TOWNE PLACE
CONCURRENCY EXTENSION
TRAFFIC IMPACT STATEMENT

Project #09554

July 29, 2009

Prepared by:
DAVID PLUMMER & ASSOCIATES, INC.
2271 McGregor Boulevard, Suite 200
Fort Myers, Florida 33901
TOWNE PLACE
CONCURRENCY EXTENSION
TRAFFIC IMPACT STATEMENT

Overview

Towne Place at Gulf Coast Town Center (GCTC), hereafter referred to as the Project, is a planned multifamily residential complex. It is a part of the approved Gulf Coast Town Center Development of Regional Impact (DRI) in Lee County, Florida (Exhibit 1). The Project was approved (as Phase 2 of the residential component of the GCTC DRI) for a total of 408 condominium dwelling units (ITE LUC 230). Phase 1 of the residential component at GCTC DRI was approved and built, and consists of 144 rental apartment units. For purposes of this traffic study, the 408 condominiums in Phase 2 are referred to as the Project. The Project is situated on the west side of Ben Hill Griffin Parkway, south of Alico Road and just north of Miromar Lakes.

A report titled University Club Apartments Phase 2 Local Development Order Traffic Impact Statement and dated September 27, 2005 was prepared for the local development order for Phase 2 of the Project and was submitted to Lee County for review. Lee County staff provided comments based on their review. The staff comments were addressed in a letter University Club Apartments Development Order TIS Response to DOS2003-00104 TIS Checklist, dated February 23, 2006.

Since then, the concurrency of the Project has expired. Lee County staff requested a TIS in support of the concurrency extension for the Project. The purpose of this traffic study is to provide the traffic analysis in support of the concurrency extension application for the Project.

In conformance with the Lee County Traffic Impact Statement Guidelines, this Traffic Impact Statement (TIS) was conducted consistent with the requirements for Projects generating less than 300 trips. It was also confirmed with the County staff that intersection analysis is not required for the purposes of a concurrency extension TIS.

Development Parameters

The development parameters for the Project are summarized below.

<table>
<thead>
<tr>
<th>Development Parameters</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Condominiums/Townhouses (LUC 230)</td>
<td>0 d.u.</td>
<td>408 d.u.</td>
</tr>
</tbody>
</table>
The expected buildout of the Project is 2012. In accordance with the Lee County TIS Guidelines, the future traffic conditions with Project reflect the buildout year (2012) plus one year. Therefore, the future traffic analysis with Project reflects peak season conditions in the year 2013.

**Project Access**

The Project has one direct access point onto College Club Drive. The existing Phase 1 rental apartments and the Project will be separated by a gate. The traffic from the existing rental apartments accesses College Club Drive via a separate access point. A majority of the proposed Project traffic will access Ben Hill Griffin Parkway primarily via College Club Drive. A small portion of the Project traffic is anticipated to access the external roadway network via other GCTC entrances.

College Club Drive represents the southern entrance of GCTC onto Ben Hill Griffin Parkway. The College Club Drive (GCTC South Entrance) intersection with Ben Hill Griffin Parkway is currently under signal operations.

**Study Area**

The road segments under study include the following:

<table>
<thead>
<tr>
<th>Roadway</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ben Hill Griffin Parkway</td>
<td>FGCU Entrance</td>
<td>College Club Drive</td>
</tr>
<tr>
<td></td>
<td>College Club Drive</td>
<td>Alico Road</td>
</tr>
</tbody>
</table>

Based on correspondence with the Lee County staff, intersection analysis is not required for a concurrency extension.

**Existing Roadway Network**

The existing roadway network in the area is comprised of several important roadways, including Ben Hill Griffin Parkway, a north-south arterial that extends from Colonial Boulevard to Corkscrew Road. Ben Hill Griffin Parkway/Treeline Avenue section of road from Alico Road to just south of College Club Drive is a six-lane divided roadway section with turn lanes. The remaining section of Ben Hill Griffin Parkway south of College Club Drive is a four-lane divided roadway.

College Club Drive, which serves as the south entrance of the GCTC, is a 2-lane facility.
Existing Traffic Conditions

Existing K(100) traffic conditions for the roadway segments under study are shown in Exhibit 2. The peak hour peak direction 2008 estimated volume was obtained from the Lee County Concurrency Report Inventory and Projections 2007/2008-2008/2009, dated October, 2008. As shown, all roadway segments in the study area currently operate at LOS “C” or better, which is better than the adopted level of service standard of The Lee Plan (LOS “E”).

Committed Improvements

Improvements that are scheduled for construction within the first three years of the current Capital Improvement Program are considered to be committed improvements for purposes of rezoning traffic studies in Lee County. There are three committed improvements in the vicinity of the Project.

The six-lane widening of I-75 from Colonial Boulevard (Lee County) to Golden Gate Parkway (Collier County) is currently under construction. Three Oaks Parkway from Alico Road to Corkscrew Road is being widened to a four-lane divided roadway and is currently under construction. The Estero Parkway Extension from Three Oaks Parkway to Ben Hill Griffin Parkway is currently under construction as a new four-lane divided roadway.

Trip Generation

For purposes of this TIS, the Project trip generation was estimated based on the trip rates from the Institute of Transportation Engineers (ITE), Trip Generation, 8th Edition. ITE Land Use Code 230 was used to reflect the trip generation of the proposed 408 Residential Condominiums/Townhouses.

The ITE trip generation estimates for the AM peak hour are presented in Exhibit 3, and the trip generation estimates for the PM peak hour are presented in Exhibit 4. The trip generation estimates are also summarized below, and the ITE worksheets are provided in Appendix A.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>AM Peak</th>
<th></th>
<th>PM Peak</th>
<th></th>
<th>Daily</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In</td>
<td>Out  Total</td>
<td>In</td>
<td>Out  Total</td>
<td>24 Hour</td>
</tr>
<tr>
<td>Total</td>
<td>27</td>
<td>132  159</td>
<td>128</td>
<td>63   191</td>
<td>2,186</td>
</tr>
<tr>
<td>Internal</td>
<td>6</td>
<td>32   38</td>
<td>30</td>
<td>15   45</td>
<td>464</td>
</tr>
<tr>
<td>External</td>
<td>21</td>
<td>100  121</td>
<td>98</td>
<td>48   146</td>
<td>1,722</td>
</tr>
</tbody>
</table>

Footnotes:
(1) ITE, Trip Generation, 8th Edition.
The internal trip interaction of the Project (residential) with the Gulf Coast Town Center (retail) was estimated based on prior traffic studies which were reviewed and approved by the Lee County staff. It was assumed that by the year 2012, the Gulf Coast Town Center would be built out.

The traffic study titled Gulf Coast Town Center Local Development Order Master Traffic Impact Statement and dated February 11, 2004 had assumed that there would be an internal intersection between the residential to retail components of the Gulf Coast Town Center. The traffic study assumed that 24% of the residential trips would be internal trips to the Gulf Coast Town Center.

Therefore, consistent with the Gulf Coast Town Center Local Development Order Master Traffic Impact Statement, dated February 11, 2004, 24% of the Project trips were assumed to be internal trips.

**Project Traffic Distribution/Assignment**

The Project’s traffic volumes were assigned to the area road network based on observed traffic patterns of other developments in the area and anticipated trip distribution. The trip distribution was presented in the report titled University Club Apartments Phase 2 Local Development Order Traffic Impact Statement and dated September 27, 2005. The trip distribution was reviewed and approved by the Lee County staff as part of the local development order approval for Phase 1 and Phase 2 of the University Club Apartments.

The Project’s trips are presented in Exhibits 5. As shown, the traffic from the Project traffic will access Ben Hill Griffin Parkway primarily via College Club Drive. It is also assumed that a small portion of the Project traffic will travel through the GCTC internal roadway system to access the external roadway system. The Project traffic distribution is consistent with the trip distribution shown in the report titled University Club Apartments Phase 2 Local Development Order Traffic Impact Statement and dated September 27, 2005.

**Future Traffic With Project**

Existing 2008 K_{(100)} traffic volumes were projected to 2013 background traffic conditions based on historic growth rates reported in the Lee County 2007 Traffic Count Report. A review of the count station (#514) data on Ben Hill Griffin Parkway south of Alico Road indicated that there was a significant jump in the traffic volumes from 2004 to 2006 (with missing traffic count data in 2005) due to the opening of the Treeline Avenue to the north to Daniels Parkway and the opening of the Midfield Airport Terminal. Therefore, to reflect the traffic conditions since the opening of the Midfield Terminal Access and the extension of Treeline Avenue, the growth rate was estimated to be 2.2% based on the traffic count data from 2006 to 2008.

Future 2013 K_{(100)} traffic conditions with Project for the roadway segments under study are shown in Exhibit 6. The Project trips shown in Exhibit 5 were combined with the projected
background traffic volumes to obtain total trips in 2013. As shown in Exhibit 6, all roadway segments in the study area are anticipated to operate at LOS "C" or better, which is better than the adopted level of services standard of The Lee Plan (LOS “E”), coincident with buildout of the Project.

**Turn-Lane Requirements**

The traffic study titled, Gulf Coast Town Center Local Development Order Master Traffic Impact Statement and dated February 11, 2004 was submitted to Lee County to address the cumulative impacts for LDO applications. As part of the Master TIS, the turn-lane recommendations for the Ben Hill Griffin Parkway/College Club Drive were identified and subsequently constructed. The turn-lane lengths were based on Synchro/HCM methods and have been approved by the County.

Therefore, the turn lanes that were constructed based on the cumulative impacts of the GCTC Local Development Order Master TIS would be sufficient to accommodate the turn-lane storage requirements coincident with the buildout of the Project. A turn-lane analysis for the intersection of Ben Hill Griffin Parkway was conducted to check the turn-lane lengths coincident with the addition of the Project traffic.

A turning movement count was conducted at the Ben Hill Griffin Parkway/College Club Drive intersection on July 8, 2009 and is presented in Appendix B. The signal timing plans for the Ben Hill Griffin Parkway/College Club Drive intersection were obtained and are presented in Appendix C. Turn-lane storage recommendations at the intersection of Ben Hill Griffin Parkway and the Project Entrance, coincident with the horizon year 2013 were estimated, and are provided in Appendix D. The turn lane analysis is also summarized below.

**Turn-Lane Recommendations**

<table>
<thead>
<tr>
<th>Intersection</th>
<th>Recommended Turn-Lane</th>
<th>Required (1) Per AC-11-4</th>
<th>Required Turn-Lane Length</th>
<th>Existing Turn-Lane Length (3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ben Hill Griffin Parkway/</td>
<td>NB-LT</td>
<td>Yes</td>
<td>290 ft. (2)</td>
<td>305 ft. (2)</td>
</tr>
<tr>
<td>College Club Drive</td>
<td>SB-RT</td>
<td>Yes</td>
<td>290 ft.</td>
<td>385 ft.</td>
</tr>
</tbody>
</table>

Footnotes:
1. Per Lee County Turn Lane Policy AC-11-4.
2. Dual left turn-lanes.

The estimated intersection turning movements at College Club Drive/Project Entrance did not meet the turn-lane warrants as per AC-11-4. The existing turn lanes at the Ben Hill Griffin
Parkway/College Club Drive intersection are adequate to accommodate the additional traffic from the Project. Therefore, turn-lane improvements are not necessary.

**Project Traffic Mitigation**

The Project will mitigate its external traffic impacts through the payment of roads impact fees. The Project will pay roads impact fees in effect at the time building permits are issued. Also, the Project will be responsible for site-related improvements.
EXHIBIT 2
TOWNE PLACE CONCURRENCE EXTENSION TIS
EXISTING TRAFFIC CONDITIONS
PM PEAK HOUR, PEAK SEASON

<table>
<thead>
<tr>
<th>ROADWAY</th>
<th>FROM</th>
<th>TO</th>
<th>(1) # of Lanes</th>
<th>(2) LOS Std</th>
<th>(3) Peak Directional Volume</th>
<th>Directional SV @ LOS Std</th>
<th>LOS Peak Dir</th>
</tr>
</thead>
<tbody>
<tr>
<td>BEN HILL GRIFFIN PKWY</td>
<td>FGCU Entrance</td>
<td>College Club Drive</td>
<td>4LD E</td>
<td>1,205</td>
<td></td>
<td>2,050 (4)</td>
<td>B</td>
</tr>
<tr>
<td></td>
<td>College Club Drive</td>
<td>Alico Road</td>
<td>6LD E</td>
<td>1,238</td>
<td></td>
<td>2,800 (5)</td>
<td>C</td>
</tr>
</tbody>
</table>

FOOTNOTES:

(1) Existing number of lanes.
(2) Lee County roadway LOS standard based on The Lee Plan, Policy 22.1.1.
(5) Lee County Generalized Peak Hour Directional Service Volumes - Class II, 2.0 to 4.5 signals per mile (c:\input3), June 2008.
## EXHIBIT 3
TOWNE PLACE CONCURRENCY EXTENSION TIS, #09554
ITE TRIP GENERATION (8TH EDITION)

### Buildout 2012

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>ITE (LUC)</th>
<th>SIZE</th>
<th>UNIT</th>
<th>TRIP TYPE</th>
<th>ADJ. FACTOR</th>
<th>IN</th>
<th>OUT</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CONDOMINIUMS/OWNHOUSES</td>
<td>230</td>
<td>408</td>
<td>D.U.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Internal</td>
<td></td>
<td>27</td>
<td>132</td>
<td>159</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>External</td>
<td></td>
<td>21</td>
<td>100</td>
<td>121</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Pass-By</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Net New</td>
<td></td>
<td>21</td>
<td>100</td>
<td>121</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>27</td>
<td>132</td>
<td>159</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>INTERNAL</td>
<td></td>
<td>6</td>
<td>32</td>
<td>38</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>EXTERNAL</td>
<td></td>
<td>21</td>
<td>100</td>
<td>121</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>PASS-BY</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>NET NEW</td>
<td></td>
<td>21</td>
<td>100</td>
<td>121</td>
</tr>
</tbody>
</table>

### FOOTNOTES:

(1) Based on ITE, Trip Generation (8th Edition).

