial (s)	5.0	5.0	5.0	5.0	5.0	5.0
Minimum Split (s)	22.5	22.5	9.5	22.5	22.5	22.5
Total Split (s)	90.0	90.0	33.0	123.0	27.0	27.0
Total Split (%)	60.0%	60.0%	22.0%	82.0%	18.0%	18.0%
Maximum Green (s)	85.5	85.5	28.5	118.5	22.5	22.5
Yellow Time (s)	3.5	3.5	3.5	3.5	3.5	3.5
All-Red Time (s)	1.0	1.0	1.0	1.0	1.0	1.0
Lost Time Adjust (s)	0.0	0.0	0.0	0.0	0.0	0.0
Total Lost Time (s)	4.5	4.5	4.5	4.5	4.5	4.5
Lead/Lag	Lag	Lag	Lead			
Lead-Lag Optimize?	Yes	Yes	Yes			
Vehicle Extension (s)	3.0	3.0	3.0	3.0	3.0	3.0

Lanes, Volumes, Timings

5: RaceTrac & SR 78

2030 Weekday PM Peak Hour W/Project

11/21/2024

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Minimum Gap (s)	3.0	3.0	3.0	3.0	3.0	3.0
Time Before Reduce (s)	0.0	0.0	0.0	0.0	0.0	0.0
Time To Reduce (s)	0.0	0.0	0.0	0.0	0.0	0.0
Recall Mode	None	None	None	None	C-Max	C-Max
Walk Time (s)	7.0	7.0		7.0	7.0	7.0
Flash Dont Walk (s)	11.0	11.0		11.0	11.0	11.0
Pedestrian Calls (#/hr)	0	0		0	0	0
Act Effct Green (s)	85.5	85.5	28.5	118.5	22.5	22.5
Actuated g/C Ratio	0.57	0.57	0.19	0.79	0.15	0.15
v/c Ratio	1.18	0.26	1.17	0.87	1.03	0.55
Control Delay	117.9	4.4	156.1	15.7	109.4	11.8
Queue Delay	0.0	0.0	0.0	0.0	0.0	0.0
Total Delay	117.9	4.4	156.1	15.7	109.4	11.8
LOS	F	A	F	B	F	B
Approach Delay	106.6			35.1	78.4	
Approach LOS	F			D	E	
Queue Length 50th (ft)	~1410	23	~439	708	~268	0
Queue Length 95th (ft)	#1536	64	#650	837	#385	81
Internal Link Dist (ft)	885			540	256	
Turn Bay Length (ft)		400	400			
Base Capacity (vph)	1941	971	323	2690	486	422
Starvation Cap Reductn	0	0	0	0	0	0
Spillback Cap Reductn	0	0	0	0	0	0
Storage Cap Reductn	0	0	0	0	0	0
Reduced v/c Ratio	1.18	0.26	1.17	0.87	1.03	0.55

Intersection Summary

Area Type: Other

Cycle Length: 150

Actuated Cycle Length: 150

Offset: 0 (0%), Referenced to phase 2:NBL and 6:, Start of Green

Natural Cycle: 150

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 1.18

Intersection Signal Delay: 70.7

Intersection LOS: E

Intersection Capacity Utilization 102.0%

ICU Level of Service G

Analysis Period (min) 15

~ Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 5: RaceTrac & SR 78

↖ Ø2 (R)	↙ Ø3	→ Ø4
37 s	33 s	90 s
	← Ø8	
	123 s	

**2030 AM PEAK HOUR
WITH PROJECT
SR 78 @ PARK 78 DRIVE**

HCM 2010 TWSC 3: Park 78 Dr. & SR 78

2030 Weekday PM Peak Hour W/Project
11/21/2024

Intersection

Int Delay, s/veh 9.8

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑	↑	↑	↑↑		↑
Traffic Vol, veh/h	2256	71	111	2414	0	186
Future Vol, veh/h	2256	71	111	2414	0	186
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	430	500	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	5	4	10	4	2	10
Mvmt Flow	2452	77	121	2624	0	202

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0 2529	0 - 1226
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	4.3	- 7.1
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	2.3	- 3.4
Pot Cap-1 Maneuver	-	154	0 ~ 159
Stage 1	-	-	0
Stage 2	-	-	0
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	154	- ~ 159
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	3.6	217.9
HCM LOS			F

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	159	-	-	154	-
HCM Lane V/C Ratio	1.272	-	-	0.783	-
HCM Control Delay (s)	217.9	-	-	82.7	-
HCM Lane LOS	F	-	-	F	-
HCM 95th %tile Q(veh)	11.8	-	-	5	-

Notes

~: Volume exceeds capacity \$: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon

2030 PM PEAK HOUR
SR 78 @ SITE ACCESS DRIVE

HCM 2010 TWSC 7: Site Access & SR 78

2030 Weekday PM Peak Hour W/Project
11/21/2024

Intersection

Int Delay, s/veh 1.9

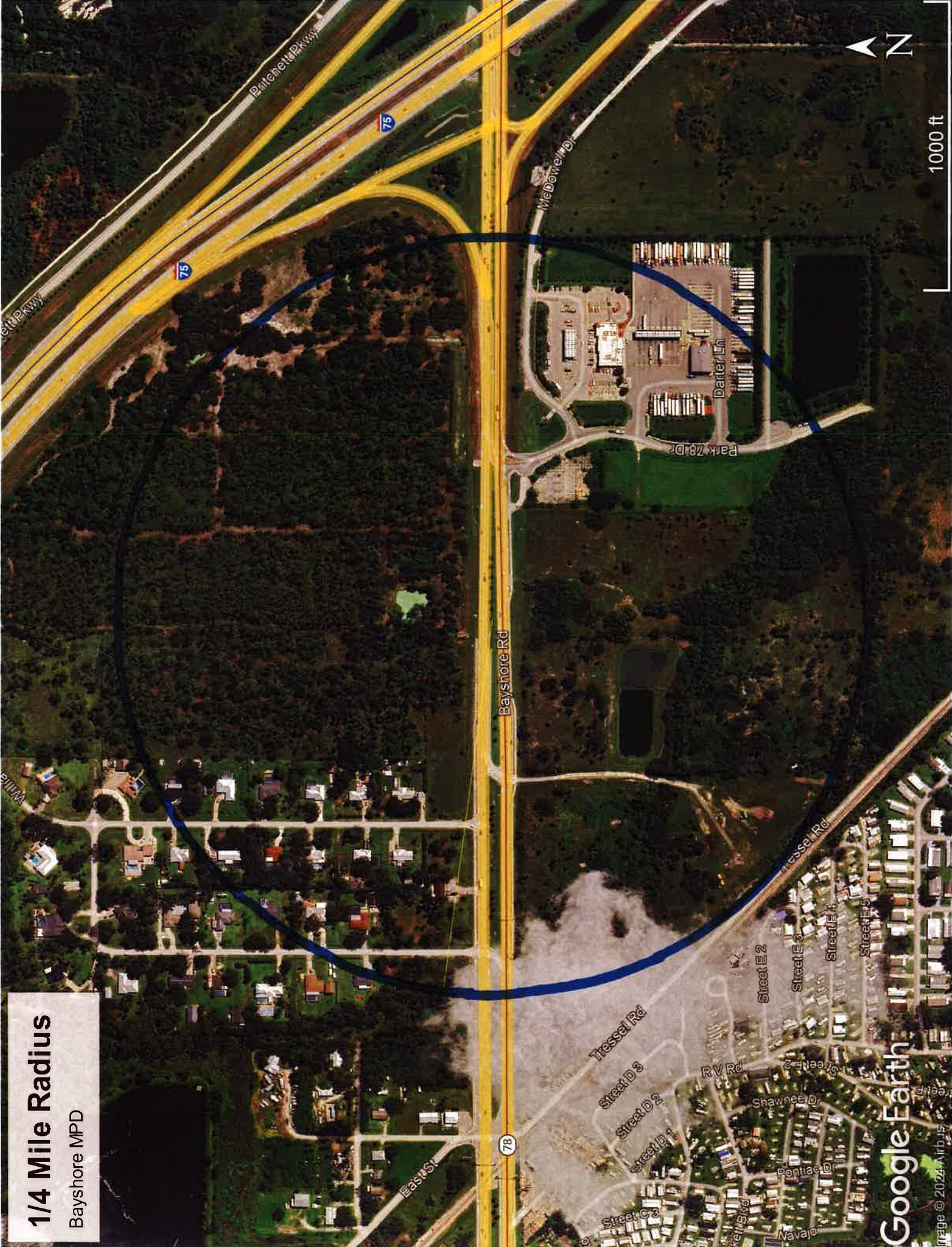
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑	↑		↑↑		↑
Traffic Vol, veh/h	2213	206	0	2624	0	130
Future Vol, veh/h	2213	206	0	2624	0	130
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	0	-	-	-	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	2405	224	0	2852	0	141

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	- 1203
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	- 6.94
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	- 3.32
Pot Cap-1 Maneuver	-	0	0 177
Stage 1	-	0	0
Stage 2	-	0	0
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	- 177
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	76.7
HCM LOS			F

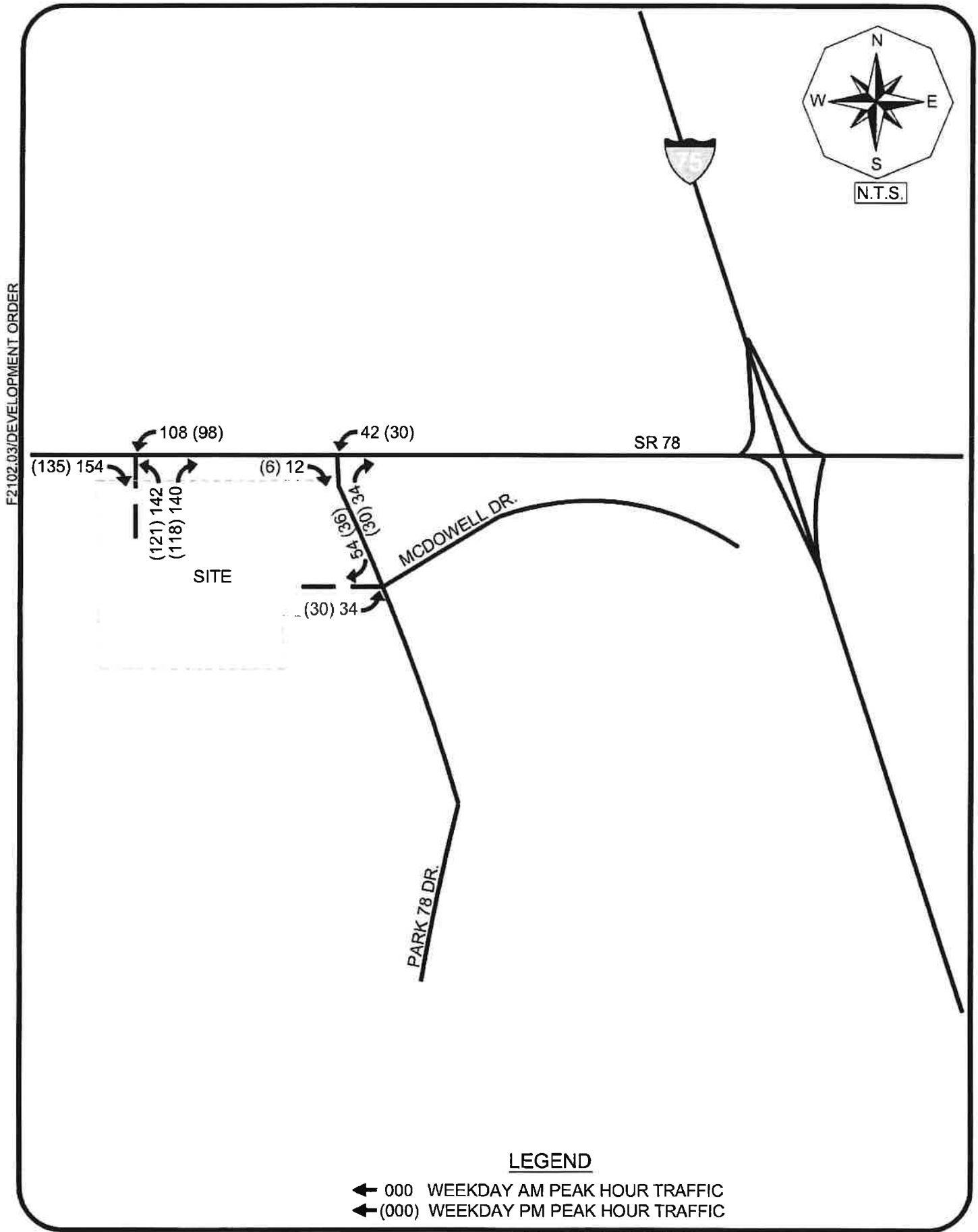
Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBT
Capacity (veh/h)	177	-	-	-
HCM Lane V/C Ratio	0.798	-	-	-
HCM Control Delay (s)	76.7	-	-	-
HCM Lane LOS	F	-	-	-
HCM 95th %tile Q(veh)	5.4	-	-	-

1/4 - MILE RADIUS



1/4 Mile Radius
Bayshore MPD

RACETRAC TRAFFIC ASSIGNMENT



TRIP GENERATION EQUATIONS

Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 22

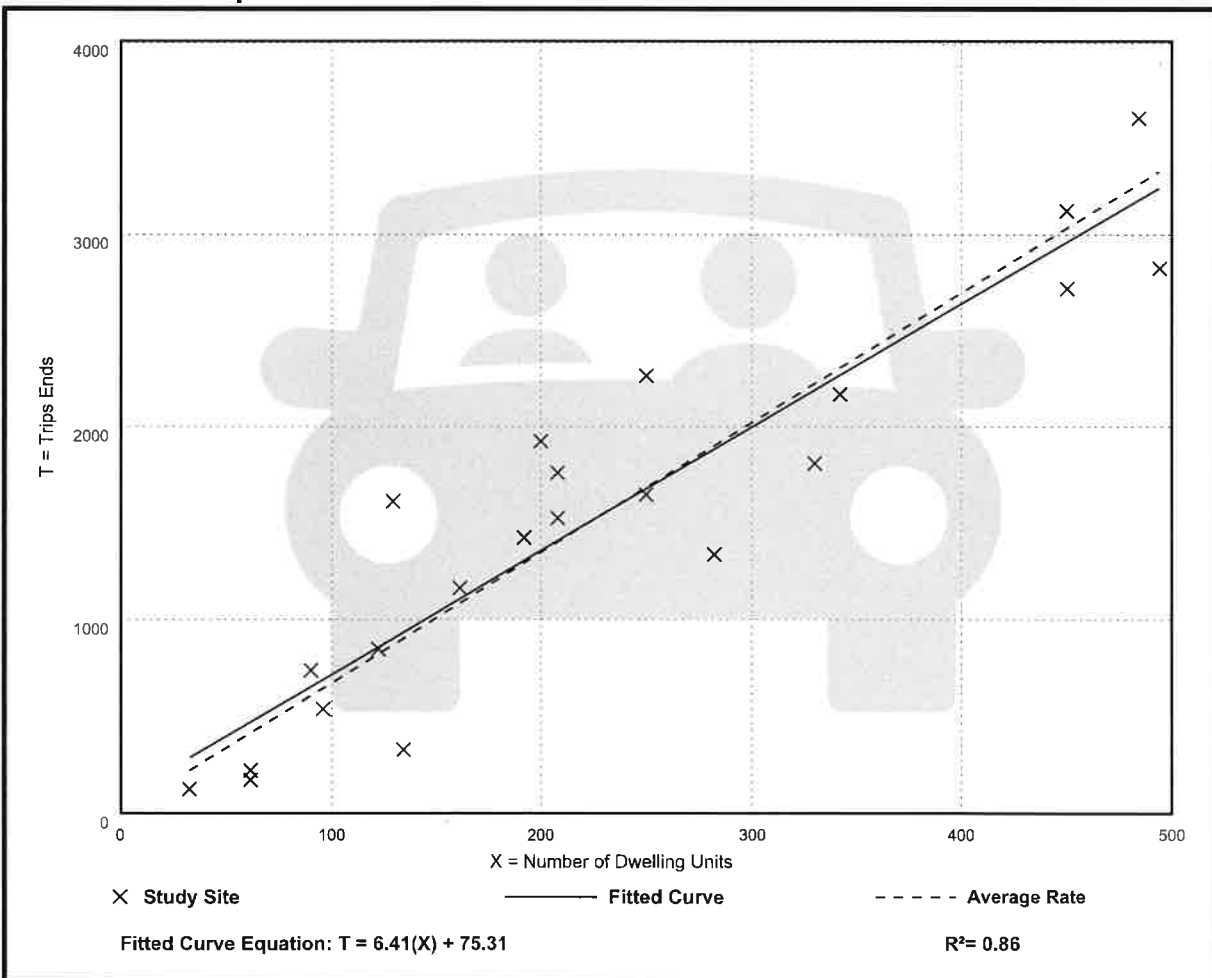
Avg. Num. of Dwelling Units: 229

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
6.74	2.46 - 12.50	1.79

Data Plot and Equation



Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 49

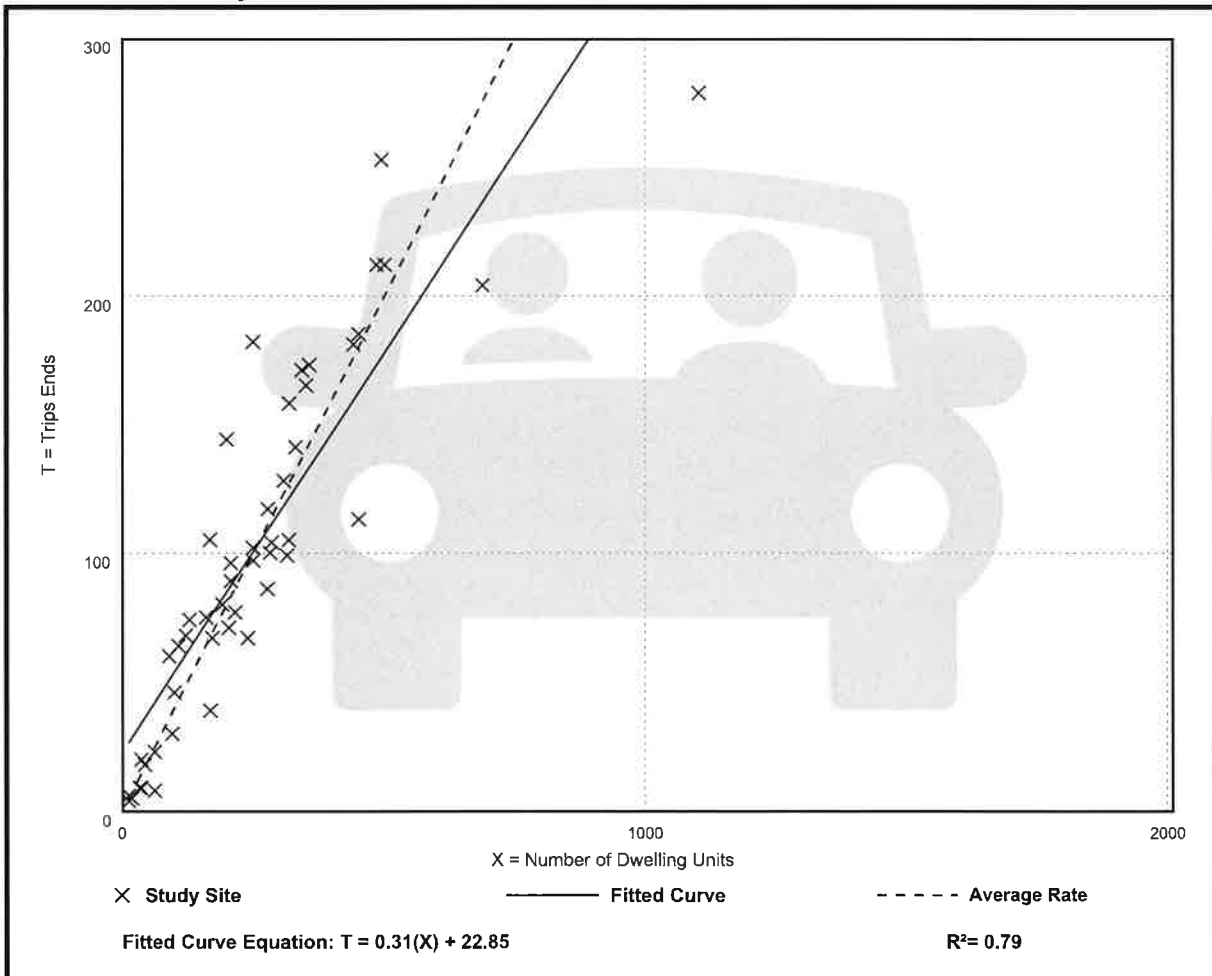
Avg. Num. of Dwelling Units: 249

Directional Distribution: 24% entering, 76% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.40	0.13 - 0.73	0.12

Data Plot and Equation



Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: **Weekday,**

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 59

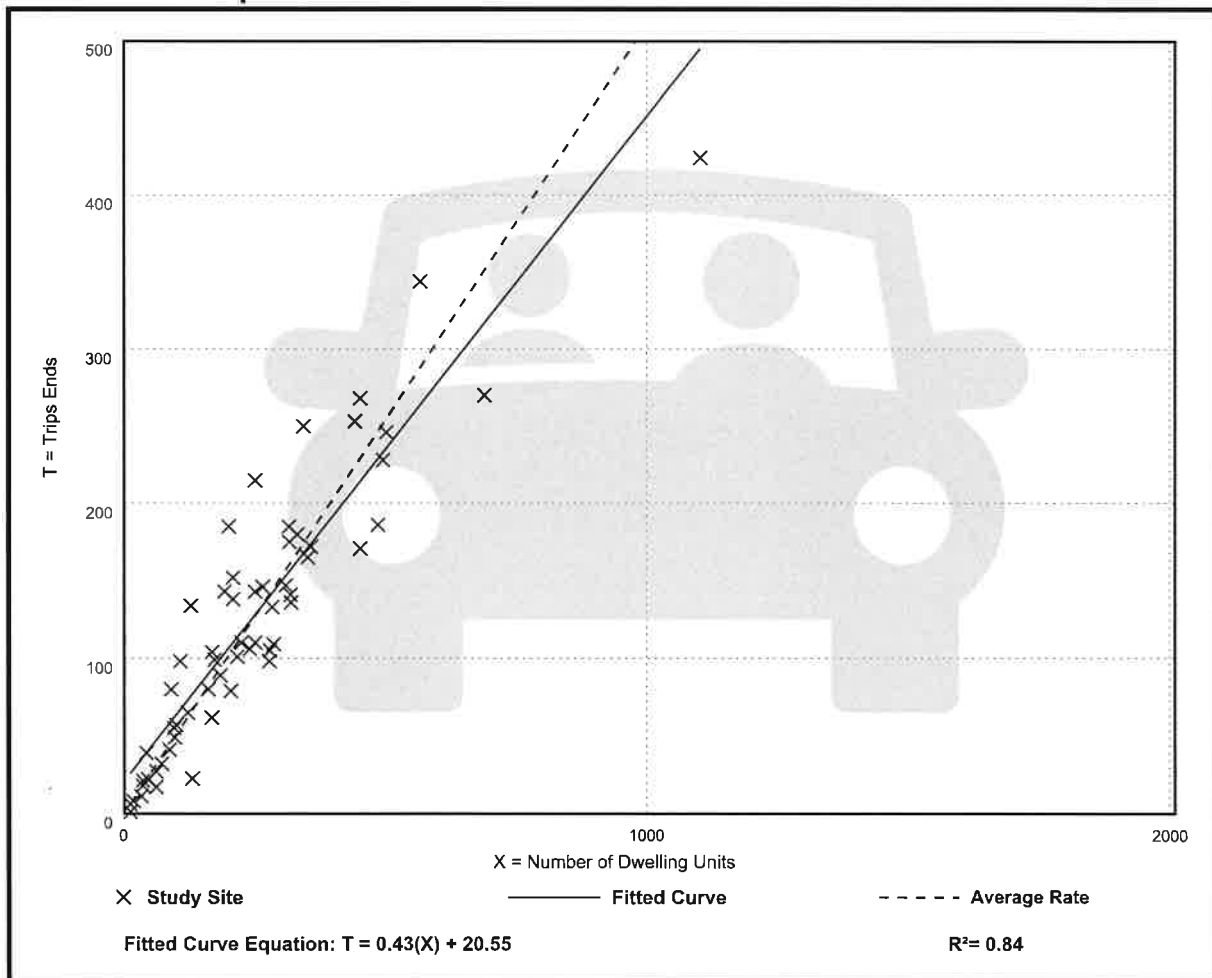
Avg. Num. of Dwelling Units: 241

Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.51	0.08 - 1.04	0.15

Data Plot and Equation



Hotel (310)

Vehicle Trip Ends vs: Rooms On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 7

