



Civil Engineers • Land Surveyors • Planners • Landscape Architects

February 3, 2017

Jacqueline Toemmes Genson, AICP  
Planning and Zoning Manager  
City of Bonita Springs Community Development  
9220 Bonita Beach Road, Suite 109  
Bonita Springs, FL 34135

**RE: Pelican Landing CPD/RPD Amendment, PD15-23946-BOS  
Review #3 Response**

Dear Ms. Genson:

This correspondence is our response to your sufficiency remand review letter #3, provided to us on January 10, 2017 (via email). Responses to staff comments have been provided in bold.

*BONITA SPRINGS Planning and Zoning*

Items in italicize indicate that either further information may be needed to address insufficiency comments from the July 11, 2016 and November 23, 2016 letters or areas of disagreement between the applicant and staff.

1. Application.
  - a. *Part 5A. Please complete.*

*Staff acknowledges the applicant does not want to complete this portion of the application since there is no request to increase the amount of residential dwelling units within the Pelican Landing CPD/RPD. Based on previous staff reports, staff has opined that the increase in land area without an increase in dwelling units has not increased the gross density for the Pelican Landing CPD/RPD as defined in LDC 34-1492.*

**Response:**

**The applicant concurs with the historical staff opinion that the increase in land area without an increase in dwelling units does not increase the gross density.**

d. Request Statement and Demonstration of Compatibility.

i. FDC Analysis.

1. Page 5.

- a. *Policy 105.1.5. A portion of this statement is inaccurate. The portion of the parcel located in the Kersey Smoot RPD has been designated as a golf course since 1998. The portion of the parcel located within the Pelican Landing CPD/RPD Area E only allowed for multi-family at a maximum height of 75' above minimum flood elevation with no more than 6 habitable floors, but was rezoned in 2000 for incorporation into the golf course development.*

*Lee Plan Policy 105.1.5*

**POLICY 105.1.5:** *Zoning requests located in the coastal high hazard area will be considered for reduced or minimum density assignments, in accordance with their future land use category density range. This evaluation should be done in concert with an evaluation of other individual characteristics such as compatibility with existing uses, desired urban form, and availability of urban services. (Added by Ordinance No. 05-19)*

*While the applicant is not requesting to increase the number of units of the Pelican Landing CPD/RPD or the DRI, the request is to reallocate units to an area of the MCP and DRI that as originally approved and as subsequently amended, is not approved for such uses nor at the requested density. Only the Pelican Landing CPD/RPD land development Area E was designated for a variety of residential uses at a maximum height of 75' with no more than 6 habitable floors.*

*The 1994 PD/DRI Hearing Examiner (HEX) report indicated that the applicant originally requested 12 buildings and one hotel in the original deviation request for RPD Areas E, F and CPD Area B. The report indicated that these areas were more appropriate for lower density residential uses and building heights based on consistency with the Lee*

*Plan and the LDC criteria to review deviations. The HEX recommendation was for no more than 240 residential units north of Coconut Road; however, staff understands that the Lee County Board of County Commissioners (BoCC) did not retain that language. Instead they only allowed the deviation to apply to 8 buildings in RPD Areas F and for one hotel CPD Area B, not this area (RPD Area E).*

*This amendment request is a zoning request, which is located within the CHHA with its primary means of evacuation on Coconut Road. The amendment request reallocates previously approved units to areas that have no current residential density assignment according to the adopted MCPs and Map H's; therefore, the request is an increase in density for those areas. Staff acknowledges that planned development density is applied by gross acreage; however, this request is moving from a net density of 0 dwelling units (du)/acre to over 7 du/acre.*

*The City of Bonita Springs Comprehensive Plan does not have a similar policy as Lee Plan Policy 105.1.5. This amendment request was analyzed by staff during the review of the City's Comprehensive Plan, Resolution 03-83, and the Bonita Springs LDC; this remand order was requested to review the request under the Lee Plan and Lee County LDC. Based on the review of the Lee Plan Policy, staff believes this amendment request is inconsistent with this policy.*

*The Annexation Agreement between the City of Bonita Springs and the applicant contemplated a zoning change concurrent with the city's comprehensive plan amendment. Subsequently, the applicant changed the request for review under the Lee Plan and Lee County LDC pursuant to Florida Statutes §171.062 (2). The Annexation Agreement does not address review under the Lee Plan and Lee County LDC regulations.*

