DELISI
Land Use Planning & Water Policy

SAGE POINTE PD
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Community Development Department
Comprehensive Planning Section
18400 Murdock Circle
Port Charlotte, FL, 33948

CHARLOTTE COUNTY
COMMUNITY DEVELOPMENT
DEPARTMENT

PLANNED DEVELOPMENT REZONING
Application Information

Application Submittal Requirements

- **Supply one unbound copy of the Application Materials (see checklist below).** Staff will have up to 5 working days following the application deadline day to review the application for completeness. If incomplete, the application will be returned with a description of the reasons why the application is incomplete. The applicant may resubmit the application any time prior to the next application deadline day.
- **Once deemed complete, the applicant will be notified that the application has been logged-in. The applicant is then required to supply one electronic copy, in PDF format, of all documents.** Additional copies of certain items will be required prior to the public hearing dates. ***Do not*** submit the additional copies to the Building and Growth Management Department until requested by a staff member of the department.
- **If deemed complete, the application will be logged in and assigned to a P&Z and BCC hearing cycle (see attached Application Schedule).** Staff will commence review.
    - The applicant is responsible for promptly providing any information that needs to be updated, modified, or newly submitted as part of the review; otherwise the petition may be continued to a later cycle or a recommendation of denial will be necessary.
- **No additional changes may be made to any information in an application subsequent to one week before the hearing packet is due to be compiled for the Planning and Zoning Board members or the NOVUS Agenda item deadline for the Board of County Commissioners.** The planner in charge of the petition will be able to inform the applicant of the final date.

Consistency with the Comprehensive Plan

The changes proposed by this application will be reviewed with regard to consistency with the Goals, Objectives, and Policies (GOPs) of the Smart Charlotte 2050 comprehensive plan. Inconsistency with Smart Charlotte will be a basis for a recommendation of denial by Staff.

The review will also be concerned with impacts to infrastructure (i.e. roads, water and sewer facilities, libraries, public buildings, parks, and schools), services (i.e. garbage collection, police protection, and fire/EMS service), the environment (i.e. impact to listed plant and animals species, soil content, erosion, generation of hazardous waste, water quality), and the potential for natural disasters (i.e. hurricanes and flooding).

Application Materials Checklist

- ❑ Completed Application form
- ❑ Survey and accurate legal description (including acreage), signed and sealed by a registered land surveyor
  - For unplatted property, one original boundary survey - *one hard copy and one copy in AutoCAD format*
  - For platted land, one original surveyor's sketch
- ❑ Most current *Title Insurance Policy* or an *Ownership and Encumbrance Report* for subject property
- ❑ Notarized authorization from each owner, as applicable (Form A)
- ❑ Notarized authorization for agent to submit petition, as applicable (Form B)
- ❑ A copy of any covenants, easements or restrictions that have been recorded for the subject site
- ❑ *Environmental Assessment Report*
- ❑ *Traffic Impact Analysis*
  - *Hurricane Evacuation Study,* as applicable
- ❑ Letters of availability of utility service from sanitary sewer and potable water utilities that would provide service to the site and *Estimated Potable Water and Sanitary Sewer Usage Report*
- ❑ *Archeological/Historical Memo* indicating whether or not listed objects are located on the subject site
  - *Archeological/Historical Survey,* as applicable
- ❑ Narrative addressing rezoning standards of approval
- ❑ All information required by Section 15 of the application, 'A' through 'K'
- ❑ Adjacent property owners map and an electronic copy of the adjacent property owners list in text format (txt file) provided on disc.
- ❑ Affidavits A & B, signed and notarized
- ❑ Filing fee of **$4,540.00**, with check made payable to the Charlotte County Board of County Commissioners, or CCBCC.
- ❑ Filing of **$2,590.00** for a Major Modification of a PD, with check made payable as noted above.

Additional Copies for Hearing Packet

10 copies each of the following when requested by department staff:

- any bound items
- any maps or other graphics sized larger than 11 X 17 (except surveys)
- any items in color

For Purposes of Public Hearing Presentation

Two views of the concept plan must be submitted to the County in an electronic format designed to fit on a PowerPoint slide; one view based against an off-white background, and one view presented as an overlay on a GIS aerial map of a scale to show adjacent properties. In order to make viewing of the PowerPoint concept plan easier, only the site plan, development standards, north arrow, and scale shall be portrayed. The concept (site) plan should be marked for easy reading:

- areas set aside for water retention should be colored blue
- areas set aside for Open Space should be colored green – dark green for preservation and light green for other areas
- areas set aside for Public Space should be colored brown

ATTENTION

If you are submitting an application that, if approved, will increase the amount of density allowed to be developed on your property, read this notice.

FLU Policy 1.2.7 of Smart Charlotte County outlines those situations wherein the Transfer of Density Units program is applicable.

> "The TDU program shall be used during the review and approval process for all plan amendments and rezonings that propose to increase the base density on land and street vacations that would result in an accumulation of acreage allowing development of new units of density; this requirement shall continue to apply to lands that have been annexed by the City of Punta Gorda."

Property may be exempted from the TDU program if located within a Revitalizing Neighborhood with an adopted Revitalization Plan. The exemption would need to be consistent with policies adopted into Smart Charlotte.

If not exempted, property must meet one of these requirements in order to be an acceptable Receiving Zone:

FLU Policy 1.2.10 TDU Receiving Zones

Receiving zones inside the Urban Service Area include lands within the following designations of FLUM Series Map #2: 2050 Framework:

1. Emerging Neighborhoods.
2. Maturing Neighborhoods.
3. Economic Corridors and Centers.
4. CRAs
5. Revitalizing Neighborhoods prior to adoption of a Revitalization Plan and also what may be required in accordance with a Revitalization Plan.

Receiving Zones within the Rural Service Area include lands within:

1. Rural Community Mixed Use areas.
2. The Rural Settlement Area Overlay District.

AND

Must not be in a prohibited Receiving Zone:

FLU Policy 1.2.11 Prohibited Receiving Zones

Density shall not be transferred into:

1. Lands within Managed Neighborhoods (FLUM Series Map #2).
2. Lands within the Resource Conservation and Preservation FLUM categories.
3. Land containing historical or archeological resources, or land deemed to contain environmentally sensitive resources; when a portion of a property contains resources, that area deemed not to contain resources may receive density if it meets one of the criteria of a receiving zone, a conservation easement will be required over the resource along with an undeveloped buffer of at least 100 feet. An historical structure that is to be integrated into a development will not need to be buffered.
4. Lands within the Prime Aquifer Recharge Area (FLUM Series Map #6).
5. Lands within the one-half mile setback of the Watershed Overlay District and Tippen Bay and Long Island Marsh (FLUM Series Map #4).
6. Land within a Public Water System Wellhead Protection Area (FLUM Series Map #7).
7. Land on a barrier island.

CHARLOTTE COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION for PLANNED DEVELOPMENT REZONING

Date Received:	Time Received:
Date of Log-in:	Petition #: Accela #:
Receipt #:	Amount Paid:

1. PARTIES TO THE APPLICATION

Name of Applicant: **Burnt Store Road RET - LLC**

Mailing Address: **8000 Summerlin Lakes Drive, Suite 100**

City: **Fort Myers**	State: **FL**	Zip Code: **33907**
Phone Number: **239-489-4066**		Fax Number:

Email Address: **rbrewer@retlandholdings.com**

Name of Agent: **Daniel DeLisi, AICP, DeLisi, Inc.**

Mailing Address: **520 27th Street**

City: **West Palm Beach**	State: **FL**	Zip Code: **33407**
Phone Number: **239-913-7159**		Fax Number:

Email Address: **dan@delisi-inc.com**

Name of Engineer/Surveyor: **Todd Rebol, PE, Atwell, LLC**

Mailing Address: **4161 Tamiami Trail, Building 5, Suite 501**

City: **Port Charlotte**	State: **FL**	Zip Code: **33952**
Phone Number: **(941) 625-1165**		Fax Number:

Email Address: **trebol@atwell.com**

Name of Property Owner (if more than one property owner, attach a separate sheet with a list of all owners)**:**
See applicant information above

Mailing Address:

City:	State:	Zip Code:
Phone Number:		Fax Number:

Email Address:

2. PROPERTY INFORMATION

If more than one account number exists, attach a separate sheet listing all information required by this section

Property Account #: **Multiple, see attached List**		
Section:	Township:	Range:
Parcel/Lot #:	Block #:	Subdivision:
Total acreage or square feet of the property: **277.55 + / -**		

3. SURVEY:

- For unplatted property, provide one original boundary survey that is **signed and sealed** by a registered land surveyor and an accurate legal description (including acreage) of the property.
- For platted land, provide one original surveyor's sketch that is **signed and sealed** by a registered land surveyor and an accurate legal description (including acreage) of the property.

4. PROOF OF LAND OWNERSHIP:

Provide the most current *Title Insurance Policy* or an *Ownership and Encumbrance Report* on the subject property.

5. NOTARIZED AUTHORIZATION:

- If the applicant is not the owner of the property, a written, notarized authorization from each owner must be provided with this application – use Form A, attached. Property owner authorization is required. If the property owner withdraws permission at any point during the review and approval process, the application is considered null and void.
- If an agent is submitting the application for the applicant – authorization from the applicant is required – use Form B, attached.

6. RESTRICTIONS:

Provide a copy of any covenants, easements or restrictions that have been recorded for the subject site.

7. EXISTING LAND USE DESIGNATIONS

Future Land Use Map (FLUM) designation(s)	Acreage
Burnt Store Village Residential	**277.55 + / - acres**

Zoning District(s)	Acreage
Planned Development	**265 + / - acres**
CG (Commercial)	**12 + / - acres**

8. APPLICANT'S PROPOSED CHANGE(S):

If the proposed change involves an increase in density, which of the Receiving Zone criteria does the property meet, or would this be an exemption consistent with a Revitalization Plan?

Planned Development within the Urban Services Area.

9. REASON FOR PROPOSED CHANGE(S):

Change to the site plan, incorporation and expansion of commercial property.