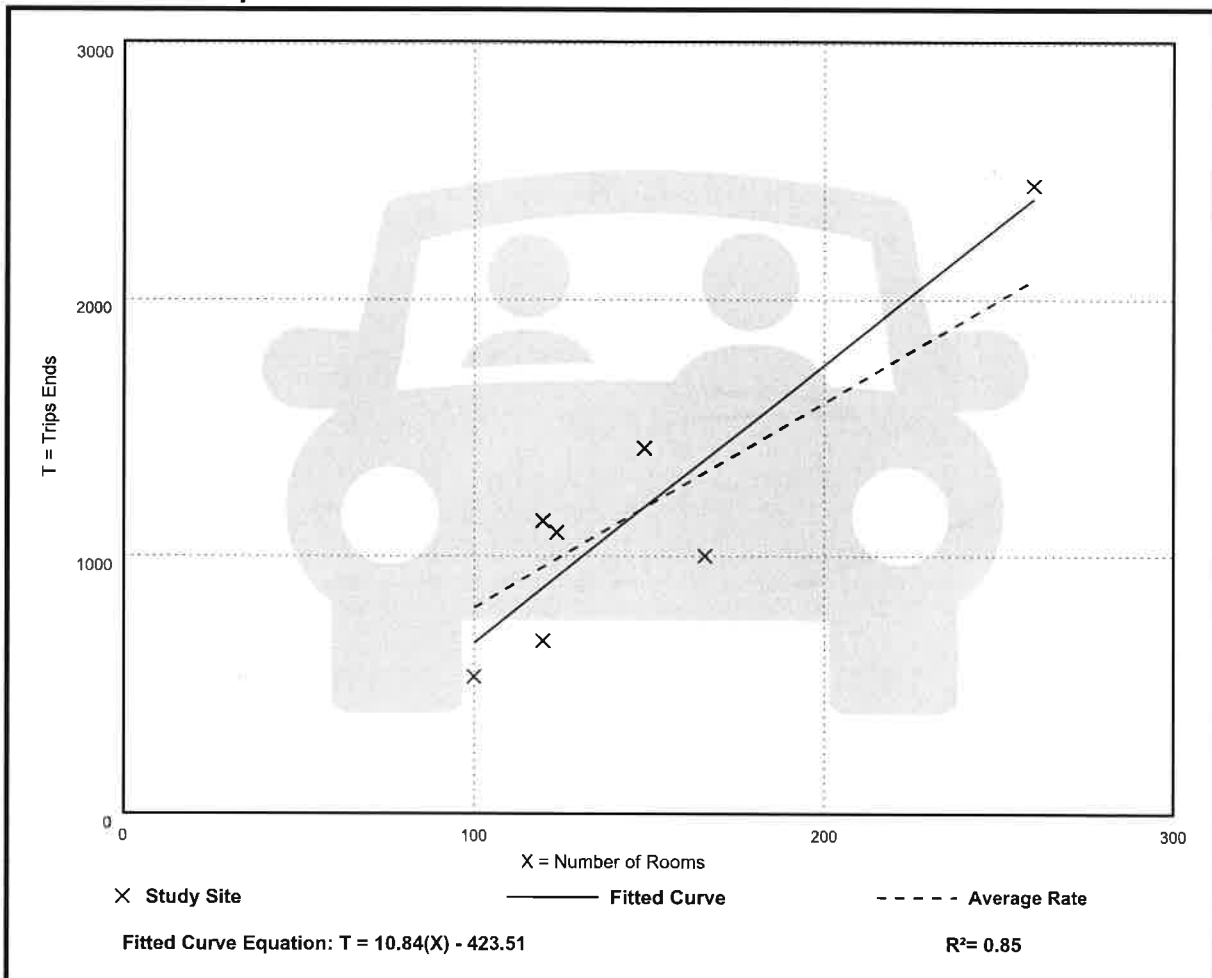
Avg. Num. of Rooms: 148

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
7.99	5.31 - 9.53	1.92

Data Plot and Equation



Hotel (310)

Vehicle Trip Ends vs: Rooms

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: 28

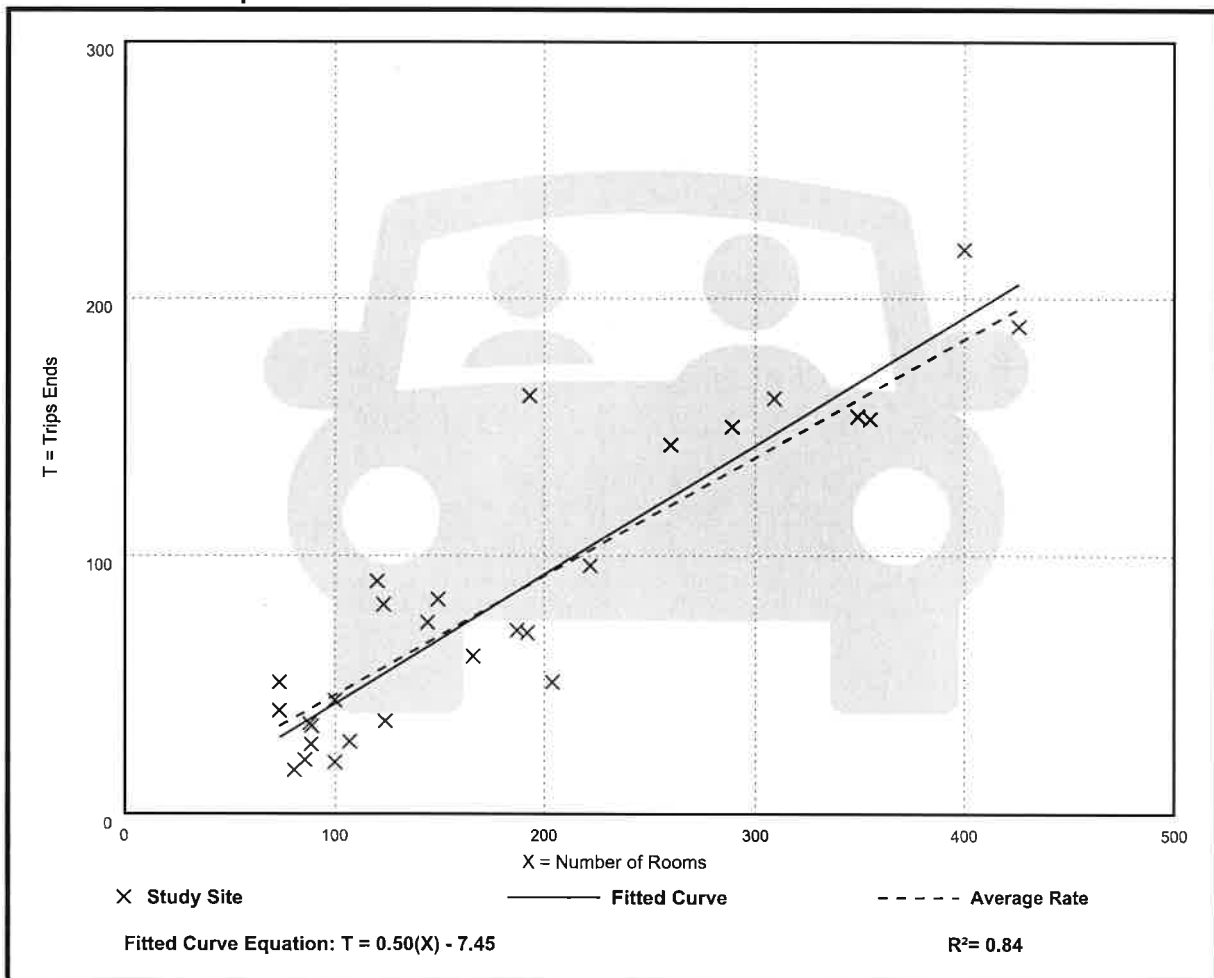
Avg. Num. of Rooms: 182

Directional Distribution: 56% entering, 44% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.46	0.20 - 0.84	0.14

Data Plot and Equation



Hotel (310)

Vehicle Trip Ends vs: Rooms

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: 31

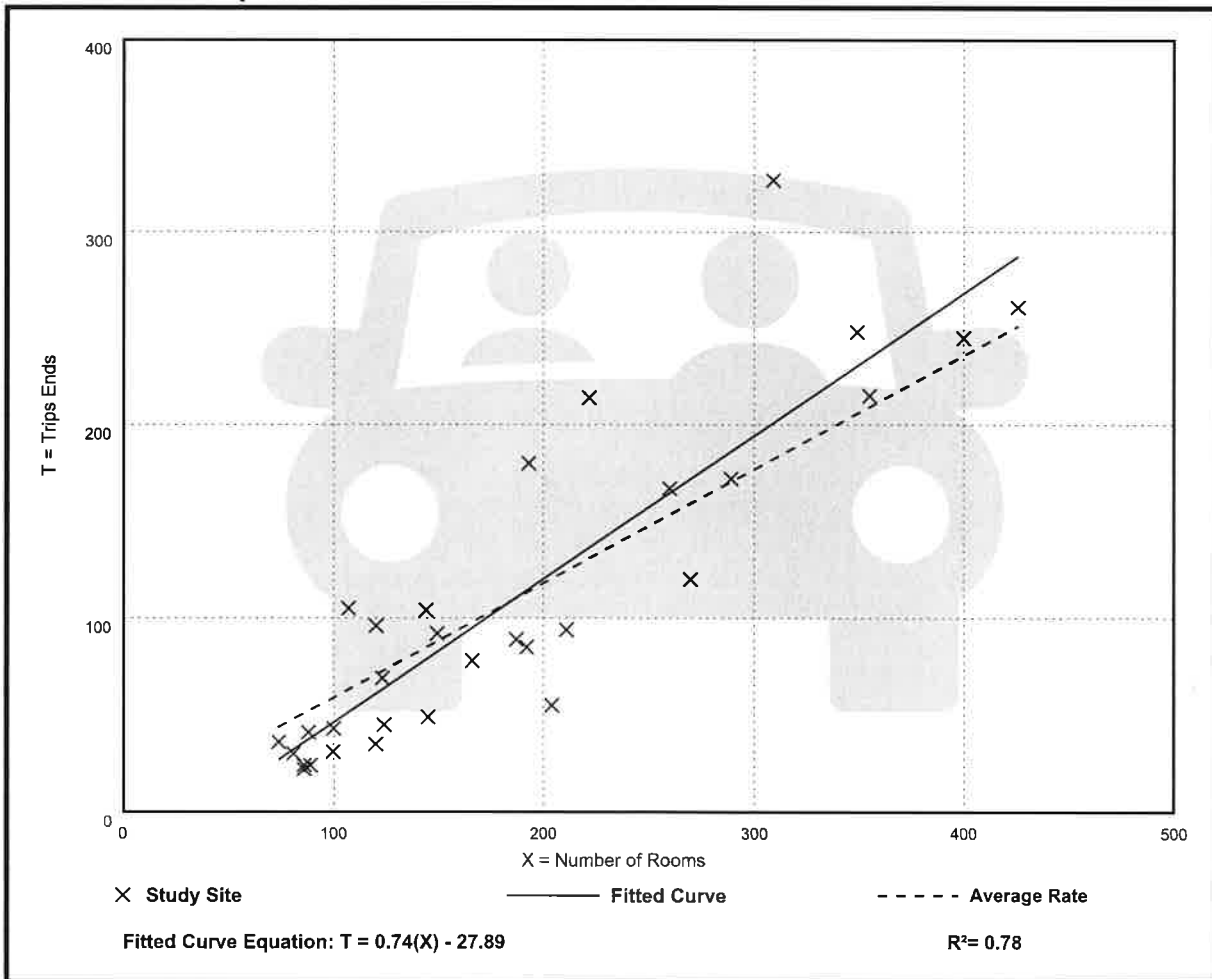
Avg. Num. of Rooms: 186

Directional Distribution: 51% entering, 49% exiting

Vehicle Trip Generation per Room

Average Rate	Range of Rates	Standard Deviation
0.59	0.26 - 1.06	0.22

Data Plot and Equation



Shopping Center (>150k) (820)

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

Setting/Location: General Urban/Suburban

Number of Studies: 108

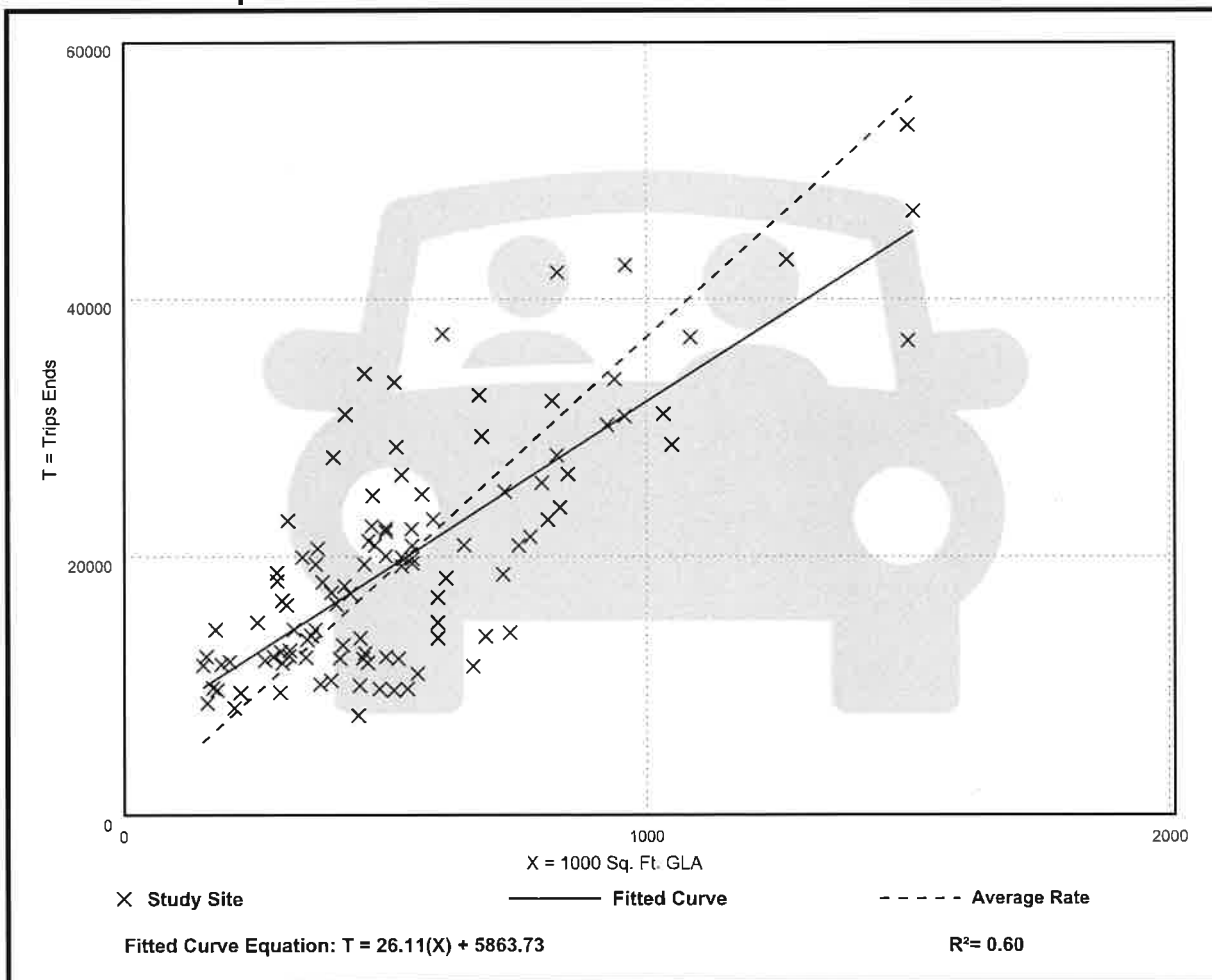
Avg. 1000 Sq. Ft. GLA: 538

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

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

Data Plot and Equation



Shopping Center (>150k) (820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 44

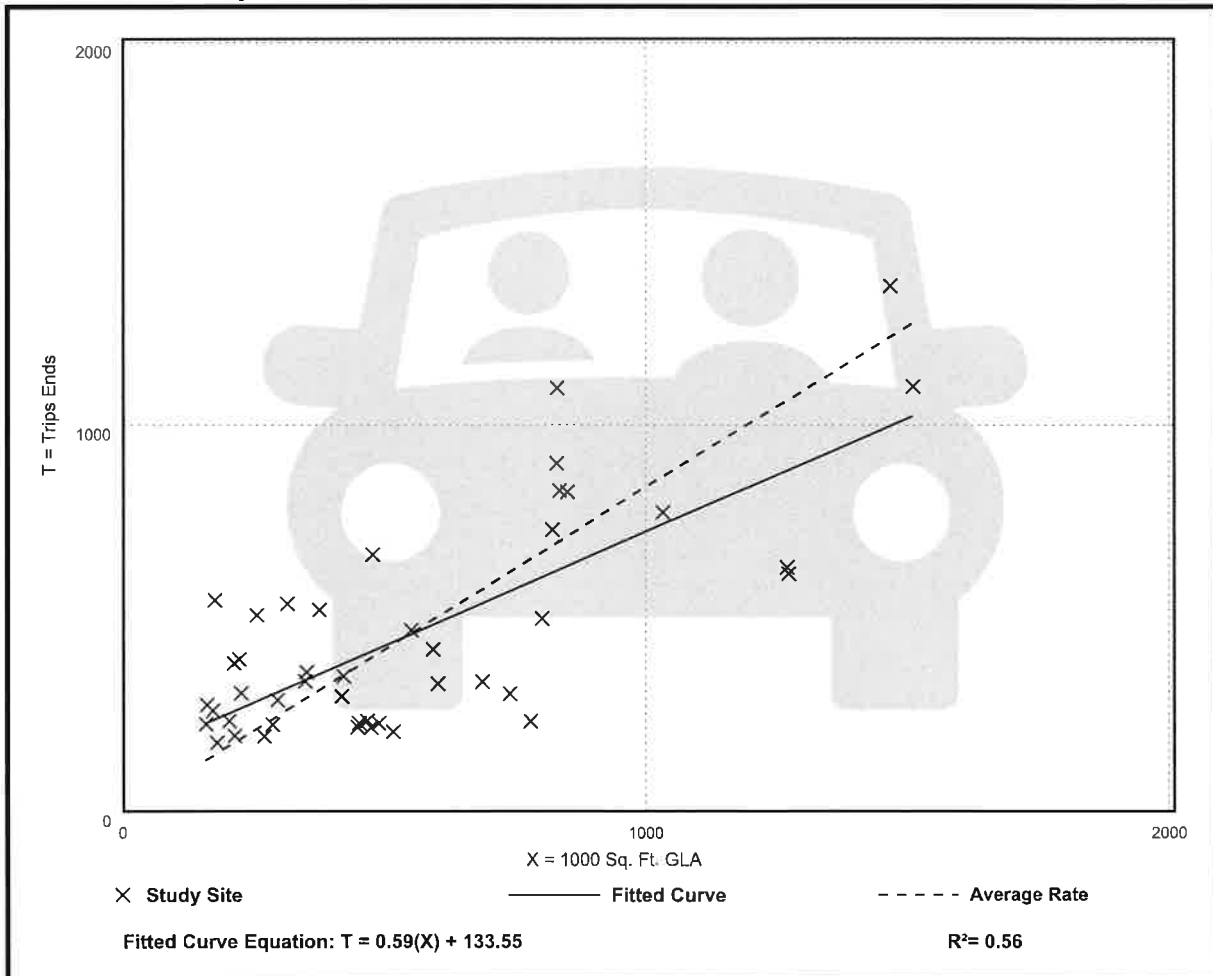
Avg. 1000 Sq. Ft. GLA: 546

Directional Distribution: 62% entering, 38% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

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

Data Plot and Equation



Shopping Center (>150k) (820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 126

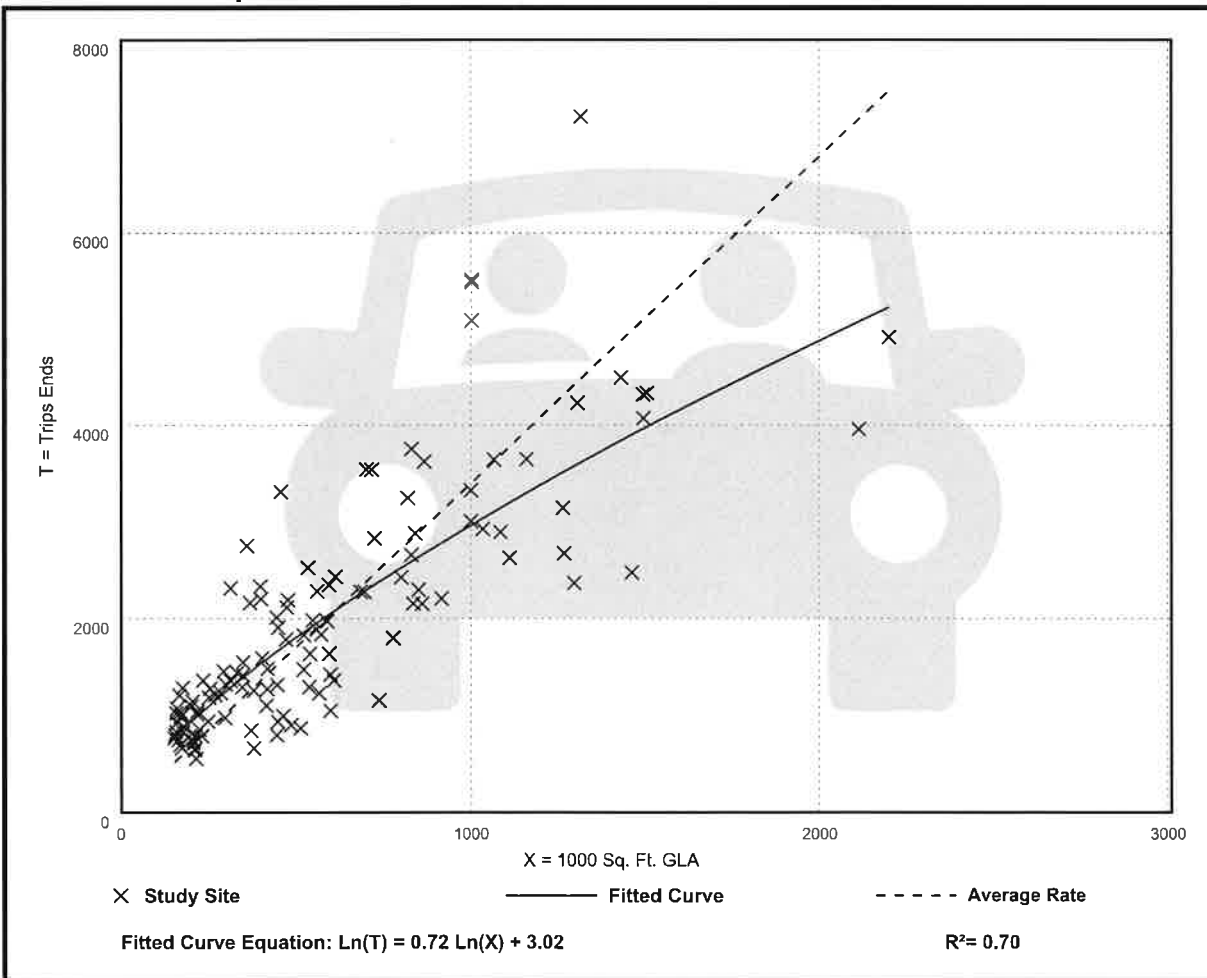
Avg. 1000 Sq. Ft. GLA: 581

Directional Distribution: 48% entering, 52% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

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

Data Plot and Equation





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

November 21, 2024

Mr. Jim Ink, P.E.
Ink Engineering, Inc.
2055 West First Street
Fort Myers, FL 33901

RE: Copperfish CPD
DCI2024-00018

Dear Mr. Ink:

TR Transportation Consultants, Inc. has reviewed the Traffic Impact Statement (TIS) comments issued by the Lee County Department of Community Development regarding the above project. The comments and TR Transportation's response to those comments are listed below for reference.

Traffic Impact Analysis:

- 1. The current Traffic Impact Study (TIS) does not adequately consider the worst- case scenario in terms of trip generation. Various combinations of land uses can result in higher trip volumes than those reported in the TIS. For example, a development including a 150,000 square foot shopping plaza with a supermarket, a 200-unit multifamily low-rise, and remaining space allocated to a convenience store, a day care center, and a restaurant with a drive-thru facility could generate significantly more trips than those currently projected. Therefore, it is essential to either revise the schedule of uses to reduce high trip-generating uses or update the TIS to reflect the combination of uses that would produce the highest number of trips.*

The total amount of commercial retail uses proposed is 200,000 square feet. The ITE Land Use Code that was utilized was Land Use Code 820 – Shopping Center, which is for commercial retail centers that have over 150,000 square feet of retail. This land use code includes all of the uses identified above, including supermarkets, fast-food restaurants, etc. At this stage of the process, the trip generation is not broken down by individual uses as there is interaction between the various uses, even between the commercial uses, which is taken into account by utilizing the 820 Land Use Code. If at the time of Local Development Order, only one lot were to apply for a Development Order, then the TIS at that time would be based on that particular use. However, at this time, utilizing the Land Use Code for the Shopping Center is entirely appropriate.



Mr. Jim Ink, P.E.
Copperfish
DCI2024-00018
November 21, 2024
Page 2

2. *Since the project generates more than 300 trips per hour, the information of intersection LOS analysis for the project's entrances and the intersections within the area of project influence shall be provided for review.*

Intersection analysis was included in the original TIS for those intersections within ¼ mile of the site, as required in the Administrative Code. The revised TIS also includes the intersection analysis at the project entrances and intersections within ¼ mile.

3. *The base year AADT is 2015 and the target year is 2019 which is 4 years. But, the Table 2A shows it is 8 years. For the annual growth rate, the more years data, the more accurate. If the data available, we recommend at least 10 year data is used for the annual growth rate calculation.*

Table 2A was revised in the updated report to reflect historical traffic data from the Lee County Traffic Count Database System (TCDS) for the last nine (9) years from Count Station #64 on Bayshore Road.