*Additionally, a complaint was filed in the Circuit Court of the Twentieth Judicial Circuit in and for Lee County, Florida related to the Pelican Landing Golf Resort Ventures Limited Partnership Annexation Agreement. A legitimate argument exists that the Annexation Agreement constitutes an improper contracting away of the City's police powers, and, therefore, may be void ab initio. The applicant references the Annexation Agreement as justification and/or a response to staff's July 11, 2016 insufficiency letter. The applicant may care to provide a supplemental justification and/or a response to staff's comments above and separate from the Annexation Agreement.*

**Response:**

**WCI objects to the City seeking discovery in this sufficiency review process. The application speaks for itself and the answer to this information is not relevant to the application, only to the lawsuit.**

*On page 6 of your letter dated November 29, 2016, you state that the "property was annexed into the City in reliance on the representations of the City Council expressed in the annexation agreements. . . ." Please identify: (a) the entity that allegedly relied upon such representations; (b) the actions and expenditures that such entity made in reliance upon such representations; and (c) whether such entity has any legal interest in the pending applications. If such entity does not have any legal interest in the pending applications, please identify all entities that have a legal interest in the pending applications.*

*Also on page 6 of your letter dated November 29, 2016, you state that the City has violated the "annexation agreements" and that "the City does not want the property owner to have a reasonable use of the land." The decision to proceed pursuant to Lee County's land use regulations was made by the applicant, not by the City Council or the City Staff. Moreover, the fact that the City Council denied a particular Future Land Use Map designation and zoning category for the subject*

*property in February 2016 does not preclude the applicant from proposing a different Future Land Use Map designation and zoning category for the subject property.*

*Staff acknowledges that the applicant and staff disagree on the application of this policy as it relates to this request. The Kersey Smoot RPD HEX report stated that the net effect of the amendment will be to shift the density and the residential uses away from Estero Bay and away from Eco-Park.*

**Response:**

**The applicant is entitled to a reasonable use of the land. The applicant may choose to not build 9 of the total number of golf holes originally requested, and if the applicant chooses not to construct the golf holes this is land designated for development on which the applicant is entitled to a reasonable use. The applicant has existing approved units and square footage that it is entitled to use.**

**The total number of units in the Outlying Suburban Category of the Pelican Landing RPD/CPD was evaluated by Lee County under the Lee Plan which included Policy 105.1.5. The total number of units in the Outlying Suburban portion of the Pelican Landing RPD/CPD is not changing. The RPD capped the maximum number of units that may be constructed within the Outlying Suburban land use category at 2,266 units. 1,041 units have been constructed to date, which is 1,225 units less than currently authorized. Even with the proposed towers that include up to 400 units the RPD/CPD would remain well under the permitted number of units allocated to be constructed within the Outlying Suburban land use category. The increase in land area in the Pelican Landing RPD/CPD means the overall density is reduced. The applicant agrees with the City staff finding in the December 2015 staff report, Finding 2.b. "The requested amendment to the RPD/CPD as conditioned is consistent with the densities, intensities, and general uses set forth in the Bonita Springs and Lee County Comprehensive Plan".**

**The Board of County Commissioners reversed the 1994 Hearing Examiner recommendation. The staff has no basis for relying on the Hearing Examiner's recommendation from 1994 since the report was not upheld by the BOCC. Furthermore, there have been numerous amendments to the DRI since the 1994 action of the BOCC, which includes the addition of several parcels of land, which resulted in a reduction in the overall density of Pelican Landing which staff has failed to acknowledge.**

**The applicant agrees with the staff that planned development density is applied by gross acreage.**

The City's failure to approve a City land use category should not and cannot be used as a basis to submit that no zoning action can take place on the property. The suggestion that the applicant cannot rezone the property to achieve a reasonable use of the property because of the City's failure to adopt a City land use category that was applied to every other PUD/Planned Development in existence at the time of incorporation or annexation violates equal protection, and results in a de facto moratorium for the subject property. Furthermore, as noted above, the staff has already determined that the request is consistent with the Lee Plan. The staff was well aware of the provisions of 171.062(2), F.S. at the time of the staff report in December of 2015 because the provision was discussed in the staff report on page 8. The staff also recognized the City's vested right determination which recognized the vested status of one of the four high rises in question.

The City made a determination that high-rise development was suitable for the subject property as part of the annexation agreement adopted as part of Ordinance 13-12. The annexation agreement, which has not been challenged, recognizes the ability to do one of the four high rises in the subject application.

2. Page 1. 163.3178(9)FS does not appear to be a proper citation.

**Response:**

The reference to 163.3178(9)FS has been corrected.