(2) Derived based on internal trip production and attraction percentages from the Gulf Coast Town Center Local Development Order Master Traffic Impact Statement, dated February 11, 2004.
EXHIBIT 4
TOWNE PLACE CONCURRENcy EXTENSION TIS, #09554
ITE TRIP GENERATION (8TH EDITION)

Buildout 2012

<table>
<thead>
<tr>
<th>LAND USE</th>
<th>ITE (LUC)</th>
<th>SIZE</th>
<th>UNIT</th>
<th>TRIP TYPE</th>
<th>ADJ FACTOR</th>
<th>IN</th>
<th>OUT</th>
<th>TOTAL</th>
<th>(1) DAILY</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CONDOMINIUMS/TOWNHOUSES</td>
<td>230</td>
<td>408</td>
<td>D.U.</td>
<td>Total</td>
<td>128</td>
<td>63</td>
<td>191</td>
<td>2,186</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Internal</td>
<td>30</td>
<td>15</td>
<td>45 (2)</td>
<td>464</td>
<td>(3) 1,722</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>External</td>
<td>98</td>
<td>48</td>
<td>146</td>
<td></td>
<td>1,722</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Pass-By</td>
<td>0%</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Net New</td>
<td>98</td>
<td>48</td>
<td>146</td>
<td></td>
<td>1,722</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>TOTAL</td>
<td>128</td>
<td>63</td>
<td>191</td>
<td>2,186</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>INTERNAL</td>
<td>30</td>
<td>15</td>
<td>45</td>
<td>464</td>
<td>1,722</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>EXTERNAL</td>
<td>76%</td>
<td>98</td>
<td>48</td>
<td>146</td>
<td>1,722</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>PASS-BY</td>
<td>0%</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>NET NEW</td>
<td>98</td>
<td>48</td>
<td>146</td>
<td></td>
<td>1,722</td>
</tr>
<tr>
<td>Peak Hour Directional Split/Peak-to-Daily Ratio</td>
<td>67.1%</td>
<td>32.9%</td>
<td>8.5%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

FOOTNOTES:
(2) Derived based on internal trip production and attraction percentages from the Gulf Coast Town Center Local Development Order Master Traffic Impact Statement, dated February 11, 2004.
(3) Daily Internal trips are anticipated to be 21%, which is 0.9 times the PM peak hour internal percentage.
## EXHIBIT B
TOWNE PLACE CONCURRENCY EXTENSION TIS
FUTURE (2013) TRAFFIC CONDITIONS
PM PEAK HOUR, PEAK SEASON

<table>
<thead>
<tr>
<th>ROADWAY</th>
<th>FROM</th>
<th>TO</th>
<th>(1) # of Lanes</th>
<th>(2) LOS</th>
<th>(3) Peak Traffic Growth per Year</th>
<th>(4) 2008-2013 Traffic Growth Percentage</th>
<th>(5) Traffic Growth Factor</th>
<th>(6) FUTURE YEAR (2013) TRAFFIC</th>
</tr>
</thead>
<tbody>
<tr>
<td>BEN HILL GRIFFIN PKWY</td>
<td>FCCU Entrance</td>
<td>College Club Drive</td>
<td>4LD</td>
<td>E</td>
<td>1,205</td>
<td>NB</td>
<td>2.2%</td>
<td>1.11</td>
</tr>
<tr>
<td>College Club Drive</td>
<td>Alio Road</td>
<td>6LD</td>
<td>E</td>
<td>1,238</td>
<td>NB</td>
<td>2.2%</td>
<td>1.11</td>
<td>1380</td>
</tr>
</tbody>
</table>

### FOOTNOTES:
1. Existing plus committed number of lanes.
2. Lee County roadway LOS standard based on Lee Plan, Policy 22.1.1.
5. Based on compounded annual growth rate inflated from 2008 to 2013.
8. Lee County Generalized Peak Hour Directional Service Volumes - Class II, 2.0 to 4.5 signals per mile (c/3input3), June 2008.
APPENDIX A

ITE TRIP GENERATION 8TH EDITION
<table>
<thead>
<tr>
<th></th>
<th>Average Rate</th>
<th>Standard Deviation</th>
<th>Adjustment Factor</th>
<th>Driveway Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avg. Weekday 2-Way Volume</td>
<td>5.36</td>
<td>0.00</td>
<td>1.00</td>
<td>2186</td>
</tr>
<tr>
<td>7-9 AM Peak Hour Enter</td>
<td>0.07</td>
<td>0.00</td>
<td>1.00</td>
<td>27</td>
</tr>
<tr>
<td>7-9 AM Peak Hour Exit</td>
<td>0.32</td>
<td>0.00</td>
<td>1.00</td>
<td>132</td>
</tr>
<tr>
<td>7-9 AM Peak Hour Total</td>
<td>0.39</td>
<td>0.00</td>
<td>1.00</td>
<td>159</td>
</tr>
<tr>
<td>4-6 PM Peak Hour Enter</td>
<td>0.31</td>
<td>0.00</td>
<td>1.00</td>
<td>128</td>
</tr>
<tr>
<td>4-6 PM Peak Hour Exit</td>
<td>0.15</td>
<td>0.00</td>
<td>1.00</td>
<td>63</td>
</tr>
<tr>
<td>4-6 PM Peak Hour Total</td>
<td>0.47</td>
<td>0.00</td>
<td>1.00</td>
<td>190</td>
</tr>
<tr>
<td>Saturday 2-Way Volume</td>
<td>4.67</td>
<td>0.00</td>
<td>1.00</td>
<td>1905</td>
</tr>
<tr>
<td>Saturday Peak Hour Enter</td>
<td>0.21</td>
<td>0.00</td>
<td>1.00</td>
<td>87</td>
</tr>
<tr>
<td>Saturday Peak Hour Exit</td>
<td>0.18</td>
<td>0.00</td>
<td>1.00</td>
<td>74</td>
</tr>
<tr>
<td>Saturday Peak Hour Total</td>
<td>0.39</td>
<td>0.00</td>
<td>1.00</td>
<td>161</td>
</tr>
</tbody>
</table>

Note: A zero indicates no data available.
The above rates were calculated from these equations:

24-Hr. 2-Way Volume: \( \ln(T) = 0.87\ln(X) + 2.46, R^2 = 0.8 \)

7-9 AM Peak Hr. Total: \( \ln(T) = 0.8\ln(X) + 0.26 \)
\( R^2 = 0.76, 0.17 \) Enter, 0.83 Exit

4-6 PM Peak Hr. Total: \( \ln(T) = 0.82\ln(X) + 0.32 \)
\( R^2 = 0.8, 0.67 \) Enter, 0.33 Exit

AM Gen Pk Hr. Total: \( \ln(T) = 0.82\ln(X) + 0.15 \)
\( R^2 = 0.8, 0.19 \) Enter, 0.81 Exit

PM Gen Pk Hr. Total: \( T = 0.34(X) + 35.87 \)
\( R^2 = 0.82, 0.64 \) Enter, 0.36 Exit

Sat. 2-Way Volume: \( T = 3.62(X) + 427.93, R^2 = 0.84 \)

Sat. Pk Hr. Total: \( T = 0.29(X) + 42.63 \)
\( R^2 = 0.84, 0.54 \) Enter, 0.46 Exit

Sun. 2-Way Volume: \( T = 3.13(X) + 357.26, R^2 = 0.88 \)

Sun. Pk Hr. Total: \( T = 0.23(X) + 50.01 \)
\( R^2 = 0.78, 0.49 \) Enter, 0.51 Exit

Source: Institute of Transportation Engineers

TRIP GENERATION BY MICROTRANS
APPENDIX B

TURNING MOVEMENT COUNTS
<table>
<thead>
<tr>
<th>TIME</th>
<th>NORTHBOUND</th>
<th>SOUTHBOUND</th>
<th>EASTBOUND</th>
<th>WESTBOUND</th>
<th>GRAND TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>BEGIN</td>
<td>L T R Total</td>
<td>L T R Total</td>
<td>L T R Total</td>
<td>L T R Total</td>
<td>L T R Total</td>
</tr>
<tr>
<td>07:00 AM</td>
<td>3 26 0 29</td>
<td>0 96 1 97</td>
<td>0 0 9 9</td>
<td>0 0 0 0</td>
<td>0 135</td>
</tr>
<tr>
<td>07:15 AM</td>
<td>0 37 0 37</td>
<td>0 87 3 90</td>
<td>1 0 10 11</td>
<td>0 0 0 0</td>
<td>0 138</td>
</tr>
<tr>
<td>07:30 AM</td>
<td>2 52 0 54</td>
<td>0 138 2 140</td>
<td>2 0 13 15</td>
<td>0 0 0 0</td>
<td>0 209</td>
</tr>
<tr>
<td>07:45 AM</td>
<td>5 62 0 67</td>
<td>0 200 4 204</td>
<td>0 0 9 9</td>
<td>0 0 0 0</td>
<td>0 280</td>
</tr>
<tr>
<td>08:00 AM</td>
<td>5 58 0 63</td>
<td>0 146 4 150</td>
<td>0 0 8 8</td>
<td>0 0 0 0</td>
<td>0 221</td>
</tr>
<tr>
<td>08:15 AM</td>
<td>10 62 0 72</td>
<td>0 144 3 147</td>
<td>5 0 11 16</td>
<td>0 0 0 0</td>
<td>0 235</td>
</tr>
<tr>
<td>08:30 AM</td>
<td>1 60 0 61</td>
<td>0 126 4 130</td>
<td>5 0 21 26</td>
<td>0 0 0 0</td>
<td>0 217</td>
</tr>
<tr>
<td>08:45 AM</td>
<td>10 52 0 62</td>
<td>0 143 2 145</td>
<td>3 0 14 17</td>
<td>0 0 0 0</td>
<td>0 224</td>
</tr>
<tr>
<td>09:00 AM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>09:15 AM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>09:30 AM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>09:45 AM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>10:00 AM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>10:15 AM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>10:30 AM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>10:45 AM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>11:00 AM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>11:15 AM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>11:30 AM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>11:45 AM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>12:00 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>12:15 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>12:30 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>12:45 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>01:00 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>01:15 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>01:30 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>01:45 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>02:00 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>02:15 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>02:30 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>02:45 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>03:00 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>03:15 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>03:30 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>03:45 PM</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0 0 0</td>
<td>0 0</td>
</tr>
<tr>
<td>04:00 PM</td>
<td>33 181 0 214</td>
<td>1 91 9 101</td>
<td>7 0 45 52</td>
<td>0 0 0 0</td>
<td>0 367</td>
</tr>
<tr>
<td>04:15 PM</td>
<td>15 143 0 158</td>
<td>0 106 12 117</td>
<td>15 0 35 50</td>
<td>0 0 0 0</td>
<td>0 325</td>
</tr>
<tr>
<td>04:30 PM</td>
<td>28 178 0 206</td>
<td>0 105 13 118</td>
<td>10 0 47 57</td>
<td>0 0 0 0</td>
<td>0 381</td>
</tr>
<tr>
<td>04:45 PM</td>
<td>22 157 0 179</td>
<td>0 139 8 147</td>
<td>15 0 56 71</td>
<td>0 0 0 0</td>
<td>0 397</td>
</tr>
<tr>
<td>05:00 PM</td>
<td>39 257 0 296</td>
<td>0 109 7 116</td>
<td>10 0 46 56</td>
<td>0 0 0 0</td>
<td>0 468</td>
</tr>
<tr>
<td>05:15 PM</td>
<td>15 208 0 223</td>
<td>2 115 6 123</td>
<td>7 0 42 49</td>
<td>0 0 0 0</td>
<td>0 395</td>
</tr>
<tr>
<td>05:30 PM</td>
<td>25 173 0 198</td>
<td>0 125 11 136</td>
<td>8 0 37 45</td>
<td>0 0 0 0</td>
<td>0 379</td>
</tr>
<tr>
<td>05:45 PM</td>
<td>19 152 0 171</td>
<td>0 127 8 135</td>
<td>6 0 41 47</td>
<td>0 0 0 0</td>
<td>0 353</td>
</tr>
</tbody>
</table>
**DAVID PLUMMER & ASSOCIATES**  
**HOURLY SUMMARY OF VEHICLE MOVEMENTS**

**LOCATION:** Ben Hill Griffin Parkway @ College Club Drive  
**COUNTY:** Lee  
**OBSERVER:** DD, PB  
**WEATHER:** GOOD  
**CITY:** Fort Myers  
**DATE:** 7/8/09  
**REMARKS:**