If you have any additional questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ted Treesh', written in a cursive style.

Ted Treesh
President



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
FORT MYERS PERMITS SECTION
1520 ROYAL PALM SQUARE BOULEVARD SUITE 310
FT MYERS, FL 33919-1036

April 20, 2020

Regulatory Division
West Permits Branch
Fort Myers Permits Section
SAJ-2014-00905 (NPR-KRD)

Mr. David Davis
Bayshore-I-7S, LLC / Bayshore-Fisher, LLC / Bayshore-Copping, LLC
1470 Royal Palm Square Boulevard
Fort Myers, Florida 33919
Sent via email: dqatord1@gmail.com

Mr. Davis:

This letter is in reference to two requests submitted on your behalf by your agent, Mr. Ronald Edenfield of RMEC, LLC, for reviews under DA file number SAJ-2014-00905 for the 34.76-acre property known as the Bayshore Parcel located at 8600, 8520, 8480, 8440, 8460 & 8440 Bayshore Road, Section 21, Township 43 South, Range 25 East in North Fort Myers, Lee County, Florida. The first was a request received on May 8, 2019 for a re-verification of the existing jurisdictional determination. The second was for the review of a Department of the Army (DA) application received on April 6, 2020 for the proposed selective land leveling and filling of upland areas across the project area to create improved pasture which would avoid all jurisdictional waters of the U.S., including wetlands, as depicted on the attached project area maps (Enclosure 1).

Based upon the Corps' review of the project, as proposed, we have determined that the proposed activities will not require a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899 as it is not located within the navigable waters of the United States. Furthermore, a permit will not be required in accordance with Section 404 of the Clean Water Act as it will not involve the discharge of dredged or fill material into waters of the United States. Provided the work is done in accordance with the drawings in Enclosure 1, a Department of the Army authorization will not be required. The Corps strongly recommends that a minimum 25-foot buffer be maintained between all of the proposed filling activities and the jurisdictional waters/wetland boundaries. This buffer will ensure that unauthorized impacts to jurisdictional waters and wetlands will not occur and enforcement actions will not be required.

Furthermore, this letter also includes a re-verification/extension of the approved jurisdictional determination provided on June 10, 2014 (Enclosure 2). If you object to this determination/decision, you may request an administrative appeal under Corps' regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process

-2-

fact sheet and Request for Appeal (RFA) form (Enclosure 3). If you request to appeal this determination/decision, you must submit a completed RFA form to the South Atlantic Division Office at the following address:

Mr. Patrick Shannin
Administrative Appeals Review Officer
U.S. Army Corps of Engineers - South Atlantic Division
CESAD-CM-CO-R
60 Forsyth St., SW, Room 10M15
Atlanta, Georgia 30303-8801.

Mr. Shannin can be reached by telephone number at 404-562-5137, or by facsimile at 404-562-5136.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the above address by June 19, 2020. It is not necessary to submit an RFA form to the Division office, if you do not object to the determination/decision in this letter.

The determination shown on the enclosed information represents the upland/wetland boundary for purposes of determining the Corps jurisdictional line. As depicted on the enclosed drawings, the property encompasses waters of the United States, which are subject to regulation by the Corps. Please be advised that the jurisdictional determination shown is based on the *Corps of Engineers Wetlands Delineation Manual* (1987) or current regional supplement, and is valid for a period no longer than 5 years from the date of this letter unless new information warrants a revision of the determination before the expiration date. If, after the 5-year period, the Corps has not specifically revalidated this jurisdictional determination, it shall automatically expire. Any reliance upon this jurisdictional determination beyond the expiration date may lead to possible violation of current Federal laws and/or regulations. You may request revalidation of the jurisdictional determination prior to the expiration date. Any revalidation or updating will be considered under the method of jurisdictional determination and other applicable regulations in use at the time of the request. Additionally, this determination has been based on information provided by you or your agent; should we determine that the information was incomplete or erroneous this delineation would be invalid.

This determination has been conducted to identify the limits of the Corps Clean Water Act jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request

-3-

a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

Additionally, your project site may contain species protected by the Endangered Species Act (ESA) of 1972, as amended. You should contact your local U.S. Fish and Wildlife Service (FWS) office to determine if federally listed species or their habitat are present on your project site. If it is determined that federally listed species may be affected by the proposed project, authorization for "incidental take" may be required. FWS offices can be contacted by the following telephone numbers: Jacksonville at 904-232-2580, Panama City at 850-769-0552, St. Petersburg at 727-570-5398, or Vero Beach at 772-562-3909.

You are cautioned that work performed below the mean high water line or ordinary high water line in waters of the United States; and/or, the discharge of dredged or fill material into any areas identified on the enclosed information as within Federal jurisdiction, without a Department of the Army permit could subject you to enforcement action. Receipt of a permit from the Florida Department of Environmental Protection or the Water Management District does not obviate the requirement for obtaining a Department of the Army permit.

Thank you for your cooperation with our permit program. The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit <http://per2.nwp.usace.army.mil/survey.html> and complete our automated Customer Service Survey. Your input is appreciated – favorable or otherwise. Please be aware this web address is case sensitive and should be entered as it appears above.

If you have any questions concerning this determination, please contact me at the letterhead address above, or preferably via electronic mail at Katy.R.Damico@usace.army.mil or by telephone at (813) 769-7076.

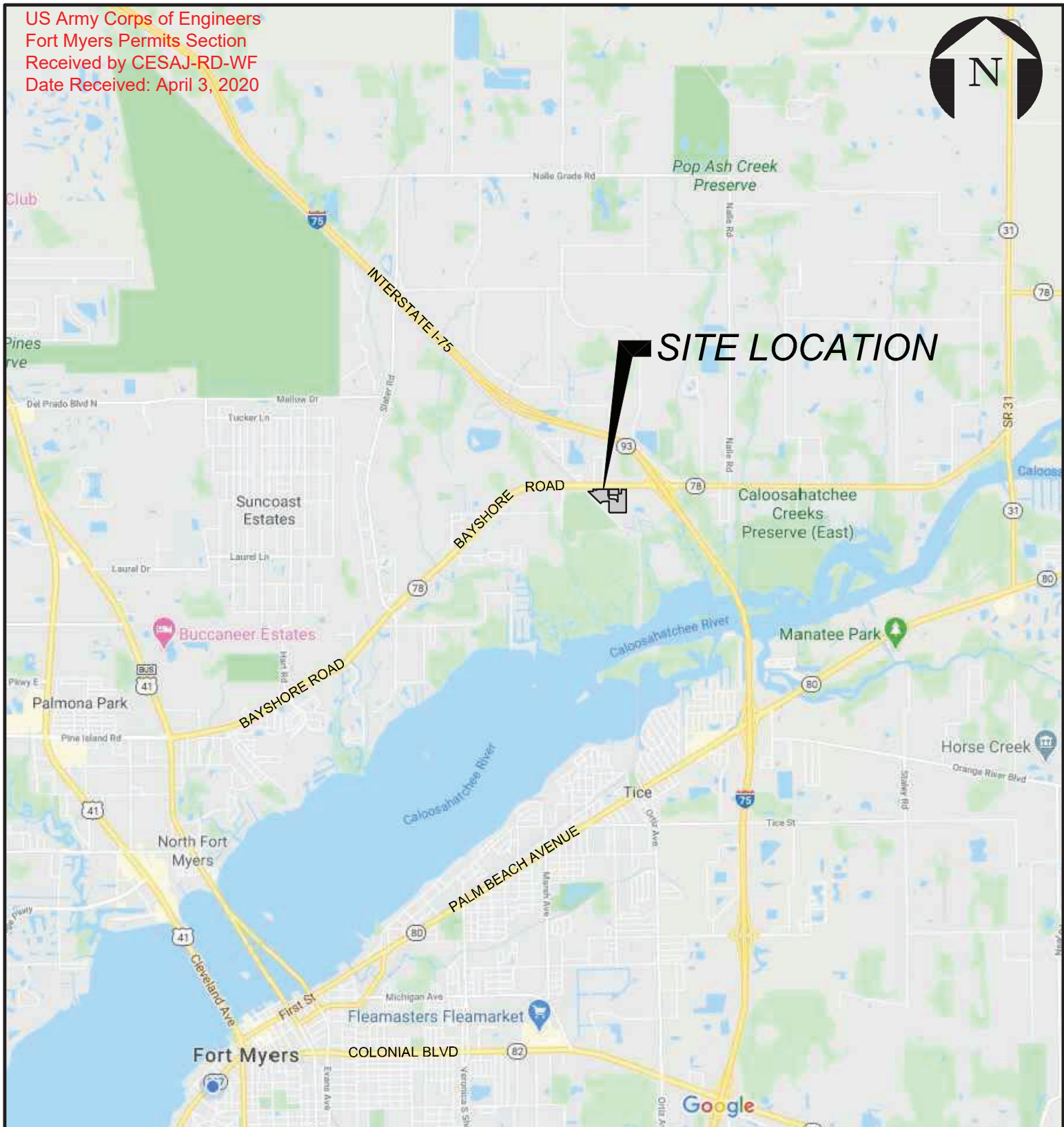
Sincerely,

Katy R. Damico
Project Manager
Fort Myers Permits Section

Enclosures

Cc (via email): Ronald M. Edenfield, RMEC, LLC, Ron@RMEC-LLC.com

US Army Corps of Engineers
Fort Myers Permits Section
Received by CESAJ-RD-WF
Date Received: April 3, 2020



PROJECT LOCATION MAP

NOT TO SCALE



ENGINEERING | WATER RESOURCES | ENVIRONMENTAL

RMEC, LLC

2223 MCGREGOR BOULEVARD
FORT MYERS, FLORIDA 33901
Tel (239) 789-1951
www.rmec-llc.com
CA#32266

PROJECT:

SITE IMPROVEMENTS
8340 BAYSHORE ROAD
NORTH FORT MYERS, FLORIDA 33917

SHEET:

LOCATION MAP

CLIENT:

BAYSHORE PARTNERS
DAVID F. DAVIS (AGENT)
1470 ROYAL PALM SQUARE BLVD.
FORT MYERS, FLORIDA 33919

PROJECT No:

2013-007

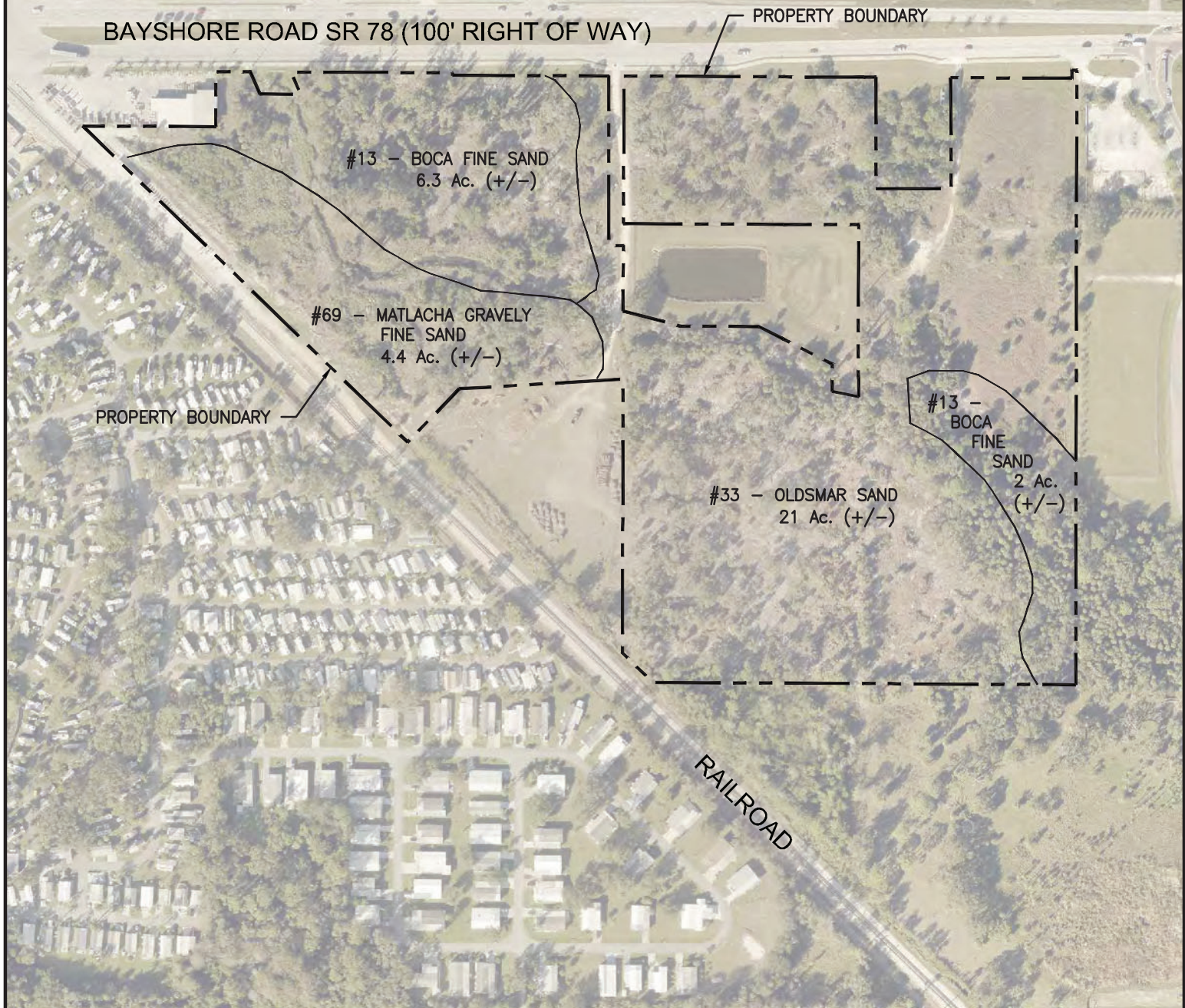
SHEET No:

C-1

US Army Corps of Engineers
Fort Myers Permits Section
Received by CESAJ-RD-WF
Date Received: April 3, 2020



0 150' 300'
SCALE IN FEET



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RMEC, LLC

2223 McGREGOR BOULEVARD
FORT MYERS, FLORIDA 33901
Tel (239) 789-1951
www.rmec-llc.com
CA#32266

PROJECT:

SITE IMPROVEMENTS
8340 BAYSHORE ROAD
NORTH FORT MYERS, FLORIDA 33917

SHEET:

SOILS MAP

CLIENT:

BAYSHORE PARTNERS
DAVID F. DAVIS (AGENT)
1470 ROYAL PALM SQUARE BLVD.
FORT MYERS, FLORIDA 33919

PROJECT No:

2013-007

SHEET No:

C-2

US Army Corps of Engineers
Fort Myers Permits Section
Received by CESAJ-RD-WF
Date Received: April 3, 2020



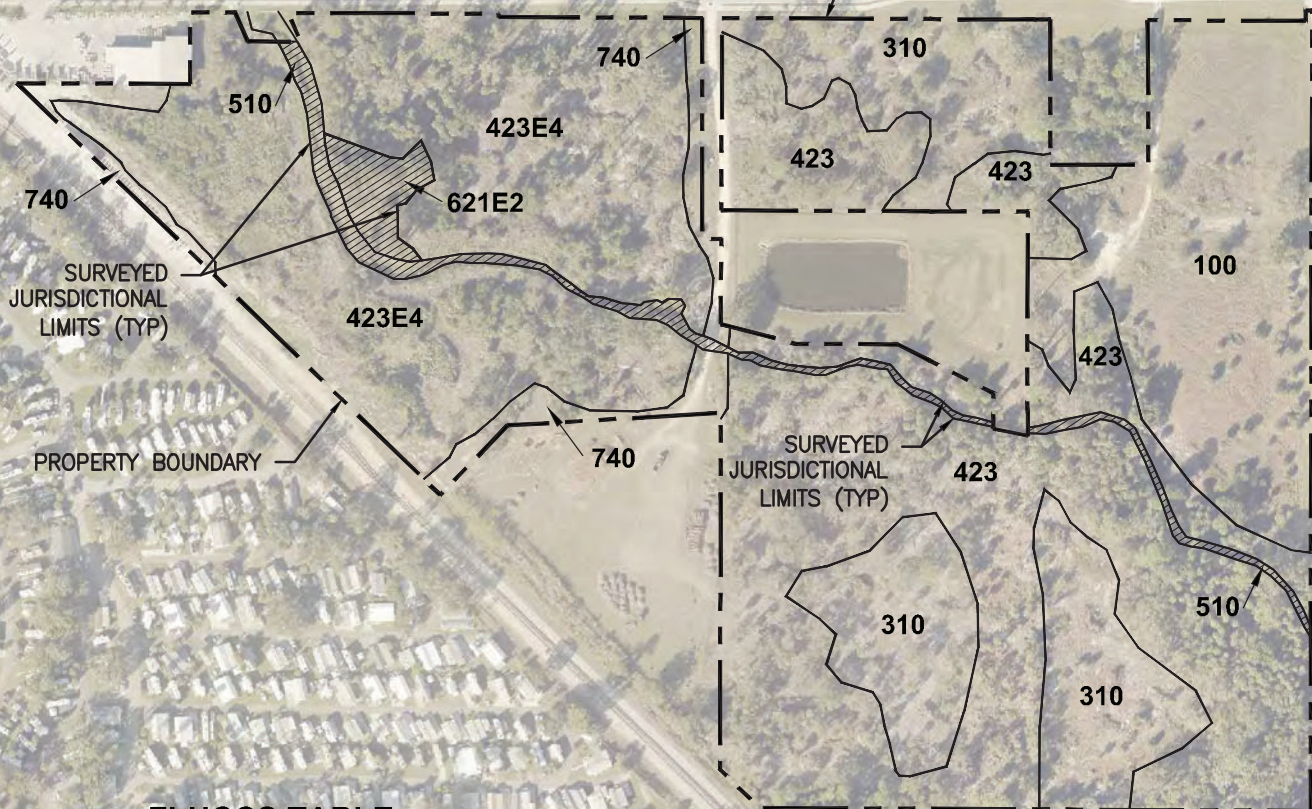
JURISDICTIONAL WETLANDS / OTHER SURFACE WATER, 1.15AC
JD SAJ-2014-00905 BAYSHORE PARCEL
SFWMD PERMIT: 36-00014-F



0 150' 300'
SCALE IN FEET

BAYSHORE ROAD SR 78 (100' RIGHT OF WAY)

PROPERTY BOUNDARY



FLUCCS TABLE

Code	Description	Upland Acre	Wetland Acre	OSW Acre
100	Residential	5.42		
310	Herbaceous	5.25		
423	Pine-Oak-Cabbage Palm	11.39		
423E4	Pine-Oak-Cabbage Palm	10.14		
510	Bayshore Ditch / Creek*			0.74
621E2	Cypress		0.41	
740	Disturbed (no canopy)	1.41		
		33.61	0.41	0.74

Site Total = 34.76 ac

E2 25-50% Exotics

E4 >75% Exotics, Previously Cleared

* Bayshore Ditch / Creek has been Dredged



RMEC, LLC

2223 McGREGOR BOULEVARD
FORT MYERS, FLORIDA 33901
Tel (239) 789-1951
www.rmec-llc.com
CA#32266

PROJECT:

SITE IMPROVEMENTS
8340 BAYSHORE ROAD
NORTH FORT MYERS, FLORIDA 33917

SHEET:

FLUCCS MAP

CLIENT:

BAYSHORE PARTNERS
DAVID F. DAVIS (AGENT)
1470 ROYAL PALM SQUARE BLVD.
FORT MYERS, FLORIDA 33919

PROJECT No:

2013-007

SHEET No:

C-3

US Army Corps of Engineers
Fort Myers Permits Section
Received by CESA-JRD-WF
Date Received: April 3, 2020



JURISDICTIONAL WETLANDS / OTHER SURFACE WATER, 1.15AC
JD SAJ-2014-00905 BAYSHORE PARCEL
SFWMD PERMIT: 36-00014-F



0 150' 300'
SCALE IN FEET

BAYSHORE ROAD SR 78 (100' RIGHT OF WAY)

PROPERTY BOUNDARY

EXISTING FPL EASEMENT (TYP)

SURVEYED
JURISDICTIONAL
LIMITS (TYP)

SURVEYED
JURISDICTIONAL
LIMITS (TYP)

PROPERTY BOUNDARY

EXISTING FPL EASEMENT (TYP)

RAILROAD

SELECTIVE FILL OVER SITE OUTSIDE
OF JURISDICTIONAL LIMITS; DEPTH
VARIES FROM 0.5' TO 1.5' DEEP
(TYPICAL HATCH PATTERN)



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RMEC, LLC

2223 MCGREGOR BOULEVARD
FORT MYERS, FLORIDA 33901
Tel (239) 789-1951
www.rmec-llc.com
CA#32266

PROJECT:

SITE IMPROVEMENTS
8340 BAYSHORE ROAD
NORTH FORT MYERS, FLORIDA 33917

SHEET:

JURISDICTIONAL LIMITS MAP
& SITE PLAN

CLIENT:

BAYSHORE PARTNERS
DAVID F. DAVIS (AGENT)
1470 ROYAL PALM SQUARE BLVD.
FORT MYERS, FLORIDA 33919

PROJECT No:

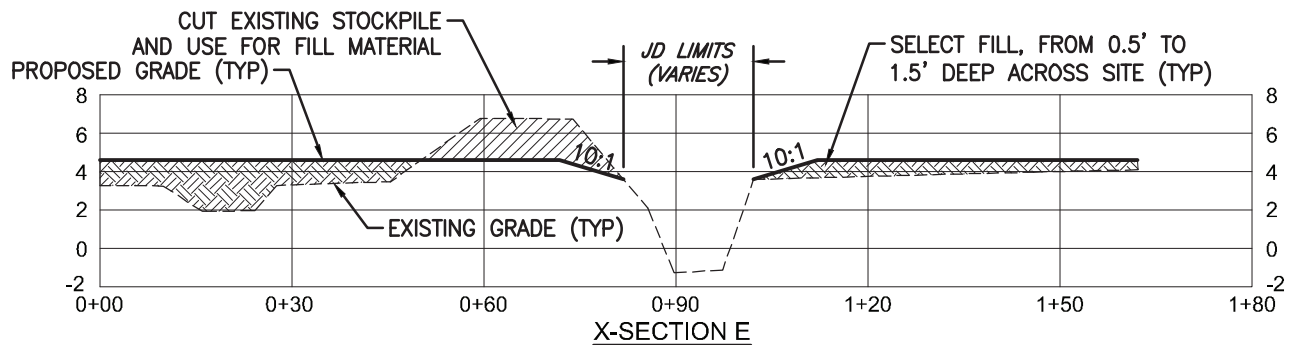
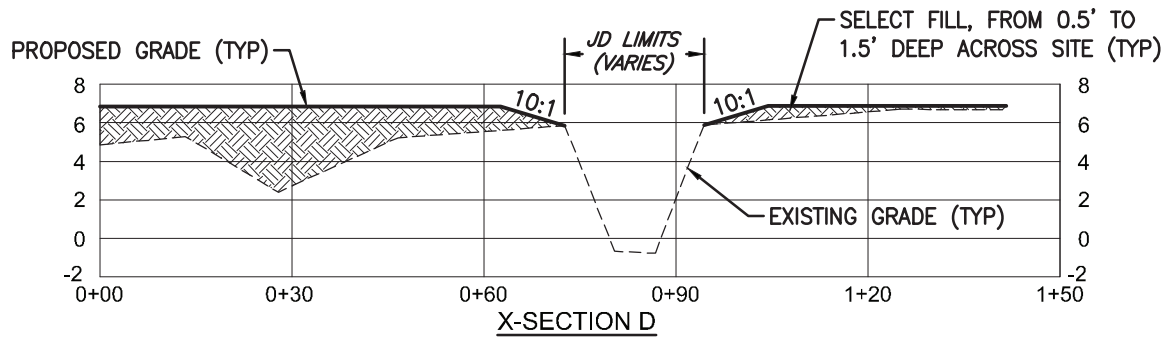
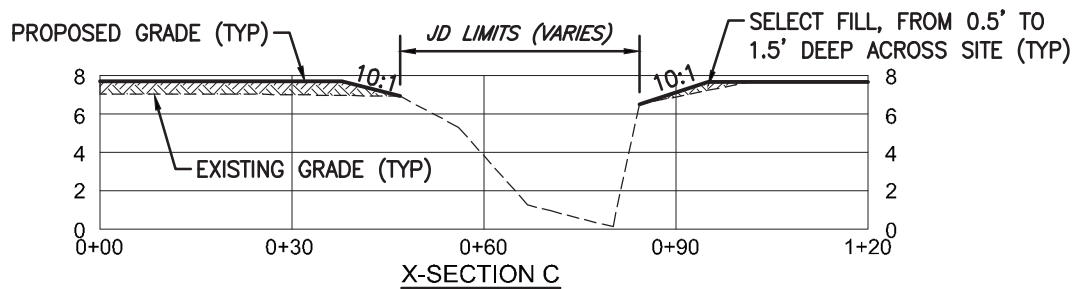
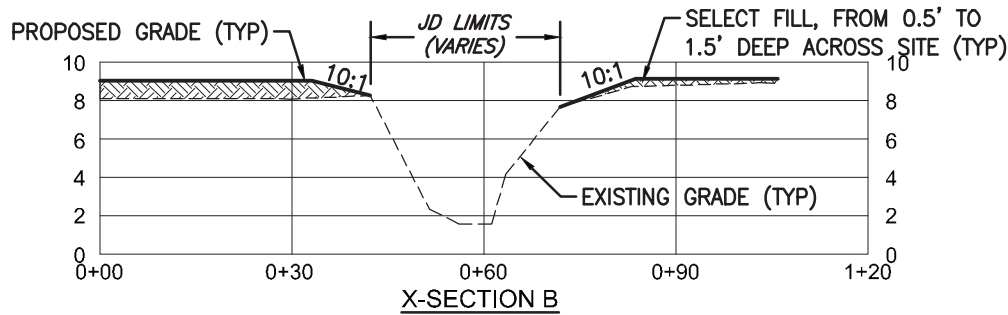
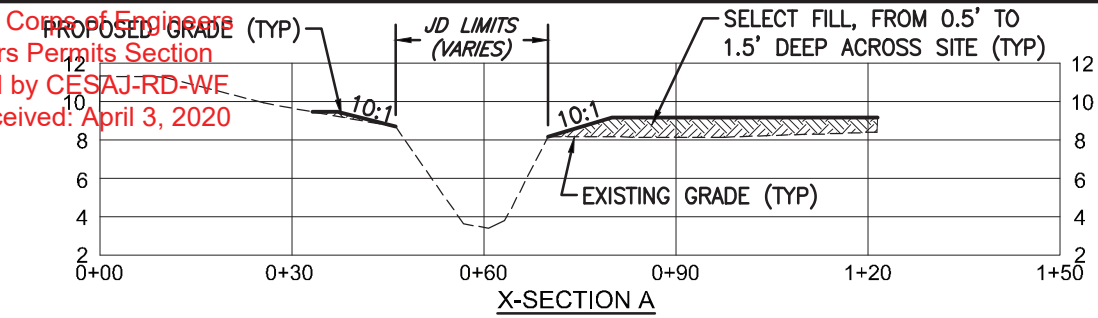
2013-007

SHEET No:

C-4

US Army Corps of Engineers
Fort Myers Permits Section
Received by CESAJ-RD-WF
Date Received: April 3, 2020

SCALE: HORIZ 1"=30'
VERT 1"=10'



ENGINEERING | WATER RESOURCES | ENVIRONMENTAL

RMEC, LLC

2223 McGREGOR BOULEVARD
FORT MYERS, FLORIDA 33901
Tel (239) 789-1951
www.rmec-llc.com
CA#32266

PROJECT:

SITE IMPROVEMENTS
8340 BAYSHORE ROAD
NORTH FORT MYERS, FLORIDA 33917

SHEET:

SECTIONS

CLIENT:

BAYSHORE PARTNERS
DAVID F. DAVIS (AGENT)
1470 ROYAL PALM SQUARE BLVD.
FORT MYERS, FLORIDA 33919

PROJECT No:

2013-007

SHEET No:

C-5

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): 19 May 2014

Re-verification: 20 April 2020 (KRD)

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Jacksonville District, Bayshore Parcel, SAJ-2014-00905

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: FL

County/parish/borough: Lee

City: North Fort Myers

Center coordinates of site (lat/long in degree decimal format): Lat. 26.71308° N, Long. 81.81981° W.