10. CURRENT LAND USE OF SUBJECT PROPERTY (example: house, vacant land, barn, etc.)**:**
vacant / agriculture.

11. SURROUNDING LAND USES:

North: **Residential**

South: **vacant / Planned residential**

East: **vacant**

West: **Residential**

12. ENVIRONMENTAL ASSESSMENT:

- Provide an *Environmental Assessment Report,* conducted within one year or less from the date of submittal, that includes:
  - Maps and surveys of the subject site illustrating the existing land cover according to Level 3 of the FLUCCS
  - Locations of listed flora and fauna species, if present.
  - If any wetlands are identified on site, provide a survey showing delineations of any wetlands, acreages, and the wetland Category (ENV Policy 3.1.3) under which they fall.
  - If the property is adjacent to any Federal, State, or County wildlife management areas, parks, preserves or reserves, supply a science-based analysis of possible impacts to the environmental resources of these lands and the manner in which these impacts can be eliminated. Where elimination is not possible, the analysis shall detail how these impacts can be reduced and mitigated.

13. INFRASTRUCTURE:

A. Roadway

i. List the roads or streets upon which vehicles may travel to gain access to the site (generally within ¼ mile radius):
Burnt Store Road

ii. *Traffic Impact Analysis*: This study must be authored by a registered professional engineer in the State of Florida. Provide a study showing the impacts development of the subject site would have on the surrounding roadway network. Where traffic impacts reduce LOS below 'D' provide a proportionate fair share assessment for impacted roadways.

- *Hurricane Evacuation Study*: For any property that is even partially located in a Coastal High Hazard Area, or which generates trips wherein the majority of those trips would utilize a roadway that runs through a Coastal High Hazard Area, a *Hurricane Evacuation Study* must

accompany any *Traffic Impact Analysis*.

B. Potable Water and Sanitary Sewer

i. Submit a letter from any water or sewer utilities that will be serving the subject site stating availability of utility service to the property.
ii. Attach an *Estimated Potable Water and Sanitary Sewer Usage Report*: provide a report showing the gallons per day that may be generated by development of the subject site at the maximum buildout

14. HISTORICAL OR ARCHEOLOGICAL SITES: When the property under review is within the area determined to contain potential historic and archeological resources by the Archaeological Predictive Model (depicted on SPAM Series Map #3), the applicant must submit an *Archeological/Historical Memo* indicating that a review of the National Register of Historic Places, the Florida Master Site File and the Local Historic Register (when available) has been performed and the results of that review. If the subject site contains any object listed in these resources, the applicant must provide an *Archeological/Historical Survey* performed by a professional archeologist licensed in the State of Florida.

15. REZONING NARRATIVE

Charlotte County Code Section 3-9-11(e) lists the following standards for approval. A narrative stating the applicant's justification for the rezoning based upon the following standards of approval is required:

A. Whether the proposed change would be contrary to the Comprehensive Plan.
B. The existing land use pattern in adjacent areas.
C. The capacity of public facilities and services, including but not limited to schools, roads, recreational facilities, wastewater treatment, water supply, and stormwater drainage facilities.
D. Whether the proposed change will adversely influence living conditions or property values in adjacent areas.
E. Whether the proposed change will affect public safety.

16. CONCEPT PLAN and DEVELOPMENT INFORMATION: Submit the following information regarding the proposed project.

(All maps must contain title of the project, landowner of record, names of the representatives of the landowner of record, scale, date, and north arrow)

A. Include a *General Location Map.*
B. Include *Existing Features Map(s)* showing all streets, curb cuts, buildings, watercourses, easements, other important physical features, zoning designations and future land use map designations in the property and on adjacent lands.
C. Include a *Concept Design Map* showing locations of structures, acreage, density, and intensity for each proposed land use; show points of access and traffic flow and road improvements; show buffers, landscaped areas, and open space.
D. Supply tabulations of total gross acreage in the proposed development, the percentage of total acreage to be devoted to each proposed use, height, and intensity of use identified through Floor Area Ratio calculations and/or projected number of housing units proposed by dwelling type.
E. Supply a phasing plan or general schedule of the development.
F. Supply standards for height, open space, building density, and parking area.
G. Include a narrative in which you cite specifically how this project meets the intent and goals of the Planned Development Zoning District, including any "community enhancements".

H. Show the general façade and overall architectural design scheme; explain building orientation, if applicable.
I. Describe any Green Building or Low Impact Development (LID) design techniques that will be used.
J. Supply a copy of any draft deed restrictions, protective covenants, and other statements or devices which will be used to control the use, development and maintenance of the land and improvements thereon, including those areas which are to be commonly owned and maintained.
K. Supply any additional information identified at the preapplication conference, at concept approval, or requested by the Zoning Official or Building and Growth Management Director prior to submittal of the rezoning application.

18. ADJACENT PROPERTY OWNERS INFORMATION:

Provide an *electronic text file (.txt)* that includes the names and addresses of all property owners within 200 feet of the subject property (excluding street right-of-ways), and a map indicating which properties are included in the address list. The Adjacent Property Owner List must be based upon the latest available property records of the Property Appraiser's Office. The list shall include property owner's name, mailing address, and parcel(s) or lot(s) description or account number so each parcel can be referenced on the Adjacent Property Owner Map. Refer to the Geographic Information System Internet site for mapping and owner information at **http://www.ccgis.com/**. (Use a buffer of 250 feet or larger in order to account for right-of-ways, canals, etc.) Every property owner within 200 feet of every parcel of land involved will be notified of the schedule of public hearings

Community Development Department
Comprehensive Planning Section
18400 Murdock Circle
Port Charlotte, FL. 33948

AFFIDAVIT B

The applicant/owner hereby acknowledges and agrees that any staff discussion about conditions of approval are preliminary only, and are not final, nor are they the specific conditions or demands required to gain approval of the application, unless the conditions or demands are actually included in writing in the final development order or the final denial determination or order.

STATE OF FL, COUNTY OF LEE

The foregoing instrument was acknowledged before me this 12 day of MARCH, 2026, by Randy Thibaut who is personally known to me or has/have produced _____ as identification and who did/did not take an oath.

Notary Public Signature	Signature of Applicant or Agent
Dawn Russell	Randy Thibaut, manager Burnt Store Road-RET, LLC.
Notary Printed Signature	Printed Signature of Applicant or Agent
Notary Public	8000 Summerlin Lakes Drive Suite 100
Title	Address
#HH 576741	Fort Myers, FL 33907
Commission Code	City, State, Zip
	239-489-4066
	Telephone Number

DAWN RUSSELL
Notary Public - State of Florida
Commission # HH 576741
My Comm. Expires Jul 29, 2028
Bonded through National Notary Assn.

Community Development Department
Comprehensive Planning Section
18400 Murdock Circle
Port Charlotte, FL. 33948

FORM B. APPLICANT AUTHORIZATION TO AGENT

I, the undersigned, being first duly sworn, depose and say that I am the applicant for the REZONING of the property described and which is the subject matter of the proposed hearing.
I give authorization for Daniel DeLisi to be my agent for this application.

STATE OF FL, COUNTY OF LEE

The foregoing instrument was acknowledged before me this 12 day of MARCH, 2026, by Randy Thibaut who is personally known to me or has/have produced _____ as identification and who did/did not take an oath.

Notary Public Signature	Signature of Applicant
Dawn Russell	Randy Thibaut, Manager Burnt Store Road - RET, LLC.
Notary Printed Signature	Printed Signature of Applicant
Notary Public	8000 Summerlin Lakes Drive Suite 100
Title	Address
* HH 576741	Fort Myers, FL 33907
Commission Code	City, State, Zip
	239-489-4066
	Telephone Number

DAWN RUSSELL
Notary Public - State of Florica
Commission # HH 576741
My Comm. Expires Jul 29, 2028
Bonded through National Notary Assn.

Community Development Department
Comprehensive Planning Section
18400 Murdock Circle
Port Charlotte, FL 33948

FORM B. APPLICANT AUTHORIZATION TO AGENT

I, the undersigned, being first duly sworn, depose and say that I am the applicant for the REZONING of the property described and which is the subject matter of the proposed hearing.
I give authorization for Daniel DeLisi, AICP to be my agent for this application.

STATE OF Florida, COUNTY OF Lee

The foregoing instrument was acknowledged before me this 21 day of August, 20 25, by Randy Thibaut who is personally known to me or has/have produced _____ as identification and who did/did not take an oath.

Notary Public Signature	Signature of Applicant
Dawn Russell	Randy Thibaut
Notary Printed Signature	Printed Signature of Applicant
Notary Public	8000 Summerlin Lakes Drive Suite 100
Title	Address
# HH 576741	Fort Myers, FL 33907
Commission Code	City, State, Zip
	239-489-4060
	Telephone Number

DAWN RUSSELL
Notary Public - State of Florida
Commission # HH 576741
My Comm. Expires Jul 29, 2028
Bonded through National Notary Assn.

Community Development Department
Comprehensive Planning Section
18400 Murdock Circle
Port Charlotte, FL 33948

AFFIDAVIT B

The applicant/owner hereby acknowledges and agrees that any staff discussion about conditions of approval are preliminary only, and are not final, nor are they the specific conditions or demands required to gain approval of the application, unless the conditions or demands are actually included in writing in the final development order or the final denial determination or order.

STATE OF Florida, COUNTY OF Lee

The foregoing instrument was acknowledged before me this 21 day of August, 2025, by Randy Thibaut who is personally known to me or has/~~have~~ produced _____ as identification and who ~~did~~/did not take an oath.

Notary Public Signature	Signature of Applicant or Agent
Dawn Russell	Randy Thibaut
Notary Printed Signature	Printed Signature of Applicant or Agent
Notary Public	8000 Summerlin Lakes Drive Suite 100
Title	Address
*HH 576741	Fort Myers, FL 33907
Commission Code	City, State, Zip
	239-489-4066
	Telephone Number

DAWN RUSSELL
Notary Public - State of Florida
Commission # HH 576741
My Comm. Expires Jul 29, 2028
Bonded through National Notary Assn.