<table>
<thead>
<tr>
<th>TIME</th>
<th>BEGIN</th>
<th>END</th>
<th>NORTHBOUND</th>
<th>SOUTHBOUND</th>
<th>EASTBOUND</th>
<th>WESTBOUND</th>
<th>GRAND TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>L</td>
<td>T</td>
<td>R</td>
<td>Total</td>
<td>L</td>
</tr>
<tr>
<td>07:00 AM</td>
<td>08:00 AM</td>
<td>10</td>
<td>177</td>
<td>0</td>
<td>187</td>
<td>521</td>
<td>0</td>
</tr>
<tr>
<td>08:00 AM</td>
<td>09:00 AM</td>
<td>26</td>
<td>232</td>
<td>0</td>
<td>258</td>
<td>559</td>
<td>0</td>
</tr>
<tr>
<td>09:00 AM</td>
<td>10:00 AM</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>10:00 AM</td>
<td>11:00 AM</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>11:00 AM</td>
<td>12:00 PM</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>12:00 PM</td>
<td>01:00 PM</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>01:00 PM</td>
<td>02:00 PM</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>02:00 PM</td>
<td>03:00 PM</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>03:00 PM</td>
<td>04:00 PM</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>04:00 PM</td>
<td>05:00 PM</td>
<td>98</td>
<td>659</td>
<td>0</td>
<td>757</td>
<td>440</td>
<td>0</td>
</tr>
<tr>
<td>05:00 PM</td>
<td>06:00 PM</td>
<td>98</td>
<td>790</td>
<td>0</td>
<td>888</td>
<td>476</td>
<td>0</td>
</tr>
</tbody>
</table>

---

**DAVID PLUMMER & ASSOCIATES**  
**PEAK HOUR CALCULATIONS**

<table>
<thead>
<tr>
<th>PEAK HOUR BEGIN</th>
<th>END</th>
<th>NORTHBOUND</th>
<th>SOUTHBOUND</th>
<th>EASTBOUND</th>
<th>WESTBOUND</th>
<th>GRAND TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>L</td>
<td>T</td>
<td>R</td>
<td>Total</td>
<td>L</td>
</tr>
<tr>
<td>AM PEAK</td>
<td></td>
<td>21</td>
<td>242</td>
<td>0</td>
<td>263</td>
<td>0</td>
</tr>
<tr>
<td>07:45 AM</td>
<td>08:45 AM</td>
<td>0.91</td>
<td>0.77</td>
<td>0.57</td>
<td>#N/A</td>
<td>0.85</td>
</tr>
<tr>
<td>MIDDAY PEAK</td>
<td></td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>12:00 PM</td>
<td>01:00 PM</td>
<td>#N/A</td>
<td>#N/A</td>
<td>#N/A</td>
<td>#N/A</td>
<td>#N/A</td>
</tr>
<tr>
<td>PM PEAK</td>
<td></td>
<td>104</td>
<td>800</td>
<td>0</td>
<td>904</td>
<td>2</td>
</tr>
<tr>
<td>04:30 PM</td>
<td>05:30 PM</td>
<td>0.76</td>
<td>0.86</td>
<td>0.82</td>
<td>#N/A</td>
<td>0.88</td>
</tr>
</tbody>
</table>
APPENDIX C

SIGNAL TIMING PLAN
Daniel Logsdon

From: Coggins, Gregory [COGGINGC@leegov.com]
Sent: Tuesday, July 14, 2009 2:27 PM
To: Daniel Logsdon
Cc: Salley, Earl
Subject: RE: #09548 Pelican Landing Signal Timing Plans

Attached are pdf files containing the current signal timing parameters at the intersections you requested.

Ben Hill @ College Club runs a 411 in the pm peak period; all other intersections run a 622 in the pm peak period

US 41 @ Old 41 – East/west left turns are protected/permisive
US 41 @ Williams – North/south left turns are protected permisive

Phasing orientation at US 41 / Old 41 is NBL 1, SB 2, EBL 3, WB 4, SBL 5, NB 6, WBL 7, EB 8
Phasing orientation at US 41 / Timberwilde is NBL 1, SB 2, WB 4, SBL 5, NB 6, EB 8

If you have any questions, please let me know.

From: Daniel Logsdon [mailto:daniel.logsdon@dplummer.com]
Sent: Tuesday, July 14, 2009 8:04 AM
To: Coggins, Gregory
Subject: RE: #09548 Pelican Landing Signal Timing Plans

Indeed I did. Thanks for the help.

From: Coggins, Gregory [mailto:COGGINGC@leegov.com]
Sent: Tuesday, July 14, 2009 7:24 AM
To: Daniel Logsdon
Subject: RE: #09548 Pelican Landing Signal Timing Plans

US 41 @ Coconut is listed twice
Did you mean US 41 @ Corkscrew?

From: Daniel Logsdon [mailto:daniel.logsdon@dplummer.com]
Sent: Monday, July 13, 2009 11:18 AM
To: Coggins, Gregory; Salley, Earl
Cc: Fort Myers Filing
Subject: #09548 Pelican Landing Signal Timing Plans

Greg,

Could you please provide us with the peak season PM peak hour signal timing plans/patterns for the following intersections.

US 41 @ Bonita Beach Road

7/14/2009
<table>
<thead>
<tr>
<th>Direction</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>11</th>
<th>12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Green</td>
<td>7</td>
<td>15</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>15</td>
<td>0</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Bike Min Green</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Cond Serv Min Grn</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Walk</td>
<td>0</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ped Clearance</td>
<td>7</td>
<td>26</td>
<td>7</td>
<td>7</td>
<td>0</td>
<td>7</td>
<td>0</td>
<td>27</td>
<td>0</td>
<td>7</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>Veh Extension</td>
<td>2.0</td>
<td>5.0</td>
<td>2.0</td>
<td>0.0</td>
<td>0.0</td>
<td>5.0</td>
<td>0.0</td>
<td>2.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>Alt Veh Exten</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>Max Extension</td>
<td>0</td>
<td>10</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>10</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Max 1</td>
<td>25</td>
<td>50</td>
<td>25</td>
<td>0</td>
<td>0</td>
<td>50</td>
<td>0</td>
<td>25</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Max 2</td>
<td>0</td>
<td>60</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>60</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Max 3</td>
<td>0</td>
<td>70</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>70</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Det. Fail Max</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Yellow Change</td>
<td>4.0</td>
<td>5.0</td>
<td>4.0</td>
<td>3.0</td>
<td>3.0</td>
<td>5.0</td>
<td>3.0</td>
<td>4.0</td>
<td>3.0</td>
<td>3.0</td>
<td>3.0</td>
<td>3.0</td>
</tr>
<tr>
<td>Red Clearance</td>
<td>2.5</td>
<td>2.0</td>
<td>2.5</td>
<td>0.0</td>
<td>0.0</td>
<td>2.0</td>
<td>0.0</td>
<td>2.5</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>Red Revert</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
</tr>
<tr>
<td>Act. B4 Init</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sec/Actuation</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>Max Initial</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Time B4 Reduction</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Cars Waiting</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Time To Reduce</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Minimum Gap</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
</tr>
</tbody>
</table>
Coordination Patterns

Pattern 21
Cycle Length . . 55  COS . . . . . . 211
Offset . . . . . . 30
Vehicle Perm 2 Displacement 0 Phase Reservice . . NO
Splits:   Phase 1- 28 2- 47 3- 25 4- 0
         Phase 5- 0 6- 75 7- 0 8- 25
         Phase 9- 0 10- 0 11- 0 12- 0 Split Sum: 0
Split Demand Pattern [1] 0 [2] 0
XRT Pattern . . 0
    Phase Number:   1 2 3 4 5 6 7 8 9 10 11 12
Coord Phases . . X . . . . . X . . . . . .
Veh Recall . . . . . . . . . . . . . . . . . .
Veh Max Recall . X . . . . . X . . . . . .
Ped Recall . . . . . . . . . . . . . . . . . .
Veh Omit . . . . . . . . . . . . . . . . . .

Pattern 31
Cycle Length . . 60  COS . . . . . . 311
Offset . . . . . . 27
Vehicle Perm 2 Displacement 0 Phase Reservice . . NO
Splits:   Phase 1- 28 2- 47 3- 25 4- 0
         Phase 5- 0 6- 75 7- 0 8- 25
         Phase 9- 0 10- 0 11- 0 12- 0 Split Sum: 0
Split Demand Pattern [1] 0 [2] 0
XRT Pattern . . 0
    Phase Number:   1 2 3 4 5 6 7 8 9 10 11 12
Coord Phases . . X . . . . . X . . . . . .
Veh Recall . . . . . . . . . . . . . . . . . .
Veh Max Recall . X . . . . . X . . . . . .
Ped Recall . . . . . . . . . . . . . . . . . .
Veh Omit . . . . . . . . . . . . . . . . . .

Pattern 41
Cycle Length . . 65  COS . . . . . . 411
Offset . . . . . . 14
Vehicle Perm 2 Displacement 0 Phase Reservice . . NO
Splits:   Phase 1- 28 2- 47 3- 25 4- 0
         Phase 5- 0 6- 75 7- 0 8- 25
         Phase 9- 0 10- 0 11- 0 12- 0 Split Sum: 0
Split Demand Pattern [1] 0 [2] 0
XRT Pattern . . 0
    Phase Number:   1 2 3 4 5 6 7 8 9 10 11 12
Coord Phases . . X . . . . . X . . . . . .
Veh Recall . . . . . . . . . . . . . . . . . .
Veh Max Recall . X . . . . . X . . . . . .
Ped Recall . . . . . . . . . . . . . . . . . .
Veh Omit . . . . . . . . . . . . . . . . . .
Pattern 54
Cycle Length.. 200  COS ... 702
Offset ... 91
Vehicle Perm 2 Displacement 0 Phase Reservice. NO
Splits: Phase 1- 15 2- 55 3- 30 4- 0
Phase 5- 0 6- 70 7- 0 8- 30
Phase 9- 0 10- 0 11- 0 12- 0 Split Sum: 0
Split Demand Pattern [1] 0 [2] 0
XRT Pattern... 0
Phase Number: 1 2 3 4 5 6 7 8 9 10 11 12
Coord Phases... X ... X ... ...
Veh Recall .......
Veh Max Recall X ... X ... ...
Ped Recall .......
Veh Omit .......
Alt Sequence .. A: B: C: D: E: F:

Pattern 56
Cycle Length.. 200  COS ... 706
Offset ... 90
Vehicle Perm 2 Displacement 0 Phase Reservice. NO
Splits: Phase 1- 15 2- 55 3- 30 4- 0
Phase 5- 0 6- 70 7- 0 8- 30
Phase 9- 0 10- 0 11- 0 12- 0 Split Sum: 0
Split Demand Pattern [1] 0 [2] 0
XRT Pattern... 0
Phase Number: 1 2 3 4 5 6 7 8 9 10 11 12
Coord Phases... X ... X ... ...
Veh Recall .......
Veh Max Recall X ... X ... ...
Ped Recall .......
Veh Omit .......
Alt Sequence .. A: B: C: D: E: F:

Pattern 58
Cycle Length.. 200  COS ... 710
Offset ... 4
Vehicle Perm 2 Displacement 0 Phase Reservice. NO
Splits: Phase 1- 15 2- 55 3- 30 4- 0
Phase 5- 0 6- 70 7- 0 8- 30
Phase 9- 0 10- 0 11- 0 12- 0 Split Sum: 0
Split Demand Pattern [1] 0 [2] 0
XRT Pattern... 0
Phase Number: 1 2 3 4 5 6 7 8 9 10 11 12
Coord Phases... X ... X ... ...
Veh Recall .......
Veh Max Recall X ... X ... ...
Ped Recall .......
Veh Omit .......
Alt Sequence .. A: B: C: D: E: F:
APPENDIX D

TURN LANE ANALYSIS
### TURN LANE STORAGE CALCULATION

**SIGNALIZED INTERSECTION**

<table>
<thead>
<tr>
<th>Turn Lane Description</th>
<th>Cycle Length (seconds)</th>
<th>Green Time (seconds)</th>
<th>% of Trucks</th>
<th>Volume (vph)</th>
<th>Number of Lanes</th>
<th>Safety Factor</th>
<th>Queue Length (feet)</th>
<th>Recommended Storage (feet)</th>
<th>Design Speed (mph)</th>
<th>Deceleration Length (feet)</th>
<th>Total Length (feet)</th>
<th>Recommended Total Length (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PM Peak Hour</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northbound Left</td>
<td>65</td>
<td>15.5</td>
<td>4%</td>
<td>137</td>
<td>2</td>
<td>2</td>
<td>49</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>240</td>
<td>290</td>
</tr>
<tr>
<td>Southbound Right</td>
<td>65</td>
<td>42.5</td>
<td>2%</td>
<td>84</td>
<td>1</td>
<td>2</td>
<td>27</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>240</td>
<td>290</td>
</tr>
</tbody>
</table>

**FOOTNOTES:**

1. Reflects storage ONLY. The total turn lane length should include deceleration and clearance distance(s) per Lee County AC-11-4 and/or FDOT Index#301, in addition to the recommended storage.
2. Queue Length = \( \frac{C \times (1-G/C) \times (1+T) \times V \times 25 \, \text{ft.} \times S}{3600 \times 360} \).
   