Universal Transverse Mercator:

Name of nearest waterbody: Bayshore Creek

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Caloosahatchee River

Name of watershed or Hydrologic Unit Code (HUC): 030902050607 Daughtery Creek

☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

☒ Office (Desk) Determination. Date: 20 APRIL 2020

☒ Field Determination. Date(s): 13 May 2014

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are no** "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

☐ Waters subject to the ebb and flow of the tide.

☐ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
 Explain: .

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **Are** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area (check all that apply):¹

- ☐ TNWs, including territorial seas
- ☐ Wetlands adjacent to TNWs
- ☐ Relatively permanent waters² (RPWs) that flow directly or indirectly into TNWs
- ☒ Non-RPWs that flow directly or indirectly into TNWs
- ☐ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
- ☐ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
- ☒ Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
- ☐ Impoundments of jurisdictional waters
- ☐ Isolated (interstate or intrastate) waters, including isolated wetlands

b. Identify (estimate) size of waters of the U.S. in the review area:

Non-wetland waters: linear feet: width (ft) and/or 0.74 acres.

Wetlands: 0.41 acres.

c. Limits (boundaries) of jurisdiction based on: 1987 Delineation Manual

Elevation of established OHWM (if known): .

2. Non-regulated waters/wetlands (check if applicable):³

☐ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.
 Explain: None.

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.

² For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

³ Supporting documentation is presented in Section III.F.

SECTION III: CWA ANALYSIS**A. TNWs AND WETLANDS ADJACENT TO TNWs**

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. TNW

Identify TNW: **Caloosahatchee River.**

Summarize rationale supporting determination: The Caloosahatchee River is a part of the Okeechobee Waterway; a Federal project. This river currently supports the transportation of interstate and foreign commerce and is subject to the ebb and flow of the tide.

2. Wetland adjacent to TNW

Summarize rationale supporting conclusion that wetland is "adjacent": .

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody⁴ is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. Characteristics of non-TNWs that flow directly or indirectly into TNW**(i) General Area Conditions:**

Watershed size: 38,507 acres

Drainage area: 33 acres

Average annual rainfall: (WETS STATION: FT MYERS PAGE FLD AP, FL835) 54.19" inches

Average annual snowfall: (WETS STATION: FT MYERS PAGE FLD AP, FL835) 0.0" inches

(ii) Physical Characteristics:**(a) Relationship with TNW:**

☒ Tributary flows directly into TNW.

☐ Tributary flows through **Pick List** tributaries before entering TNW.

Project waters are **1 (or less)** river miles from TNW.

Project waters are **1 (or less)** river miles from RPW.

Project waters are **1 (or less)** aerial (straight) miles from TNW.

Project waters are **1 (or less)** aerial (straight) miles from RPW.

Project waters cross or serve as state boundaries. Explain: Project waters do not cross or serve as state boundaries.

⁴ Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

Identify flow route to TNW⁵: Bayshore Creek (project water) flows southward directly into the Caloosahatchee River.
Tributary stream order, if known: Unknown.

(b) General Tributary Characteristics (check all that apply):

Tributary is:

☐ Natural

☐ Artificial (man-made). Explain: .

☒ Manipulated (man-altered). Explain: Bayshore Creek is a meandering perennial tributary. The

application states that this creek was dredged in the 1950's. It does not appear that this creek was dredged recently, due to the presence of cypress knees within the creek bed. This creek is crossed by multiple roadways.

Tributary properties with respect to top of bank (estimate):

Average width: 15 feet

Average depth: 4 feet

Average side slopes: **2:1**.

Primary tributary substrate composition (check all that apply):

☒ Silts

☒ Sands

☐ Concrete

☐ Cobbles

☐ Gravel

☒ Muck

☐ Bedrock

☒ Vegetation. Type/% cover: 10% ground cover within the creek bed. This 10% ground

vegetation consists of small, unidentified herbaceous weeds. There is also a 10% canopy cover over the perennial tributary from the abutting bald cypress trees.

☒ Other. Explain: Cypress knees are found within some portions of creek bed.

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: Stable. Vegetation covers most of creek bank which helps to stabilize the bank.

Presence of run/riffle/pool complexes. Explain: No.

Tributary geometry: **Meandering**

Tributary gradient (approximate average slope): <1 %

(c) Flow:

Tributary provides for: **Seasonal flow**

Estimate average number of flow events in review area/year: **20 (or greater)**

Describe flow regime: Bayshore Creek is a perennial tributary. During the 13 May 2014 site visit, water was present throughout the entire creek. Flowing water was observed at the center of the property. Water flows southward into the Caloosahatchee River. Our RAR layer shows this creek as being perennial. This creek drains water from the adjacent uplands and wetlands. It is expected that this creek flows almost continuously during the Florida wet season.

Other information on duration and volume: .

Surface flow is: **Discrete and confined**. Characteristics: Water expected to flow within the confines of the banks of this perennial tributary.

Subsurface flow: **Unknown**. Explain findings: .

☐ Dye (or other) test performed: .

Tributary has (check all that apply):

☒ Bed and banks

☒ OHWM⁶ (check all indicators that apply):

☒ clear, natural line impressed on the bank

☒ changes in the character of soil

☐ shelving

☒ vegetation matted down, bent, or absent

☒ leaf litter disturbed or washed away

☒ sediment deposition

☒ water staining

☒ other (list): Cypress knees

☐ Discontinuous OHWM.⁷ Explain: .

☒ the presence of litter and debris

☐ destruction of terrestrial vegetation

☐ the presence of wrack line

☒ sediment sorting

☐ scour

☒ multiple observed or predicted flow events

☐ abrupt change in plant community

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

☒ High Tide Line indicated by:

☐ oil or scum line along shore objects

☒ Mean High Water Mark indicated by:

☐ survey to available datum;

⁵ Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

⁶ A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

⁷ Ibid.

- | | |
|--|--|
| ☐ fine shell or debris deposits (foreshore) | ☐ physical markings; |
| ☐ physical markings/characteristics | ☐ vegetation lines/changes in vegetation types. |
| ☐ tidal gauges | |
| ☐ other (list): | |

(iii) Chemical Characteristics:

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Explain: This perennial tributary flows underneath multiple major roadways. It is expected that the water quality of any flowing water would be a little impaired due to collecting runoff from the nearby roadways.

Identify specific pollutants, if known: Unknown.

(iv) Biological Characteristics. Channel supports (check all that apply):

- ☐ Riparian corridor. Characteristics (type, average width): .
- ☒ Wetland fringe. Characteristics: The onsite cypress wetland abuts this perennial tributary.
- ☒ Habitat for:
- ☒ Federally Listed species. Explain findings: Provides suitable foraging habitat for the endangered wood stork.
 - ☒ Fish/spawn areas. Explain findings: Small fish were observed within the creek during the 13 May 2014 site visit.
 - ☒ Other environmentally-sensitive species. Explain findings: RAR shows this freshwater wetland is adjacent to the estuarine fringe of the Caloosahatchee River. These wetlands can be especially productive and important in providing refugia for numerous aquatic species of reptiles, amphibians and provide essential fish habitat as well.
- ☐ Aquatic/wildlife diversity. Explain findings: .

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW**(i) Physical Characteristics:****(a) General Wetland Characteristics:**

Properties:

Wetland size: 0.41 acres

Wetland type. Explain: Palustrine forested cypress wetland.

Wetland quality. Explain: Good. Multiple, relatively healthy cypress trees dominate the forested canopy. The cypress wetland is abutting a perennial tributary and is immediately surrounded by forested uplands. The surrounding forested uplands were identified as FLUCCS 423E4 Pine-Oak-Cabbage Palm. It was confirmed during the site visit that these uplands are heavily infested (>75%) with Brazilian pepper; an exotic species.

Project wetlands cross or serve as state boundaries. Explain: No.

(b) General Flow Relationship with Non-TNW:

Flow is: **Intermittent flow**. Explain: No surface water or high water table was observed within the onsite wetland during the 13 May 2014 site visit. The onsite wetland is elevated higher than the abutting creek, so it is expected that rainwater runoff will fall directly from the onsite wetland into the creek during storm events or during the Florida wet season.

Surface flow is: **Overland sheetflow**

Characteristics: Wetland abuts Creek bank.

Subsurface flow: **Unknown**. Explain findings: Unknown, but likely that the abutting cypress wetland has subsurface flow into the abutting creek.

☐ Dye (or other) test performed: .

(c) Wetland Adjacency Determination with Non-TNW:

- ☒ Directly abutting
- ☐ Not directly abutting
- ☐ Discrete wetland hydrologic connection. Explain: .
 - ☐ Ecological connection. Explain: .
 - ☐ Separated by berm/barrier. Explain: .

(d) Proximity (Relationship) to TNW

Project wetlands are **1-2** river miles from TNW.

Project waters are **1-2** aerial (straight) miles from TNW.

Flow is from: **Wetland to navigable waters**.

Estimate approximate location of wetland as within the **5 - 10-year** floodplain.

(ii) Chemical Characteristics:

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain: Since the site visit was conducted at the end of the Florida dry season, no surface water was observed within the cypress wetland. It is expected that, during storm events and during the Florida wet season, any water contained within the wetland would naturally flow into the abutting creek.

Identify specific pollutants, if known: Unknown.

(iii) Biological Characteristics. Wetland supports (check all that apply):

- ☐ Riparian buffer. Characteristics (type, average width): .
- ☒ Vegetation type/percent cover. Explain: 75% bald cypress (*Taxodium distichum*) canopy .
- ☒ Habitat for:
- ☒ Federally Listed species. Explain findings: Suitable foraging habitat for the endangered wood stork.
- ☐ Fish/spawn areas. Explain findings: .
- ☐ Other environmentally-sensitive species. Explain findings: .
- ☒ Aquatic/wildlife diversity. Explain findings: A variety of reptiles, amphibians and wading birds could potentially

inhabit this onsite wetland.

3. Characteristics of all wetlands adjacent to the tributary (if any)

All wetland(s) being considered in the cumulative analysis: 1

Approximately (0.41) acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

<u>Directly abuts? (Y/N)</u>	<u>Size (in acres)</u>	<u>Directly abuts? (Y/N)</u>	<u>Size (in acres)</u>
Y	0.41		

Summarize overall biological, chemical and physical functions being performed: The palustrine forested cypress wetland is performing functions consistent with the following:

Biological: Cypress wetland abutting perennial tributary provides breeding ground and shelter for local mammalian and aquatic species.

This wetland also provides foraging areas for wetland dependent species. This wetland is essential in providing organic carbon to downstream waters (Caloosahatchee River), resulting in the nourishment of the downstream food web.

Chemical: This wetland helps to remove excess nutrients which are contributed by runoff from the surrounded developed uplands, reducing nitrogen and phosphorus loading downstream, and effectively preventing oxygen depletion that results in eutrophication. The Caloosahatchee River, Daughtrey Creek water segment, is found within the Florida 1998 303(d) list as a water not meeting water quality standards and/or not supporting their designated uses. The parameters of concern regarding the Caloosahatchee River include levels of dissolved oxygen and nutrients within the water

Physical: The onsite wetlands perform flow maintenance functions, including retaining runoff inflow and storing flood water temporarily. The retention of water reduces downstream peak flows and helps to maintain seasonal flow volumes.

Bayshore Creek, in combination with the abutting onsite, palustrine forested cypress wetland, has a significant nexus with the Caloosahatchee River.

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D: .
2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: Google Earth Pro aerial photography shows water throughout the onsite perennial tributary, seen further south of the project area, as the water flows southward into the Caloosahatchee River. During the 13 May 2014 site visit, water was observed throughout the entire perennial tributary on the property site. Flowing water (slow) was observed within the perennial tributary near the center of the property. The onsite cypress wetland is directly abutting the perennial tributary as evident during the 13 May 2014 site visit. The bald cypress within the wetland actually has cypress knees growing in the abutting perennial tributary and the cypress canopy even cover portions of the perennial tributary. The perennial tributary (Bayshore Creek), in conjunction with this cypress wetland, performs significant physical, biological, and chemical functions as explained in Section B (3) above. The onsite perennial tributary and the onsite cypress wetlands forms a significant nexus with the Caloosahatchee River.
3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: .

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:

- ☐ TNWs: linear feet width (ft), Or, acres.
☐ Wetlands adjacent to TNWs: acres.

2. **RPWs that flow directly or indirectly into TNWs.**

- ☐ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: .
☐ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: .

Provide estimates for jurisdictional waters in the review area (check all that apply):

- ☐ Tributary waters: linear feet width (ft).
☐ Other non-wetland waters: acres.
 Identify type(s) of waters: .

3. **Non-RPWs⁸ that flow directly or indirectly into TNWs.**

- ☐ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):

- ☐ Tributary waters: linear feet width (ft).
☐ Other non-wetland waters: acres.
 Identify type(s) of waters: .

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**

- ☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
☐ Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .
☐ Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: .

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**

⁸See Footnote # 3.

- ☐ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: _____ acres.

6. Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.

- ☐ Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: _____ acres.

7. Impoundments of jurisdictional waters.⁹

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.

- ☐ Demonstrate that impoundment was created from "waters of the U.S.," or
☐ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
☐ Demonstrate that water is isolated with a nexus to commerce (see E below).

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):¹⁰

- ☐ which are or could be used by interstate or foreign travelers for recreational or other purposes.
☐ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
☐ which are or could be used for industrial purposes by industries in interstate commerce.
☐ Interstate isolated waters. Explain: _____
☐ Other factors. Explain: _____

Identify water body and summarize rationale supporting determination: _____

Provide estimates for jurisdictional waters in the review area (check all that apply):

- ☐ Tributary waters: _____ linear feet _____ width (ft).
☐ Other non-wetland waters: _____ acres.
 Identify type(s) of waters: _____
☐ Wetlands: _____ acres.

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

- ☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
☐ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
☐ Prior to the Jan 2001 Supreme Court decision in "SWANCC," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain: _____
☐ Other: (explain, if not covered above): _____

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): _____ linear feet _____ width (ft).
☐ Lakes/ponds: _____ acres.
☐ Other non-wetland waters: _____ acres. List type of aquatic resource: _____
☐ Wetlands: _____ acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): _____ linear feet, _____ width (ft).

⁹ To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

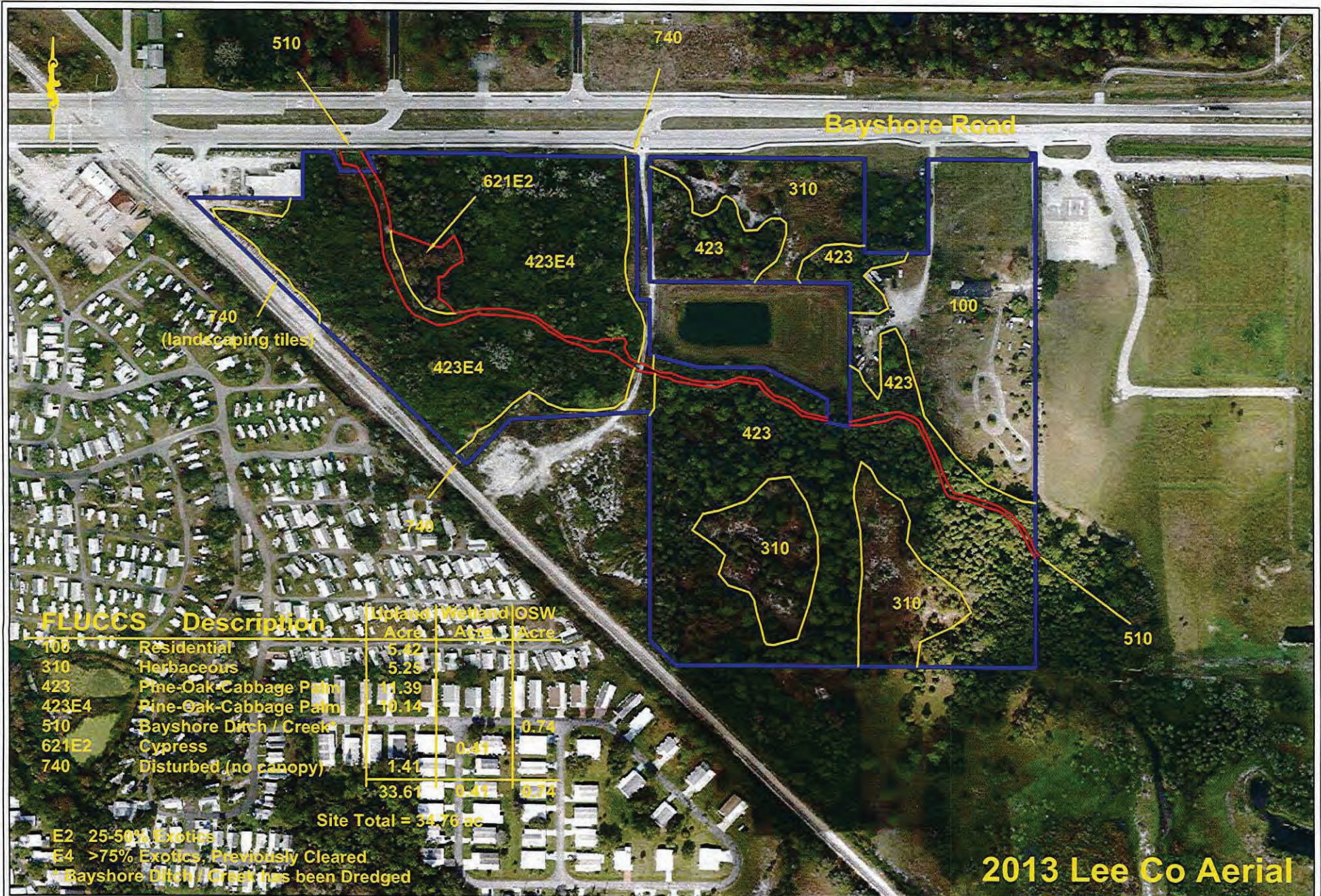
¹⁰ Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

- This wetland delineation is currently being verified by the South Florida Water Management District (SFWMD) under application #140327-6. There was no mention of the onsite pipe within the SFWMD jurisdictional determination. Additionally, the records found on the SFWMD epermitting website and the SFWMD application does not mention the prior site use at this Bayshore Parcel. It is unknown whether or not a

residence was previously at this site or whether this site was previously used for agriculture. The SFWMD review of this site was not finalized at the date of this Corps approved jurisdictional determination.

The Corps agrees with the wetland determination calculated within the applicant's data sheets (i.e. whether or not the area is or isn't a wetland). However, some of the information provided within the data sheets, used to make the wetland determination, was either incorrect or missing. Within the vegetation section of the data sheets, the species dominance was either missing or incorrectly calculated. Vegetation percent coverage must be correctly calculated using the 50/20 rule to determine whether or not the vegetation meets the hydrophytic indicator for Dominance Test. Additionally, within the soils section of the data sheets, the NRCS hydric soil indicators were not checked when applicable. Given the soil profile data provided, there were multiple instances where an NRCS hydric soil indicator was met, but wasn't indicated on the data sheet.

Based on a site inspection, aerial photography, soil survey and national wetland inventory maps, the 0.41 acre Cypress wetlands and the 0.74 acre Bayshore Creek are determined to have a significant nexus with the Caloosahatchee River. Both of these waters are subject to Section 404 Clean Water Act jurisdiction.