Community Development Department
Comprehensive Planning Section
18400 Murdock Circle
Port Charlotte, FL 33948

AFFIDAVIT A

I, the undersigned, being first duly sworn, depose and say that I am the owner or agent of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be complete and accurate before the hearing can be advertised, and that if I am not the owner of the property I have attached a notarized authorization from the owner(s) to submit this application. I acknowledge that all items listed in the application must be submitted concurrent at the time the County accepts the application. I swear that the attached list of adjacent property owners is complete, including all property owners within 200 feet of the subject properties (excluding right-of-ways), that it is correct, providing addresses as listed in the County Tax Roll.

STATE OF Florida, COUNTY OF Palm Beach

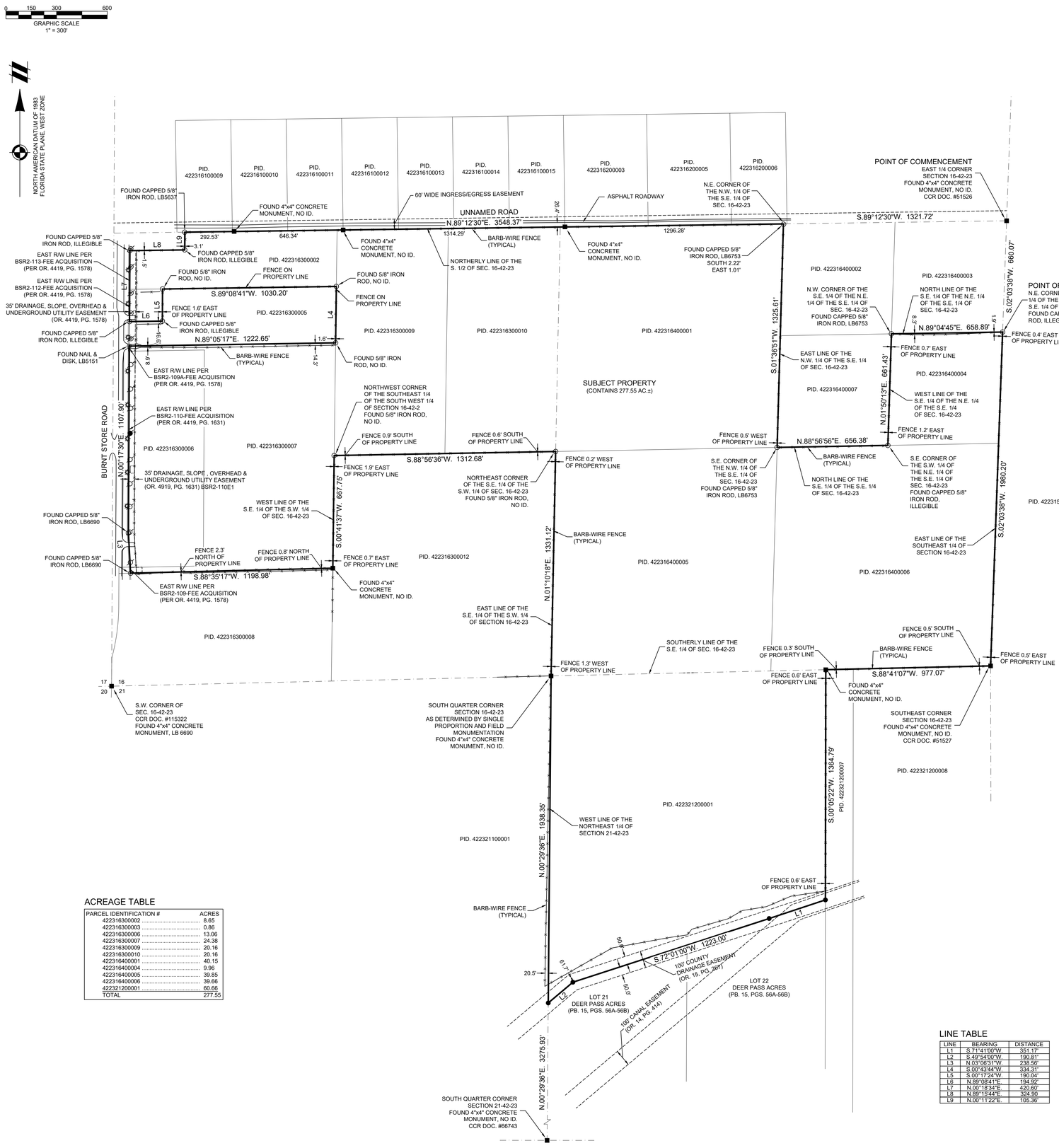
The foregoing instrument was acknowledged before me this 26 day of September, 2025, by Daniel DeLisi who is personally known to me or has/have produced Florida Drivers licence as identification and who did/did not take an oath.

Notary Public Signature	Signature of Applicant or Agent
Cadence Monahan	Daniel DeLisi
Notary Printed Signature	Printed Signature of Applicant or Agent
Notary	520 27th St
Title	Address
HH 711446	West Palm Beach, FL 33407
Commission Code	City, State, Zip
	239-913-7159
	Telephone Number

CADENCE MONAHAN
Notary Public - State of Florida
Commission # HH 711446
My Comm. Expires Aug 18, 2029

List of Parcel IDs

422316300002
422316300003
422316300006
422316300007
422316300009
422316300010
422316400001
422316400004
422316400005
422316400006
422321200001

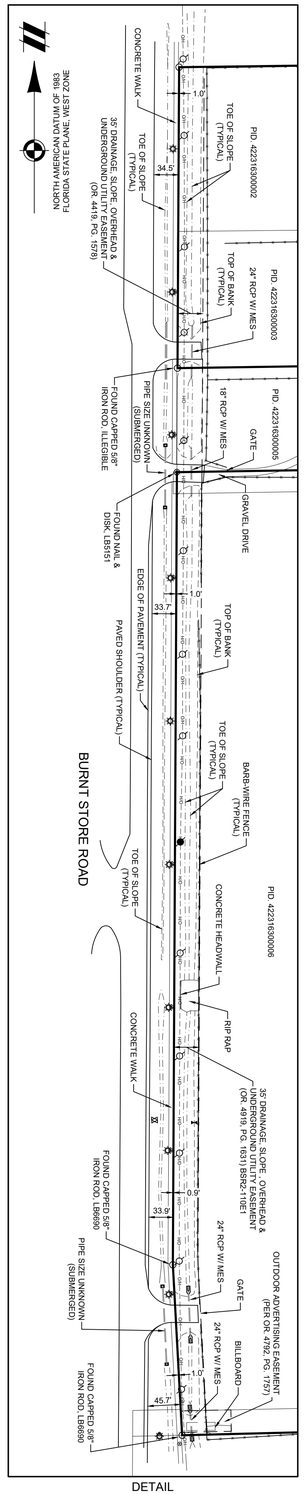


ACREAGE TABLE

PARCEL IDENTIFICATION #	ACRES
422316300002	8.65
422316300003	0.86
422316300006	13.06
422316300007	24.38
422316300009	20.16
422316300010	20.16
422316400001	40.15
422316400004	9.96
422316400005	39.85
422316400006	39.66
422321200001	60.66
TOTAL	277.55

LINE TABLE

LINE	BEARING	DISTANCE
L1	S.71°41'00"W.	351.17'
L2	S.49°54'00"W.	190.81'
L3	N.03°06'31"W.	238.56'
L4	S.00°43'44"W.	334.31'
L5	S.00°17'24"W.	190.04'
L6	N.89°08'41"E.	194.92'
L7	N.00°18'34"E.	420.60'
L8	N.89°15'44"E.	324.90
L9	N.00°11'22"E.	105.36'



DETAIL
(SCALE: 1"=100')

SURVEYOR'S LEGEND

●	SET CAPPED IRON ROD #LB7832	DOC.	DOCUMENT
SEC.	SECTION	PB.	PLATBOOK
R/W	RIGHT-OF-WAY	PG.	PAGE
CCR	CERTIFIED CORNER RECORD	SQ.FT.	SQUARE FEET
RCP	REINFORCED CONCRETE PIPE	AC.	ACREAGE
PID.	PARCEL IDENTIFICATION NUMBER	±	PLUS OR MINUS
PLS	PROFESSIONAL LAND SURVEYOR	F.P.L.	FLORIDA POWER & LIGHT COMPANY
LB	LICENSED BUSINESS		CATCH BASIN
MES	MITERED END SECTION		WOOD UTILITY POLE
PSM	PROFESSIONAL SURVEYOR AND MAPPER		TELEPHONE RISER
℄	CENTERLINE		SIGN
ID.	IDENTIFICATION		WATER GATE VALVE
CCR	CERTIFIED CORNER OF RECORD		OVERHEAD UTILITIES
			GUY WIRE

SURVEYOR'S NOTES

1. THIS MAP OF BOUNDARY SURVEY IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER IDENTIFIED HEREON.
2. NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD HAVE BEEN PROVIDED TO THIS FIRM.
3. BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT - EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK SITE CODE "PNTA", IN U.S. FEET WHEREIN THE EAST LINE OF THE SOUTHEAST ¼ OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST, BEARS S 02°03'38"W.
4. UNLESS OTHERWISE NOTED OR SHOWN HEREON, APPARENT AND/OR UNOBSTRUCTED, ABOVE GROUND IMPROVEMENTS WERE LOCATED. UNDERGROUND IMPROVEMENTS, SUCH AS FOUNDATIONS AND UTILITIES, WERE NOT LOCATED.
5. THE LANDS SHOWN HEREON LIE IN ZONE "D", PER THE FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANELS NO. 12015C0409G AND 12015C0417G, EFFECTIVE DATE 12/15/2022, THE LIMITS OF SAID ZONES ARE GRAPHICALLY DEPICTED HEREON AS NEAR AS MAY BE SCALED FROM SAID MAP.
6. UNLESS OTHERWISE NOTED OR SHOWN HEREON, THERE ARE NO APPARENT AND/OR UNOBSTRUCTED, ABOVE GROUND ENCROACHMENTS. THE DISPOSITION OF ANY POTENTIAL ENCROACHING IMPROVEMENTS SHOWN IS BEYOND PROFESSIONAL PURVIEW AND SUBJECT TO LEGAL INTERPRETATION.
7. ATTENTION IS DIRECTED TO THE FACT THAT THIS MAP MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA. SYMBOLS DEPICTED HEREON DO NOT REFLECT ACTUAL SIZE.
8. ADJOINING PARCEL IDENTIFICATION NUMBERS (PID) DELINEATED HEREON WAS OBTAINED FROM THE CHARLOTTE COUNTY PROPERTY APPRAISER'S PUBLIC ACCESS SYSTEM.
9. THE SURVEYED LANDS MAY BE SUBJECT TO JURISDICTIONAL ENTITIES.
10. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.