3. Queue length rounded to nearest 25 feet.
4. Storage length is extended to clear the northbound/southbound thru queues.
### 2010 Real Estate Notice of Ad Valorem Taxes and Non-Ad Valorem Assessments for Lee County, Florida

**Account Number:** 11-46-25-00-00001.0130  
**Site Address:** COLLEGE CLUB LOOP  
**Values and Exemptions:**  
- **Market Assessed Value:** $172s91  
- **Cap Assessed Value:** $172s91  
- **Taxable Value:** $172s91  

**Personal ID Number:** 10-00256537  
**Legal Description:**  
- **Recorded:** 2005-000176537  
- **Instrument #:** 2005-000176537  

**Back Taxes Due:**  
- **Amount Due:** $29,729.29  
  - **If Paid In:** November 2010  
  - **If Paid In:** December 2010  
  - **If Paid In:** January 2011  
  - **If Paid In:** February 2011  
  - **If Paid In:** March 2011  

**Non-Ad Valorem Assessments:**  
- **Levying Authority:**  
  - LEE COUNTY CAPITAL IMP  
  - LEE COUNTY GENERAL REVENUE  
  - LEE COUNTY LIBRARY FUND  
  - PUBLIC SCHOOL - BY LOCAL BOARD  
  - PUBLIC SCHOOL - BY STATE LAW  
  - LEE COUNTY ALL HAZARDS - MSTU  
  - LEE COUNTY UNINCORPORATED - MSTU  
  - SFL WATER MGMT-DISTRICT LEVY  
  - SFL WATER MGMT-EVERGLADES CONST  
  - SFL WATER MGMT-OKOECHOBEE LEVY  
  - LEE COUNTY HYACINTH CONTROL  
  - LEE COUNTY MOSQUITO CONTROL  
  - SAN CARLOS PARK FIRE DISTRICT  
  - WEST COAST INLAND NAVIGATION DISTRICT  

**Ad Valorem Taxes:**  
- **Levying Authority:**  
  - LEE COUNTY CAPITAL IMP  
  - LEE COUNTY GENERAL REVENUE  
  - LEE COUNTY LIBRARY FUND  
  - PUBLIC SCHOOL - BY LOCAL BOARD  
  - PUBLIC SCHOOL - BY STATE LAW  
  - LEE COUNTY ALL HAZARDS - MSTU  
  - LEE COUNTY UNINCORPORATED - MSTU  
  - SFL WATER MGMT-DISTRICT LEVY  
  - SFL WATER MGMT-EVERGLADES CONST  
  - SFL WATER MGMT-OKOECHOBEE LEVY  
  - LEE COUNTY HYACINTH CONTROL  
  - LEE COUNTY MOSQUITO CONTROL  
  - SAN CARLOS PARK FIRE DISTRICT  
  - WEST COAST INLAND NAVIGATION DISTRICT  

**Contact Information:**  
- **Phone/E-mail Contact:**  
  - TOWNE PLACE/UCA LLC  
  - 2235 VENETIAN CT STE 3  
  - NAPLES FL 34109-8728  

**Address Verification:**  
- If the address below is not correct, complete the Change of Mailing Address form on the reverse side or visit www.leepa.org to update your address.

---

**2010 Combined Total Ad Valorem and Non-Ad Valorem:** $30,668.01
August 17, 2009

SCM PROPERTIES
2235 VENETIAN COURT
SUITE 3
NAPLES FL 34109

Re: UNIVERSITY CLUB APARTMENTS
Senate Bill 360 Extension (F)
CNC2003-01374

Dear SCM PROPERTIES:

In accord with Senate Bill 360 (SB360) and Lee County Resolution 09-06-22, development permits meeting certain criteria are entitled to one 2-year extension from the existing/initial permit expiration date. Under resolution 09-06-22, the Board of County Commissioners provided for extensions of concurrency certificates as well. Accordingly, concurrency certificate CNC2003-01374, UNIVERSITY CLUB APARTMENTS, is hereby extended for the following:

Approved for the completion of the Development Order for the construction of 408 condominium units as described in the original approval letter dated August 29, 2003 and the Corrective letter dated August 7, 2006. The new Concurrency expiration date is September 5, 2011, as extended. (CNC2003-01374)

No additional extensions under SB360 may be granted. This extension applies only to the specific certificate identified above. If your project requires additional permits or authorizations to continue construction, you are required to obtain the necessary approvals. If you hold other permits or authorizations that qualify for an extension under SB360, you must file a specific request for each qualifying development permit.

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

Sincerely,

Peter J. Eckenrode
Director

Department of Community Development
Division of Development Services
August 7, 2006

ELIZABETH A. FOUNTAIN
WILSONMILLER, INC.
4571 COLONIAL BLVD.
SUITE 100
FORT MYERS, FL 33912

RE: COLLEGE CLUB APARTMENTS
DOS2003-00104 - DO Submittal Large
A13 Application (Amend Resub)

Dear ELIZABETH A. FOUNTAIN:

Your plans for the above-referenced project have been reviewed and approved for an Amended Development Order with stipulation(s) for the following:

Replacement of 288 apartment units with 396 condominium units. Approved for 408 residential condominium units in 13 bldgs. (1 bldg. @ 6 units, 9 bldgs. @ 33 units/bldg, 3 bldgs. @ 35 units/bldg) with open and covered parking, utilities, stormwater drainage facilities, a swimming pool, a 3192 sq.ft amenity bldg. and related minor site improvements. Unresolved stipulations remain in effect.

Approval is subject to the following stipulation(s) and/or comment(s):

Environmental Sciences Checklist (New - Projects After 12/14/96)

18a) Landscaped areas on the parking area perimeter or internal islands must equal or exceed a minimum of ten percent of the total paved surface area. Landscaped areas reserved for future parking spaces pursuant to section 34-2017(d) may not be included in this calculation. [10-416(c)(2)b]

Please provide the locations of the 2 additional parking canopy trees on the plans.

Revise the calculations of internal open space and parking canopy trees.

The provided parking increased from 831 space to 882 spaces and the these calculations were not changed. Additional parking canopy trees will be required.

30) Plant Materials Standards. Plant materials utilized to meet the requirements of the Landscape Code must meet the standards for Florida No. 1 or better as set out in Grades and Standards for Nursery Plants, Parts I and II, Department of Agriculture, State of Florida (as amended). Root ball sizes on all transplanted materials must also meet state standards.

The scientific name for Simpson stopper is Myrcianthes fragrans and not Eugenia foetida, which is Spanish stopper.
24) The reviewer may be contacted for additional information regarding this project.

Please contact Tom Sawtell (239) 479-8712 or TSawtell@lee.gov.com with any questions on these review comments.

**Engineering/General Checklist**

4c) Master Phasing Plan. For large developments, a master phasing plan must be submitted with stages numbered in sequence. The phasing plan must show how each phase fits into the master plan for continuance of streets, drainage, stormwater management, potable water, fire protection, sewage collection, and landscaping and buffers. [10-154(9)b]

Stipulation: Prior to the issuance of the Certificate of Compliance, for any phase, it must be confirmed that the phase is in acceptable sequence, not necessarily numerical, for continuance of infrastructure and services.

13) CLEAN WATER REQUIREMENT for projects five acres and larger. File a Notice of Intent (NOI) with the DEP and Development Services at least 48 hours prior to the start of construction. (14-476(b)(1)(c)]

Stipulation: A Notice of Intent shall be filed with FDEP in Tallahassee and the Director at least 48 hours prior to the start of construction.

24) The reviewer may be contacted for additional information regarding this project.

Please contact Tom Sawtell (239) 479-8712 or TSawtell@lee.gov.com with any questions on these review comments.

**Transportation Checklist - General**

12h) A roadway connection permit issued by LCDOT is required for access points, driveways, and street connections within County maintained rights of way and easements. [10-296(o)]

Stipulations:
1) Prior to the start of any work, please provide a copy of the LCDOT connection permit to LC Development Services.
2) Prior to the issuance of a Certificate of Compliance, please provide a notice of approval from LCDOT for work within the County right-of-way.

**Stormwater Management Requirements Checklist**

14) Miscellaneous items.

Stipulation: Prior to the issuance of a Certificate of Compliance for any project, or any phase of a project, which contains a surface water management system permitted by the South Florida Water Management District, a copy of the executed SFWMD Construction Completion/Construction Certification form must be submitted to this office.

15) The reviewer may be contacted for additional information regarding this project.

Please contact Tom Sawtell (239) 479-8712 or TSawtell@lee.gov.com with any questions on these review comments.

**Utilities Short Checklist**
2) Miscellaneous Items.

LCU will be unable to issue a Certificate of Compliance for this project until the engineer of record addresses all the LCU comments dated 07/06/05 regarding final acceptance of the off-site water and wastewater infrastructure.

Please contact Jessica Gutierrez @ 479-8155 for further information regarding this review.

If you have any questions concerning this matter, please contact this office.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Peter J. Eckenrode
Development Services Director

PJE / RAH
38a) A destratification system must be installed in any lake that exceeds 12 feet in depth prior to certificate of compliance for the development order. Documentation that the proposed destratification system is adequately sized and designed for each lake.

Prior to certificate of compliance, revise the plans to accurately show the aerator and pump locations. No aerators were required for Lake 2 because it is not deeper than 12 feet. Four aerators were installed in Lake 1. In addition, please provide information that the destratification system is adequately sized to turn over the lake a minimum of once per day.

40) Miscellaneous Items.

1. The Type D buffer along the north property line and College Club Drive must be outside the proposed fence but located out of any easements. The Type D buffer fulfills the buffer requirements of LDC Section 34-1743 for residential project walls/fences.

2. The Type D buffer as shown on Sheet LS100 must be installed between the Temporary Sales Trailer and College Club Drive.

4. Prior to the issuance of any Certificate of Compliance, the existing landscaping in the previous phases must be in compliance with Sheet LS100. This includes all buffer landscaping, general trees, parking canopy trees, littoral plantings and deep lake management plan implementation.

41) The reviewer may be contacted for additional information regarding this project.

Please contact Rob Irving at (239) 479-8351 with any questions that you may have.

Zoning Checklist

6c) If the parking lot is to be used at night, adequate lighting must be provided for the driveways, ingress and egress points, and parking areas of all commercial and industrial areas. Such lighting must be so arranged and directed as to eliminate glare on any other use. [34-2015(2)b]

Road side or parking lot lighting neither applied for or approved. Stipulation: Prior to the installation of exterior lighting, an amendment or modification to this development order must be secured. Plans, photometries, manufacturer's cut sheets and a table of illumination must be provided for review and approval.

14) Operation and maintenance covenants. Operation and maintenance covenants for the operation and maintenance of common facilities have been submitted for review by the County Attorney. [10-154(24), 10-293(3), 10-327, 10-356, 10-413(f), 10-414(h), 10-417]

Stipulation: Prior to final inspection and issuance of a certificate of compliance, please provide documents from the Division of Land Sales and Condominiums in Tallahassee acknowledging approval of the H.O.A. operations and maintenance covenants.

19) Miscellaneous Items.

Stipulation: All gates must be fitted with emergency over-ride mechanisms approvable by EMS.
December 5, 2000

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Neale Montgomery, Esquire
Pavese Law Firm
P. O. Box 1507
Fort Myers, FL 33902

Re: GULF COAST TOWN CENTER DRI DEVELOPMENT ORDER
STATE DRI #08-9798-144
CASE #DRI960993

Dear Neale:

Enclosed please find a certified copies of the Gulf Coast Town Center DRI Zoning Resolution and Development Order adopted by the Board of County Commissioners of Lee County, Florida, on November 1, 2000. This certified copy has been transmitted in accordance with Rule 9J-2.025, Florida Administrative Code.

Please note that under the terms of the Gulf Coast Town Center Development Order and Florida Statutes Section 380.06(15)(f), a Notice of Development Order Adoption should be recorded with the Clerk of Circuit Court after the effective date of the development order. For your convenience, I have enclosed a form notice as an example that will meet the requirements of the statute. Once recorded, kindly send a copy of the Notice for our files.

If I may be of further assistance, please do not hesitate to contact my office.

Kind Regards,

[Signature]

Donna Marie Collins
Assistant County Attorney

cc: Timothy Jones, Assistant County Attorney
    Michael Pavese, Development Services Division
DEVELOPMENT ORDER
FOR
GULF COAST TOWN CENTER

LET IT BE KNOWN THAT, PURSUANT TO SECTION 380.06, OF THE FLORIDA STATUTES, THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, HAS HEARD AT A PUBLIC HEARING CONVENED ON NOVEMBER 1, 2000, THE APPLICATION FOR DEVELOPMENT APPROVAL SUBMITTED BY THE RICHARD E. JACOBS GROUP, INC., FOR GULF COAST TOWN CENTER DRI (HEREINAFTER REFERRED TO AS GCTC), A MIXED USE DEVELOPMENT IN LEE COUNTY, CONSISTING OF APPROXIMATELY 244 +/- ACRES.

WHEREAS, the Board of County Commissioners of Lee County, Florida has considered the report and recommendations of the Southwest Florida Regional Planning Council, the Lee County Staff, the Lee County Hearing Examiner, the application and sufficiency submittals, and the documents and comments made on the record in public hearing, and after full consideration of those reports, recommendations, documents and comments, the Board of County Commissioners of Lee County, Florida, finds and determines that:

I. FINDINGS OF FACT AND CONCLUSIONS OF LAW

A. The GCTC is a master planned commercial development located in unincorporated south central Lee County in the southeast quadrant of I-75 and Alico Road, and situated to the west of Ben Hill Griffin Parkway. The property consists of 244 +/- acres. The GCTC is a mixed use development that will consist of: 1,651,765 square feet of retail gross leasable area (1,836,000 square feet Gross Retail Floor Area), 80,000 square feet of office, of which no more than 40,000 square feet may be medical office, 250 hotel rooms, 600 multi-family units. The project will include 31.6 acres of water management areas, 3.6 acres of cypress preserve on the north boundary, 5.5 acres of borrow pit marsh preservation/enhancement, and 3 acres of pine flatwoods preserve. Part of the mitigation for this project includes 47.3± acres off-site located in the Stewart Cypress Slough.