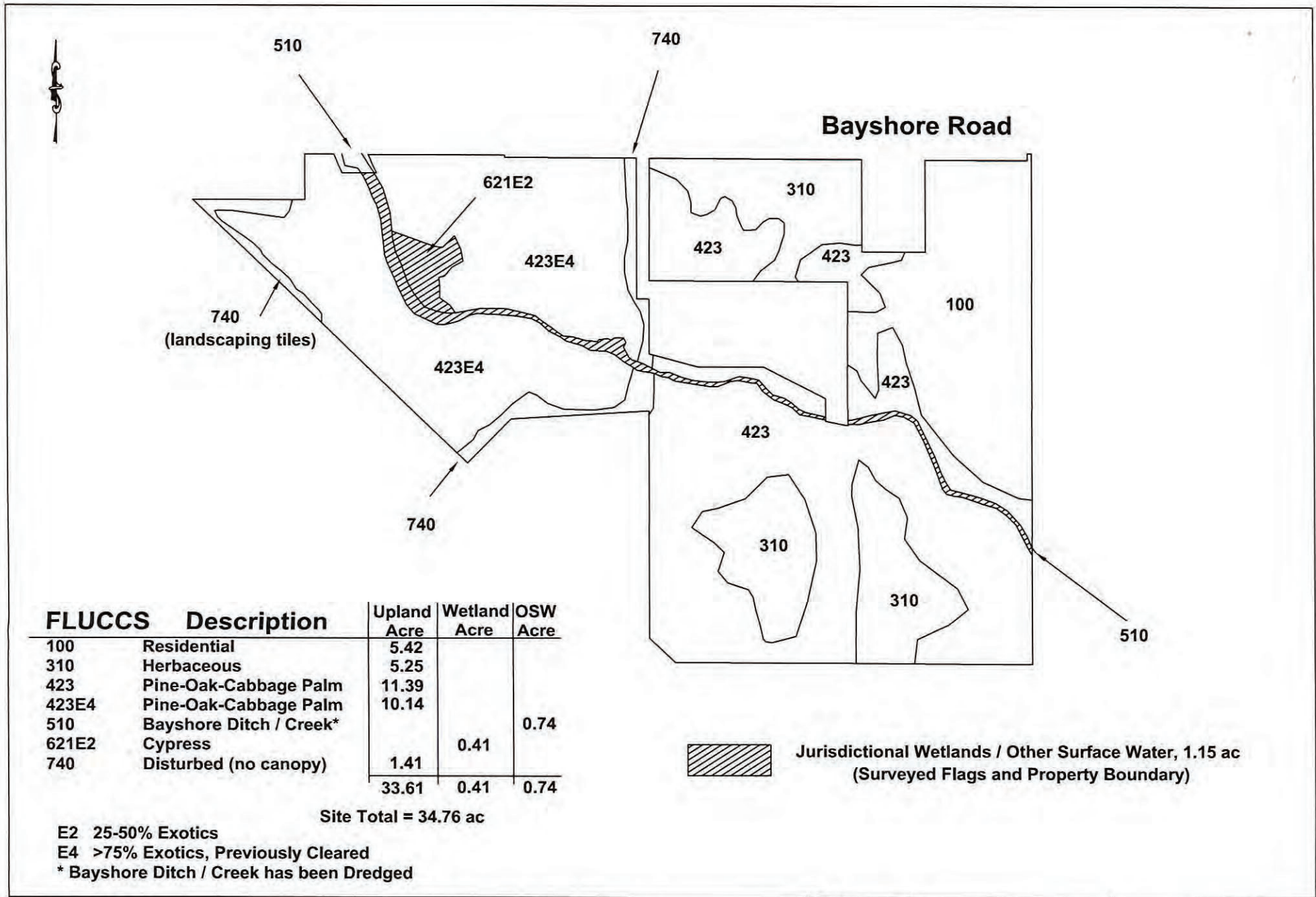


JimKeltner
ConsultingEcologist
Ph: 941-870-3694 Fax: 941-870-3695

Bayshore Parcel
FLUCCS / Wetland Map

Job: 1401
Date: 3/24/14
File: fluccs4

1" = 300'

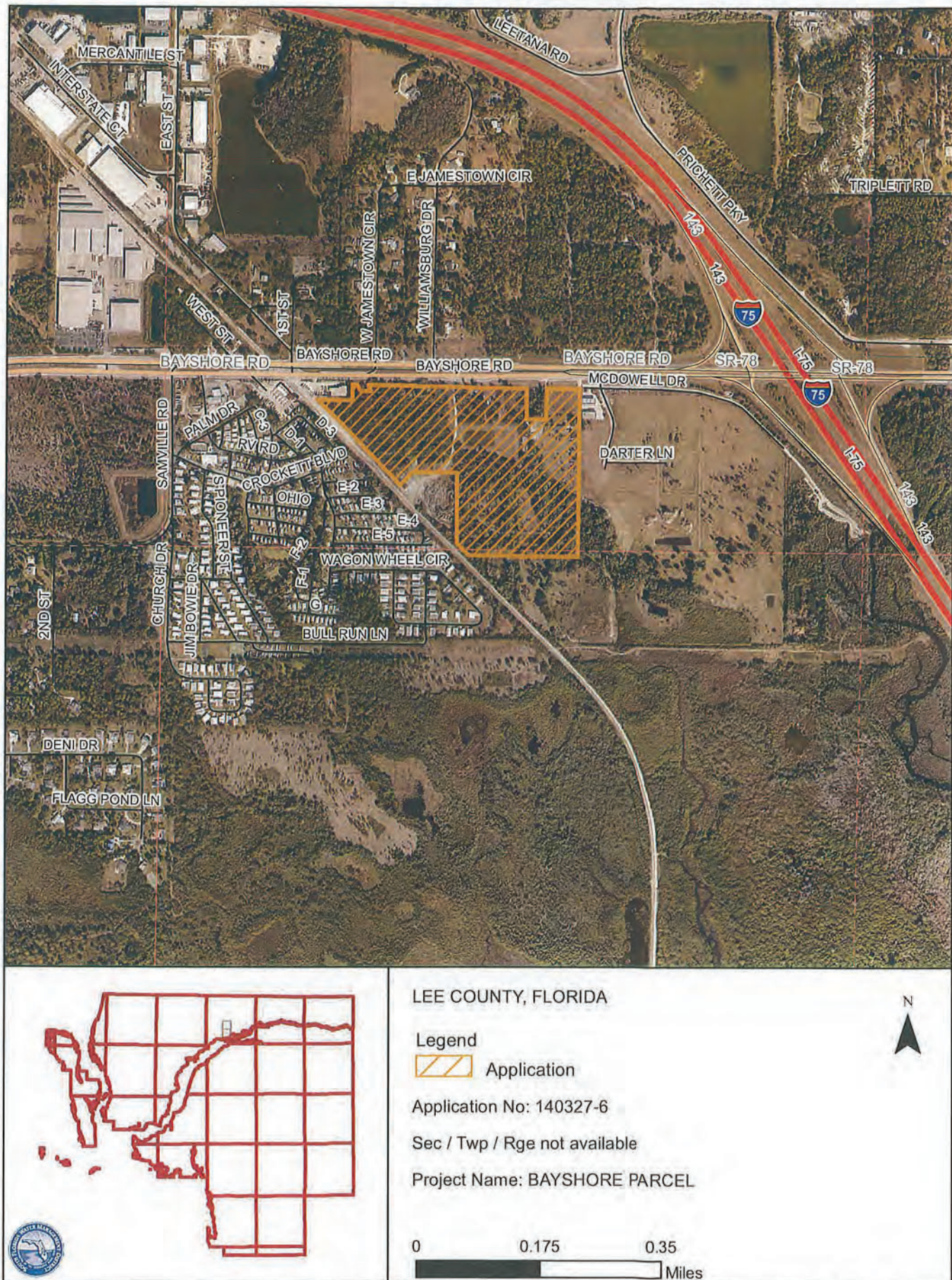


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1" = 300'



NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: David Davis / Bayshore-I-7S, LLC, Bayshore-Fisher, LLC & Bayshore-Copping, LLC

DA File Number: SAJ-2014-00905

Date: 20-APR-2020

Attached is:

See Section below

☐ INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)

A

☐ PROFFERED PERMIT (Standard Permit or Letter of permission)

B

☐ PERMIT DENIAL

C

☒ APPROVED JURISDICTIONAL DETERMINATION

D

☐ PRELIMINARY JURISDICTIONAL DETERMINATION

E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/CECW/Pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

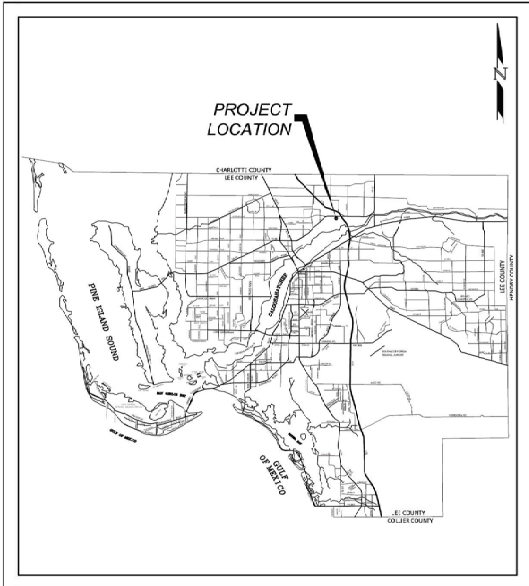
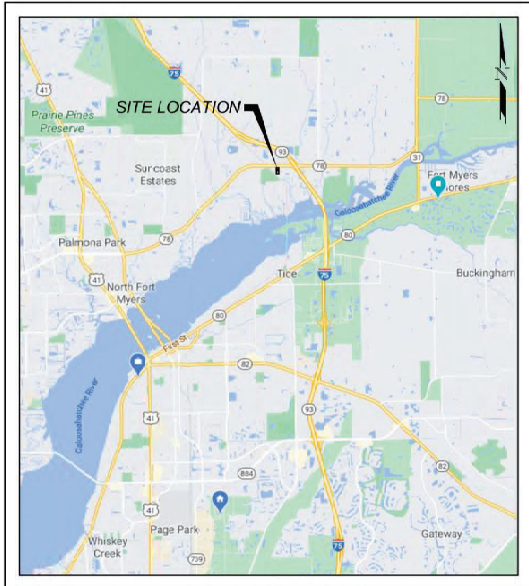
Katy R. Damico
CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
FORT MYERS PERMITS SECTION
1520 ROYAL PALM SQUARE BOULEVARD SUITE 310
FT MYERS, FL 33919-1036
Phone: (813) 769-7076
Email: Katy.R.Damico@usace.army.mil

If you only have questions regarding the appeal process you may also contact:

Philip Shannin
Administrative Appeals Review Officer
USACE – South Atlantic Division
60 Forsyth Street SW, Room 10M15
Atlanta, Georgia 30303-8801
(404) 562-5136

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

 Signature of appellant or agent.	Date:	Telephone number:
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LEGAL DESCRIPTION			CULVERT PLANS FOR 8340 BAYSHORE ROAD PART OF SECTION 21, TOWNSHIP 43, RANGE 25, NORTH FORT MYERS, FLORIDA 33917 8340 BAYSHORE PREPARED FOR/OWNED BY: BAYSHORE PARTNERS DAVID F. DAVIS (AGENT) 1470 ROYAL PALM SQUARE BLVD. FORT MYERS, FLORIDA 33919			SHEET INDEX																																																											
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STOP! CALL BEFORE YOU DIG! 811 Know what's below. Call before you dig. NOTICE TO ALL CONTRACTORS: IT'S THE LAW IN FLORIDA. 2 BUSINESS DAYS BEFORE YOU DIG, CALL SUNSHINE 1-800-432-4770. STATE, COUNTIES AND CITIES ARE A PART OF THE ONE CALL SYSTEM; THEY MUST BE CALLED INDEPENDENTLY. VERTICAL DATUM NOTE ELEVATIONS BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88). CONVERSION FROM NAVD88 TO NGVD29: NAVD88 + 1.1'35" = NGVD29.								PLANS ARE FOR REGULATORY REVIEW ONLY AND ARE NOT FOR CONSTRUCTION RMEC LLC ENGINEERING WATER RESOURCES ENVIRONMENTAL RMEC, LLC 2223 MCGREGOR BOULEVARD FORT MYERS, FLORIDA 33901 Tel (239) 799-1951 e-mail: yourteam@rmec-llc.com http://www.rmec-llc.com CA#32266																																																									
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ORIGINAL SUBMITTAL DATE: NOV. 25, 2024 PROJECT NO: 2013-007			SHEET NO: C-1																																																														

STANDARD ABBREVIATIONS		
TERM	ABBR	
ACCESS EASEMENT	AE	
AIR RELEASE VALVE	ARV	
AMERICAN WITH DISABILITIES ACT	ADA	
AUTOMATIC FLUSHING DEVICE	AFD	
BACK OF CURB	BOC	
BACKFLOW PREVENTOR	BFP	
BASE LINE	BL	
BLOW-OFF	BO	
CABLE TV	CATV	
CENTER LINE	CL	
CLEAN OUT	CO	
CONTROL ELEVATION	CE	
CONTROL STRUCTURE	CS	
CORRUGATED ALUMINUM PIPE	CAP	
CORRUGATED METAL PIPE	CMP	
COUNTY/CITY UTILITY EASEMENT	CUE	
DEPARTMENT OF TRANSPORTATION	DOT	
DIAMETER	Ø	
DIMENSION RATIO	DR	
DRAINAGE EASEMENT	DE	
DUCTILE IRON PIPE	DIP	
EDGE OF PAVEMENT	EOP	
ELEVATION	ELEV	
ELLIPTICAL REINFORCED CONCRETE PIPE	ERCP	
FIBER REINFORCED CONCRETE PIPE	FRCP	
FIRE CONTROL DISTRICT	FCD	
FIRE DEPARTMENT CONNECTION	FDC	
FIRE HYDRANT ASSEMBLY	FH	
FLORIDA DEPARTMENT OF TRANSPORTATION	FDOT	
FLORIDA POWER & LIGHT	FPL	
FLOW LINE	FL	
GATE VALVE	GV	
HIGH DENSITY POLYETHYLENE	HDPE	
INSIDE DIAMETER	ID	
INVERT	INV	
LAKE MAINTENANCE EASEMENT	LME	
LANDSCAPE BUFFER EASEMENT	LBE	
LEE COUNTY UTILITY EASEMENT	LCUE	
LEFT	LT	
LINEAL FEET	LF	
MANHOLE	MH	
MECHANICAL JOINT	MJ	
NATIONAL GEODETIC VERTICAL DATUM	NGVD	
NORTH AMERICAN VERTICAL DATUM	NAVD	
OUTSIDE DIAMETER	OD	
PERMANENT SAMPLE POINT	PSP	
PIGE VALVE	PV	
POINT OF CURVATURE	PC	
POINT OF TANGENCY	PT	
POINT OF VERTICAL INTERSECTION	PVI	
POLYVINYL CHLORIDE	PVC	
POST INDICATOR VALVE	PIV	
PROPERTY LINE	PL	
PUBLIC UTILITY EASEMENT	PUE	
PUMP STATION	PS	
RADIUS	Ø/R	
REFLECTIVE PAVEMENT MARKER	RPM	
REINFORCED CONCRETE PIPE	BCP	
RECLAIMED WATER MAIN	RCWM	
RIGHT	RT	
RIGHT OF WAY	ROW	
SANITARY SEWER	SS	
STATION	STA	
STORM STRUCTURE	STR	
TEMPORARY	TEMP	
TEMPORARY BACKFLOW	TBF	
TEMPORARY BLOW-OFF ASSEMBLY	TBO	
TEMPORARY SAMPLE POINT	TSP	
TYPICAL	TYP	
UTILITY EASEMENT	UE	

- GENERAL NOTES:
- ALL NON-UTILITY ONSITE INFRASTRUCTURE SHALL BE OWNED AND MAINTAINED BY THE OWNER.
 - ALL CONSTRUCTION SHOWN ON THESE DRAWINGS SHALL CONFORM TO LEE COUNTY STANDARDS AND SPECIFICATIONS AND THE CONTRACT TECHNICAL SPECIFICATIONS, IF ANY EXIST.
 - CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND ELEVATIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION. ANY DEVIATION IN PLAN INFORMATION SHALL BE REPORTED TO ENGINEER IMMEDIATELY.
 - CONTRACTOR IS REQUIRED TO OBTAIN FROM THE ENGINEER AND OWNER WRITTEN APPROVAL FOR ANY DEVIATIONS FROM THE PLANS AND/OR SPECIFICATIONS.
 - MAINTENANCE OF SITE DRAINAGE FACILITIES IS THE RESPONSIBILITY OF THE OWNER.
 - THE APPROVAL OF THESE CONSTRUCTION PLANS DOES NOT AUTHORIZE CONSTRUCTION OF REQUIRED IMPROVEMENTS WHICH ARE INCONSISTENT WITH EASEMENTS OF RECORD.
 - ALL ELEVATIONS REFERENCED WITHIN THIS PLAN SET ARE BASED UPON THE NORTH AMERICAN VERTICAL DATUM NAVD 83, UNLESS OTHERWISE STATED. CONVERSION TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD 29) IS NGVD 29 MINUS 1.135 + NAVD 83.
 - SUBJECT PARCEL APPEARS TO BE IN F.E.M.A. FLOOD ZONE AE-10, AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM'S DIGITAL FLOOD INSURANCE RATE MAP (DF.I.R.M.) MAP NUMBER 12071C0279F, EFFECTIVE DATE 08/28/08.
 - REFER TO PLAT AND/OR BOUNDARY SURVEY FOR EASEMENTS OF RECORD.
 - ALL ROADS WITHIN THE PROJECT SITE ARE CONSIDERED PRIVATE.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UTILITIES, WHETHER PRIVATE OR PUBLIC, PRIOR TO EXCAVATION. THE INFORMATION AND DATA SHOWN WITH RESPECT TO EXISTING UNDERGROUND FACILITIES AT OR CONTIGUOUS TO THE SITE IS APPROXIMATE AND BASED ON INFORMATION FURNISHED BY THE OWNERS OF SUCH UNDERGROUND FACILITIES OR ON PHYSICAL APURTURANCES OBSERVED IN THE FIELD, AND BEST AVAILABLE RECORD DRAWING INFORMATION. THE OWNER AND ENGINEER SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF ANY SUCH INFORMATION OR DATA, AND THE CONTRACTOR SHALL HAVE FULL RESPONSIBILITY FOR VERIFYING AND CHECKING ALL SUCH INFORMATION AND DATA, FOR LOCATING ALL UNDERGROUND FACILITIES BEFORE AND DURING CONSTRUCTION, FOR THE SAFETY AND PROTECTION THEREOF, AND REPAIRING ANY DAMAGE THERE TO RESULTING FROM THE WORK. THE COST OF ALL WELL BE CONSIDERED AS HAVING BEEN INCLUDED IN THE CONTRACT PRICE. THE CONTRACTOR SHALL NOTIFY ANY AFFECTED UTILITY COMPANIES OR AGENCIES IN WRITING AT LEAST 48 HOURS PRIOR TO BEGINNING CONSTRUCTION.
 - CONTRACTOR SHALL REMOVE ALL MUCK AND OTHER UNSUITABLE MATERIAL FROM FILL AREAS PRIOR TO PLACEMENT OF FILL. ALL MUCK AND UNSUITABLE MATERIAL SHALL BE STOCKPILED AS DETERMINED BY OWNER.
 - UNDERGROUND CONTRACTOR SHALL MINIMIZE THE WORK AREA AND WIDTH OF TRENCHES TO AVOID DISTURBANCES OF NATURAL VEGETATION. SPILL FROM TRENCHES SHALL BE PLACED ONLY ON PREVIOUSLY CLEARED AREAS OR AS DIRECTED BY THE OWNER. CONTRACTOR SHALL NOT REMOVE OR DISTURB ANY TREES AND/OR SHRUBS WITHOUT PRIOR APPROVAL BY OWNER.
 - A PRE-CONSTRUCTION MEETING SHALL TAKE PLACE WITH LEE COUNTY ENGINEERING INSPECTORS PRIOR TO THE START OF CONSTRUCTION.
 - SIGN PERMITS ARE APPROVED SEPARATELY FROM THE SITE DEVELOPMENT PLAN OR PLAN AND PLAT APPROVAL.
 - DEVIATIONS FROM THIS PLAN WITHOUT DOCUMENTED WRITTEN SIGNED & SEALED AUTHORIZATION FROM ENGINEER OF RECORD SHALL BE CONSIDERED THE PROPERTY OWNER AND CONTRACTORS FULL RESPONSIBILITY. THE OWNER AND CONTRACTOR SHALL TAKE ON FULL LIABILITY FOR SAID DEVIATIONS.
 - EROSION AND SEDIMENT CONTROL DEVICES SUCH AS INLET PROTECTION & SILT FENCE SHALL BE INSTALLED IN THE VICINITY OF CONSTRUCTION PRIOR TO COMMENCEMENT OF CONSTRUCTION. (SEE EROSION CONTROL PLAN).
 - THE CONTRACTOR IS TO USE CAUTION WHEN WORKING IN OR AROUND AREAS OF OVERHEAD TRANSMISSION LINES, UNDERGROUND UTILITIES, OR NEAR CANAL BANKS.
 - AN EDGE SHALL BE MAINTAINED ALONG ANY PRESERVE BOUNDARIES TO PREVENT ENCRoACHMENT OF ANY SOIL FOR THE BERM LOCATED ADJACENT TO NATIVE PRESERVES.
 - CONTRACTOR SHALL BE RESPONSIBLE TO OBTAIN APP. CABLE LOCAL, COUNTY AND/OR STATE RIGHT-OF-WAY WORK PERMITS. ALL WORK IN LOCAL, COUNTY AND/OR STATE RIGHT-OF-WAYS MUST OBTAIN RIGHT-OF-WAY DEPARTMENT APPROVAL AND PERMITS.

SYMBOLS

GATE VALVE

TEE ASSEMBLY

BEND IN PIPE

REDUCER

FIRE HYDRANT

FIRE HYDRANT ASSEMBLY WITH GATE VALVE

METERED END SECTION

MANHOLE WITH I.D. NUMBER

HEADWALL

DRAINAGE INLET

CONCRETE UTILITY POLE

WOOD UTILITY POLE

GUY WIRE ANCHOR

LIGHT POLE

TELEPHONE SERVICE PEDESTAL

SIGN

NATURAL GAS MARKER

CLEAN-OUT

EXISTING MAILBOX

PROPOSED MAILBOX

MONITORING WELL WITH ID

PROPOSED SPOT GRADE

LINE TYPES

	EXISTING	PROPOSED
RIGHT OF WAY	---	---
LAKE MAINTENANCE EASEMENT	---	---
PUBLIC UTILITY EASEMENT	---	---
DRAINAGE EASEMENT	---	---
CENTER LINE	---	---
WETLAND BOUNDARY	---	---
STORMWATER PIPE	D-X	D-X
FORCE MAIN	F-X	F-X
SANITARY SEWER	S-X	S-X
WATER MAIN	W-X	W-X
FENCE LINE	---	---
SILT FENCE	---	---
DRAINAGE SWALE/DITCH	---	---
WATER MANAGEMENT BERM	---	---

HATCH PATTERNS

WETLANDS

UPLAND BUFFER

UPLAND AREAS

LITTORAL SHELF AREA

COMPENSATING LITTORAL PLANTING AREA

RIP RAP

PROPOSED WATER

EXISTING WATER

INDIGENOUS AREA

EARTH

CONCRETE

BRICK PAVERS

GRAVEL BACKFILL

UTILITIES PROVIDING SERVICE

UTILITY TYPE	SERVICE AREA INFORMATION
WATER/SEWER	LEE COUNTY PUBLIC UTILITIES 1500 NORMAN STREET FORT MYERS, FLORIDA 33901 239-353-8100
FIRE CONTROL DISTRICT	BAYSHORE FIRE DISTRICT 17500 VALLE ROAD NORTH FORT MYERS, FLORIDA 33917 239-343-3400
ELECTRIC	FLORIDA POWER & LIGHT COMPANY 1500 WINDLE ROAD FORT MYERS, FLORIDA 33908 239-344-7744

REVISIONS

NO.	DESCRIPTION	DATE

CLIENT:

BAYSHORE PARTNERS
DAVID F. DAVIS (AGENT)
1470 ROYAL PALM SQUARE BLVD.
FORT MYERS, FLORIDA 33919

PROJECT:

8340 BAYSHORE ROAD
CULVERT REPLACEMENT
8340 BAYSHORE ROAD
NORTH FORT MYERS, FLORIDA 33917

SHEET FILE:

NOTES, LEGENDS
AND ABBREVIATIONS

DATE:

DECEMBER 29, 2020

PROJECT NO:

2013-007

DATUM:

NAVD83

SCALE:

NO SCALE

SHEET NUMBER

C-2

RONALD M. DERFIELD, P.E.
FLORIDA LICENSE NO. 6050

RMDC LLC
ENGINEERING | WATER RESOURCES | ENVIRONMENTAL
2222 MCCREOR BOULEVARD
FORT MYERS, FL 33906
(239) 789-1951 | 239-92266



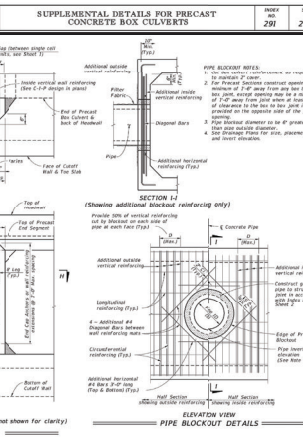
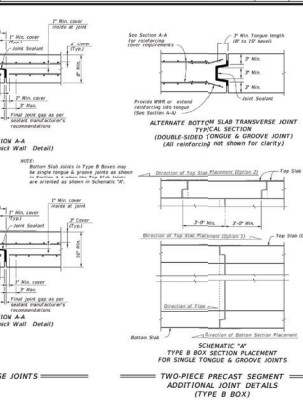


TABLE 10. STIFFENED PRECAST BOX CURVED DECKERS FOR L/C SPANS $\geq$ 7 SPANS									
SPAN (m)	NO. OF CURVED DECKERS	SPAN OF CURVED DECKERS (m)	DESIGN OF CURVED DECKERS		DESIGN OF STRUTS		NO. OF STRUTS		
			NO. OF CURVED DECKERS	DESIGN OF CURVED DECKERS	DESIGN OF STRUTS	DESIGN OF STRUTS			
7 $\times$ 4	10	10	10	1	1	1	1	1	
				2	2	2	2	2	
				3	3	3	3	3	
				4	4	4	4	4	
				5	5	5	5	5	
	12	12	12	1	1	1	1	1	
				2	2	2	2	2	
				3	3	3	3	3	
				4	4	4	4	4	
				5	5	5	5	5	
7 $\times$ 5	10	10	10	1	1	1	1	1	
				2	2	2	2	2	
				3	3	3	3	3	
				4	4	4	4	4	
				5	5	5	5	5	
	12	12	12	1	1	1	1	1	
				2	2	2	2	2	
				3	3	3	3	3	
				4	4	4	4	4	
				5	5	5	5	5	
7 $\times$ 6	10	10	10	1	1	1	1	1	
				2	2	2	2	2	
				3	3	3	3	3	
				4	4	4	4	4	
				5	5	5	5	5	
	12	12	12	1	1	1	1	1	
				2	2	2	2	2	
				3	3	3	3	3	
				4	4	4	4	4	
				5	5	5	5	5	
7 $\times$ 7	10	10	10	1	1	1	1	1	
				2	2	2	2	2	
				3	3	3	3	3	
				4	4	4	4	4	
				5	5	5	5	5	
	12	12	12	1	1	1	1	1	
				2	2	2	2	2	
				3	3	3	3	3	
				4	4	4	4	4	
				5	5	5	5	5	

NOTE:

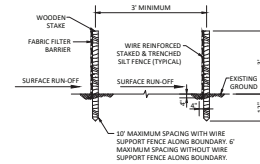
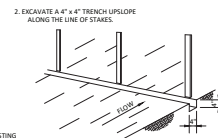
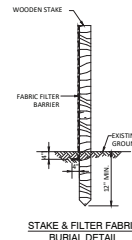
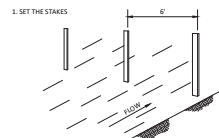
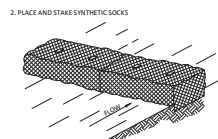
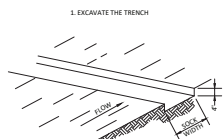
1. See Sheet 2 For General Notes.
2. See Sheet 7 For Reinforcing Details and dimension locations.
3. See Sheet 14 For wall footing drawings.