LEGAL DESCRIPTION

PREPARED BY THIS FIRM

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTIONS 16 AND 21, TOWNSHIP 42 SOUTH, RANGE 23 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 16, AS DEPICTED IN CERTIFIED CORNER RECORD DOCUMENT NUMBER 51526; THENCE S 02°03'38" W, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 16, A DISTANCE OF 660.07 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE S 02°03'38" W, ALONG SAID EAST LINE A DISTANCE OF 1980.20 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 16; THENCE S 88°41'07" W, ALONG THE SOUTHERLY LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 16, A DISTANCE OF 977.07 FEET; THENCE S 00°05'22" W, A DISTANCE OF 1364.79 FEET TO THE NORTHEAST CORNER LOT 22, DEER PASS ACRES, AS RECORDED IN PLAT BOOK 15, PAGES 56A THROUGH 56B, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF LOTS 21 AND 22, OF SAID DEER PASS ACRES, THE FOLLOWING 3 COURSES: S 71°41'00" W, A DISTANCE OF 351.17 FEET; THENCE S 72°01'00" W, A DISTANCE OF 1223.00 FEET; THENCE S 49°54'00" W, A DISTANCE OF 190.81 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE N 00°29'36" E, ALONG SAID WEST LINE, A DISTANCE OF 1938.35 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 16; THENCE N 01°10'18" E ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, A DISTANCE OF 1331.12 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16; THENCE S 88°56'36" W, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, A DISTANCE OF 1312.68 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16; THENCE S 00°41'37" W ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, A DISTANCE OF 667.75 FEET TO A POINT ON SAID WEST LINE; THENCE S 88°35'17" W, A DISTANCE OF 1198.98 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF BURNT STORE ROAD, PER BSR2-109 FEE ACQUISITION, AS DESCRIBED IN OFFICIAL RECORDS BOOK 4419, PAGE 1578, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE AND THE EAST RIGHT-OF-WAY LINE PER BSR-109 FEE ACQUISITION, AS DESCRIBED IN OFFICIAL RECORDS BOOK 4419, PAGE 1578, PUBLIC RECORDS OF CHARLOTTE COUNTY, THE FOLLOWING 2 COURSES: N 03°06'31" W, A DISTANCE OF 238.56 FEET; THENCE N 00°17'30" E, A DISTANCE OF 1107.90 FEET; THENCE N 89°35'17" E, A DISTANCE OF 1222.65 FEET; THENCE N 00°43'44" E, A DISTANCE OF 334.31 FEET; THENCE S 89°08'41" W, A DISTANCE OF 1030.20 FEET; THENCE S 00°17'24" W, A DISTANCE OF 190.04 FEET; THENCE S 89°08'41" W, A DISTANCE OF 194.92 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF BURNT STORE ROAD, PER BSR2-112 FEE ACQUISITION, AS DESCRIBED IN OFFICIAL RECORDS BOOK 4419, PAGE 1578, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE N 00°18'34" E ALONG SAID EAST RIGHT-OF-WAY, PER BSR2-122 FEE ACQUISITION AND BSR2-113 FEE ACQUISITION, A DISTANCE OF 420.60 FEET; THENCE N 89°15'44" E, A DISTANCE OF 324.90 FEET; THENCE N 00°11'22" E, A DISTANCE OF 105.36 FEET TO A POINT ON THE NORTHERLY LINE OF THE SOUTH 1/2 OF SAID SECTION 16; THENCE N 89°12'30" E ALONG SAID NORTHERLY LINE, A DISTANCE OF 3548.37 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 16; THENCE S 01°36'51" W ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 16, A DISTANCE OF 1325.61 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 16; THENCE N 88°56'56" E ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 16, A DISTANCE OF 656.38 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 16; THENCE N 01°50'13" E ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 16, A DISTANCE OF 661.43 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 16; THENCE N 89°04'45" E ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 16, A DISTANCE OF 658.89 FEET TO THE **POINT OF BEGINNING**.

BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT - EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK SITE CODE "PNTA", IN U.S. FEET WHEREIN THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST, BEARS S 02°03'38"W.

FOR THE BENEFIT AND EXCLUSIVE USE OF:

DANIEL B. LIGHT, L.B. ANDERSEN & CO., INC., AN ILLINOIS CORPORATION, LEAH RAE LIGHT, AS SUCCESSOR TRUSTEE OF THE WS TRUST PURSUANT TO TRUST AGREEMENT DATED JANUARY 5, 1972, LEAH RAE LIGHT, AS SUCCESSOR TRUSTEE OF THE SHANNON TRUST PURSUANT TO TRUST AGREEMENT DATED JANUARY 5, 1972, LEAH RAE LIGHT, AS SUCCESSOR TRUSTEE OF THE WADE TRUST PURSUANT TO TRUST AGREEMENT DATED JANUARY 5, 1972, LEAH RAE LIGHT, AS SUCCESSOR TRUSTEE OF THE LIGHT TRUST PURSUANT TO TRUST AGREEMENT DATED JANUARY 5, 1972, AND BURNT STORE ROAD-RET, LLC, A FLORIDA LIMITED LIABILITY COMPANY

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF FLORIDA AS STATED IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

STEVEN R. SONBERG, P.E., P.S.M.
FLORIDA REGISTRATION NO. 6656
ATWELL, LLC
CERTIFICATE OF AUTHORIZATION NO.: LB 7832

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ATWELL
4161 TAMIAMI TRAIL, BLDG. 5, #501
PORT CHARLOTTE, FL 33952
(941) 979-3555
FLORIDA SURVEY CERTIFICATE OF AUTHORIZATION # LB 7832

REV	DRAFTER	REV. DATE	COMMENTS
1	JS	9/19/2025	REVISED SURVEY PER COMMENTS
2	JS	9/23/2025	REMOVED 60' EASEMENT (OR. 631, PG. 1269)

LOCATED IN:
SECTIONS 16 & 21, TOWNSHIP 42 SOUTH, RANGE 23 EAST

PARCEL ID:
422316400001, 422316400004, 422316400005, 422316400006, 422316300002, 422316300006, 422316300007, 422316300009 & 422316300010

SITE ADDRESS
14290, 14300, 14310, 14330, 14340, 14380, 14400, 14410, 14430, 14440, BURNT STORE ROAD AND 26100 ZEMEL ROAD, PUNTA GORDA, FLORIDA, 33955

MAP OF
BOUNDARY SURVEY
OF
BURNT STORE 278

PM.	BJC
FIELD DATE:	09/05/2025
PLOT DATE:	09/09/2025
JOB	24005028-SR
SHEET NO.	1 OF 1

CHICAGO TITLE INSURANCE COMPANY

Policy No.: 132054-2-215380.00002-2023.7251209-230802875

ALTA OWNER'S POLICY OF TITLE INSURANCE

Issued by

CHICAGO TITLE INSURANCE COMPANY

This policy, when issued by the Company with a Policy Number and the Date of Policy, is valid even if this policy or any endorsement to this policy is issued electronically or lacks any signature.
Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Condition 17.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, CHICAGO TITLE INSURANCE COMPANY, a Florida corporation, (the "Company") insures as of the Date of Policy and, to the extent stated in Covered Risks 9 and 10, after the Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. The Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. Covered Risk 2 includes, but is not limited to, insurance against loss from:
   (a) a defect in the Title caused by:
      i. forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
      ii. the failure of a person or Entity to have authorized a transfer or conveyance;
      iii. a document affecting the Title not properly authorized, created, executed, witnessed, sealed, acknowledged, notarized (including by remote online notarization), or delivered;
      iv. a failure to perform those acts necessary to create a document by electronic means authorized by law;
      v. a document executed under a falsified, expired, or otherwise invalid power of attorney;
      vi. a document not properly filed, recorded, or indexed in the Public Records including the failure to have performed those acts by electronic means authorized by law;
      vii. a defective judicial or administrative proceeding; or
      viii. the repudiation of an electronic signature by a person that executed a document because the electronic signature on the document was not valid under applicable electronic transactions law.
   (b) the lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
   (c) the effect on the Title of an encumbrance, violation, variation, adverse circumstance, boundary line overlap, or encroachment (including an encroachment of an improvement across the boundary lines of the Land), but only if the encumbrance, violation, variation, adverse circumstance, boundary line overlap, or encroachment would have been disclosed by an accurate and complete land title survey of the Land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. A violation or enforcement of a law, ordinance, permit, or governmental regulation (including those relating to building and zoning) but only to the extent of the violation or enforcement described by the enforcing governmental authority in an Enforcement Notice that identifies a restriction, regulation, or prohibition relating to:
   (a) the occupancy, use, or enjoyment of the Land;
   (b) the character, dimensions, or location of an improvement on the Land;
   (c) the subdivision of the Land; or
   (d) environmental remediation or protection on the Land.
6. An enforcement of a governmental forfeiture, police, regulatory, or national security power, but only to the extent of the enforcement described by the enforcing governmental authority in an Enforcement Notice.
7. An exercise of the power of eminent domain, but only to the extent:
   (a) of the exercise described in an Enforcement Notice; or
   (b) the taking occurred and is binding on a purchaser for value without Knowledge.
8. An enforcement of a PACA-PSA Trust, but only to the extent of the enforcement described in an Enforcement Notice.
9. The Title being vested other than as stated in Schedule A, the Title being defective, or the effect of a court order providing an alternative remedy:
   (a) resulting from the avoidance, in whole or in part, of any transfer of all or any part of the Title to the Land or any interest in the Land occurring prior to the transaction vesting the Title because that prior transfer constituted a:
      i. fraudulent conveyance, fraudulent transfer, or preferential transfer under federal bankruptcy, state insolvency, or similar state or federal creditors' rights law; or

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ii. voidable transfer under the Uniform Voidable Transactions Act; or

(b) because the instrument vesting the Title constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar state or federal creditors' rights law by reason of the failure:

i. to timely record the instrument vesting the Title in the Public Records after execution and delivery of the instrument to the Insured; or

ii. of the recording of the instrument vesting the Title in the Public Records to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.