The project phasing schedule consists of one phase with buildout in 2005.

Water and wastewater treatment will be provided by Gulf Environmental Services.

B. The terms of this Development Order apply to the property described in Exhibit A attached hereto.

C. The property was zoned AG-2, and coincident with the approval of this Development Order the property will be rezoned as a planned development. A portion of
the property is currently in active agricultural use. Bona fide agricultural uses that are in existence on the date of the DRI approval may continue until the first local development order approval is granted on any portion of the property described in Exhibit A.

D. The Application for Development Approval (ADA), submitted on September 15, 1998, is consistent with the requirements of Section 380.06, Florida Statutes. The application went through two sufficiency reviews.

E. The development is not located in an area designated as an Area of Critical State Concern under the provision of Section 380.05, Florida Statutes.

F. The development will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan. The development is consistent with the State Comprehensive Plan if developed in accordance with the conditions set forth herein.

G. The development has been reviewed by the Southwest Florida Regional Planning Council (SWFRPC) and is the subject of the report and recommendations adopted by that body on December 16, 1999. The SWFRPC report and recommendations were subsequently forwarded to Lee County. The development, as proposed in the ADA and modified by this Development Order, is generally consistent with the report and recommendations of the SWFRPC pursuant to Section 380.06(11), Florida Statutes.

H. The development is located in the University Village Interchange and University Community future land use categories. As conditioned herein, the project is consistent with the Lee County Comprehensive Plan and the Lee County Land Development Code (LDC).

I. The conditions set forth below meet the criteria found in Section 380.06(15)(d), Florida Statutes.

II. ACTION ON THE REQUEST AND CONDITIONS OF APPROVAL

NOW THEREFORE, be it resolved by the Board of County Commissioners of Lee County, Florida, in a public meeting duly advertised, constituted and assembled on November 1, 2000, that the Development of Regional Impact Application for Development Approval submitted on behalf of The Richard E. Jacobs Group, Inc., for the project known as the Gulf Coast Town Center, is hereby Approved subject to the conditions, restrictions and limitations that follow. For the purpose of this Development Order, the term “Developer” refers to The Richard E. Jacobs Group, Inc., and includes all successors or assigns, and all references to County Ordinances or other regulations, includes future amendments.
A. **AFFORDABLE HOUSING**

1. The Developer will make a cash payment of $350,000 to Lee County for the provision of affordable housing. This payment will be due prior to the issuance of a local development order for the regional retail center. In addition, the Developer will make a cash payment of $350,000 to the Florida Gulf Coast University within 60 days of the issuance of a Certificate of Occupancy for the regional retail center.

2. The Developer must reexamine the affordable housing needs for the DRI, prior to the approval of any extension to build out beyond December 31, 2008 using the methodology set forth in Rule 9J-2.048 (Adequate Housing Uniform Standard Rule) as it may be amended. If there is a regionally significant unmet demand, the Developer must provide appropriate mitigation in accordance with the Rule or reduce the development parameters to a level at which there is no regionally significant unmet demand.

B. **STORMWATER MANAGEMENT**

1. The Developer must meet the criteria set forth in Chapter 40E, Florida Administrative Code, and the South Florida Water Management District (SFWMD) Basis of Review. The Developer must obtain an Environmental Resource Permit (ERP) for the construction and operation of the surface water management system. Prior to the issuance of the ERP, the District will evaluate the size of the lakes, the location of major water control structures, the dimensions of the pre-treatment areas for conformance with District criteria. The ERP application must also incorporate Best Management Practices. The Conceptual ERP was issued on August 10, 2000, ERP #36-03831-P.

2. The Developer must obtain all necessary approvals from the Florida Department of Transportation for any proposed discharge points and water control structures located between the project and the Interstate 75 drainage ditch. If the cooperation of the owner or Developer of the 40-acre parcel to the north of the DRI is required to obtain the FDOT approval, then it is the responsibility of the Developer to obtain that cooperation. Co-operation with the owner of the 40-acre parcel to the north on drainage issues alone may not be used as a basis for aggregating the two projects.

3. The Developer must obtain a SFWMD water use permit for certain dewatering activities proposed for the construction of project lakes, roads, and building foundations. The Developer will provide the County with copies of the water use permit.

4. The Developer will establish a legal operating entity in accordance with the SFWMD Basis of Review and Lee County Land Development Code to maintain the internal stormwater management lakes, ditches and wetlands. Easements, common areas or other legal mechanisms may be utilized to ensure there is sufficient access to the storm water management areas for maintenance purposes.
5. The Developer must remove all silt barriers, hay bales, anchor soil, and accumulated silt, upon completion of construction and stabilization.

6. Where applicable, the final stormwater management plan must incorporate measures to reduce runoff rates and volumes, including, but not limited to, fixed control structures, perforated pipes, and grass swale conveyances. The Developer must use swales rather than closed systems whenever practical. The swale slopes should be designed to minimize discharges to enable the swales to provide additional water quality treatment prior to discharge. Swales must be grassed.

7. On-site stormwater management lakes must include littoral zones. The location and extent of the littoral zones must be consistent with the requirements set forth in the surface water management permit issued by the SFWMD, as well as the local Development Order issued by Lee County. The SFWMD Basis of Review and County local development order will dictate the required type, massing, and survival rate of the vegetation in the littoral zone.

8. The Developer must conduct annual inspections of the Master Stormwater Management Systems and the on-site preserved/enhanced wetland areas to ensure these areas are maintained consistent with the final approved designs, and that the water management system is capable of accomplishing the level of stormwater storage and treatment for which it was intended. As part of the annual inspection the Developer, or operating entity, must inspect the under-drain system and grease baffles. The Developer or operating entity must undertake any cleaning and repair determined to be necessary during the annual inspection.

9. The project impacts on state or federally listed plants and animal species on-site and appropriate mitigation therefor must be evaluated during the evaluation of the Army Corp of Engineers dredge and fill permit, the SFWMD Environmental Resource Permit, and the Lee County local development order, in accordance with the adopted regulations of the governmental entity in question.

10. The Developer must vacuum sweep the common streets and parking areas within the project.

11. If Lee County establishes a County-wide stormwater management system, the Developer must participate to the extent the system benefits the development.

12. The Developer, or the operating entity for the drainage facilities, must maintain the storm water management system in an exotic-free condition following the regularly required maintenance activities.
13. When required by the ERP, isolated wading bird "pools" constructed in lake littoral zones must be excavated to a depth that provides aquatic habitat for mosquito larvae predators such as Gambusia affinis.

C. TRANSPORTATION

1. Significant Impacts

a. Assessment Parameters

The traffic impact assessment for the Project assumes the following development parameters:

- Multifamily (ITE LUC 220)
- Hotel (ITE LUC 310)
- Community Retail (ITE LUC 820)
- Regional Retail Center (ITE LUC 820)
- General Office (ITE LUC 710)
- Medical Office (ITE LUC 720)

<table>
<thead>
<tr>
<th>Buildout (2005)</th>
</tr>
</thead>
<tbody>
<tr>
<td>600 d.u.</td>
</tr>
<tr>
<td>250 rooms</td>
</tr>
<tr>
<td>270,000 sq. ft. (gfa)*</td>
</tr>
<tr>
<td>1,381,765 sq. ft. (gla)</td>
</tr>
<tr>
<td>(1,566,000 sq. ft. gfa)</td>
</tr>
<tr>
<td>40,000 sq. ft.</td>
</tr>
<tr>
<td>40,000 sq. ft.</td>
</tr>
</tbody>
</table>

*Gross leasable area is assumed to be equivalent to gross square footage for the Community Retail Center only.

The above parameters form the basis for the Project impacts and the mitigation requirements contained herein. The assumed land uses associated with the general parameters are identified by the Land Use Code (LUC) from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 6th Edition. While approved zoning categories may allow a wider range of uses, from a DRI standpoint, the Project impacts are based on the above parameters and assumed uses. If the Developer exercises Option 2 or 3 and is granted concurrency vesting for all or a portion of the DRI, any significant change in the assumed uses or mix of uses will require a re-evaluation of the DRI transportation impacts. A significant change is one that would increase the external project traffic by 5% or more or that would change the projected distribution and assignment of project traffic so as to result in a net increase in road miles of significantly and adversely impacted roadway links. This condition does not apply if Option 1 is selected.

The overall traffic at the Project entrances based on the above parameters is 4,220 PM peak hour trips at buildout in 2005.
b. **Buildout Impacts**

The assessment indicates that the significantly impacted roadways and intersections described below will be operating below acceptable levels of service at the end of Buildout (2005):

**Roadways**

**Alico Road**
- US 41 to Seminole Gulf Railway
- Ben Hill Griffin Parkway
- Project Entrance to Alico Road

**Daniels Parkway**
- Six Mile Cypress Parkway to Cross Creek Blvd.
- Cross Creek Blvd. to Fiddlesticks Blvd.

**Gunnery Road**
- SR 82 to SW 23rd Avenue

**I-75**
- Bonita Beach Road to Corkscrew Road
- Alico Road to Daniels Parkway

**US 41**
- Old 41 (Lee County) to Corkscrew Road
- Alico Road to Six Mile Parkway

*Metro Parkway extension (6 lanes), US 41 to Six Mile Parkway*

**Intersections**

**Alico Road @ US 41**

**Alico Road @ Lee Road**

**Alico Road @ Oriole Road**

**Needed Improvement**

- Widen to 6 lanes
- Widen to 6 lanes
- Widen to 8 lanes or alternate facility
- Widen to 8 lanes or alternate facility
- Widen to 4 lanes
- Widen to 6 lanes
- Widen to 6 lanes
- Widen to 6 lanes
- Alternate facility needed*

2nd WB right turn lane
Signal retiming
Signalization
Alico Road @ Three Oaks Parkway
Alico Road @ I-75 east ramp
Alico Road @ I-75 west ramp
Alico Road @ Ben Hill Griffin Parkway

Alico Road @ University Plaza Entrance

Ben Hill Griffin Parkway @ FGCU Entrance
Ben Hill Griffin Pkwy @ Project Entrances

Bonita Beach Road @ I-75 East ramp
Bonita Beach Road @ I-75 West ramp
Corkscrew Road @ Three Oaks Parkway
Corkscrew Road @ Ben Hill Griffin Parkway

Daniels Parkway @ Six Mile Cypress Parkway
Daniels Parkway @ Three Oaks Parkway
Daniels Parkway @ Treeline Avenue

I-75 @ Bonita Beach Road
I-75 @ Corkscrew Road
I-75 @ Daniels Parkway East ramps
I-75 @ Daniels Parkway West ramps
US 41 @ Island Park Road
US 41 @ Six Mile Cypress Parkway

US 41 @ Corkscrew Road
US 41 @ Williams Road

US 41 @ Coconut Road

2nd NB left and right turn lane, 2nd SB left turn lane
2nd NB left turn lane
2nd NB left turn lane.
2nd EB right, 2nd EB left, 2nd NB left, 2nd SB right turn lanes.
NB right turn lane, EB right turn lane, WB left turn lane.
No improvements.
Signalization, SB right, double EB left, EB through, EB right, double NB left turn lanes
2nd NB left turn lane
2nd SB left turn lane
No improvements.
Signalization, 2nd EB left, 2nd SB right turn lanes
No improvements
2nd WB left turn lane
2nd NB left, 2nd WB left, 2nd SB left turn lane
2nd NB left turn lane, 2nd EB left lane.
2nd WB left.
2nd NB left turn lane
2nd SB left turn lane
No improvements
3rd NB left, 4th WB through lane (or Metro Parkway Ext)
2nd NB left 2nd SB left turn lane.
EB dual left, EB right, 2nd WB left, WB right, 2nd NB left 2nd SB left turn lane.
2nd SB left, 2nd NB left, EB double left,
US 41 @ Old 41

2nd WB left, EB right turn lane.
2nd SB left, WB right turn lanes.

** This intersection is not included in a significantly and adversely impacted roadway segment
*** This intersection is considered a site-related improvement
(1) See Condition C.3.a..

The intersection improvements include at grade geometric improvements, such as turn lanes and signalization when warranted. Intersection improvements are accounted for in the overall proportionate share calculation. Site-related needs at the Project entrances are not addressed in the proportionate share calculation. Site-related needs at the project entrance must be addressed by the Developer at the time of local development order approval.

2. Mitigation

a. Buildout Proportionate Share

The project’s buildout proportionate share is $10,257,039 in year 2000 dollars. This figure represents the roadway and intersection improvements necessary based on the development parameters set forth in Section II.C.1.a. The estimated roads impact fees based on the schedule effective July 1, 2000 is $8,183,214. Therefore, the total obligation to mitigate the Buildout transportation impacts on the non-site related roads and intersections set forth in Paragraph C.1.b. is $2,073,825 above roads impact fees (in year 2000 dollars).