2. Lee Plan Consistency

- a. *Future Land Use Element (FLUE) Policy 5.1.2. Public comment at the February 3, 2016 meeting indicated that the Kersey Smoot RPD and Pelican Landing CPD/RPD RPD Area E was historically entitled with lower density and private recreational development. Staff acknowledges that the DRI development order lists conditions relative to Hurricane Preparedness as outlined in the 1994 DRI development order. However, this request would expose far more residents to hurricane hazards north of Coconut Road than what was originally contemplated when the companion DRI and rezonings were first approved (Pelican Landing CPD/RPD in 1994; Kersey Smoot RPD in 1998).*

*Staff acknowledges that the applicant and staff disagree on the application of this policy as it relates to this request.*

**Response:**

The total number of units in the Pelican Landing RPD/CPD is not changing. The total number

of units in the Outlying Suburban portion of the Pelican Landing RPD/CPD is not changing. The RPD/CPD residential density approval is flexible and specifically has not and does not assign or limit the number of units per tract or parcel. The property in question has been cleared and filled as part of the golf course development. The property was previously determined to be suitable for residential development by the County, which would have included an evaluation of Policy 5.1.2. The County LDC does not prohibit residential development in this location. As noted above, the staff found this application consistent with the Lee Plan in December of 2015, and nothing has changed in the interim. Furthermore, the staff disregards the fact that the county permits development, but requires mitigation in accordance with Chapter 2, Article XI, LDC. If the staff is asserting that there are units that were not addressed in the mitigation, then the city should identify those units and direct that they be addressed pursuant to Chapter 2, Article XI.

It is unclear why there is more concern regarding the construction of approved units north of Coconut Road as opposed to south of Coconut Road. The location north (or south) of the road has no additional impact on evacuation clearance time or shelter demand.

In addition, it should be noted that a height restriction would only increase the footprint of any residential development. As noted previously, the construction of fully engineered high-rise structures will comply with mitigation requirements, which will technically take them out of the CHHA and FEMA floodplain, as defined by statute, as well as incorporate additional structural mitigation strategies for wind and install public awareness policies and programs.

- c. *FLUE Policy 5.1.10(c). Density across more than one future land use classification. This policy was adopted by Lee County in 1990 and amended in 1992, which specified language regarding that the land be under single ownership at the time this policy was adopted and is contiguous. The Kersey Smoot property was acquired in 1998, which is after this policy was adopted. Please explain how this request to shift density from the Pelican Landing CPD/RPD is consistent with this policy.*

*City staff acknowledges that the county staff did not review the Kersey Smoot rezoning for consistency with this policy. Staff acknowledges that the county relied on the DRI as a basis for consistency with the future land use element of the Lee Plan.*

*The sufficiency response did not address this comment. Density is defined in Subdivision II. - Residential Development of LDC 34. Page 16 of the August 17, 1998 Kersey Smoot RPD staff report provided a Lee Plan analysis for gross density for the RPD in addition to citing the gross density for the DRI.*

*The Annexation Agreement between the City of Bonita Springs and the applicant contemplated a zoning change concurrent with the city's comprehensive plan amendment. Subsequently, the applicant changed the request for review under the Lee Plan and Lee County LDC pursuant to Florida Statutes §171.062 (2). The Annexation Agreement does not address review under the Lee Plan and Lee County LDC regulations.*

*Additionally, a complaint was filed in the Circuit Court of the Twentieth Judicial Circuit in and for Lee County, Florida related to the Pelican Landing Golf Resort Ventures Limited Partnership Annexation Agreement. A legitimate argument exists that the Annexation Agreement constitutes an improper contracting away of the City's police powers, and, therefore, may be void ab initio. The applicant references the Annexation Agreement as justification and/or a response to staff's July 11, 2016 insufficiency letter. The applicant may care to provide a supplemental justification and/or a response to staff's comments above and separate from the Annexation Agreement.*

**Response:**

**The application is not shifting density from the Pelican Landing RPD/CPD. The total number of units within the Pelican Landing RPD/CPD remains the same, which the staff has consistently acknowledged. The annexation approved pursuant to Ordinance 13-12 recognizes the ability to construct an additional high-rise building. This is justification above and beyond the requirements under the Annexation Agreement.**

**3. Lee County LDC**

- a. LDC 34-935(f)(1)e. Staff understands the applicant is proposing to amend deviation 12, which is for this LDC section. Please demonstrate how the request to redevelop an existing golf course increases common open space for the purpose of preserving environmentally sensitive land, securing areas of native vegetation and wildlife habitat, or preserving historical, archaeological or scenic views.*