10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to the Date of Policy and prior to the recording of the deed or other instrument vesting the Title in the Public Records.

DEFENSE OF COVERED CLAIMS

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this policy, but only to the extent provided in the Conditions

CHICAGO TITLE INSURANCE COMPANY

Countersigned:

By: _____
Authorized Officer or Agent

Hahn Loeser & Parks, LLP
2400 1st St Ste 300
Fort Myers, FL 33901-2982
Tel:239-337-6700
Fax:239-337-6701

By:

Michael J. Nolan
President

Attest:

Marjorie Nemzura
Secretary

EXCLUSIONS FROM COVERAGE

The following matters are excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
   i the occupancy, use, or enjoyment of the Land;
   ii the character, dimensions or location of any improvement on the Land;
   iii the subdivision of land; or
   iv environmental remediation or protection;
   (b) any governmental forfeiture, police, regulatory, or national security power.
   (c) the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b. Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
   (a) created, suffered, assumed, or agreed to by the Insured Claimant;
   (b) not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
   (e) resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A, is a:
   (a) fraudulent conveyance or fraudulent transfer;
   (b) voidable transfer under the Uniform Voidable Transactions Act; or
   (c) preferential transfer:
      i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
      ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

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Transaction Identification Data, for which the Company assumes no liability as set forth in Condition 9.d.:
Issuing Agent: Hahn Loeser & Parks, LLP
Issuing Office: 2400 First Street, Suite 300,
Ft. Myers, FL 33901
Issuing Office's ALTA® Registry ID:
Issuing Office File Number: 215380.00002
Order No: 11103244
Property Address: 14400 Burnt Store Road
Punta Gorda, FL 33955

SCHEDULE A

Name and Address of Title Insurance Company:
Chicago Title Insurance Company
Attn: Claims Department
P. O. Box 45023, Jacksonville, FL 32232-5023

Policy Number: 7251209-230802875
Amount of Insurance: $3,100,000.00
Date of Policy: August 28, 2023 at 3:02 PM

1. The Insured is:

DANIEL B. LIGHT, an individual, as to an undivided 35.227% interest; **L.B. ANDERSEN & CO., INC.**, an Illinois corporation, as to an undivided 3.75% interest, **LEAH RAE LIGHT**, as Successor Trustee of the **WS Trust** pursuant to Trust Agreement dated January 5, 1972, as to an undivided 28.44% interest; **LEAH RAE LIGHT**, as Successor Trustee of the **Shannon Trust** pursuant to Trust Agreement dated January 5, 1972, as to an undivided 7.52% interest; **LEAH RAE LIGHT**, as Successor Trustee of the **Wade Trust** pursuant to Trust Agreement dated January 5, 1972, as to an undivided 7.52% interest; **LEAH RAE LIGHT**, as Successor Trustee of the **Light Trust** pursuant to Trust Agreement dated January 5, 1972, as to an undivided 7.52% interest, and **BURNT STORE ROAD-RET, LLC**, a Florida limited liability company, as to an undivided 10.023% interest

2. The estate or interest in the Land insured by this policy is:

Fee Simple

3. The Title is vested in:

DANIEL B. LIGHT, an individual, as to an undivided 35.227% interest; **L.B. ANDERSEN & CO., INC.**, an Illinois corporation, as to an undivided 3.75% interest, **LEAH RAE LIGHT**, as Successor Trustee of the **WS Trust** pursuant to Trust Agreement dated January 5, 1972, as to an undivided 28.44% interest; **LEAH RAE LIGHT**, as Successor Trustee of the **Shannon Trust** pursuant to Trust Agreement dated January 5, 1972, as to an undivided 7.52% interest; **LEAH RAE LIGHT**, as Successor Trustee of the **Wade Trust** pursuant to Trust Agreement dated January 5, 1972, as to an undivided 7.52% interest; **LEAH RAE LIGHT**, as Successor Trustee of the **Light Trust** pursuant to Trust Agreement dated January 5, 1972, as to an undivided 7.52% interest, and **BURNT STORE ROAD-RET, LLC**, a Florida limited liability company, as to an undivided 10.023% interest

4. The Land is described as follows in Exhibit "A" attached hereto and made part hereof.

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EXHIBIT "A"

Policy Number: 7251209-230802875

A tract or parcel of land situated in the State of Florida, County of Charlotte, lying in Section 16, Township 42 South, Range 23 East, being further bounded and described as follows:

Commencing at the Northwest corner of the Southwest quarter of said Section 16; thence North 89°01'33" East, along the North line of said Southwest quarter, for 40.08 feet to the Easterly right-of-way line of Burnt Store Road (County Road 765) per the Right-of-Way Map of State Road S-765, Section 01540-2601; thence South 00°17'30" West, along the Easterly right-of-way of said Burnt Store Road, for 687.65 feet; thence North 89°04'26" East for 55.06 feet to a point on the East right-of-way line of Burnt Store Road (County Road 765) per BSR2-110-Fee Acquisition, recorded in Official Records Book 4186, Page 1422, of the Public Records of Charlotte County, Florida, and the Point of Beginning; thence along a portion of the boundary of lands described in Official Records Book 3929, Page 1889, of the Public Records of Charlotte County, Florida, the following 3 courses: North 89°04'26" East for 445.05 feet; thence South 00°17'23" West for 1280.19 feet; thence South 88°48'23" West for 433.03 feet to said Easterly right-of-way per BSR2-110-Fee Acquisition; thence along said Easterly right-of-way line the following 2 courses: North 03°06'31" West for 204.29 feet; thence North 00°17'30" East for 1078.02 feet to the Point of Beginning.

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SCHEDULE B

Policy Number: 7251209-230802875

EXCEPTIONS FROM COVERAGE

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This policy treats any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document are excepted from coverage.

This policy does not insure against loss or damage and the Company will not pay costs, attorneys' fees, or expenses resulting from the terms and conditions of any lease or easement identified in Schedule A, and the following matters:

1. Taxes and assessments for the year 2023 and subsequent years, which are not yet due and payable.
2. Drainage, Slope, Overhead and Underground Utility Easement in favor of Charlotte County, Florida, described in Order of Taking recorded in Official Records Book 4419, Page 1631, of the Public Records of Charlotte County, Florida.
3. Resolution Number 2017-139 adopted by the Board of County Commissioners of Charlotte County, Florida, recorded in Official Records Book 4191, Page 1882, of the Public Records of Charlotte County, Florida.
4. Rights and easements as set forth in Stipulated Final Judgment recorded in Official Records Book 4981, Page 1378, of the Public Records of Charlotte County, Florida.
5. Title to any submerged land included within the land described in this Policy is not insured.
6. Rights of others to use the waters of any water body extending from the insured land onto the adjoining parcel to the East of the hereunder insured land.
7. The nature, extent or existence of riparian rights or littoral rights is not insured.
8. NOTE: All recording references in this form shall refer to the public records of Charlotte County, Florida, unless otherwise noted.

NOTE: In accordance with Florida Statutes section 627.4131, please be advised that the insured hereunder may present inquiries, obtain information about coverage, or receive assistance in resolving complaints by contacting Chicago Title Insurance Company, Telephone 1-800-669-7450.

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CONDITIONS

1. DEFINITION OF TERMS

In this policy, the following terms have the meanings given to them below. Any defined term includes both the singular and the plural, as the context requires:

(a) "Affiliate": An Entity:
- i. that is wholly owned by the Insured;
- ii. that wholly owns the Insured; or
- iii. if that Entity and the Insured are both wholly owned by the same person or entity.

(b) "Amount of Insurance": The Amount of Insurance stated in Schedule A, as may be increased by Condition 8.d. or decreased by Condition 10 or 11; or increased or decreased by endorsements to this policy.

(c) "Date of Policy": The Date of Policy stated in Schedule A.

(d) "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.

(e) "Enforcement Notice": A document recorded in the Public Records that describes any part of the Land and:
- i. is issued by a governmental agency that identifies a violation or enforcement of a law, ordinance, permit, or governmental regulation;
- ii. is issued by a holder of the power of eminent domain or a governmental agency that identifies the exercise of a governmental power; or
- iii. asserts a right to enforce a PACA-PSA Trust.

(f) "Entity": A corporation, partnership, trust, limited liability company, or other entity authorized by law to own title to real property in the State where the Land is located.

(g) "Insured":
- i.
  - a. The Insured named in Item 1 of Schedule A;
  - b. the successor to the Title of an Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin;
  - c. the successor to the Title of an Insured resulting from dissolution, merger, consolidation, distribution, or reorganization;
  - d. the successor to the Title of an Insured resulting from its conversion to another kind of Entity; or
  - e. the grantee of an Insured under a deed or other instrument transferring the Title, if the grantee is:
    - (1). an Affiliate;
    - (2). a trustee or beneficiary of a trust created by a written instrument established for estate planning purposes by an Insured;
    - (3). a spouse who receives the Title because of a dissolution of marriage;
    - (4). a transferee by a transfer effective on the death of an Insured as authorized by law; or
    - (5). another Insured named in Item 1 of Schedule A.
- ii. The Company reserves all rights and defenses as to any successor or grantee that the Company would have had against any predecessor Insured.

(h) "Insured Claimant": An Insured claiming loss or damage arising under this policy.

(i) "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.

(j) "Land": The land described in Item 4 of Schedule A and improvements located on that land at the Date of Policy that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is insured by this policy.

(k) "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.

(l) "PACA-PSA Trust": A trust under the federal Perishable Agricultural Commodities Act or the federal Packers and Stockyards Act or a similar State or federal law.