The roads impact fees are estimated as follows:

community retail land use (270,000 GFA) = $1,052,230.
regional retail center (1,381,765 GLA) = $5,316,764 (1,566,000 GFA)
total retail land use (1,836,000 GFA) = $6,368,994

non-retail land uses = $1,814,220.
Project roads impact fees = $8,183,214

The roads impact fees associated with the community retail land use plus the non-retail land uses (hotel, multi-family residential, general office, medical office) are $2,866,450. The remainder of the
proportionate share is considered to be attributable to the regional retail center at $7,390,589. All numbers reflect year 2000 dollars.

No independent fee calculation will be permitted for the Project, absent a Notice of Proposed Change.

b. **Concurrency**

If the scheduled cash payment is made by the Developer to satisfy the proportionate share obligation, the DRI will be granted a concurrency certificate for all retail development pursuant to mitigation option 2 or all development pursuant to mitigation option 3. The certificate will be valid until December 31, 2005. If the cash payment is not made up-front, then no building permits will be issued until the Developer makes the payment. Concurrency vesting is contingent on the obligations set forth in Paragraph C.2.a, C.2.c, and C.2.d. If the Developer fails to comply with the obligations, the Project will lose its vested status and will be subject to the County’s Concurrency Management System for all development.

The Developer will have a 30 day grace period following the due date for the second payment within which to make the required payment without affecting the concurrency vesting.

c. **Buildout Extension**

1) **Requirement for Reanalysis**

The project’s impacts may be different with any extension of the build out beyond 2005. Therefore, if the Developer either files a Notice of Proposed Change resulting in an extension of project build out beyond December 31, 2005 or desires to extend any existing concurrency certificate issued pursuant to Condition C.2.d.2) or 3), the Developer must provide a detailed traffic assessment to Lee County DOT for review and approval. The assessment must include, but not be limited to, identifying the adjusted phasing, level of development anticipated for the revised phasing, estimated traffic impacts, needed improvements, and the project’s proportionate share of those improvements.

The assessment will include a cumulative analysis of the project’s traffic impacts. The County will provide credit against the recalculated proportionate share for all mitigation paid
through the date of the new traffic assessment. The proportionate share payments previously made by the Developer will be adjusted to then current year dollars. This will be accomplished by increasing the principal amount paid by an amount equal to the increase as determined in the State Highway Bid Index for the State of Florida, published in the Engineering News Record. This increase will be expressed as a percentage and will be measured from the index published for the third quarter of 2000 to the index published in the then latest available edition. The assessment must identify mitigation for those roadway segments that are significantly and adversely impacted by cumulative project traffic at the extended build-out year in accordance with the Transportation Uniform Standard Rule in the Florida Administrative Code. Prior to conducting a reassessment analysis, the Developer must attend a transportation methodology meeting with the County, and other review agencies as necessary, to establish the appropriate methodology.

The traffic assessment will be prepared by the Developer following generally acceptable transportation planning procedures consistent with the standards in effect at the time. Payment of additional mitigation, if any, resulting from the traffic assessment must be specified in the amended development order. The development order must be amended via a Notice of Proposed Change to reflect the revised phasing and additional mitigation.

2) Alternative to Reanalysis

If the Regional Retail Center has been permitted prior to December 31, 2005, the Developer may choose to pay the traffic mitigation for some or all of the balance of the development through buildout in a lump sum at the time the extension application is approved. In this case a cumulative traffic reanalysis is not required for the portion of the balance that is mitigated. This section is not intended to supersede the standard submittal requirements for a typical Notice of Proposed Change under state law.

d. Mitigation Options

The transportation mitigation for the project is $10,257,039 in year 2000 dollars, notwithstanding the future of the county impact fee
program unless a re-analysis is required under C.2.c.1). If re-
analysis described in section C.2.c.1) demonstrates that more money
will be necessary to mitigate the project's transportation impacts, the
total mitigation amount may be higher.

To satisfy the proportionate share obligation, the Developer must
choose one of the three mitigation options identified below.

Notwithstanding the mitigation options set forth below, the Developer
may commence development of community retail, hotel and non-retail
uses prior to the selection of a mitigation option by paying Roads
Impact Fees at the time of application for building permits.

1) Traffic Mitigation Option 1

a) All development within the project must pay roads
impact fees in effect at the time of building permit
issuance. The total mitigation for the project may not
exceed $10,257,039 in year 2000 dollars unless there
is a traffic reanalysis pursuant to Section C.2.c.

b) Prior to Certificate of Occupancy of the Regional Retail
Center, a cash payment of $2,073,825 in year 2000
dollars must be paid to mitigate transportation impacts
associated with the Regional Retail Center and satisfy
the proportionate share amount above roads impact
fees.

c) The County will apply all payments made by the DRI
toward the non-site related improvements identified in
Section C.1.b. In the alternative, the County will apply
the fees toward improvements that relieve those
roadways, provided those improvements are deemed
necessary to maintain the County's adopted level of
service standards. If the improvements identified in
Section C.1.b are ultimately funded through other
sources, in whole or in part, or deemed unnecessary to
maintain the adopted level of service standards, Lee
County may apply the impact fees paid by the DRI to
other improvements consistent with the requirements of
Chapter 2 of the Lee County Land Development Code.
2) **Traffic Mitigation - Option 2**

a) All development, with the exception of the retail component, must pay roads impact fees in effect at the time of building permit issuance. The roads impact fees associated with the hotel, plus the non-retail land uses, are $1,814,220 based on the fee schedule in place on the date of this development order approval. The remainder of the proportionate share is considered to be attributable to the retail. This figure is currently estimated to be $8,442,819 in year 2000 dollars. The total mitigation for the project may not exceed $10,257,039 in year 2000 dollars unless there is a traffic reanalysis pursuant to Section C.2.c.

b) A cash payment of $8,442,819 in year 2000 dollars is required to mitigate transportation impacts associated with the retail component. The cash payment must be made in two installments. The first installment payment will be $4,221,409.50 but no less than the amount of roads impact fees that would be due for the initial Regional Retail Center building permit. The second installment payment must be made within 12 months of the first payment. The Developer can build up to 270,000 square feet of retail space and pay roads impact fees prior to the $4,221,409.50 payment. Impact fees paid will be offset against the second cash payment amount. When the County receives the first cash payment, the County will issue a Concurrency Certificate for the Regional Retail Center and all of the retail component. This certificate will be valid until December 31, 2005, or for three (3) years, whichever is later. The certificate is subject to revocation if the second payment is not made in accordance with the terms of this DRI DO. Furthermore, the County will not issue a certificate of occupancy in the Regional Retail Center or any part thereof until the second payment is made in full. In the event the County has revoked the project’s concurrency certificate, the County will reinstate the concurrency certificate when and if the developer makes the second payment.

c) The County will apply all payments made by the DRI toward the non-site related improvements identified in
Section C.1.b. In the alternative, the County will apply the cash payment toward improvements that relieve those roadways, provided those improvements are deemed necessary to maintain the County's adopted level of service standards. If the improvements identified in Section C.1.b are ultimately funded through other sources, in whole or in part, or deemed unnecessary to maintain the adopted level of service standards, Lee County may apply the impact fees paid by the DRI to other improvements consistent with the requirements of Chapter 2 of the Lee County Land Development Code.

3) Traffic Mitigation - Option 3

a) In order to obtain Concurrency Vesting for all development parameters set forth in II.C.1.a. until December 31, 2005, the Developer must mitigate its overall Project traffic impacts through the scheduled payment of the Project's obligation of $10,257,039 (in year 2000 dollars) starting at the time of local development order approval for the first portion of the project that seeks vertical development. The details of this payment must be established in a Local Government Development Agreement executed pursuant to Section 163.3220, Florida Statutes, and Chapter 2, Article III of the Lee County Land Development Code. The Developer must submit to Lee County a Development Agreement by October 1, 2001, or prior to submittal of a local development order for the regional mall. The Development Agreement must be executed prior to issuance of a local development order for the regional mall. The development agreement may include either a scheduled payment of cash or pipeline improvements by the Developer to the following facilities and will specify the schedule of the improvements.

1) Cash Payment. The Developer must provide two cash payments of $5,128,519.50 to Lee County. The cash payments represent the total proportionate share. At the time the first cash payment is made the County will issue a concurrency certificate for the entire development. This certificate will be valid until
December 31, 2005 or for three (3) years, whichever is later. The first payment will be due by October 1, 2003, or coincident with the first building permit for the regional mall, whichever is earlier. The second installment payment will be due 12 months after that date. Failure to make the second payment in a timely manner will result in revocation of the concurrency certificate. Furthermore, the County will not issue a certificate of occupancy on any building containing retail uses until the second payment is made in full. The Developer can obtain building permits for up to $1,000,000 in road impact fees for non-regional mall uses prior to the first cash payment. Impact fees paid will be offset against the second cash payment.

2) The Developer may direct payments towards the following improvements to be specified in a Development Agreement.

i) Extension of parallel improvements to I-75, such as Treeline Avenue - four (4) lanes from Daniels Parkway to Colonial Boulevard, or another parallel improvement east of I-75 identified in the Lee County Metropolitan Planning Organization 2010 plan.

ii) Koreshan Parkway Extension from Three Oaks Parkway to Ben Hill Griffin Parkway.

iii) Ben Hill Griffin Parkway six-laning from the Project South Entrance to Alico Road. All site-related improvements and improvements performed at the option of the Developer that are not part of a typical widening will not be eligible for an offset against the proportionate share.

This improvement must be performed concurrent with the construction of the Regional Retail Center.

b) The estimated costs of any improvements made by the Developer (including design, right-of-way acquisition, drainage, permitting, water retention, construction, and the like) must be documented and submitted to the
County for review and approval. The County reserves the right to obtain its own estimates for comparison purposes. The total payments and value in 2000 dollars will be compared to the obligation of $10,257,039 in 2000 dollars. If the value of all payments is in excess of $10,257,039, the Developer will receive the difference in road impact fee credits. If the value of all payments is less than $10,257,039, the Developer must pay the balance in cash. The cash payment must be made within 90 days of the final determination of the amount owed and shall be applied consistent with paragraph c below.

In lieu of a cash payment, the Developer may request to amend the Development Agreement to provide a roadway improvement or to reduce the scope of the Development.

c) All cash payments made to Lee County must be applied by Lee County toward the following improvements:

i) The list of significantly and adversely impacted roads and intersections from Paragraphs C.1.b.

ii) Other non-site related roadway improvements benefitting the Development and with the consent of the Developer.

3. Access and Site-Related Improvements

a. Site-Related Improvements

The Developer is responsible for its share of the following site-related roadway and intersection improvements: all intersection improvements, including signalization, turn lanes, deceleration lanes, and other improvements deemed necessary by the County Engineer and consistent with the Lee County Land Development Code for the Project’s access points onto Ben Hill Griffin Parkway and Alico Road (if an interconnection is provided to that roadway). During Local Development Order Review, site-related improvements must be evaluated based on weekday, PM peak hour conditions. However, due to the retail component of the DRI, Saturday mid-day conditions should be considered in the design of turn lanes. Site-related
improvements are not eligible for credit against impact fees and may not be used to offset the Project’s proportionate share obligation.

If a connector is provided from GCTC to Alico Road through the adjacent parcel, some of the intersection turn lane improvements at the intersection with Alico Road may be considered to be improvements not creditable against the Project’s proportionate share. Some of the improvements may be site related improvements by the adjacent parcel. This determination will be made at the time of local development order.

b. **Interconnection**

A proposed interconnection is shown on the Master Concept Plan from the northern 40 acre site to Gulf Coast Town Center. The Developer is encouraged to pursue an interconnection to a second arterial roadway to enhance traffic circulation. Construction of the connector road to Alico Road will not be used as grounds to aggregate the two projects.

4. **Annual Transportation Monitoring Report**

a. **Design of Monitoring Program**

The transportation monitoring program will be designed in cooperation with the Lee County Department of Transportation, the Florida Department of Transportation (FDOT), the Southwest Florida Regional Planning Council (SWFRPC), and the Florida Department of Community Affairs (FDCA) prior to submittal of the first report. The methodology of the annual transportation monitoring report may be revised if agreed upon by all parties.

b. **Submittal of Monitoring Report**

The Developer must submit an annual transportation monitoring report to the following entities for review and approval: Lee County Department of Transportation, FDOT, FDCA, and SWFRPC. The Developer must also provide a copy of the report to Florida Gulf Coast University (FGCU). The first monitoring report will be submitted one year after the effective date of the DRI Development Order. The Developer must provide written notice to the above review agencies if he concludes that a traffic monitoring report is not required because no traffic impacts have been created. Once an annual transportation
monitoring report has been submitted, a report must be submitted annually thereafter until Project buildout, whether actual or declared.

c. **Minimum Requirements for Report Contents**

At a minimum, the monitoring report will measure the Project’s actual external roadway impacts and the level of service conditions on the impacted roads and intersections, and determine the timing for needed improvements. The annual traffic monitoring report must also contain the following information:

1) P.M. peak hour traffic counts with turning movements at the Project’s access points onto Alico Road, if applicable, and Ben Hill Griffin Parkway, and on the external road segments and intersections identified in Paragraph C.1.b. (Traffic counts/volumes may be obtained from original traffic counts, public agency reports, other monitoring reports, and other available data.)