STANDARD PRECAST CONCRETE BOX CULVERTS	ASBEST	
	NO.2	10



SUPPLEMENTAL DETAILS FOR PRECAST CONCRETE BOX CULVERTS	INDEX NO. 291	4
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SHEET TITLE MISCELLANEOUS DETAILS	PROJECT 8340 BAYSHORE ROAD CULVERT REPLACEMENT	CLIENT BAYSHORE PARTNERS DAVID F. DAVIS (AGENT) 1470 ROYAL PALM SQUARE BLVD. FORT MYERS, FLORIDA 33919		REVISIONS	
				NO.	DESCRIPTION DATE
DATE: DECEMBER 29, 2020					
PROJECT NO: 2013-007					
DATE: NOV/08					
SCALE: NONE					
SHEET NUMBER C-7				RONALD A. DEWILDE, P.E.	



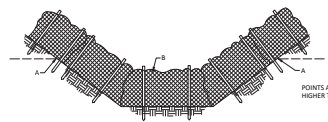
DOUBLE ROW STAKED SILT FENCE

CONSTRUCTION OF A FILTER BARRIER

N.T.S.

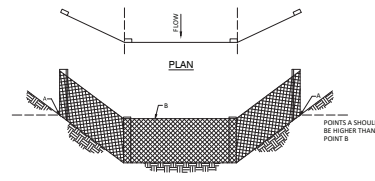
CONSTRUCTION OF A SYNTHETIC SOCK BARRIER

N.T.S.



ELEVATION
PROPER PLACEMENT OF SYNTHETIC
SOCK BARRIER IN A DRAINAGE WAY
NTS

N.T.S.



PROPER PLACEMENT OF A FILTER BARRIER IN A DRAINAGE WAY

N.T.S.

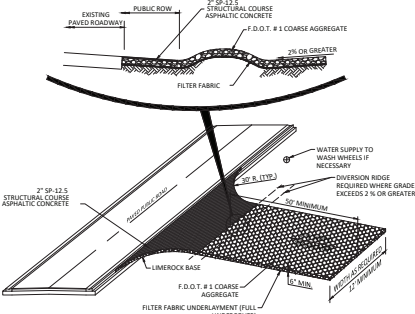
GENERAL NOTES:

PRIOR TO COMMENCEMENT OF CONSTRUCTION ACTIVITY APPROPRIATE EROSION CONTROL DEVICES SHALL BE INSTALLED TO CONTROL AND REDUCE SOIL EROSION AND SEDIMENT TRANSPORT TO OFF-SITE AREAS. THE CONTRACTOR SHALL MAINTAIN THESE DEVICES THROUGHOUT THE DURATION OF CONSTRUCTION. ALL DEVICES SHALL REMAIN IN PLACE UNTIL THE SURROUNDING AREAS ARE ESTABLISHED.

THE FOLLOWING MINIMUM REQUIREMENTS ARE RECOMMENDED: (REFERENCE FLORIDA DEVELOPMENT MANUAL, FDM, PPS 6-301 TO 6-500).

THESE BEST MANAGEMENT PRACTICES (BMP) ARE TYPICAL OF REQUIREMENTS FOR SOIL EROSION CONTROL PER LOCAL REQUIREMENTS. THEY MAY NOT CONSTITUTE COMPLETE REQUIREMENTS FOR COMPLIANCE WITH REGULATORY AGENCIES AND SPECIFIC PERMIT CONDITIONS.

- A) BMP 1.01 TEMPORARY GRAVEL CONSTRUCTION ENTRANCE
- B) BMP 1.05 SYNTHETIC SOCK BARRIER
- C) BMP 1.06 SILT FENCE
- D) BMP 1.08 STORM INLET DRAIN PROTECTION

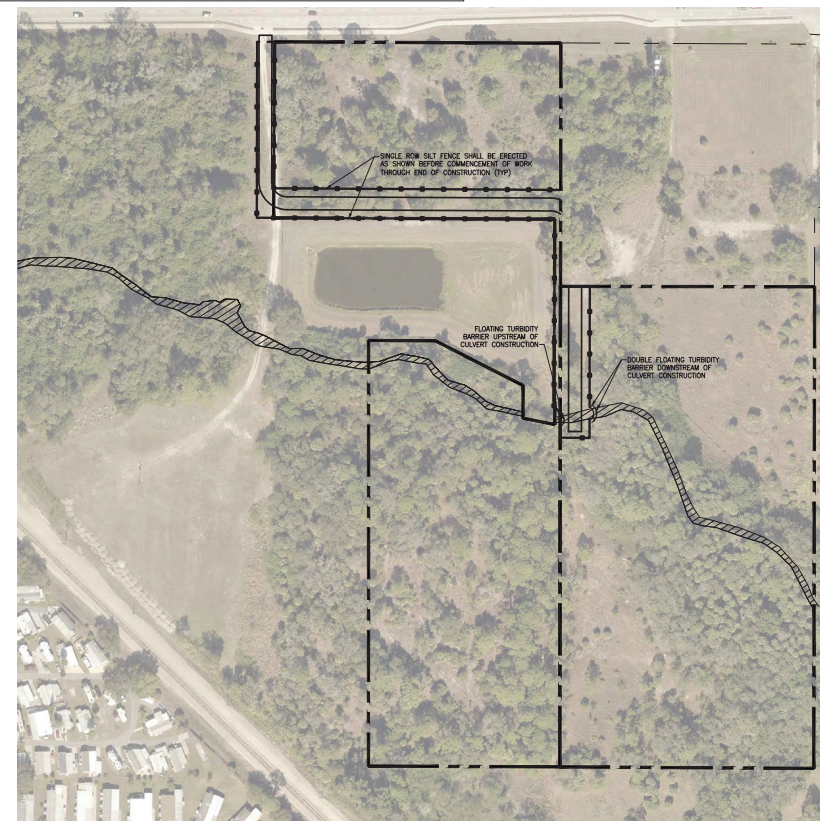


NOTES:

1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAY. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEAN OUT OF ANY MEASURES USED TO TRAP SEDIMENT.
2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

TEMPORARY GRAVEL CONSTRUCTION ENTRANCE

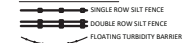
N.T.S.



SILT FENCE LOCATION

SCALE: 1" = 100'

SILT FENCE LEGEND:



REVISIONS	DESCRIPTION
-----------	-------------

	D				
NO.					

RONALD M. EDENFIELD, P.E.
FLORIDA LICENSE NO. 45203-D



ENGINEERING | WATER RESOURCES | ENVIRONMENTAL
2223 MCGREGOR BOULEVARD
FORT MYERS, FLORIDA 33901
(239) 789-1951 | CA#32266

BAYSHORE PARTNERS

8340 BAYSHORE ROAD
CULVERT REPLACEMENT

EROSION CONTROL PLAN AND DETAILS

DATE: DECEMBER 29, 2020

PROJECT NO: 2013-007

ATUM:	NAVD88
-------	--------

SCALE: 1" = 100'

C-8



REVISIONS

NO	DESCRIPTION	DATE

RMHC LLC

ENGINEERING | WATER RESOURCES | ENVIRONMENTAL
2223 MCGREGOR BOULEVARD
FORT MYERS, FLORIDA 33901
(239) 789-1951 | CA#32266

CLIENT:

BAYSHORE PARTNERS
DAVID F. DAVIS (AGENT)
1470 ROYAL PALM SQUARE BLVD.
FORT MYERS, FLORIDA 33919

PROJECT:

8340 BAYSHORE ROAD
CULVERT REPLACEMENT
8340 BAYSHORE ROAD
NORTH FORT MYERS, FLORIDA 33917

SHEET TITLE:

DRAINAGE CONCEPT PLAN

DATE:

SEPTEMBER 19, 2024

PROJECT NO:

2013-007

DATUM:

NAVD88

SCALE:

1" = 60'

SHEET NUMBER

C-6

M:\Projects\Davis Bayshore\DWG\DAVIS BAYSHORE REV2.dwg 25/11/2024 rcm

Copperfish MPD Floodway Exhibit



**Florida Governmental Utility Authority**

FGUA c/o Accenture
9400 Southpark Center Loop, Suite 400
Orlando, FL 32819
(877) 552-3482 Toll Free
(407) 629-6900 Tel

June 3, 2024

James Ink
Ink Engineering, Inc.
2055 W First St
Fort Myers, FL 33901
jink@inkengineeringinc.net

RE: Wastewater and Reclaim Water Availability – LOA ID#: 24-055 NFMD

Parcel ID No.: 21-43-25-0000009.0020

8520 Bayshore Rd, North Fort Myers, FL 33917

Cooperfish MPD

Dear Mr. Ink.:

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

The application indicated that the proposed project consists of 16.69 acres for commercial and MFR with an estimated wastewater disposal demand of 82,500 GPD. Currently, FGUA facilities are able to accommodate this demand. During the design process, if existing conditions warrant, a hydraulic analysis may need to be performed by the project engineer to evaluate the impacts the proposed project may have on the existing wastewater system.

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

FGUA Board of Directors

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

Letter of Availability
Page 2 of 3

Sincerely,

FLORIDA GOVERNMENTAL UTILITY AUTHORITY



Digitally signed by Paul Arnett

Date: 2024.06.04 10:31:23

-04'00'

Paul Arnett
Development Services Coordinator

CC: Mike Currier, South Region Area Manager

Encl.

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

FGUA Board of Directors

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



Development Services Division

Pre-Application Meeting Information

Purpose:

The pre-application meeting is designed to be an informative discussion, specifically geared toward assisting the applicant (owner/developer/engineer) understand the FGUA's policies and development process. The pre-application meeting may be required prior to the formal submission and review of any utility construction plans by the Development Division.

It is our goal to assist you through the FGUA development process as smoothly as possible, and for your development to be a success. This pre-application meeting, if required, will provide you with the details you need to make this a successful and stress-free process.

What to Expect:

If the meeting is required, you will be provided with a variety of both general and specific information regarding the FGUA's development process. This will include, but not be limited to staff contact information, plan review guidelines, current fees, conveyance, and closeout procedures.

Who Should Attend:

It is encouraged that a representative from the property owner, developer, and engineer, at a minimum, attend this meeting. Representatives of the FGUA's Development Division, including the Development Technician, Development Coordinator, Real Property Coordinator and utility system Area Manager will also be in attendance as required.

In an effort to accommodate the potential long-distance commute between the FGUA's Operations Office in Longwood, Florida and the FGUA system areas, these meetings will take place via Microsoft Teams.

Meeting Requests:

Please e-mail Development Services to request a meeting at devservices@fgua.com.

Please have your FGUA Letter of Availability (LOA) Number (included on the first page of your previously issued Letter of Availability) ready when you email to schedule this meeting.

You will also be required to provide a preliminary site utility plan for staff review before the meeting is scheduled.

FGUA Board of Directors

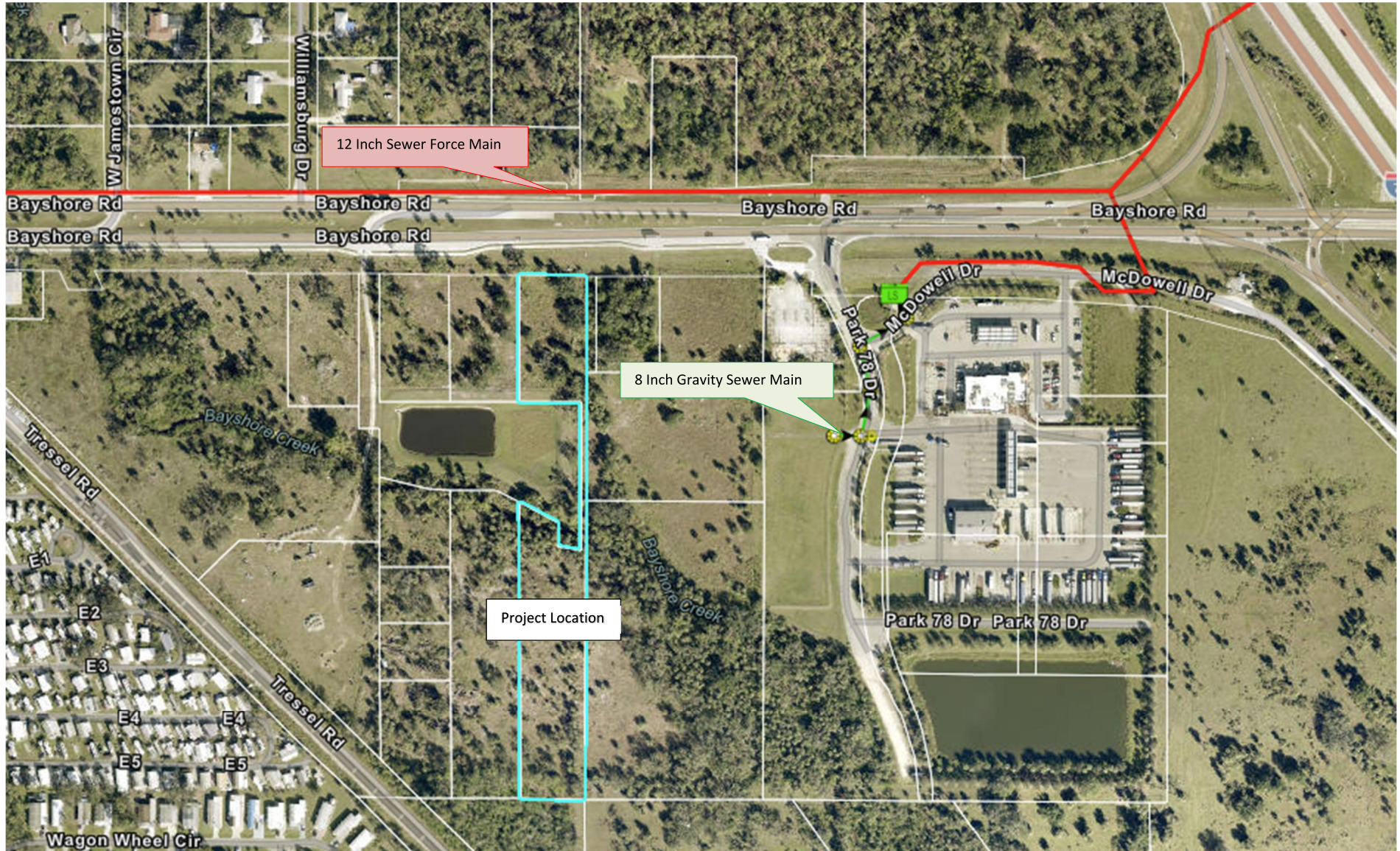
PAM KEYES, P.E., Vice Chair, Lee County / KEN CHEEK, P.E., Citrus County / SHANE PARKER, P.E., Vice Chair, Hendry County / TAMARA RICHARDSON, P.E., Chair, Polk County / DAVID ALLEN, P.E., Pasco County / JODY KIRKMAN, P.E., Marion County/ HEIDI PETITO, Flagler County

4/12/2024

Project Name: Cooperfish MPD

STRAP/PID #: 21-43-25-0000009.0020

Property Address: 8520 BAYSHORE RD, North Fort Myers, FL 33917



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

LOA ID: 24-055 NFMD



FGUA Fee Statement

Letter of Availability and/or Locate Request

Property Address or PID: 8520 Bayshore Rd, North Fort Myers, FL 33917

System: North Fort Myers 416

Development/Project Name: Cooperfish MPD

Date: June 3, 2024

County: Lee

LOA ID: 24-055 NFMD

All fee amounts are based on the rates in effect as of the date of this statement and are subject to change.

Fees based on:

0 Letter of Utility Location Availability and Locate Map	\$	100.00
1 Utility Availability Map (Map Only)	\$	75.00
2 Letter of Utility Location Availability (Letter Only)	\$	25.00

FGUA	G/L Code	Fees	Total fees	Amount Paid	Balance Due
LOA Request	202098	\$ 100.00	\$ 100.00	\$ 100.00	\$ -
Fees Due:					\$ -

Payment History	Date	Check Date	Check #	Payer Name	Amount
0 Letter and Locate Map	6/3/2024	5/17/2024	1212	Ink Engineering Inc	\$ 100.00
1 Map Only					
2 Letter Only					

**BOARD OF COUNTY COMMISSIONERS**

Kevin Ruane
District One

April 16, 2024

Via E-Mail

Cecil L Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Michael Greenwell
District Five

Dave Harner, II
County Manager

Richard Wm Wesch
County Attorney

Donna Marie Collins
County Hearing Examiner

James Ink
Ink Engineering, Inc.
2055 W First Street
Fort Myers, FL 33901

RE: **Potable Water Availability**
Bayshore MPD – 8440-8520 Bayshore Road, North Fort Myers, FL 33917
STRAP # 21-43-25-00-00009.0020; 21-43-25-00-00009.0040;
21-43-25-00-00009.0050; 21-43-25-00-00009.0000; and
21-43-25-00-00007.0070

To whom this may concern:

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

Your firm has indicated that this project will consist of a 125-room hotel, 3000,000 SF commercial unit, and 200 multi-family residential units with an estimated flow demand of approximately 82,500 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 Corkscrew Water Treatment Plant.

Sanitary sewer service will be provided by Florida Governmental Utility Authority (FGUA). The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

There are no reuse mains in the vicinity of these parcels.

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

Bayshore MPD-Ink-Letter.Docx

April 16, 2024

Page 2

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

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

Sincerely,

LEE COUNTY UTILITIES

Ashanti Shahriyar

Ashanti Shahriyar
Plan Reviewer
239-533-8531
UTILITIES ENGINEERING

LETTER OF AUTHORIZATION

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as

Bayshore -Copping, LLC
1470 Royal Palm Square Blvd
Fort Myers, FL 33919

legally described in exhibit A attached hereto.

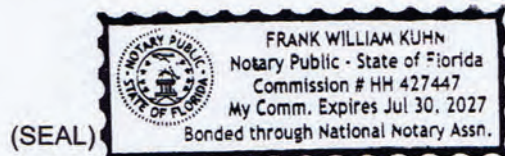
The property described herein is the subject of an application for development. We hereby designate James Ink, c/o Ink Engineering, Inc, 2055 West First Street, Fort Myers, FL 33901 as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to obtain entitlement authorization from Lee County for comprehensive plan amendment, bonus density, zoning, development orders, and code enforcement mitigation on the subject property. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

John J. Skalko
Owner (signature)

JOHN J. SKALKO, MGR
Printed Name, Title

STATE OF FL
COUNTY OF Lee

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 9th day on April (date), 2024 by JOHN J. SKALKO (name of person providing oath or affirmation), who is personally known to me or who has produced FL DRIVERS LICENSE as identification.



Frank William Kuhn
Signature of Notary Public

KP Surveying, Inc.
LB NUMBER 8152
2802 W. Cypress Avenue S.E.
Fort Myers, Florida 33905
(239) 462-1901
www.kpsurveying.com

DESCRIPTION OF A PARCEL OF LAND LYING IN
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHEAST CORNER OF THE
SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 43
SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA;
THENCE N00°05'37"E ALONG THE EAST LINE OF THE
SOUTHWEST QUARTER, A DISTANCE OF 819.34 FEET;
THENCE S89°41'17"E A DISTANCE OF 432.87 FEET;
THENCE S00°04'10"W A DISTANCE OF 819.67 FEET;
THENCE N89°38'37"W ALONG THE SOUTH LINE OF SAID
SECTION 21 A DISTANCE OF 433.22 FEET
TO THE POINT OF BEGINNING,

THIS LEGAL DESCRIPTION IS BASED ON A BOUNDARY
SURVEY THAT WAS COMPLETED ON 02/09/2024.

*** THIS IS NOT A SURVEY ***

KENNETH PUFAHL Digitally signed by KENNETH PUFAHL
Date: 2024.04.14 18:53:46 -04'00'

Ken Pufahl, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE No. 6126

KP Surveying, Inc.

LB NUMBER 8152

2802 W. Cypress Avenue S.E.

Fort Myers, Florida 33905

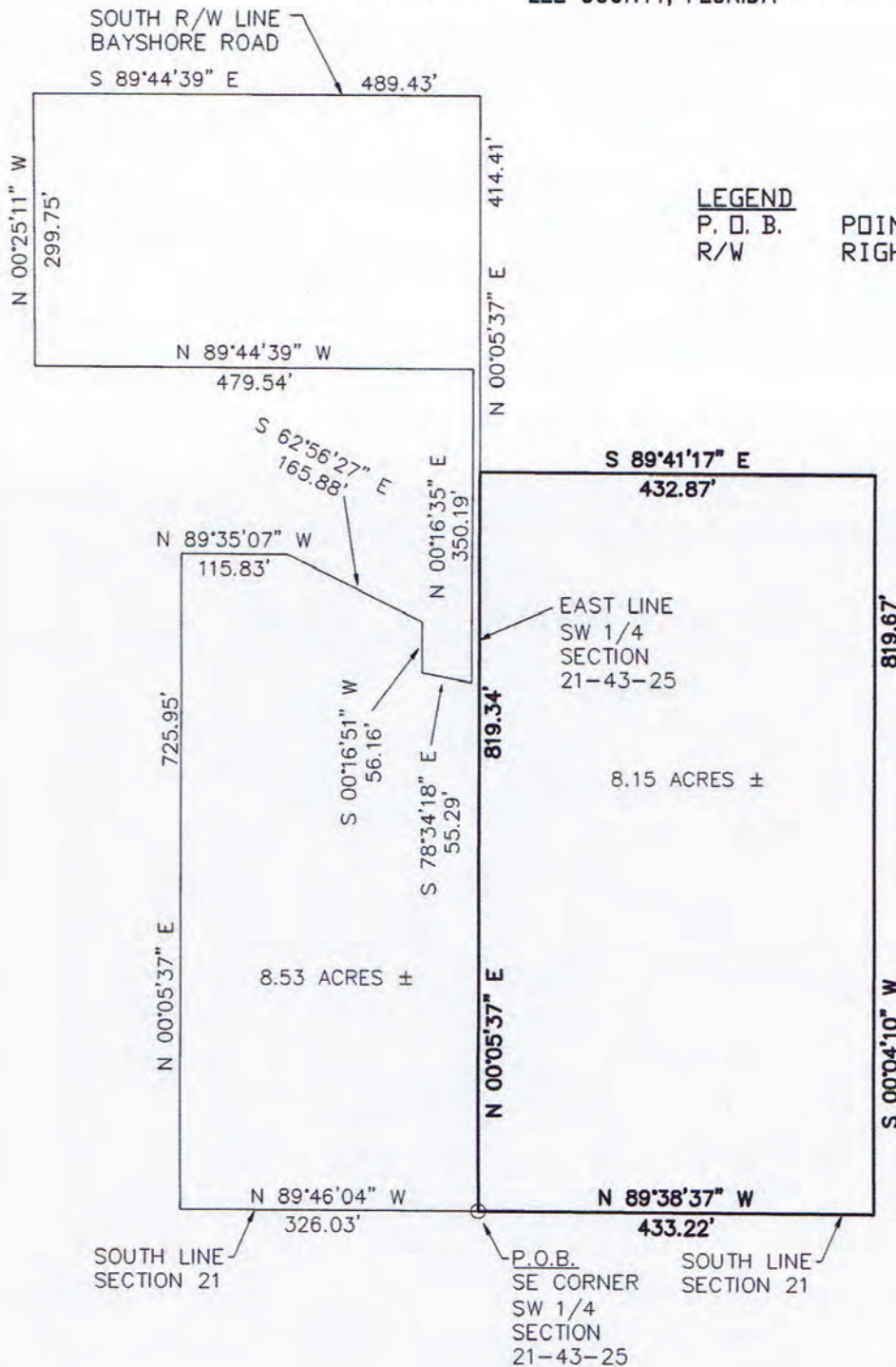
(239) 462-1901

www.kpsurveying.com

SKETCH OF A PARCEL OF LAND LYING IN
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



1"=200'



LEGEND

P. O. B.

POINT OF BEGINNING

R/W

RIGHT OF WAY

THE INFORMATION HEREON
IS SUBJECT TO EASEMENTS,
RESTRICTIONS,
RESERVATIONS AND
RIGHT-OF-WAYS (WRITTEN
AND UNWRITTEN, RECORDED
AND UNRECORDED).

*** THIS IS NOT A SURVEY ***

KENNETH PUFAHL

Digitally signed by KENNETH PUFAHL
Date: 2024.04.14 18:53:26 -04'00'

Ken Pufahl, P.S.M.

PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE No. 6126

LETTER OF AUTHORIZATION

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as

**Bayshore-Fisher, LLC
1470 Royal Palm Square Blvd
Fort Myers, FL 33919**

legally described in exhibit A attached hereto.

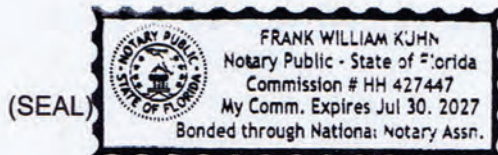
The property described herein is the subject of an application for development. We hereby designate **James Ink, c/o Ink Engineering, Inc, 2055 West First Street, Fort Myers, FL 33901** as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to obtain entitlement authorization from Lee County for comprehensive plan amendment, bonus density, zoning, development orders, and code enforcement mitigation on the subject property. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

John J. Skulko
Owner (signature)

JOHN J. SKALKO, MGR.
Printed Name, Title

STATE OF FL
COUNTY OF Lee

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 9TH day on APRIL (date), 2024 by JOHN J. SKALKO (name of person providing oath or affirmation), who is personally known to me or who has produced FL DRIVERS LICENSE as identification.