(m) "Public Records": The recording or filing system established under State statutes in effect at the Date of Policy under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.

(n) "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.

(o) "Title": The estate or interest in the Land identified in Item 2 of Schedule A.

(p) "Unmarketable Title": The Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or a lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

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2. CONTINUATION OF COVERAGE

This policy continues as of the Date of Policy in favor of an Insured, so long as the Insured:

(a) retains an estate or interest in the Land;

(b) owns an obligation secured by a purchase money Mortgage given by a purchaser from the Insured; or

(c) has liability for warranties given by the Insured in any transfer or conveyance of the Insured's Title.

Except as provided in Condition 2, this policy terminates and ceases to have any further force or effect after the Insured conveys the Title. This policy does not continue in force or effect in favor of any person or entity that is not the Insured and acquires the Title or an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured must notify the Company promptly in writing if the Insured has Knowledge of:

(a) any litigation or other matter for which the Company may be liable under this policy; or

(b) any rejection of the Title as Unmarketable Title.

If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under this policy is reduced to the extent of the prejudice.

4. PROOF OF LOSS

The Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, adverse claim, or other matter insured against by this policy that constitutes the basis of loss or damage and must state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

(a) Upon written request by the Insured, and subject to the options contained in Condition 7, the Company, at its own cost and without unreasonable delay, will provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company has the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those covered causes of action. The Company is not liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of any cause of action that alleges matters not insured against by this policy.

(b) The Company has the right, in addition to the options contained in Condition 7, at its own cost, to institute and prosecute any action or proceeding or to do any other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it is liable to the Insured. The Company's exercise of these rights is not an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under Condition 5.b., it must do so diligently.

(c) When the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court having jurisdiction. The Company reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

(a) When this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured will secure to the Company the right to prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose.

When requested by the Company, the Insured, at the Company's expense, must give the Company all reasonable aid in:

i. securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement; and

ii. any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter, as insured.

If the Company is prejudiced by any failure of the Insured to furnish the required cooperation, the Company's liability and obligations to the Insured under this policy terminate, including any obligation to defend, prosecute, or continue any litigation, regarding the matter requiring such cooperation.

(b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos, whether bearing a date before or after the Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant must grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all the records in the custody or control of a third party that reasonably pertain to the loss or damage. No information designated in writing as confidential by the Insured Claimant provided to the Company pursuant to Condition 6 will be later disclosed to others unless, in the reasonable judgment of the Company, disclosure is necessary in the administration of the claim or required by law. Any failure of the Insured Claimant to submit for examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in Condition 6.b., unless prohibited by law, terminates any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company has the following additional options:

(a) *To Pay or Tender Payment of the Amount of Insurance.*

To pay or tender payment of the Amount of Insurance under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay.

Upon the exercise by the Company of this option provided for in Condition 7.a., the Company's liability and obligations to the Insured under this policy terminate, including any obligation to defend, prosecute, or continue any litigation.

(b) *To Pay or Otherwise Settle with Parties other than the Insured or with the Insured Claimant*

i. To pay or otherwise settle with parties other than the Insured for or in the name of the Insured

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Claimant. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or

ii. To pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either option provided for in Condition 7.b., the Company's liability and obligations to the Insured under this policy for the claimed loss or damage terminate, including any obligation to defend, prosecute, or continue any litigation.

8. CONTRACT OF INDEMNITY; DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by an Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy. This policy is not an abstract of the Title, report of the condition of the Title, legal opinion, opinion of the Title, or other representation of the status of the Title. All claims asserted under this policy are based in contract and are restricted to the terms and provisions of this policy. The Company is not liable for any claim alleging negligence or negligent misrepresentation arising from or in connection with this policy or the determination of the insurability of the Title.

(a) The extent of liability of the Company for loss or damage under this policy does not exceed the lesser of:
   i. the Amount of Insurance; or
   ii. the difference between the fair market value of the Title, as insured, and the fair market value of the Title subject to the matter insured against by this policy.

(b) Except as provided in Condition 8.c. or 8.d., the fair market value of the Title in Condition 8.a.ii. is calculated using the date the Insured discovers the defect, lien, encumbrance, adverse claim, or other matter insured against by this policy.

(c) If, at the Date of Policy, the Title to all of the Land is void by reason of a matter insured against by this policy, then the Insured Claimant may, by written notice given to the Company, elect to use the Date of Policy as the date for calculating the fair market value of the Title in Condition 8.a.ii.

(d) If the Company pursues its rights under Condition 5.b. and is unsuccessful in establishing the Title, as insured:
   i. the Amount of Insurance will be increased by 15%; and
   ii. the Insured Claimant may, by written notice given to the Company, elect, as an alternative to the dates set forth in Condition 8.b. or, if it applies, 8.c., to use either the date the settlement, action, proceeding, or other act described in Condition 5.b. is concluded or the date the notice of claim required by Condition 3 is received by the Company as the date for calculating the fair market value of the Title in Condition 8.a.ii.

(e) In addition to the extent of liability for loss or damage under Conditions 8.a. and 8.d., the Company will also pay the costs, attorneys' fees, and expenses incurred in accordance with Conditions 5 and 7.

9. LIMITATION OF LIABILITY

(a) The Company fully performs its obligations and is not liable for any loss or damage caused to the Insured if the Company accomplishes any of the following in a reasonable manner:
   i. removes the alleged defect, lien, encumbrance, adverse claim, or other matter;
   ii. cures the lack of a right of access to and from the Land; or
   iii. cures the claim of Unmarketable Title,
   all as insured. The Company may do so by any method, including litigation and the completion of any appeals.

(b) The Company is not liable for loss or damage arising out of any litigation, including litigation by the Company or with the Company's consent, until a State or federal court having jurisdiction makes a final, non-appealable determination adverse to the Title.

(c) The Company is not liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

(d) The Company is not liable for the content of the Transaction Identification Data, if any.

10. REDUCTION OR TERMINATION OF INSURANCE

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance will be reduced by any amount the Company pays under any policy insuring a Mortgage to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after the Date of Policy and which is a charge or lien on the Title, and the amount so paid will be deemed a payment to the Insured under this policy.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage are determined in accordance with the Conditions, the Company will pay the loss or damage within 30 days.

13. COMPANY'S RECOVERY AND SUBROGATION RIGHTS UPON SETTLEMENT AND PAYMENT

(a) If the Company settles and pays a claim under this policy, it is subrogated and entitled to the rights and remedies of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person, entity, or property to the fullest extent permitted by law, but limited to the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant must execute documents to transfer these rights and remedies to the Company. The Insured Claimant permits the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies.

(b) If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company defers the exercise of its subrogation right until after the Insured Claimant fully recovers its loss.

(c) The Company's subrogation right includes the Insured's rights to indemnity, guaranty, warranty, insurance policy, or bond, despite any provision in those instruments that addresses recovery or

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subrogation rights.

14. POLICY ENTIRE CONTRACT

(a) This policy together with all endorsements, if any, issued by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy will be construed as a whole. This policy and any endorsement to this policy may be evidenced by electronic means authorized by law.

(b) Any amendment of this policy must be by a written endorsement issued by the Company. To the extent any term or provision of an endorsement is inconsistent with any term or provision of this policy, the term or provision of the endorsement controls. Unless the endorsement expressly states, it does not:

i. modify any prior endorsement,
ii. extend the Date of Policy,
iii. insure against loss or damage exceeding the Amount of Insurance, or
iv. increase the Amount of Insurance.

15. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, this policy will be deemed not to include that provision or the part held to be invalid, but all other provisions will remain in full force and effect.

16. CHOICE OF LAW AND CHOICE OF FORUM

(a) *Choice of Law*

The Company has underwritten the risks covered by this policy and determined the premium charged in reliance upon the State law affecting interests in real property and the State law applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the State where the Land is located.

The State law of the State where the Land is located, or to the extent it controls, federal law, will determine the validity of claims against the Title and the interpretation and enforcement of the terms of this policy, without regard to conflicts of law principles to determine the applicable law.

(b) *Choice of Forum*

Any litigation or other proceeding brought by the Insured against the Company must be filed only in a State or federal court having jurisdiction.

17. NOTICES

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at CHICAGO TITLE INSURANCE COMPANY, Attn: Claims Department, P.O. Box 45023, Jacksonville, FL 32232-5023.

18. ARBITRATION

(a) All claims and disputes arising out of or relating to this policy, including any service or other matter in connection with issuing this policy, any breach of a policy provision, or any other claim or dispute arising out of or relating to the transaction giving rise to this policy, may be submitted to binding arbitration only when agreed to by both the Company and the Insured. Arbitration must be conducted pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("ALTA Rules"). The ALTA Rules are available online at www.alta.org/arbitration. The ALTA Rules incorporate, as appropriate to a particular dispute, the Consumer Arbitration Rules and Commercial Arbitration Rules of the American Arbitration Association ("AAA Rules"). The AAA Rules are available online at www.adr.org.

(b) *If there is a final judicial determination that a request for particular relief cannot be arbitrated in accordance with this Condition 18, then only that request for particular relief may be brought in court. All other requests for relief remain subject to this Condition 18.*

(c) Fees will be allocated in accordance with the applicable AAA Rules. The results of arbitration will be binding upon the parties. The arbitrator may consider, but is not bound by, rulings in prior arbitrations involving different parties. The arbitrator is bound by rulings in prior arbitrations involving the same parties to the extent required by law. The arbitrator must issue a written decision sufficient to explain the findings and conclusions on which the award is based. Judgment upon the award rendered by the arbitrator may be entered in any State or federal court having jurisdiction.

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FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE

Effective January 1, 2023

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (*e.g.*, name, address, phone number, email address);
- demographic information (*e.g.*, date of birth, gender, marital status);
- identity information (*e.g.* Social Security Number, driver's license, passport, or other government ID number);
- financial account information (*e.g.* loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

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Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to affiliated or nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to affiliated or nonaffiliated third parties with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

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For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (https://fnf.com/pages/californiaprivacy.aspx) or call (888) 413-1748.