2) A comparison of field measured external Project traffic volumes to the 4,220 total P.M. Peak hour external Project trip generation assumed in the DRI analysis. If an interconnection is provided to Alico Road, a methodology must be developed to identify pass-through trips generated by the project to the north.

3) Estimated existing levels of service and needed improvements for the roads and intersections specified in Paragraph C.1.b. above.

4) Estimated future levels of service and needed improvements for the roads and intersections specified in Paragraph C.1.b. above, based on a one-year projection of future volumes.

5) A summary of the status of road improvements assumed to be committed by Lee County and FDOT as set forth below:

**Roadway Improvements**

<table>
<thead>
<tr>
<th>Roadways</th>
<th>Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alico Road</td>
<td></td>
</tr>
<tr>
<td>- US 41 to Seminole Gulf Railway</td>
<td>4 lanes</td>
</tr>
<tr>
<td>- Seminole Gulf Railway to I-75</td>
<td>6 lanes</td>
</tr>
<tr>
<td>West Ramps</td>
<td></td>
</tr>
</tbody>
</table>
Ben Hill Griffin Parkway/Treeline Avenue
  – Alico Road to Daniels Parkway
  4 lanes

Corkscrew Road
  – Sandy Lane to I-75
  4 lanes

Three Oaks Parkway
  – Alico Road to Daniels Parkway
  4 lanes

US 41
  – Alico Road to Daniels Parkway
  6 lanes

**Intersection Improvements**

**Intersections**

I-75 Ramps/Alico Road

**Improvement**

Signalization

**Implications**

1) If the annual transportation monitoring report reveals that the Project trip generation exceeds the thresholds identified in 380.06(19)(b)15, Florida Statutes, then the statutory provisions regarding substantial deviations will govern.

2) Changes to development parameters or buildout may trigger the need to rebut the statutory presumption of substantial deviation. In some instances, the evidence necessary to rebut the presumption may involve the need for a comparison of Project trip distribution and assignment.

5. **Conversion of Office Square Footage to Research and Development Use**

a. The approved square footage for Office use may be converted to Research and Development (R&D) at a ratio of 1,000 square feet of Office to 1,100 square feet of Research and Development without an amendment to this DRI Development Order. There is no limitation on the conversion of Office use to Research and Development (R&D) at the above ratio.

b. The Developer must notify the County, the RPC, and the DCA of an intent to convert Office to Research and Development. The amount
6. **Pedestrian/Bicycle and Transit Facilities**

The Developer will provide for pedestrian and bicycle facilities and bus stop locations in accordance with the attached Exhibit E.

D. **VEGETATION AND WILDLIFE/WETLANDS**

1. Impacts to the Florida Panther must be evaluated during the SFWMD review of the Environmental Resource Permit, and the Army Corp of Engineers review of the dredge and fill permit. Any required mitigation will be provided in accordance with established regulations, methodologies, and permit conditions.

2. Impacts to the Snail Kite must be evaluated during the SFWMD review of the Environmental Resource Permit. Any required mitigation will be provided in accordance with the District permit. A copy of the permit and the Snail Kite conditions in particular must be provided to Lee County Community Development prior to clearing activity in Snail Kite habitat. Prior to site clearing a qualified biologist must examine the habitat proposed to be cleared for the presence of snail kite nests. A 50-foot buffer around the active nest must be maintained until the nest is vacated.

3. Impacts to wading birds must be evaluated during the SFWMD review of the Environmental Resource permit. The District will evaluate the appropriateness of draw down pool features in littoral shelf slopes for proposed lake excavations to mitigate for any adverse impacts to wading birds.

4. The project includes a total of 74.95 acres of South Florida Water Management jurisdictional wetlands and other surface waters. There will be a total of 18.48 acres of impacts to SFWMD jurisdictional wetlands and a total of 54.46 acres of impacts to SFWMD other surface waters. The mitigation for the wetland impacts will be determined during the permitting process and mitigation will include on-site mitigation, which will include creation, enhancement and restoration. The approximately 3.6-acre cypress wetland on the north boundary and 5.5 acres of borrow pit marsh will be preserved and incorporated into the surface water management system as part of the on-site mitigation. Mitigation will be provided off-site in the Stewart Cypress Slough (47.3 acres).

E. **WASTEWATER MANAGEMENT/WATER SUPPLY**

1. The Developer will obtain a SFWMD permit for groundwater withdrawals for landscape irrigation, for irrigation well construction, as well as for any dewatering needed to construct the project lakes, roads or building foundations.
2. The Developer will utilize water conserving devices and methods necessary to meet the criteria established in the water conservation plan of the public water supply permit issued to Gulf Environmental Services, Incorporated (GES).

3. The Developer will coordinate with GES or other water supplier to ensure that adequate potable water is available to meet the demands of the project.

4. The Developer will provide any necessary verification to the SFWMD that the Developer's plumbing and irrigation design(s) are consistent with District rules.

5. The Developer must demonstrate at the time of local final Development Order approval that sufficient potable water and wastewater treatment capacity is available. If GES cannot provide the necessary service, then the Developer must obtain service from an alternate provider with capacity or construct on-site interim facilities that satisfy GES Standards. Interim facilities must be dismantled at the Developer's expense when service by GES is available.

6. The on-site lakes, wetlands, and stormwater management system must be buffered from treated effluent contamination in accordance with SFWMD regulations.

7. Septic systems utilized in conjunction with construction trailers, sales offices and model homes must be temporary. When it is feasible to connect the temporary uses to the regional wastewater treatment facilities, all temporary septic systems must be abandoned or removed by a licensed septic system firm, in accordance with all applicable regulations.

8. The Developer must submit copies of all local Development Order plans that include potable water or wastewater collection and distribution systems to GES. GES will review the plans for compliance with the GES specifications manual.

9. Lee County will evaluate all potable water facilities to ensure that the facilities are properly sized to meet average, peak day, and fire flow demands in accordance with the LDC. Lee County will consult with the appropriate fire protection district to confirm that the fire flow demands will be satisfied by the proposed potable water facility(s).

10. The Developer must use the lowest, yet acceptable for the intended purpose, quality of water available for all non-potable water purposes.

F. COMPREHENSIVE PLAN

1. Lee County may not issue a local development order unless the proposed development order is consistent with the County's Comprehensive Plan, Land
Development Code, University Window Overlay, Ben Hill Griffin Parkway Access Management Plan, and Concurrency Management System.

2. Given the 204.1 acres proposed for commercial development, the project is limited to no more 2,041,000 square feet of commercial retail, office, hotel, and research and development uses. All commercial ancillary uses are included in this limitation; no residential or recreational ancillary uses are included in this amount. All building area must be included in this calculation to show compliance with this limitation. If multiple local development orders are requested, it is the Developer's responsibility to provide a cumulative total of previous development order approvals prior to the issuance of the requested local development order.

3. The requested 80,000 square feet of office use may be converted to research and development use on a one square foot to 1.1 square foot ratio.

G. PORT AUTHORITY

1. Hotel/Motels located within Airport Noise Zone 3, as defined by the Lee County LDC, must provide noise and avigation easement to the County in accordance with the LDC.

2. Building, antenna, and construction crane heights must meet the requirements of the Lee County LDC.

H. POLICE AND FIRE PROTECTION

1. The Developer will provide the Lee County Sheriff's Department not more than 600 square feet of finished shell space in the main regional retail complex for use as a Sheriff's Substation to facilitate the law enforcement activities. The space will be provided at nominal cost to the Sheriff's Department.

2. The project must be constructed in accordance with adopted Life Safety Code and Fire Code requirements.

3. The owner or operator of facilities that qualify under the Superfund Amendments Reauthorization Act (SARA) Title III and the Florida Hazardous Materials Emergency Response and Community Right to Know Act of 1988, must file hazardous materials reporting applications in accordance with Section 302, 304, 311, and 312. The applications must be updated annually.

4. During the design and construction of the main regional retail complex the Developer will consult with the crime prevention representatives of the Lee County Sheriff's Department, and will incorporate appropriate elements of the National Crime Prevention Institute's, "Crime Prevention Through Environmental Design" program.
5. The Developer will consult with the Lee County Sheriff’s Department during the construction phase to receive suggestions from the Sheriff’s Department for the General Contractor’s on the reduction of construction theft and crime.

6. The Fire and EMS impacts of this project will be mitigated by the payment of impact fees in accordance with the schedules set forth in the LDC.

III. LEGAL EFFECT AND LIMITATIONS OF THIS DEVELOPMENT ORDER, AND ADMINISTRATIVE REQUIREMENTS

A. Resolution. This Development Order constitutes a resolution of Lee County adopted by the Board of County Commissioners in response to the DRI ADA filed for Gulf Coast Town Center DRI.

B. Additional Developer Commitments. All commitments and impact mitigating actions volunteered by the Developer in the ADA and supplementary documents that are not in conflict with conditions or stipulations specifically enumerated above are incorporated by reference into this Development Order. These documents include, but are not limited to the following:

(A) The Gulf Coast Town Center Application for Development Approval, stamped received on September 15, 1998.

(B) The Gulf Coast Town Center DRI sufficiency responses stamped received on December 4, 1998 and February 12, 1999.

(C) The governing zoning resolution for the Gulf Coast Town Center MPD.

C. Master Plan of Development. Map H, dated and last revised November 1, 2000 is attached hereto as Exhibit “B”, and is incorporated by reference. It is understood that because it is a concept plan it is very general. The Developer may modify the boundaries of development areas and the locations of internal roadways to accommodate topography, vegetation, market conditions, traffic circulation, or other site related conditions as long as the modifications meet local development regulations. This provision may not be used to reduce the size of wetland preserve areas. Precise wetland boundaries will be determined by the South Florida Water Management District, as delegated by the Department of Environmental Protection and the Army Corp of Engineers.

D. Binding Effect. The Development Order is binding upon the Developer(s), and its assignees or successors in interest. Where the Development Order refers to lot owners, business owners or other specific reference, those provisions are binding on the entities or individuals referenced. Those portions of this Development Order that clearly apply only to the project Developer are binding upon any builder/developer who acquires
a tract of land within the DRI. The Developer may impose or pass on the requirements of this DRI development order to ultimate purchasers through covenants that run with the land and phasing schedule.

E. **Reliance.** The terms and conditions set out in this Development Order constitute a basis upon which the Developer and the County may rely on future actions necessary to fully implement the final development contemplated by this Development Order. The development parameters and phasing schedule upon which this development order approval is based is set forth in Exhibit C. Change to the development mix or phasing schedule may require a reanalysis of project impacts in order to rebut a presumption of substantial deviation.

F. **Enforcement.** All conditions, restrictions, stipulations and safeguards contained in this Development Order may be enforced by either party by action at law or equity. All costs of those proceedings, including reasonable attorney's fees, will be paid by the defaulting party.

G. **Successor Agencies.** References to governmental agencies will be construed to mean future instrumentalities that may be created and designated as successors in interest to, or which otherwise possess the powers and duties of the referenced governmental agencies in existence on the effective date of this Development Order.

H. **Severability.** If any portion or section of this Development Order is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, that decision will not affect the remaining portions or sections of the Development Order, which will remain in full force and effect.

I. **Applicability of Regulations.** This Development Order does not negate the Developer's responsibility to comply with federal, state, regional and local regulations.

J. **Further Review.** Subsequent requests for local development permits do not require further DRI review pursuant to Section 380.06, Florida Statutes. However, upon a finding at a public hearing by the Board that any of the following conditions exist, the Board must order a termination of all development activity in that portion of the development affected by substantial deviation until a DRI Application for Development Approval, Notice of Substantial Deviation or Notice of Proposed Change has been submitted, reviewed and approved in accordance with Section 380.06, Florida Statutes.

1. There is a substantial deviation from the terms or conditions of this Development Order or other changes to the approved development plans that create a reasonable likelihood of an additional regional impact or any other regional impact created by the change that has not been evaluated and reviewed by the Regional Planning Council; or
2. Expiration of the period of effectiveness of the Development Order. Any request to extend the effectiveness of this Development Order will be evaluated based on the criteria for the extension of the buildout date set forth in Section 380.06(19), Florida Statutes.

3. Conditions in this development order that specify circumstances in which the development will be required to undergo additional DRI review. See 9J-2.025(10).

K. **Buildout and Termination Dates.** The project has a buildout date of December 31, 2005, and a termination date of December 31, 2011. This term is based on a 5 year buildout and the recognition that a local Development Order, which is valid for six years, may be obtained prior to December 31, 2010. No permits for development will be issued by the County subsequent to the termination date or expiration date unless the conditions set forth in Section 380.06(15)(g) are applicable.

L. **Commencement of Physical Development.** Commencement of substantial physical development of the project must occur no later than December 31, 2003. Further development must occur in accordance with the development parameters and phasing schedule set forth in Exhibit C.

M. **Assurance of Compliance.** The administrative director of the Lee County Department of Community Development, or their designee, will be the local official responsible for assuring compliance with this Development Order. Lee County is primarily responsible for monitoring the development and enforcing the provisions of the development order. No permits or approvals will be issued if the Developer fails to act in substantial compliance with the development order.

N. **Credits Against Local Impact Fees.** Pursuant to Chapter 380.06(16), Florida Statutes, the Developer may be eligible for credits for contributions, construction, expansion, or acquisition of public facilities, if the Developer is also subject by local ordinances to impact fees or exactions to meet the same needs. However, no credit will be provided for internal or external site-related facilities required by County regulations, or to any off-site facilities to the extent those facilities are necessary to provide safe and adequate services to the development.