*The applicant did not address this comment as provided in the November 23, 2016 insufficiency letter.*

*Staff acknowledges that the applicant and staff disagree on the justification as it relates to this deviation request.*

*Staff acknowledges that portions of the golf course were originally a part of the Kersey Smoot RPD and that the golf course was not considered part of common open space as it relates to the DRI. Staff's point is that the*

*redevelopment of this property, which is currently a golf course, does not increase common open space for the purpose of preserving environmentally sensitive land, securing areas of native vegetation and wildlife habitat, or preserving historical, archaeological or scenic views*

**Response:**

**The applicant advised the staff that 100 +/- acres would be subject to a conservation easement as permanent common open space for the benefit of all residents in Pelican Landing, and to provide a significant buffer from Estero Bay. Section 34-414, LDC, defines common open space. Common open space is open space areas that are physically accessible to all residents, and is distinguished from private open space. The golf course is not common open space. It is not owned by the residents and it is not available to all of the residents. The area that will be set aside in a conservation easement will become common open space for the benefit of all residents. In addition, the Lee County FLUM and text make a clear distinction between Wetlands and Conservation. The Conservation designation clearly restricts all but the most passive activities. The staff is correct when it states that the golf course on the Kersey Smoot property, the area in question, was not considered common open space under the Kersey Smoot RPD and the County regulations.**

- b. The applicant is requesting to amend Z-94-14, deviation 12 to add area F1 and the ability for up to 4 more towers north of Coconut Road. Please provide a separate deviation request and justification.*

*Please provide a separate deviation request document with the written justification per LDC 34-373(a)(9). The justification shall include how deviation requests meets both tests pursuant to LDC 34-145(d)(4)a2c) in Exhibit IV-H. The Exhibit IV-H submitted August 30, 2016 in Tab 12 does not satisfy this LDC requirement.*

*Based on the insufficiency responses, staff acknowledges that the applicant and staff disagree on the justification as it relates to this deviation request. It is staff's opinion that the area proposed for a conservation easement is afforded protections based on the Wetlands Future Land Use Category Classification on the Lee County Future Land Use Map and Objective 1.5 and Goal 114 of the Future Land Use Element. What additional benefits are gained by placing this already recognized Environmentally Critical Area into a conservation easement?*

*According to the HEX Recommendation Report for the 1994 Pelican Landing DRI and Pelican Landing CPD/RPD, the applicant originally requested high rise development in the Parcel E area of the Pelican Landing CPD/RPD. The HEX opined that this concentration of*

*development abutting wetlands of the Estero Bay was inconsistent with Lee Plan. It should be noted that the Lee County Board of County Commissioners (BoCC) did not approve the applicant's request for 12 buildings and one hotel in the original deviation request for RPD Areas E, F and CPD Area B and that they only approved 8 buildings in RPD Areas F and for one hotel CPD Area B, not this area (RPD Area E). The BoCC agreed that deviation north of Coconut Road was not appropriate based on the final condition in Z-94-14. While some of those Goals, Objectives, and Policies have been amended, the general intent of Policy 107.2.10 has not changed.*

**Response:**

**The staff incorrectly relies on the Hearing Examiner recommendation that was not upheld by the BOCC. The staff incorrectly characterizes the nature of the approvals north of Coconut Road and the Board action. The applicant in 1994 submitted a revised Master Concept Plan to the BOCC subsequent to the issuance of the Hearing Examiner's report. The applicant created the exhibit that identified the location of the then proposed high-rise structures. The BOCC acted on and approved the revised MCP. The Kersey Smoot, Skeebe, and Johnson properties were not part of the project in 1994 and the Hearing Examiner recommendation and the BOCC action did not take the later acquired properties into consideration. Subsequent to the 1994 approvals, the BOCC approved high-rise structures to the north of the subject property as part of West Bay Club. A single-family development now known as the Weeks property is no longer a single-family development and has been approved for a resort.**

- d. LDC 34-378(b). Staff acknowledges that the applicant is requesting to use existing dwelling units that were approved in Z-94-14; however, this request entails new residential dwellings units on property that was developed and has current zoning entitlements as a golf course. Therefore, these residential units from Z-94-14 are not vested as to density or intensity.*