Frank William Kuhn
Signature of Notary Public

KP Surveying, Inc.
LB NUMBER 8152
2802 W. Cypress Avenue S.E.
Fort Myers, Florida 33905
(239) 462-1901
www.kpsurveying.com

DESCRIPTION OF A PARCEL OF LAND LYING IN
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

LEGAL DESCRIPTION:

BEGINNING AT THE SOUTHEAST CORNER OF THE
SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 43
SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA;
THENCE N89°46'04"W ALONG THE SOUTH LINE OF SAID
SECTION 21, A DISTANCE OF 326.03 FEET;
THENCE N00°05'37"E A DISTANCE OF 725.95 FEET;
THENCE S89°35'07"E A DISTANCE OF 115.83 FEET;
THENCE S62°56'27"E A DISTANCE OF 165.88 FEET;
THENCE S00°16'51"W A DISTANCE OF 56.16 FEET;
THENCE S78°34'18"E A DISTANCE OF 55.29 FEET;
THENCE N00°16'35"E A DISTANCE OF 350.19 FEET;
THENCE N89°44'39"W A DISTANCE OF 479.54 FEET;
THENCE N00°25'11"W A DISTANCE OF 299.75 FEET TO
THE SOUTH RIGHT-OF-WAY LINE OF BAYSHORE ROAD
(SR 78); THENCE S89°44'39"E, ALONG SAID SOUTH
RIGHT-OF-WAY LINE, A DISTANCE OF 489.43 FEET;
THENCE S00°05'37"W, ALONG THE EAST LINE OF THE
SOUTHWEST QUARTER; A DISTANCE OF 1233.75 FEET
TO THE POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS BASED ON A BOUNDARY
SURVEY THAT WAS COMPLETED ON 02/09/2024.

*** THIS IS NOT A SURVEY ***

KENNETH PUFAHL Digitally signed by KENNETH PUFAHL
Date: 2024.04.14 18:54:27 -04'00'

Ken Pufahl, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE No. 6126

KP Surveying, Inc.

LB NUMBER 8152

2802 W. Cypress Avenue S.E.

Fort Myers, Florida 33905

(239) 462-1901

www.kpsurveying.com

SKETCH OF A PARCEL OF LAND LYING IN
SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

SOUTH R/W LINE
BAYSHORE ROAD

S 89°44'39" E

489.43'

N 00°25'11" W
299.75'

N 89°44'39" W

479.54'

S 62°56'27" E
165.88'

N 89°35'07" W

115.83'

S 00°16'51" W
56.16'

S 78°34'18" E
55.29'

N 00°05'37" E

725.95'

8.53 ACRES ±

N 89°46'04" W

326.03'

SOUTH LINE
SECTION 21

1233.75'

S 89°41'17" E

432.87'

EAST LINE
SW 1/4
SECTION
21-43-25

8.15 ACRES ±

S 00°05'37" W

N 89°38'37" W

433.22'

P.O.B.
SE CORNER
SW 1/4
SECTION
21-43-25

SOUTH LINE
SECTION 21

819.67'

S 00°04'10" W

THE INFORMATION HEREON
IS SUBJECT TO EASEMENTS,
RESTRICTIONS,
RESERVATIONS AND
RIGHT-OF-WAYS (WRITTEN
AND UNWRITTEN, RECORDED
AND UNRECORDED).

1"=200'

LEGEND

P. O. B.

POINT OF BEGINNING

R/W

RIGHT OF WAY

*** THIS IS NOT A SURVEY ***

KENNETH PUFAHL

Digitally signed by KENNETH PUFAHL
Date: 2024.04.14 18:54:42 -04'00'

Ken Pufahl, P.S.M.

PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE No. 6126

8340 Bayshore Road

Section 21, Township 43 South, Range 25 East
Lee County, Florida

Protected Species Assessment

November 2023

Prepared for:

**Bayshore Fisher, LLC
1470 Royal Palm Square Boulevard
Fort Myers, FL 33919**

Prepared by:

**Atwell
4470 Camino Real Way, Suite 101
Fort Myers, FL 33966
(239) 334-3680**

INTRODUCTION

The 16.70± acre project is located within a portion of Section 21, Township 43 South, Range 25 East, Lee County, Florida. The parcel is bordered to the north by Bayshore Road, to the south and west by undeveloped land, and to the east by undeveloped land and existing commercial development.

SITE CONDITIONS

The majority of this site has been previously cleared and is being utilized as cattle pasture. A creek bisects the subject property.

VEGETATIVE CLASSIFICATIONS

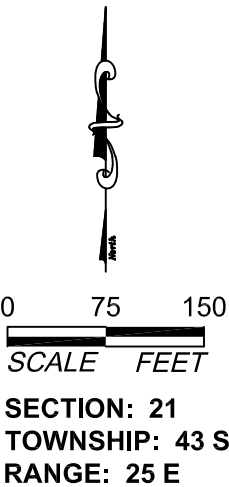
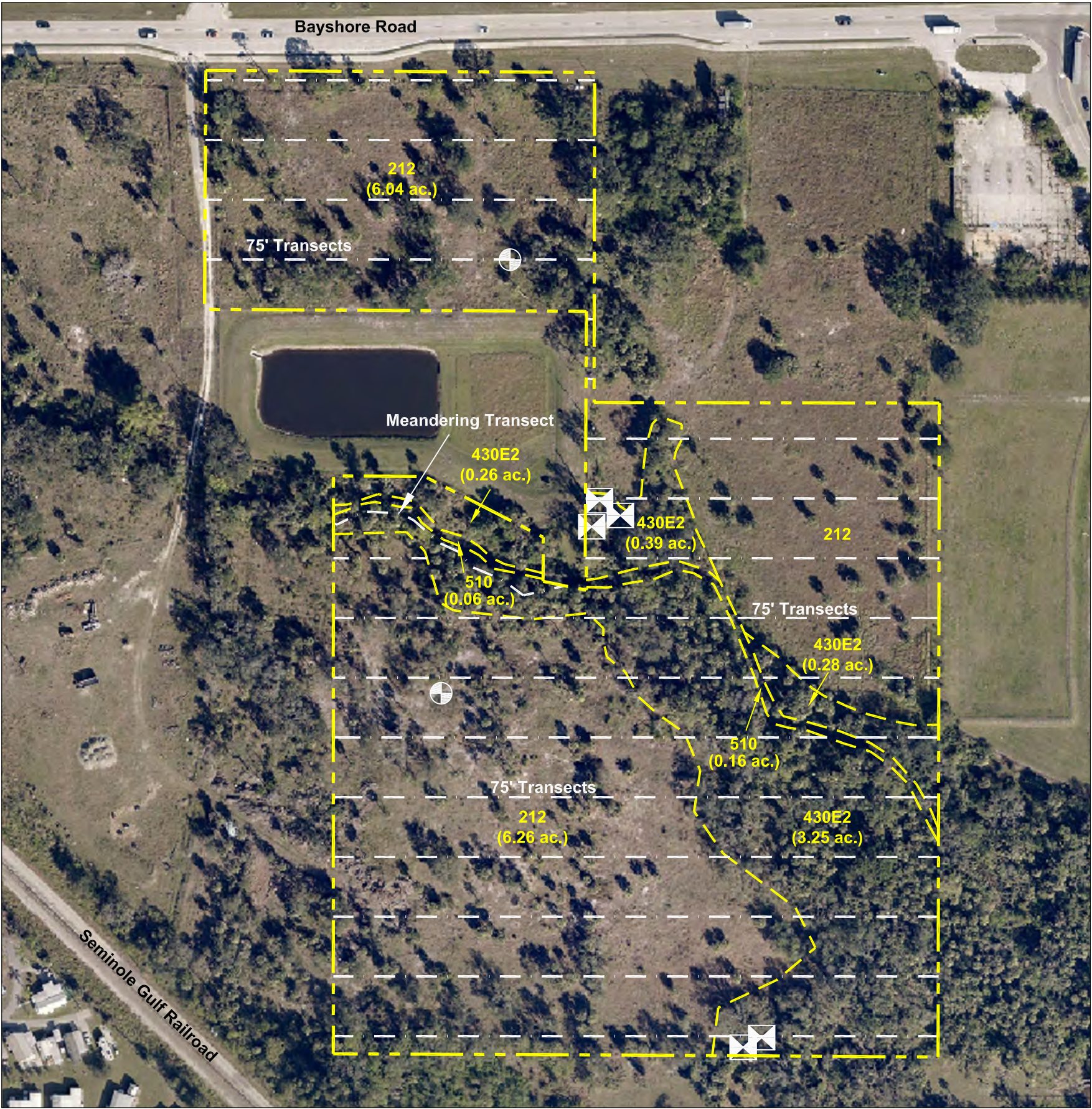
The predominant vegetation associations were mapped in the field on 2023 digital 1" = 150' scale aerial photography. The property boundary was obtained from Community Engineering Services, Inc. and inserted into the digital aerial. The property boundary was not staked in the field at the time of our site inspection and was, therefore, estimated based on the overlay of the approximate boundary on the aerial photography. Three vegetation associations were identified using the Florida Land Use, Cover and Forms Classification System (FLUCCS). Figure 1 depicts the approximate location and configuration of these vegetation associations and Table 1 summarizes the acreages by FLUCCS Code. A brief description of each FLUCCS Code is also provided below.

Table 1. Acreage Summary by FLUCCS Code

FLUCCS CODE	DESCRIPTION	ACREAGE
212	Unimproved Pasture	12.30
430E2	Mixed Upland Forest Invaded by Exotics (26-50%)	4.18
510	Streams and Waterways	0.22
Total		16.70

FLUCCS Code 212, Unimproved Pastures

These areas have had significant amounts of canopy and midstory vegetation removed and are currently being utilized as pasture for cattle. The remaining scattered midstory and canopy vegetation consists primarily of laurel oak (*Quercus laurifolia*), live oak (*Quercus virginiana*), cabbage palm (*Sabal palmetto*), Java plum (*Syzygium cumini*), Brazilian pepper (*Schinus terebinthifolius*), and hog plum (*Ximenia americana*). Groundcover vegetation includes smutgrass (*Sporobolus indicus*), Bermuda grass (*Cynodon dactylon*), pusley (*Richardia* sp.), ragweed (*Ambrosia artemisiifolia*), Caesarweed (*Urena lobata*), whitehead broom (*Spermacoce* sp.), sleepy morning (*Watheria indica*), very widely scattered saw palmetto (*Serenoa repens*), and cogon grass (*Imperata cylindrica*).



FLUCCS	Description	Acreage
212	Unimproved Pastures	12.30 ac.
430E2	Mixed Upland Forest Invaded by Exotics (26-50%)	4.18 ac.
510	Streams and Waterways	0.22 ac.
Total		16.70 ac.

- Potentially Occupied Gopher Tortoise Burrow (2)
- Tree with Cavity (5)

Notes:
1. Property boundary was obtained from the Community Engineering Services, Inc.
2. Mapping based on photointerpretation of 2023 aerial photography and ground truthing in November 2023.
3. Delineation of jurisdictional wetlands reviewed and approved by SFWMD (36-00014-F) and ACOE (SAJ-2014-00905).

December 07, 2023 8:09:34 a.m.
Drawing: BAYSHORE1PLAN.DWG

PERMIT USE ONLY, NOT FOR CONSTRUCTION

FLUCCS Code 430E2, Mixed Upland Forest Invaded by Exotics (26-50%)

The forested uplands on the subject parcel are characterized by a canopy dominated by cabbage palm and live oak. Scattered slash pine (*Pinus elliotii*), laurel oak, and widely scattered Java plum are also present. The midstory and groundcover strata include cabbage palm, climbing cassia (*Senna pendula*), wild coffee (*Psychotria nevosa*), beautyberry (*Callicarpa americana*), rosary pea (*Abrus precatorius*), Caesarweed, and rattlebox (*Crotalaria* sp.).

FLUCCS Code 510, Streams and Waterways

Smartweed (*Polygonum punctatum*), wedelia (*Wedelia trilobata*), leatherfern (*Achrostichum* sp.), scattered bishopwood (*Bischofia javanica*), cypress (*Taxodium* sp.), and old-world climbing fern (*Lygodium microphyllum*) are present along the edges of the creek which bisects the subject parcel.

SURVEY METHOD

Lee County Protected Species Ordinance No. 89-34 lists several protected species of animals that could potentially occur on-site based on the general vegetative associations found on the subject parcel. Each habitat type was surveyed for the occurrence of these and any other listed species likely to occur in the specific habitat types. The survey was conducted using meandering linear pedestrian belt transects. This survey methodology is based on the Lee County administratively approved Meandering Transect Methodology. As part of this survey all live trees and snags were inspected for the evidence of cavities that could potentially be used as roosts by the Florida bonneted bat (*Eumops floridanus*). In order to provide at least 80 percent visual coverage of habitat types listed in Ordinance No. 89-34, the transects were spaced approximately 75 feet apart. The approximate locations of all direct sighting or signs (such as tracks, nests, and droppings) of a listed species were denoted on the aerial photography. The 1" = 150' scale aerial Protected Species Assessment map (Figure 1) depicts the approximate location of the survey transects and the results of the survey. The listed species survey was conducted during the morning hours of November 14, 2023. During the survey temperatures were in the mid to upper 70's F and there was a moderate breeze.

Species listed as endangered, threatened, or species of special concern by the Florida Fish and Wildlife Conservation Commission (FWC) or the United States Fish and Wildlife Service (FWS) that could potentially occur on the subject parcel according to the Lee County Protected Species Ordinance are shown in Table 2. This list from the Lee County Protected Species Ordinance is general in nature, contains species that were subsequently delisted by the state, does not necessarily reflect existing conditions within or adjacent to the 16.70± acre property, and is provided for general informational purposes only. The bald eagle (*Haliaeetus leucocephalus*) (which has been delisted by the FWC and FWS but is still protected by other regulations), the Florida black bear (*Ursus americanus floridanus*) (delisted in 2012 and still protected by the Florida Black Bear Management Plan), and the Florida bonneted bat (*Eumops floridanus*) (which was listed by the FWS after Ordinance No. 89-34 was adopted by Lee County) were also included in the survey.

Prior to conducting the protected species survey, a search of the FWC listed species database was conducted to determine the known occurrence of listed species in the project area. This search revealed no known protected species occurring on or immediately adjacent to the site.

Table 2. Listed Species That Could Potentially Occur On-site

FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
212	80	Florida Sandhill Crane (<i>Grus canadensis pratensis</i>)		√
		Florida Panther (<i>Felis concolor coryi</i>)		√
430E2	80	Florida Panther (<i>Felis concolor coryi</i>)		√
500	80	American Alligator (<i>Alligator mississippiensis</i>)		√
		Limpkin (<i>Aramus guarauna</i>)*		√
		Little Blue Heron (<i>Egretta caerulea</i>)		√
		Reddish Egret (<i>Egretta rufescens</i>)		√
		Roseate Spoonbill (<i>Ajaia ajaja</i>)		√
		Snowy Egret (<i>Egretta thula</i>)*		√
		Tricolored Heron (<i>Egretta tricolor</i>)		√
		Everglades Mink (<i>Mustela vison evergladensis</i>)		√

* Species delisted subsequent to adoption of Lee County Protected Species Ordinance No. 89-34.

SURVEY RESULTS

Gopher Tortoise

Two potentially occupied gopher tortoise burrows were found in the areas mapped as unimproved pasture (FLUCCS Code 212). Based on 80 percent survey coverage, it is estimated that three potentially occupied gopher tortoise burrows occur within these general areas. Using the FWC standard burrow occupancy correction factor of 0.5 gopher tortoises per burrow, it is estimated that two gopher tortoises are present onsite. No signs of gopher tortoises were observed elsewhere on-site.

Florida Bonneted Bat

A total of five dead trees (slash pine) containing potential cavities entrances were identified (Figure 1). No evidence of bat utilization (bat vocalization/chatter from within the potential cavities or guano on or around the snags) was observed. No live trees with cavities or artificial structures were observed on-site.

Other Listed Species

No other species listed by either the FWS or the FWC were observed on the site. There is the potential for periodic opportunistic foraging by both listed and non listed species of wading birds within the littoral zone of the creek (FLUCCS Code 510).

Y:\BAYSHORE-1\PSA.docx

RE: Copperfish MPD



Tyler King <tking@atwell-group.com>

To James Ink
Cc ron@rmec-llc.com

Reply

Reply All

Forward

Wed 7/24/2024 3:41 PM

You replied to this message on 7/24/2024 3:54 PM.

VEG Map.pdf
1 MB

PSA.pdf
2 MB

SOIL Map.pdf
101 KB

Jim,
Attached are the exhibits for your submittal. There are no rare and unique associations on site.
Thanks,

Tyler King
Associate Director
ATWELL, LLC
239.334.3680 Office
239.470.3485 Mobile

From: James Ink <jink@inkengineeringinc.net>
Sent: Saturday, July 13, 2024 12:12 PM
To: Tyler King <tking@atwell-group.com>
Cc: ron@rmec-llc.com
Subject: Copperfish MPD

Tyler. We had discussed this earlier but I need an exhibit of the lands that would be classified as “rare and unique uplands” site or a letter stating that there are none. Can I also assume that the only jurisdiction areas are the creek to top of bank. Working on the resubmittal for the MPD zoning.

Jim



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

February 28, 2024

** Delivered via email*

David F Davis *

Bayshore I-75 Assoc, Bayshore I-75, LLC & Bayshore Copping, LLC
1470 Royal Palm Square Blvd
Fort Myers, FL 33919

Subject: Davis Bayshore Parcels
Petition for Formal Determination of Wetlands and Surface Waters
Permit No. 36-00014-F
Application No. 231220-41742
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 February 28, 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/ePermitting).

Sincerely,

A handwritten signature in blue ink that reads "Lisa Prather".

Lisa Prather, PWS
Section Administrator

**South Florida Water Management District
Formal Wetland Determination Permit No. 36-00014-F
Date Issued: February 28, 2024**

Project Name: Davis Bayshore Parcels

Petitioner: David F Davis
Bayshore I-75 Assoc, Bayshore I-75, LLC & Bayshore Copping, LLC
1470 Royal Palm Square Blvd
Fort Myers, FL 33919

Application No. 231220-41742

Location: Lee County, See Exhibit 1

Acres: 34.76

Expiration Date: February 28, 2029

Type: Certified Survey

Project Summary

This application is a request to renew the previously issued formal wetland 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 34.76 acre property known as Davis Bayshore Parcels.

Background

On March 27, 2014 the District received a request for a formal wetland determination of the landward extent of wetlands and other surface waters (OSW) on a 34.76 acre property known as Davis Bayshore Parcels. A field inspection was conducted by District staff on April 24, 2014 by Jewelene Harris, Environmental Analyst 4. Wetlands and Other Surface Waters (OSW), as defined by 62-340 F.A.C. were identified on the property. Approximately 0.41 acres of wetlands and 0.74 acres of OSW were identified on the property. The formal wetland determination was issued on July 18, 2014.

On March 19, 2019, the District received a request to renew the formal wetland determination. A field inspection was conducted on April 25, 2019 by Jewelene Harris. Based on the field inspections the extent of wetland and OSW did not change. The renewal of this formal wetland determination was issued on May 23, 2019.

Project Site Description

The property is located in Section 21, Township 43 South, and Range 25 East; Lee County, Florida (Exhibit No. 1.0). More specifically, the property is located on the south side of Bayshore Road, approximately 0.50 miles west of Interstate 75 (I-75). The property is bisected by Bayshore Creek. The property is surrounded by Bayshore Road to the north; a large truck stop gas station and undeveloped land to the east; upland pastures, forests and freshwater marsh to the south; and an existing railroad and single family homes to the west. The majority of the property consists of improved pastureland for cattle grazing, with upland pine and oak forests containing varying degrees of exotic vegetation. An aerial photograph with the inspection boundary and existing Florida Land Use, Cover and Forms Classification System (FLUCCS) on the property is attached as Exhibit No. 3.0.

On December 20, 2023, the District received a request to renew the formal wetland determination. On February 8, 2024, District staff Matt Brosious, Certified Wetland Evaluator (CWE) conducted a site inspection with Ron Edenfield of RMEC, LLC. Conditions on the property and surrounding properties have not changed since the original formal determination was issued July 18, 2014 and the previous renewal issued on May 23, 2019. Wetlands identified on the property totaled 0.41 acres and OSW totaled 0.74 acres. The specific purpose survey is attached as Exhibit No. 3.0.

Wetlands and Other Surface Water Description:

There is one cypress wetland on the property, which is depicted on the (FLUCCS), Exhibit No. 3.0. The wetland totals 0.41 acres and is adjacent to Bayshore Creek (OSW) on the property.

The OSW, Bayshore Creek, totals 0.74 acres.

Soils and Hydrologic Indicators:

Based on National Resources Conservation Service (NRCS) soil data, the site contains two historically mapped hydric soils. The hydric soils on the property include Cypress Lake Fine Sand (Soil Map Unit 13) and Cypress Lake Fine Sand-Urban Land Complex (Soil Map Unit 102). A Soils Map is attached as Exhibit No. 4.0.

Hydrologic indicators observed during the delineation included water stains on cypress trees.

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 Applicant 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 Applicant 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

RM Edenfield, RMEC, LLC *

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 ePermitting website (<http://my.sfwmd.gov/ePermitting>) and searching under this application number 231220-41742.

[Exhibit No. 1.0 Location Map](#)

[Exhibit No. 2.0 Aerial With FLUCCS](#)

[Exhibit No. 3.0 Wetland and OSW Specific Purpose Survey](#)

[Exhibit No. 4.0 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:

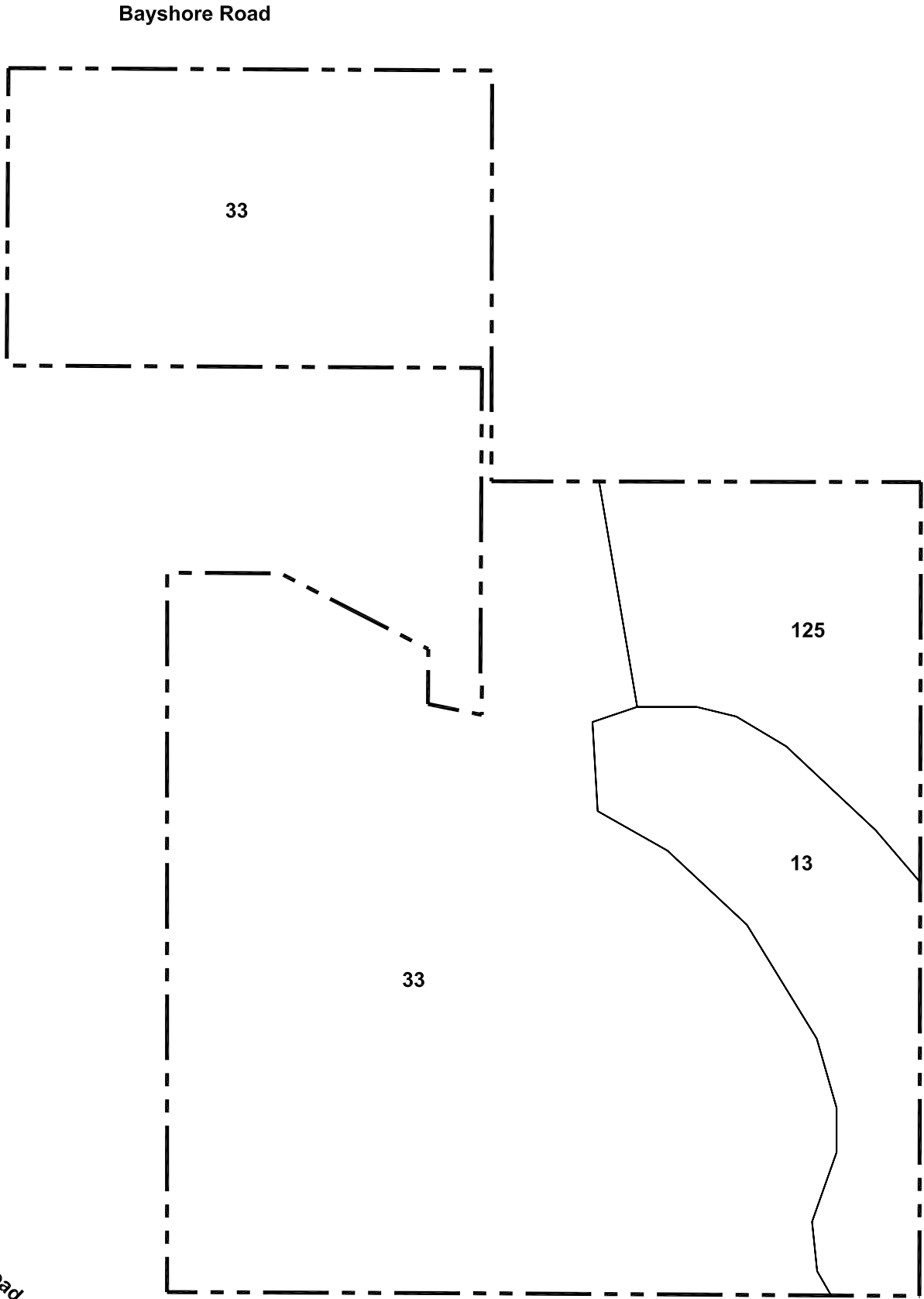
1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. 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.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. 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.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. 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.



<u>Map Unit</u>	<u>Soil Name</u>
13	Cypress Lake fine sand
33	Oldsmar sand
125	Oldsmar sand - Urban land complex

- Notes:
- 1. Property boundary was obtained from the Community Engineering Services, Inc.
 - 2. Soils information obtained from the NRCS Web Soil Survey.