O. **Protection of Development Rights.** The project will not be subject to downzoning, unit density reduction, or intensity reduction prior to December 31, 2011. If the County demonstrates at a public hearing that substantial changes have occurred in the conditions underlying the approval of this Development Order, or finds that the Development Order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by Lee County to be essential to public health, safety and welfare, then downzoning, unit density reduction, or intensity reduction may occur. [See 9J-2.025(3)(b)13]
P. **Annual Reports.** The Developer must submit a report annually to the Lee County Department of Community Development, the SWFRPC and Florida DCA on Form RPM-BSP-Annual Report-1. The content of the annual report must include the information set forth in Exhibit D, and must also be consistent with the rules of the FDCA. The first monitoring report must be submitted to the DRI coordinator for SWFRPC, DCA, and Lee County no later than one year after the effective date of this Development Order. Further reporting must be submitted not later than one year after the effective date of this Development Order. Further reporting must be submitted not later than one year for subsequent calendar years thereafter, until buildout, whether actual or declared. Failure to comply with this annual reporting procedure is governed by Section 380.06(18), Florida Statutes, which provides for the temporary suspension of the DRI Development Order.

The Developer must file the annual monitoring reports until actual or declared buildout of the project. The Richard E. Jacobs Group is the party responsible for filing the annual monitoring reports until one or more successor entities are named in the development order. The Developer must inform successors in title to the undeveloped portion of the real property covered by this development order of the annual reporting requirement. 'Tenants or owners of individual lots or units have no obligation to comply with this reporting condition.

The Developer must also submit a transportation annual report in accordance with the provisions set forth in Section II.C. of this development order.

Q. **Community Development District.** The Developer might elect to petition for the formation of a Uniform Community Development District to serve all or a portion of the project pursuant to Florida Statues, Chapter 190, as it may be in effect from time to time. Lee County hereby gives its approval that any such district may undertake the construction and/or funding of all or any of the mitigation and public infrastructure projects for which the Developer is responsible under the terms of this development order, whether within or without the boundaries of the district, and including the payment of mitigation amounts provided for in this development order, as a co-obligor hereunder. This provision shall not be construed to require the approval of any petition to form such a district, and in no event shall the Developer be released from its obligations under this development order.

R. **Transmittal and Effective Date.** The County will forward certified copies of this Development Order to the SWFRPC, the Developer, and appropriate state agencies. This Development Order is rendered as of the date of that transmittal, but will not be effective until the expiration of the statutory appeal period (45 days from rendition) or until FDCA has completed their review and has determined not to take an appeal should that occur prior to the expiration of the 45-day period or until the completion of any appellate proceedings, whichever time is greater. In accordance with the requirements of Section 380.06(15)f, Florida Statutes, once this development order is effective, the Developer must record notice of its adoption in the office of the Clerk of the Circuit Court of Lee County.
S. Continued Agricultural Use of Property. Bona fide agricultural uses in existence on the date of this DRI approval may continue until the first development order approval is granted. No development activity of any kind may occur on the property, including the clearing of vegetation or cutting of trees, unless such activity is reviewed and approved in accordance with Lee County regulations as if no agricultural use existed on the property. The purpose of the limitation is to eliminate any exemption or other special considerations or procedures that might otherwise be available under Lee County regulations by virtue of the existing agriculture on the property.

THE MOTION TO ADOPT this Development Order was offered by Commissioner Manning, and seconded by Commissioner Coy, and upon a poll of the members present, the vote was as follows:

John E. Manning Aye
Douglas St. Cery Aye
Ray Judah Nay
Andrew W. Coy Aye
John E. Albion Aye

DULY PASSED AND ADOPTED this 1st day of November, 2000.

ATTEST:
CHARLIE GREEN, CLERK

By: _______________________

State of Florida
County of Lee

I, Charlie Green, Clerk of the Circuit Court for Lee County, Florida, do hereby certify this document to be a true and correct copy of the original document filed in the Minutes Department.

Given under my hand and official seal.

Fort Myers, Florida, this 4th day of December, A.D. 2000

CHAIHIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _______________________

Approved as to form

By: _______________________

Donna Marie Collins
Assistant County Attorney
Office of the County Attorney

Exhibits:

A. Legal Description
B. Master Plan of Development (Map H) dated November 1, 2000
C. Development Parameters and Phasing Schedule
D. Annual Monitoring Report Requirements
E. Pedestrian, Bicycle and Bus Stop Plan
All that part of Sections 10 and 11, Township 46 South, Range 25 East, Lee County, Florida being more particularly described as follows:

Commencing at the northwest corner of said Section 11;

thence along the north line of said Section 11, South 89°42'24" East 1844.61 feet;

thence South 01°01'21" West 842.23 feet to the POINT OF BEGINNING of the parcel herein described;

thence continue South 01°01'21" West 176.58 feet;

thence southerly 38.25 feet along the arc of a circular curve concave to the west, having a radius of 9925.00 feet, through a central angle of 00°13'15" and being subtended by a chord which bears South 01°07'59" West 38.25 feet to a point on said curve;

thence North 88°45'24" West 256.00 feet;

thence South 01°51'56" West 209.96 feet;

thence South 87°30'45" East 256.00 feet to a point on a curve;

thence southerly and southwesterly 1139.75 feet along the arc of a non-tangential circular curve concave to the northwest, having a radius of 9925.00 feet, through a central angle of 06°34'47" and being subtended by a chord which bears South 05°46'38" West 1139.12 feet to a point on said curve;

thence North 80°55'58" West 256.00 feet;

thence South 09°41'21" West 209.96 feet;

thence South 79°41'19" East 256.00 feet to a point on a curve;

thence southerly and southwesterly 1715.32 feet along the arc of a circular curve concave to the northwest, having a radius of 9925.00 feet, through a central angle of 90°54'08" and being subtended by a chord which bears South 15°15'45" West 1713.19 feet;

thence South 20°12'49" West 473.55 feet;

thence North 74°31'06" West 209.92 feet;

thence North 85°27'53" West 381.51 feet;

thence South 84°35'26" West 384.54 feet;

thence South 79°14'37" West 501.77 feet;

thence South 76°08'54" West 527.61 feet to the east right-of-way of line of Interstate 75;

thence along said right-of-way in the following five (5) courses:

1) North 14°13'09" West 1370.42 feet;

2) northwesterly 584.96 feet along the arc of a circular curve concave to the northeast, having a radius of 5567.58 feet, through a central angle of 06°01'11" and being subtended by a chord which bears North 11°12'33" West 584.96 feet to a point on said curve;

3) northerly 510.16 feet along the arc of a non-tangential circular curve concave to the east, having a radius of 5635.58 feet, through a central angle of 05°11'12" and being subtended by a chord which bears North 01°32'26" West 509.98 feet to a point of compound curvature;

4) northerly and northeasterly 977.35 feet along the arc of a circular curve concave to the southeast, having a radius of 2197.83 feet, through a central angle of 25°28'44" and being subtended by a chord which bears North 13°47'32" East 969.32 feet;

5) North 26°31'54" East 786.13 feet;

thence leaving said right-of-way South 89°42'24" East 2628.92 feet to the POINT OF BEGINNING of the parcel herein described;

Subject to easements and restrictions of record.

Containing 244.06 acres more or less.

Bearings are based on the north line of Section 11, being South 89°42'24" East.
GULF COAST TOWNE CENTRE

DESCRIPTION OF A 47 ACRE CONSERVATION EASEMENT
BEING A PORTION OF
SECTION 13, 24, TOWNSHIP 46 S., RANGE 25 E.
LEE COUNTY, FLORIDA

A portion of Section 13, 24, Township 46 South, Range 25 East, Lee County, Florida more particularly described as follows:

COMMENCING at the Northwest corner of said Section 11;
then along the north line of said section and the centerline of Alico Road S.89°42’24”E. 1919.62 feet;
then along the centerline of Ben Hill Griffin Parkway S.01°01’21”W. 109.05 feet; thence
S.89°42’24”E. 75.00 feet to an intersection with the south right of way line of Alico Road and
the east right of way of Ben Hill Griffin Parkway;
then along said southerly right of way line S.89°42’24”E. 1049.81 feet;
then leaving said line S.1°00’21”E. 1635.40 feet to a point on a curve, point bearing S.84°01’34”W.
from the center of said curve;
then southeasterly 5221.22 feet along the arc of a non-tangential circular curve concave to the
northeast having a radius of 3595.48 feet, having a central angle of 83°12’10” and being subtended by a
chord which bears S.47°34’31”E. 4774.39 feet to a point on said curve;
then N.89°01’32”E. 1282.53 feet;
then S.01°46’59”W. 407.03 feet;
then S.89°48’06”E. 1264.40 feet;
then S.20°09’57”E. 832.58 feet;
then S.15°43’44”E. 1222.03 feet;
then S.25°52’55”E. 362.91 feet;
then S.00°07’13”E. 16.50 feet;
then N.89°46’48”W. 635.94 feet;
then S.19°49’36”W. 1336.10 feet;
then S.02°55’16”E. 211.27 feet;
then S.75°24’23”W. 644.66 feet;
then S.01°12’51”E. 733.65 feet to the POINT OF BEGINNING of the herein described easement.
then S.01°12’51”E. 442.19 feet;
then S.40°23’38”W. 337.54 feet;
then N.88°17’12”E. 566.79 feet;
then S.41°03’57”E. 465.53 feet;
then N.73°40’08” E. 497.73 feet;
then N.84°27’10” E. 648.96 feet;
then N.20°19’20”W. 155.37 feet;
then N.04°47’10” W. 137.24 feet;
then N.10°20’25” E. 89.58 feet;
then North 88°40’48” West, 108.51 feet
thence N.35°22'24"E. 61.49 feet; thence N.24°10'35"E. 16.58 feet; thence N.16°58'33"E. 22.30 feet; thence N.01°25'10"W. 17.20 feet; thence N.02°00'52"E. 22.73 feet; thence N.10°34'22"E. 27.69 feet; thence N.08°31'29"E. 27.56 feet; thence N.04°17'29"W. 27.54 feet; thence N.03°50'00"E. 32.88 feet; thence N.05°16'54"E. 34.74 feet; thence N.14°36'53"W. 12.71 feet; thence N.49°59'45"W. 15.95 feet; thence N.67°08'11"W. 67.75 feet; thence N.67°33'34"E. 68.16 feet; thence N.57°34'58"E. 15.64 feet; thence N.53°45'20"E. 13.61 feet; thence N.58°32'02"E. 11.22 feet; thence N.54°40'50"E. 13.85 feet; thence N.49°36'55"E. 19.09 feet; thence N.37°17'03"E. 14.40 feet; thence N.25°04'13"E. 22.74 feet; thence N.30°25'33"E. 40.77 feet; thence S.70°47'07"E. 50.50 feet; thence N.34°08'07"E. 90.49 feet; thence N.60°03'38"E. 27.79 feet; thence N.68°56'32"E. 33.67 feet; thence N.69°27'09"E. 39.32 feet; thence N.76°09'54"E. 38.69 feet; thence N.84°37'56"E. 35.30 feet; thence N.71°01'39"E. 36.05 feet; thence N.56°16'09"E. 22.32 feet; thence N.54°45'23"E. 72.52 feet; thence N.43°40'48"E. 14.33 feet; thence N.36°37'28"E. 31.97 feet; thence N.16°15'53"E. 27.07 feet; thence N.00°14'32"W. 18.58 feet; thence N.01°01'18"W. 22.80 feet; thence N.11°30'29"E. 41.66 feet; thence N.25°25'32"E. 18.52 feet; thence N.29°13'14"E. 12.77 feet; thence N.09°42'26"E. 13.86 feet; thence N.10°10'17"W. 8.24 feet; thence N.25°29'33"W. 11.70 feet; thence N.71°45'42"W. 21.85 feet;
thence N.59°03'27"W. 13.21 feet;
thence N.37°04'03"W. 27.24 feet;
thence N.00°38'43"W. 28.85 feet;
thence N.10°12'59"E. 35.02 feet;
thence N.01°52'01"E. 31.20 feet;
thence N.05°34'22"E. 13.39 feet;
thence N.01°01'36"W. 30.61 feet;
thence N.15°40'00"W. 27.26 feet;
thence N.22°54'25"W. 20.46 feet;
thence N.20°19'15"W. 21.36 feet;
thence N.17°17'45"W. 18.27 feet;
thence N.25°34'23"W. 16.79 feet;
thence N.15°41'23"W. 49.27 feet;
thence N.00°29'10"W. 19.63 feet;
thence S.65°22'51"W. 893.04 feet;
thence S.62°02'33"W. 548.61 feet;
thence N.84°00'27"W. 113.75 feet;
thence S.73°01'40"W. 332.94 feet;
thence S.88°47'09"W. 386.35 feet to the Point of Beginning for the herein described parcel.

Parcel contains 47.28 acres more or less.

Bearings are based on the north line of Section 11, Township 46 South, Range 25 East, Lee County, Florida and also being the centerline of Alico Road being S.89°42'24"E.

Prepare by:

WILSONMILLER, INC.

[Signature]  
Alan W. Sadowski, Professional Surveyor & Mapper  
Florida Registration No. 4800  
11-13-2000

Not valid unless embossed with the Professional’s seal.

Revised: February 29, 2000