For Nevada Residents: We are providing this notice pursuant to state law. You may be placed on our internal Do Not Call List by calling FNF Privacy at (888) 714-2710 or by contacting us via the information set forth at the end of this Privacy Notice. For further information concerning Nevada's telephone solicitation law, you may contact: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: aginquiries@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

For Virginia Residents: For additional information about your Virginia privacy rights, please email privacy@fnf.com or call (888) 714-2710.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18).We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us

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following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

Accessing and Correcting Information; Contact Us

If you have questions or would like to correct your Personal Information, visit FNF's Privacy Inquiry Website or contact us by phone at (888) 714-2710, by email at privacy@fnf.com, or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

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AMERICAN LAND TITLE ASSOCIATION Commitment for Title Insurance

Issued by

CHICAGO TITLE INSURANCE COMPANY

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, Chicago Title Insurance Company, a Florida Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within 6 months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions.

Issued through the Office of
BOLAÑOS TRUXTON, P.A.

GREGG S. TRUXTON, Authorized Signatory

CHICAGO TITLE INSURANCE COMPANY

By:

ATTEST President

Secretary

(#848.323 R1)

COMMITMENT CONDITIONS

1. DEFINITIONS

(a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
(b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
(c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
(d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
(e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
(f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
(g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
(h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:
(a) the Notice;
(b) the Commitment to Issue Policy;
(c) the Commitment Conditions;
(d) Schedule A;
(e) Schedule B, Part I—Requirements;
(f) Schedule B, Part II—Exceptions; and
(g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

(a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
  (i) comply with the Schedule B, Part I—Requirements;
  (ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
  (iii) acquire the Title or create the Mortgage covered by this Commitment.
(b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
(c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
(d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
(e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
(f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I— Requirements have been met to the satisfaction of the Company.
(g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

(a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
(b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
(c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
(d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
(e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
(f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

Transaction Identification Data for reference only:
Bolanos Truxton, P.A.
12800 University Drive, Suite 350,
Ft. Myers, FL 33907
ALTA Universal ID:
LOAN ID Number:
Issuing Office File Number: 847.323
(Use for AgentTRAX documents)
Property Address: Burnt Store Road
Punta Gorda, FL 33912
Order No.: 10571714
Revision Number:

Chicago Title Insurance Company

SCHEDULE A
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

1. Commitment Date: 06/16/2022 at: 8:00 AM

2. Policy or Policies to be issued:

   A. ALTA Owners 2006 with Florida Modifications
   Proposed Insured: TEG Acquisitions, LLC, a New Jersey limited liability company
   Proposed Amount of Insurance: $18,000,000.00

3. The estate or interest in the Land described or referred to in this Commitment is (Identify estate covered, i.e., fee, leasehold, etc.):

   Fee Simple

4. Title to the Fee Simple estate or interest in the land is at the Commitment Date vested in:

   Daniel B. Light and Burnt Store Road-RET, LLC, a Florida limited liability company

5. The Land is described as follows in Exhibit "A" attached hereto and made part hereof.

Countersigned:

BY: _____
Authorized Officer or Agent

SCHEDULE B SECTION I
REQUIREMENTS
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

The following requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

2. Pay the agreed amount for the estate or interest to be insured.

3. Pay the premiums, fees, and charges for the Policy to the Company.

4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

   A. Duly executed Warranty Deed from Daniel B. Light and Burnt Store Road-RET, LLC, a Florida limited liability company, Grantor, to TEG Acquisitions, LLC, a New Jersey limited liability company, Grantee, conveying the land described on Exhibit A hereof.

      NOTE: If the party or parties in title are individuals, and the property is homestead property, the spouse of said party must join in the execution of the Deed. If individuals are unmarried, then indicate this on the Deed. If not homestead, then a statement to that effect must be reflected on the Deed.

      i. The Company will require the following as to Burnt Store Road-RET, LLC, a Florida limited liability company: ("LLC"):

         i. Proof that the LLC was in existence in its state of organization at the time it acquired title and that the LLC is currently in good standing.

         ii. Present for review a true and complete copy of the articles of organization and operating agreement of the LLC and any amendments thereto.

         iii. Record an affidavit from the person executing the proposed deed on behalf of the LLC certifying: (a) the name and state of organization of the LLC; (b) whether the LLC is member-managed or manager-managed; (c) the identity of the member or manager and the person authorized to execute the deed; and (d) neither the LLC nor any member signing the deed have filed bankruptcy since the LLC acquired title.

         iv. If the member or manager of the LLC is also a business entity, present proof of the entity's good standing and the appropriate entity documents to establish signing authority.

         If the proposed deed will be executed by anyone other than a member or manager, those portions of the operating agreement or other documentation evidencing the authority of the signatory must be attached as an exhibit to the affidavit.

SCHEDULE B SECTION I
Requirements continued

5. Proof of payment of any outstanding assessments in favor of Charlotte County, Florida, any special taxing district and any municipality. NOTE: If this requirement is not satisfied the following exception will appear on Schedule B:

   Any outstanding assessments in favor of Charlotte County, Florida, any special taxing district and any municipality.

6. Proof of payment of service charges for water, sewer, waste and gas, if any, through the date of closing. NOTE: If this requirement is not met the following exception will appear on Schedule B:

   Any lien provided for by Florida Statutes in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer, waste or gas system supplying the insured land or service facilities.

7. Proof satisfactory to the Company must be furnished showing proof of the legal existence of TEG Acquisitions, LLC.

8. Proof of that all Charlotte County utility services and assessments including but not limited to those for water, sewer, irrigation and lot mowing, if any, are paid and that there are no delinquencies.

NOTE: 2021 Real Property Taxes in the gross amount of $45.24 are Paid, under Tax I.D. No. 422316300002.

NOTE: 2021 Real Property Taxes in the gross amount of $81.15 are Paid, under Tax I.D. No. 422316400001.

NOTE: 2021 Real Property Taxes in the gross amount of $130.79 are Paid, under Tax I.D. No. 422316300003.

NOTE: 2021 Real Property Taxes in the gross amount of $20.29 are Paid, under Tax I.D. No. 422316400004.

NOTE: 2021 Real Property Taxes in the gross amount of $121.40 are Paid, under Tax I.D. No. 422316300007.

NOTE: 2021 Real Property Taxes in the gross amount of $81.15 are Paid, under Tax I.D. No. 422316400005.

NOTE: 2021 Real Property Taxes in the gross amount of $40.57 are Paid, under Tax I.D. No. 422316300009.

NOTE: 2021 Real Property Taxes in the gross amount of $81.15 are Paid, under Tax I.D. No. 422316400006.

NOTE: 2021 Real Property Taxes in the gross amount of $40.57 are Paid, under Tax I.D. No. 422316300010.

SCHEDULE B SECTION I
Requirements continued

NOTE: 2021 Real Property Taxes in the gross amount of $123.72 are Paid, under Tax I.D. No. 422321200001.

END OF SCHEDULE B SECTION I

SCHEDULE B SECTION II
EXCEPTIONS
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this form.

2. Taxes and assessments for the year 2022 and subsequent years, which are not yet due and payable.

3. Standard Exceptions:

   A. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.

   B. Rights or claims of parties in possession not shown by the public records.

   C. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.

   D. Taxes or assessments which are not shown as existing liens in the public records.

4. Any claim that any portion of the insured land is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land.

5. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land.

6. Oil, gas and mineral reservations derived from instrument recorded April 13, 1945 in Deed Book 41, Page 305, and as affected by documents recorded April 6, 1945 in Deed Book 41, Page 295; recorded April 17, 1945 in Deed Book 41, Page 346; recorded April 23, 1945 in Deed Book 41, Page 351; recorded April 23, 1945 in Deed Book 41, Page 352; recorded November 26, 1945 in Deed Book 42, Page 50; recorded August 22, 1966 in Official Records Book 243, Page 348; recorded August 22, 1966 in Official Records Book 243, Page 350; recorded August 22, 1966 in Official Records Book 243, Page 352; recorded August 22, 1966 in Official Records Book 243, Page 354; recorded September 9, 1966 in Official Records Book 244, Page 555; recorded March 22, 1968 in Official Records Book 286, Page 551; recorded May 21, 1971 in Official Records Book 360, Page

SCHEDULE B SECTION II
EXCEPTIONS
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

673; recorded February 2, 1976 in Official Records Book 516, Page 573; recorded February 18, 1976 in Official Records book 518, Page 355 and recorded December 31, 1976 in Official Records Book 544, Page 1979 all of the Public Records of Charlotte County Clerk, Florida. No determination has been made as to the current record owner for the interest excepted herein. Note: In the event a Florida Endorsement Form 9 is issued with the policy(ies), the Form 9 Endorsement will not afford coverage of this exception. (As to Parcels 5 & 10)

7. Oil, Gas and Mineral Lease, executed by S.W. Henderson Jr. and Lucille J. Henderson, his wife, in favor of Humble Oil & Refining Company recorded June 21, 1965 in Official Records Book 206, Page 685; as affected by: Rental Division Order recorded March 27, 1967 in Official Records Book 258, Page 650; and Rental Division Order recorded October 6, 1971 in Official Records Book 371, Page 92 (As to Parcels 5 &10).

8. Oil, gas and mineral reservations contained in instrument recorded September 15, 1952 in Deed Book 48, Page 325; and as affected by documents recorded October 26, 1955 in Official Records Book 6, Page 267 and recoded April 16, 1962 in Official Records Book 127, Page 393 and 398, all of the Public Records of Charlotte County Clerk, Florida. No determination has been made as to the current record owner for the interest excepted herein. Note: In the event a Florida Endorsement Form 9 is issued with the policy(ies), the Form 9 Endorsement will not afford coverage of this exception. (As to Parcel 3)

9. Oil, gas and mineral reservations contained in instrument recorded in Deed Book 48, Page 411; and as affected by document recorded January 31, 1973 in Official Records Book 410, Page 329, all of the Public Records of Charlotte County Clerk, Florida. No determination has been made as to the current record owner for the interest excepted herein. Note: In the event a Florida Endorsement Form 9 is issued with the policy(ies), the Form 9 Endorsement will not afford coverage of this exception. (As to Parcels 5 & 10)

10. Easement given by Charlotte Harbor Farms, Inc., a Florida corporation to and in favor of the County of Charlotte, a political subdivision of the State of Florida dated July 27, 1956 and recorded July 30, 1956 in Official Records Book 14, Page 414, of the Public Records of Charlotte County Clerk, Florida. (As to Parcels 5 & 10)

11. Easement granted to Florida Power & Light Company by instrument dated January 5, 1977 and recorded April 19, 1977 in Official Records Book 550, Page 1555, of the Public Records of Charlotte County, Florida (As to Parcel 10).