*Staff acknowledges that the applicant and staff disagree on this comment.*

*Staff acknowledges the language that exists in both the County and City DRIs relative to item 14 in Part III LEGAL EFFECT AND LIMITATIONS OF THE DEVELOPMENT ORDER, AND ADMINISTRATIVE REQUIREMENTS. While the applicant is not requesting to increase the number of units of the Pelican Landing CPD/RPD or the DRI, the request is to reallocate density to an area of the MCP and DRI that is not approved for such uses nor at the requested density. Only the Pelican Landing CPD/RPD RPD land development Area E was designated for a variety of residential uses at a*

*maximum height of 75' with no more than 6 habitable floors.*

*On page 11 of your letter dated November 29, 2016, you state that the "applicant annexed into the City in reliance on the City's representations." Please identify: (a) the entity that you allege was the "applicant" which allegedly relied upon such representations; (b) the actions and expenditures that such entity made in reliance upon such representations; and (c) whether such entity has any legal interest in the pending applications. If such entity does not have any legal interest in the pending applications, please identify all entities that have a legal interest in the pending applications.*

**Response:**

**WCI Communities, LLC objects to the City seeking discovery in this sufficiency review process. The application speaks for itself and the answer to this information is not relevant to the application, only to the lawsuit.**

**The staff is correct. The applicant and the staff do not appear to be in agreement.**

**Kersey Smoot RPD**

- e. Z-07-031. Staff acknowledges that the Kersey Smoot RPD was approved with 362 units. Please provide the number of units built in Kersey Smoot to date. Please explain if the applicant is proposing to retain all 362 units within this planned development. If so, please demonstrate consistency with the Lee Plan for this reduced area.*

*Staff acknowledges the applicant does not want to provide the gross density for the Kersey Smoot RPD and that the balance of the project is located within unincorporated Lee County; however, it is important to ensure that this zoning request does not create an inconsistency with the Lee Plan for another RPD regardless if its located in the City's jurisdiction and within the same DRI boundary. Based on the reduced land area, staff has determined that the density for the Kersey Smoot RPD equates to approximately 2 dwelling units an acre, which is consistent with the Lee Plan for that planned development.*

**Response:**

**The City has no jurisdiction over that portion of the Kersey Smoot project that remains in unincorporated Lee County, and the staff has no authority to address consistency with the Lee Plan on county property. The staff expressed no concerns about the Kersey Smoot property that remained in the County in the December 2015 staff report. As previously stated, the Kersey Smoot property was not separately evaluated as an independent property**

for purposes of density because it was also brought into the Pelican Landing DRI and staff acknowledged at that time that no additional units were being sought for the DRI. The action of adding the Kersey Smoot RPD to the overall DRI resulted in an overall density reduction for the project. It is inconsistent for staff to now try to assert that there may be density issues in an area outside their jurisdiction.

*On page 12 of your letter dated November 29, 2016, you refer to the "applicant." Please identify the entity which is the "applicant" for the pending applications.*

**Response:**

**The application speaks for itself.**

4. Pelican Landing CPD/RPD

- a. Z-94-14, Condition 19. *Please provide the unit breakdown by development and Lee County Future Land Use Classification to demonstrate consistency. Staff acknowledges in 2002, the City of Bonita Springs portions of the Pelican Landing CPD/RPD (prior to the 2014 annexations) were assigned the Moderate Density Mixed Use Planned Development classification; however, each final plan approval and/or local development order should have provided the unit breakdown consistent with this condition.*

*On page 13 of your letter dated November 29, 2016, you state that "WCI Communities has prepared a spreadsheet. . . ." We were unable to find a corporate entity named "WCI Communities" on the Division of Corporations' website. Accordingly, please identify the specific entity that prepared the spreadsheet.*

**Response:**

**The spreadsheet has been revised to state that it was prepared by "WCI Communities, LLC", who is listed in the Division of Corporations. Please see spreadsheet and corporate information included with this submittal.**

5. Miscellaneous.

- a. Please find attached comments from the Village of Estero Please provide responses to those agency comments.

**Response:**

**Village of Estero comments have been reviewed, no response is necessary at this time.**

- b. The City of Bonita Springs has retained David Theriaque for outside counsel for this project. Staff intends to ask Mr. Theriaque questions pertaining to this application, which may trigger additional comments relative to this zoning case and the companion DRI case, outside of this sufficiency review.

**Response:**

**All questions pertaining to this application should have been provided, and should be provided in a timely manner so as to avoid a violation of Florida law.**

- d. According to the Division of Corporations, Pelican Landing Golf Resort Ventures Limited Partnership is inactive. The Division of Corporations has received an LP Notice of Cancellation. Please update the application, authorized agent forms, affidavit of authorization, disclosure of interest forms, etc. to reflect the current ownership of the subject property.