PERMIT USE ONLY, NOT FOR CONSTRUCTION

December 07, 2023 8:09:34 a.m.
Drawing: BAYSHORE1PLAN.DWG

Page 1

HISTORICAL STRUCTURE FORM
FLORIDA MASTER SITE FILESite 8L11461X original
___ updateRecorder# 03SITE NAME 8520 BAYSHORE ROADHISTORIC CONTEXTS BOOM TIMESNAT. REGISTER CATEGORY BUILDING

OTHER NAMES OR MSF NOS _____

COUNTY LEEOWNERSHIP TYPE PRIVATEPROJECT NAME STATE ROAD 78 PD&E, PINEY RD TO I75 DHR NO 3056

LOCATION (Attach copy of USGS map, sketch-map of immediate area)

ADDRESS 8520 BAYSHORE ROAD CITY NORTH FORT MYERSVICINITY OF / ROUTE TO SOUTH SIDE OF S.R. 78, 1500' EAST OF
RAILROAD CROSSING

SUBDIVISION _____ BLOCK NO _____ LOT NO _____

PLAT OR OTHER MAP _____

TOWNSHIP 43S RANGE 25E SECTION 21 1/4 SW 1/4-1/4 SEIRREGULAR SEC? ___ y X n LAND GRANT _____USGS 7.5' MAP FORT MYERS 1956 P.R. 1980UTM: ZONE 17 EASTING 417420 NORTHING 2954900

COORDINATES: LATITUDE ___ D ___ M ___ S LONGITUDE ___ D ___ M ___ S

HISTORY

ARCHITECT: UNKNOWNBUILDER: UNKNOWNCONST DATE 1925 CIRCA X RESTORATION DATE(S): _____

MODIFICATION DATE(S): _____

MOVE: DATE _____ ORIG. LOCATION YESORIGINAL USE(S) RESIDENCE-PRIVATEPRESENT USE(S) RESIDENCE-PRIVATE

DESCRIPTION

STYLE FRAME VERNACULARPLAN: EXTERIOR RECTANGULARINTERIOR UNKNOWNNO.: STORIES 2.5 OUTBLDGS 1 PORCHES 1 DORMERS 0STRUCTURAL SYSTEM(S) WOOD BALLOON FRAMEEXTERIOR FABRIC(S) STUCCOFOUNDATION: TYPE PIERS MATLS CONCRETEINFILL NOPORCHES N/PORCH/WOOD POST/ 3BAY/NROOF: TYPE GABLE SURFACING COMPOSITION SHINGLESSECONDARY STRUCS. NOCHIMNEY: NO 0 MTLs _____ LOCNS _____WINDOWS JALOUSIE, AWNING 3 LIGHTEXTERIOR ORNAMENT WOODCONDITION GOOD SURROUNDINGS SUBURBANNARRATIVE (general, interior, landscape, context; 3 lines only)
A TYPICAL EARLY 20TH CENTURY FRAME SINGLE FAMILY DWELLING.

ARCHAEOLOGICAL REMAINS AT THE SITE

FMSF ARCHAEOLOGICAL FORM COMPLETED? ___ y X n (IF Y, ATTACH)

ARTIFACTS OR OTHER REMAINS _____

SEE SITE FILE STAFF FOR
ORIGINAL PHOTO(S) OR MAP(S)

Page 2

FMSF HISTORICAL STRUCTURE FORM

Site 8L11461

RECORDER'S EVALUATION OF SITE
 AREAS OF SIGNIFICANCE LOCAL

ELIGIBLE FOR NAT. REGISTER? y xn likely, need info insf inf
 SIGNIF. AS PART OF DISTRICT? y xn likely, need info insf inf
 SIGNIFICANT AT LOCAL LEVEL? y xn likely, need info insf inf

SUMMARY ON SIGNIFICANCE (Limit to three lines provided; see page 3)
NO KNOWN HISTORIC OR ARCHITECTURAL SIGNIFICANCE.

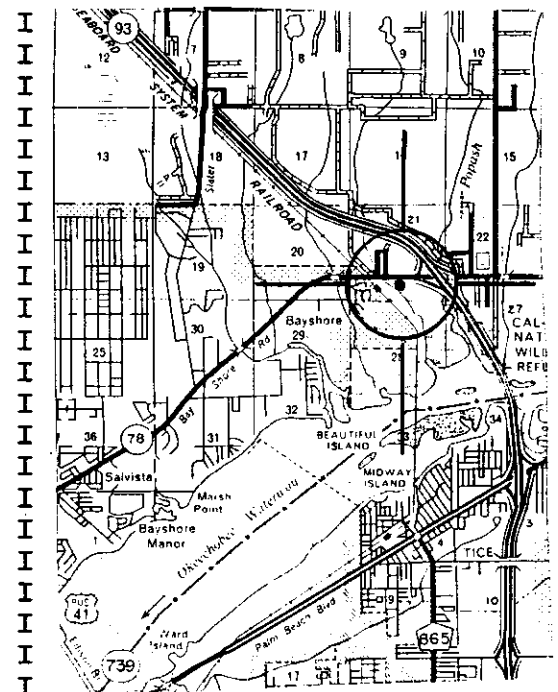
* * *DHR USE ONLY* * * * * *DHR USE ONLY * *
 *
 * DATE LISTED ON NR _____ *
 * KEEPER DETERMINATION OF ELIG.(DATE): -YES _____ -NO _____ *
 * SHPO EVALUATION OF ELIGIBILITY (DATE): -YES _____ -NO _____ *
 * LOCAL DETERMINATION OF ELIG.(DATE): -YES _____ -NO _____ *
 * OFFICE _____ *
 * * *DHR USE ONLY* * * * * *DHR USE ONLY * *

RECORDER INFORMATION: NAME HANSEN, HOWARD FEREBEE
 DATE: 19910703 AFFILIATION PIPER ARCHAEOLOGICAL RESEARCH, INC.

PHOTOGRAPHS (Attach a labeled print bigger than contact size)
 LOCATION OF NEGATIVES PIPER ARCHAEOLOGICAL RESEARCH, INC.
 NEGATIVE NUMBERS NFM ROLL 1, EX. 03

P H O T O G R A P H

Attach a B/W photographic print here if available. Please label the print itself with at least: the FMSF site number (survey number or site name if not available), direction and date of photograph. Prints larger than contact size are preferable.



REQUIRED: USGS MAP OR COPY WITH SITE LOCATION MARKED

St. Petersburg, FL



LL 1461

8L11461

8520 Bayshore Road

Howard Hansen

3 July 1991

Janus Research/Piper Archaeology

From northwest



Copperfish MPD Stormwater Narrative

The following narrative demonstrates compliance with LDC34-373(b)1 and LeePlan Policy 125.1.4.

LDC 34-373(b)1 states:

(b)(1) A written description of the surface water management plan that includes:

- a. The runoff characteristics of the property in its existing state;*
- b. In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies including how drainage flow from adjacent properties will be maintained;*
- c. The retention features (including existing natural features) that will be incorporated into the drainage system and the legal mechanism which will guarantee their maintenance;*
- d. How existing natural features will be preserved. Include an estimate of the ranges of existing and post development water table elevations, where appropriate;*
- e. If the property is subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expectable flooding.*

LeePlan Policy 125.1.4 states:

POLICY 125.1.4: Developments which have the potential of lowering existing water quality below state and federal water quality standards will provide standardized appropriate monitoring data. (Ord. No. 00-22, 18-28)

Existing Runoff Characteristics

The subject site is open pasture and wood lands with a jurisdictional creek running through the property. There is similar undeveloped property to the west to the Seminole Gulf railway ROW and south to the Caloosahatchee River. East is Loves Truckstop and north is a proposed Racetrac and Bayshore Road an FDOT arterial roadway. This creek has state and federal jurisdiction. Current surface water runoff migrates from north to south through a semi-natural, jurisdictional channelized flow way.

Historically, Lee County has routinely conducted maintenance in the form of clearing and snagging operations and periodic minor dredging. Review of historical aerial photographs indicate that dredging of the natural flow way had begun as early as the 1940's. The portion of the subject drainageway located on the subject property is lined on both banks with spoil piles from the previous dredging. Periodic gaps in the spoil piles allow for non-point discharge to the drainageway from the adjacent lands.

Development of the subject property will not adversely impact any of the surrounding lands as the Love's Truckstop and Bayshore Road are both served by engineered and permitted drainage systems. The lands to the west are upstream of the subject property and will retain access to the Bayshore

drainageway. The lands to the south are downstream of the subject property and will similarly retain access to the drainageway.

Proposed Conceptual Runoff Characteristics

The subject site surface water concept will be to design and permit a stormwater management system by SFWMD and later placed in the operational phase with a to be determined property owners' association, as permittee. A copy of the permit and plans will be provided prior to commencement of construction.

The characteristics of the proposed stormwater management system are to collect storm water via sheet flow and inlet/pipe network and routed to storm water treatment areas as generally shown on the RMEC Site Drainage conceptual plan. Discharge will be via weir and/or orifice control structure into the on-site flow way prior to flowing to the Caloosahatchee River basin. It is noted that given the incised depth (5'-7') and the ephemeral nature of the drainageway that the project control elevations will be substantially above the natural WSWT which will promote greater infiltration and as such will enhance water quality and groundwater recharge.

The SFWMD ERP issuance during the development order process will meet the requirements of 10-321(a) as "establish compliance" with the LDC.

It is anticipated that during the SFWMD ERP process additional design works may be required to meet impaired water criteria for Caloosahatchee River Basin (WBID #3240B). Additional design works may be in the form of additional treatment, engineered design structures to reduce pollutants, or other means to achieve compliance with SFWMD water quality standards.

All operation and maintenance work for the proposed project will be the responsibility of a Property Owners Association if subdivided or the property owner if unified property ownership is retained.

There are no natural features on the property that require preservation.

Development of the proposed property will not adversely affect adjacent properties for the reasons given above.

The property is in Storm Surge Category B per Lee County Storm Surge Zones as published by Southwest Florida Regional Planning Council and Florida Division of Emergency Management. The property is not subject to flooding during minor and moderate storm events. The property is not subject to overland flow flooding. SFWMD ERP criteria addresses the requirements of a 100-year flood and provided by establishing finish floor requirements and perimeter berm elevations. Portions of the property are subject to a regulatory floodway as assigned by FEMA. However, the mapping of the areal extent of the regulatory floodway precedes the widening and raising of Bayshore Road done by FDOT in the early 2000's. The owner is currently pursuing a CLOMR to update the existing conditions to reflect the existing and proposed changes to the FEMA Effective model.

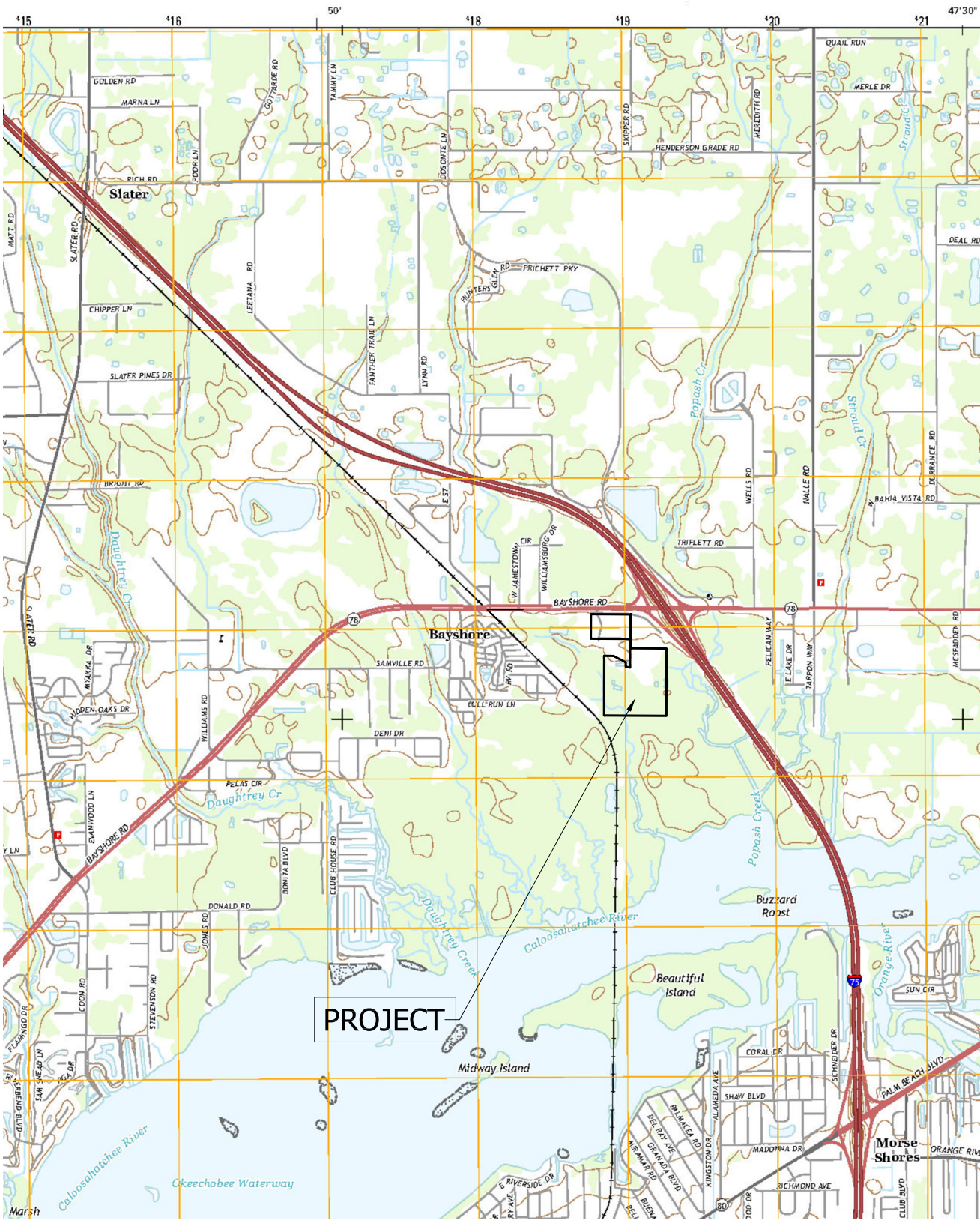
Finish floor elevation(s) of the proposed development will be governed by the greater of the FEMA Effective flood elevation (currently Zone AE-10), plus 1.0' per Lee County requirements, or the peak stage of the 100-year, 3 day storm event as routed through the site's storm water management system. A portion of the property is waterward of the FEMA LiMWA line placing it in a Coastal A flood

design area. Special design may be required to meet FEMA, SFWMD ERP, LCLDC and Florida Building Code regulations.

A component of a SFWMD ERP permit includes issuance of a State water quality certification. Accomplished through design of storm water management system to reduce pollutants with additional requirements for impaired waters such as the Caloosahatchee River (WBID 3240B), issuance of a SFWMD ERP including a water quality certification is consistent with Policy 125.1.4 for state water quality standards.

It is anticipated that the proposed crossing of the Bayshore drainageway, which has been declared jurisdictional by both State and Federal authorities, will require permitting pursuant to either Section 404 of the Clean Waters Act or Section 10 of the Rivers and Harbors Act. It is probable that given the de minimis size of the proposed impact, that the crossing may qualify under the ACOE Nationwide permitting criteria and as such be consistent with Policy 125.1.4 for federal water quality standards. The water quality permitting process may include the need for an appropriate monitoring program to collect data for compliance. This will be under the jurisdiction of SFWMD, FDEP, and/or ACOE permitting. The water quality monitoring program will be provided to Lee County prior to commencement of any site construction requiring a Development Order or Vegetation Permit.

All required stormwater and water quality state and federal permits will be provided to Lee County upon receipt and prior to commencement of any construction.



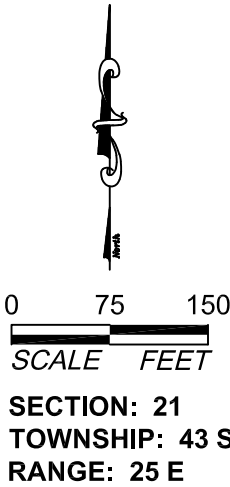


INK ENGINEERING INC.

CONSULTING ENGINEERS • PLANNING

2055 WEST FIRST STREET
FORT MYERS, FL 33901
JINK@INKENGINEERINGINC.NET

USGS MAP	JOB #: 23022
COPPERFISH MPD	DATE: 11.2024
8520 BAYSHORE ROAD, NFM	SHEET: 1

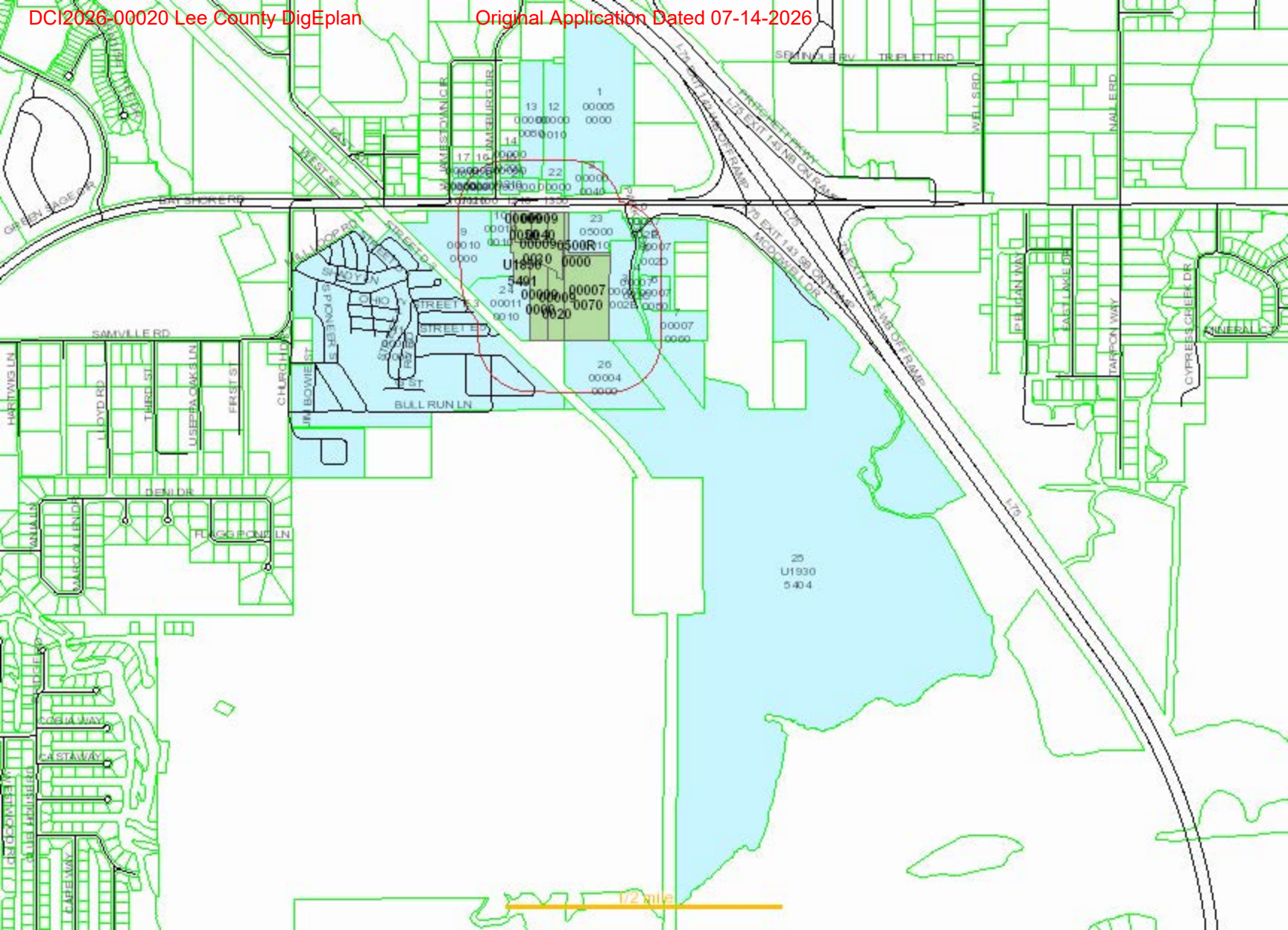


FLUCCS	Description	Acreage
212	Unimproved Pastures	12.30 ac.
430E2	Mixed Upland Forest Invaded by Exotics (26-50%)	4.18 ac.
510	Streams and Waterways	0.22 ac.
Total		16.70 ac.

- Notes:
- 1. Property boundary was obtained from the Community Engineering Services, Inc.
 - 2. Mapping based on photointerpretation of 2023 aerial photography and ground truthing in November 2023.
 - 3. Delineation of jurisdictional wetlands reviewed and approved by SFWMD (36-00014-F) and ACOE (SAJ-2014-00905).

December 07, 2023 8:09:34 a.m.
Drawing: BAYSHORE1PLAN.DWG

PERMIT USE ONLY, NOT FOR CONSTRUCTION



[illegible]

HYYFT BAYSHORE LLC
4531 PONCE DE LEON BLVD #300
CORAL GABLES FL 33146

HYYFT BAYSHORE LLC
4531 PONCE DE LEON BLVD #300
CORAL GABLES FL 33146

LOVES TRAVEL STOPS & COUNTRY S
RYAN LLC - BANK OF AMERICA CTR
15 W 6TH ST #2400
TULSA OK 74119

LOVES TRAVEL STOPS & COUNTRY S
RYAN LLC - BANK OF AMERICA CTR
15 W 6TH ST #2400
TULSA OK 74119

LOVES TRAVEL STOPS & COUNTRY S
RYAN LLC - BANK OF AMERICA CTR
15 W 6TH ST #2400
TULSA OK 74119

FLORIDA GOVT UTILITY AUTHORITY
9400 SOUTHPARK CENTER LOOP STE 400
ORLANDO FL 32819

LOVES TRAVEL STOPS & COUNTRY S
RYAN LLC - BANK OF AMERICA CTR
15 W 6TH ST #2400
TULSA OK 74119

LOVES TRAVEL STOPS & COUNTRY S
RYAN LLC - BANK OF AMERICA CTR
15 W 6TH ST #2400
TULSA OK 74119

BAYSHORE - I-75 ASSOCIATES LLC
1470 ROYAL PALM SQUARE BLVD
FORT MYERS FL 33919

BAYSHORE - I-75 ASSOCIATES LLC
1470 ROYAL PALM SQUARE BLVD
FORT MYERS FL 33919

NHC-FL17 LP
KROLL
PO BOX 2629
ADDISON TX 75001

COCHRAN DARIUS L TR
TERRILYNN DUNFORD
12190 OLD RODEO DR
ALVA FL 33920

COCHRAN DARIUS L TR
TERRILYNN DUNFORD
12190 OLD RODEO DR
ALVA FL 33920

PAGE WILLIAM R JR & DONNA M
17340 WILLIAMSBURG DR
NORTH FORT MYERS FL 33917

CALLOW ELAINA D
17310 WILLIAMSBURG DR
N FT MYERS FL 33917

SKINNER WILLIAM STEVEN +
17311 WILLIAMSBURG DR
N FT MYERS FL 33917

DREAM CHASER HOLDINGS LLC
10175 CAMINO DEL DIOS
DELRAY BEACH FL 33446

DREAM CHASER HOLDINGS LLC
10175 CAMINO DEL DIOS
DELRAY BEACH FL 33446

DREAM CHASER HOLDINGS LLC
10175 CAMINO DEL DIOS
DELRAY BEACH FL 33446

DREAM CHASER HOLDINGS LLC
10175 CAMINO DEL DIOS
DELRAY BEACH FL 33446

TEP 8365 BAYSHORE LLC
89 E NORTH SHORE AVE
FORT MYERS FL 33917

COCHRAN DARIUS L TR
TERRILYNN DUNFORD
12190 OLD RODEO DR
ALVA FL 33920

RACETRAC INC
PROPERTY TAX DEPT
200 GALLERIA PKWY SE #900
ATLANTA GA 30339

SCG DEVELOPMENT GROUP LLC
2600 40TH ST W
LEHIGH ACRES FL 33971

LEE COUNTY
PO BOX 398
FORT MYERS FL 33902

PAINTS AND COATINGS
17660 EAST ST
NORTH FORT MYERS FL 33917

NOTES:

REQUEST: REZONING FROM AG-2 TO MPD.

FUTURE LAND USE: GENERAL INTERCHANGE

UTILITIES PROVIDED BY: LEE COUNTY UTILITIES (POTABLE)
FGUA (SANITARY SEWER)

LEE TRAN: NO SCHEDULED ROUTE

1	DEVIATION #1 - NATURAL WATERBODY SETBACK
2	DEVIATION #2 - INTERSECTION SEPARATION
3	DEVIATION #3 - SIDEWALK DELETION

[illegible]

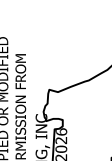
MASTER CONCEPT PLAN

COPPERFISH COMMERCIAL PARK MPD

BAYSHORE - FISHER, LLC

8520 BAYSHORE RD, NORTH FORT MYERS, FL

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James Ink, P.E.
Florida Reg. No. 44906

DATE _____

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INK ENGINEERING INC.
CONSULTING ENGINEERS • PLANNING
2055 WEST FIRST STREET
FORT MYERS, FL 33901
JINK@INKENGINEERINGC.NET

PROJECT NO.	23022
PROJECT MANAGER	James Ink P.E.
DRAWN BY	BWM
DATE	05.2026
SCALE	1" = 100'
SHEET NO.	1
OF 1	