**Response:**

**Pelican Landing Golf Resort Ventures Limited Partnership has merged with WCI Communities, LLC. Recorded Certificate of Merger is included with this submittal.**

- e. Please provide an updated property owner list and mailing labels for the city to distribute courtesy mailed notices.

**Response:**

**An updated property owner list and mailing labels is included with this submittal.**

*BONITA SPRINGS Transportation Review*

1. The trip generation for all other developments in the vicinity of Pelican Landing along Coconut Road are low. For example, in the buildout scenario, the three subdivisions along the north side of Coconut Road west of US 41 only contribute a total of 427 trips in the PM peak. However, there are over 650 units in these three subdivisions combined. There is potential for these developments to generate much higher volumes based on ITE trip generation rates for these existing uses. Please explain why these volumes are so low.

**Response:**

**Please see attached memos from David Plummer and Associates, Inc.**

2. The table titled "Area-Specific Developments" on page 15 of the TIS lists several developments that are assumed to be contributing to the background traffic for 2024. Please provide a map showing the location of each of these developments, the number

and direction of PM peak hour trips assigned for each development to the network and the location that each development has access to the network where these trips are assigned. Include the development parameters and a summary of the PM peak hour trip generation for each development. This information will be used to verify the background traffic volumes.

**Response:**

**Please see attached memos from David Plummer and Associates, Inc.**

3. The approved pelican Landing DRI includes a total of 3,072 PM peak hour external trips. The exhibits for Total Traffic (Current Zoning) show 344 trips at the Coconut Point Resort Drive entrance, 264 trips at The Colony entrance on Coconut Road and 337 trips on Pelican Colony Blvd. just west of North Commons Drive. Please provide a map showing the location(s) of where the remaining 2,127 trips access the external network.

**Response:**

**Please see attached memos from David Plummer and Associates, Inc.**

4. The existing traffic counts indicate a total of 74 trips entering Walden Center Drive from both Coconut Road and Pelican Colony Blvd. and 235 trips exiting Walden Center Drive. It appears that most of these trips originate or terminate at sites along Walden Center. The future Total Traffic (Current Zoning) indicates a total of 128 trips entering Walden Center Drive and 459 trips exiting. This is an increase of approximately 90%. There are only a few undeveloped parcels left at the north end of Walden Center Drive. Please identify the approved uses for the remaining undeveloped parcels and the associated PM peak hour trip generation.

**Response:**

**Please see attached memos from David Plummer and Associates, Inc.**

5. Please confirm that the signal timing, including phase length and splits, used for the analysis of the Coconut Road/US 41 signal is consistent with the timing plan currently in operation. The Existing conditions analysis used a cycle length of 180 seconds. The Buildout conditions analysis used a cycle length of 165 seconds. Has FDOT or Lee County DOT indicated that they intend to reduce the cycle length as traffic volumes increase along US 41?

**Response:**

**Please see attached memos from David Plummer and Associates, Inc.**

6. The report notes that the US 41/Coconut Road intersection is projected to operate at LOS C overall. However, the intersection summary of the analysis indicates that the

overall intersection is projected to operate at LOS E and the eastbound approach is projected to operate at LOS E. This needs to be added to the conclusions of the report. This will also impact the overall operations of the Coconut Road corridor west of US 41. This information needs to be added to the conclusions of the report.

7. Please provide origin and destination information for the trips that are diverted due to the proposed signal at US 41 and Pelican Colony Boulevard. The Future Total Traffic (Rezoning) exhibits indicate that 520 trips will divert from Coconut Road to Pelican Colony Boulevard. This is a substantial diversion of traffic. Almost half of this volume is diverting south to head north on US 41. The result of this diversion is that the eastbound approach of Coconut Blvd at US 41 is projected to operate at LOS E with an approach delay of 72 seconds per vehicle while the eastbound approach of Pelican Colony Blvd at US 41 is projected to operate at LOS F with an approach delay of 120 seconds per vehicle. Why would so many vehicles divert south to Pelican Colony Boulevard to travel north on US 41 when delay at the intersection is almost twice as long? This needs to be justified.

**Response:**

**Please see attached memos from David Plummer and Associates, Inc.**

Please contact either Neale Montgomery at 336-6235 or me if there are any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Wayne Arnold". The signature is stylized and cursive.

D. Wayne Arnold, AICP

Enclosures

Cc: WCI Communities LLC  
Neale Montgomery  
GradyMinor File