12. Easement granted to Florida Power &. Light Company by instrument dated January 7, 1977 and recorded April 19, 1977 in Official Records Book 550, Page 1563, of the Public Records of Charlotte County, Florida (As to Parcels 5 & 10).

13. Easement for road and drainage created by Quit-Claim Deed between W. R. Thompson and Jess L. Massingill and Ronald L. Tolles dated April 24, 1980 and recorded May 2, 1980 in Official Records Book 631, Page 1269, of the Public Records of Charlotte County, Florida (As to Parcels 5 & 10).

SCHEDULE B SECTION II
EXCEPTIONS
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

14. Restrictions, covenants, conditions, easements and other matters as contained on the Plat of Deer Pass Acres, recorded in Plat Book 15, Page 56, of the Public Records of Charlotte County, Florida (as to Parcel 10).

15. Easement Agreement between Sharon Tolles, as Successor Trustee under the provisions of certain Land Trust Agreement dated July 23, 1980 and Floral Holdings, N.V. a corporation organized under the laws of the Netherlands Antilles in instrument dated August 25, 1983 and recorded September 8, 1983 in Official Records Book 743, Page 390, of the Public Records of Charlotte County, Florida (As to Parcels 5 & 10).

16. Easement Agreement for Outdoor Advertising between Daniel B. Light and Burnt Store Road RET, LLC and Pri-Car I, LLC, as set forth in instrument recorded June 25, 2021 in Official Records Book 4792, Page 1757, of the Public Records of Charlotte County, Florida (As to Parcel 7).

17. Ordinance No. 2007-064 as recorded March 6, 2008 in Official Records Book 3266, Page 569, of the Public Records of Charlotte County, Florida.

18. Drainage, Slope, Overhead and Underground Utility Easements, as contained in Order of Taking, recorded in Official Records Book 4419, Page 1578, of the Public Records of Charlotte County, Florida (as to Parcels 7, 8, 11 & 12)

19. Title to any submerged land included within the land described in this Policy is not insured.

20. The nature, extent or existence of riparian rights or littoral rights is not insured.

21. No portion of subject property lying with in any public right of way or canal is insured herein.

22. Rights of others in and to the use and/or maintenance of the access easement as shown in Schedule A.

23. Lands lie within various county special assessment districts and municipal taxing districts and are subject to liens for any unpaid special assessments by virtue of the ordinances and resolutions creating these districts. The special assessments are payable with the ad valorem taxes.

NOTE: All recording references in this form shall refer to the public records of Charlotte County, Florida, unless otherwise noted.

NOTE: Exception 1 above shall be deemed deleted as of the time the settlement funds or proceeds of the loan to be secured by the insured mortgage, as applicable, are disbursed by the Company or its authorized agent. Neither the Company nor its agent shall, however, be under any duty to disburse any sum except upon a determination that no such adverse intervening matters have appeared of record or occurred.

NOTES ON STANDARD EXCEPTIONS:

SCHEDULE B SECTION II
EXCEPTIONS
AMERICAN LAND TITLE ASSOCIATION COMMITMENT

Item 3A will be deleted from the policy(ies) upon receipt of an accurate survey of the Land acceptable to the Company. Exception will be made for any encroachment, setback line violation, overlap, boundary line dispute or other adverse matter disclosed by the survey.

Items 3B, 3C, and 3D will be deleted from the policy(ies) upon receipt of an affidavit acceptable to the Company, affirming that, except as disclosed therein (i) no parties in possession of the Land exist other than the record owner(s); (ii) no improvements have been made to the Land within 90 days prior to closing which have not have been paid for in full; and (iii) no unpaid taxes or assessments are against the Land which are not shown as existing liens in the public records. Exception will be made for matters disclosed in the affidavit.

NOTE: In accordance with Florida Statutes section 627.4131, please be advised that the insured hereunder may present inquiries, obtain information about coverage, or receive assistance in resolving complaints, by contacting Chicago Title Insurance Company, 4210 Metro Parkway Suite 220, Ft. Myers, FL 33916; Telephone 239-275-8212.

Searched By: Terry Green

END OF SCHEDULE B SECTION II

EXHIBIT "A"

PARCEL 1:

THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.

PARCEL 2:

THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.

PARCEL 3:

THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.

PARCEL 4:

THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.

PARCEL 5:

THE WEST 1/2 OF THE EAST 1/2 AND THE WEST 1/2 OF THE WEST 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF SECTION 21, TOWNSHIP 42 SOUTH, RANGE 23 EAST OF CHARLOTTE COUNTY, FLORIDA. LESS AND EXCEPT THAT PARCEL KNOW AS DEER PASS ACRES SUBDIVISION, A SUBDIVISION ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGES 15A AND 15B OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

PARCEL 6:

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4, OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST, LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA.

PARCEL 7:

THAT PORTION OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CONCRETE MONUMENT FOUND AT THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST, RUN SOUTH 88°49'43" WEST, 1267.85 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD 765 A/K/A BURNT STORE ROAD; THENCE NORTH 00° 18'43" EAST, ALONG SAID RIGHT OF WAY LINE, 30 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 88°49'43" EAST, 500.17 FEET; THENCE NORTH 00°18'43" EAST, 640.18 FEET; THENCE NORTH 88°58'35" EAST 772.75 FEET; THENCE SOUTH 00°45'01" WEST, 668.52 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PARCEL DESCRIBED AS PARCEL BSR2-109, AS DESCRIBED IN ORDER OF TAKING, RECORDED IN OFFICIAL RECORDS BOOK 4419, PAGE 1578, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

Exhibit "A" continued

PARCEL 8:

THAT PORTION OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT FOUND AT THE SOUTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST, RUN NORTH 00°45'01" EAST, 668.52 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING RUN SOUTH 88°58'35" WEST, 772.75 FEET; THENCE NORTH 00°18'43" EAST, 640.18 FEET; THENCE SOUTH 89°05'46" WEST, 500.11 FEET TO THE EASTERLY RIGHT OF WAY LINE OF STATE ROAD 765 A/K/A BURNT STORE ROAD; THENCE NORTH 00°18'43" EAST, ALONG SAID RIGHT OF WAY LINE, 30 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 89°05'46" EAST, 1277.94 FEET; THENCE SOUTH 00°45'01" WEST, 668.52 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PARCEL DESCRIBED AS PARCEL BSR2-109A, AS DESCRIBED IN ORDER OF TAKING, RECORDED IN OFFICIAL RECORDS BOOK 4419, PAGE 1578, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

PARCEL 9:

THE WEST 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.

PARCEL 10:

TOGETHER WITH EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS DEER PASS ROAD EASEMENT AS SHOWN ON THE PLAT OF DEER PASS ACRES, A SUBDIVISION IN SECTION 21, TOWNSHIP 42 SOUTH, RANGE 23 EAST, AS RECORDED IN PLAT BOOK 15, PAGES 56A AND 56B, AND AS SET FORTH AND RECORDED IN OFFICIAL RECORDS BOOK 743, PAGE 390, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

PARCEL 11:

THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST, LESS THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST FOR A POINT OF BEGINNING; THENCE EAST ALONG THE NORTHERN BOUNDARY OF SAID TRACT OF LAND 420 FEET TO A POINT; THENCE SOUTH 105 FEET TO A POINT; THENCE WEST 420 FEET TO A POINT; THENCE NORTH 105 FEET MORE OR LESS TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT THE WESTERLY 40.00 FEET THEREOF AS STATE ROAD RIGHT-OF-WAY. ALL LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA.

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ALTA Commitment (6-17-06)

Exhibit "A" continued

ALSO LESS AND EXCEPT THAT PARCEL DESCRIBED AS PARCEL BSR2-113, AS DESCRIBED IN ORDER OF TAKING, RECORDED IN OFFICIAL RECORDS BOOK 4419, PAGE 1578, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

PARCEL 12:

THE NORTH 190 FEET OF THE WEST 290 FEET OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE
NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, LESS AND EXCEPT THE WESTERLY 40.00 FEET THEREOF FOR STATE ROAD RIGHT-OF-WAY.

ALSO LESS AND EXCEPT THAT PARCEL DESCRIBED AS PARCEL BSR2-112, AS DESCRIBED IN ORDER OF TAKING, RECORDED IN OFFICIAL RECORDS BOOK 4419, PAGE 1578, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

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ALTA Commitment (6-17-06)

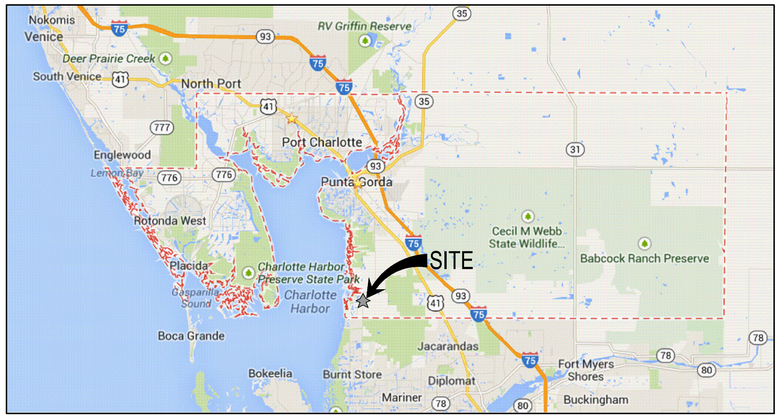
SAGE POINTE

PD CONCEPT PLAN

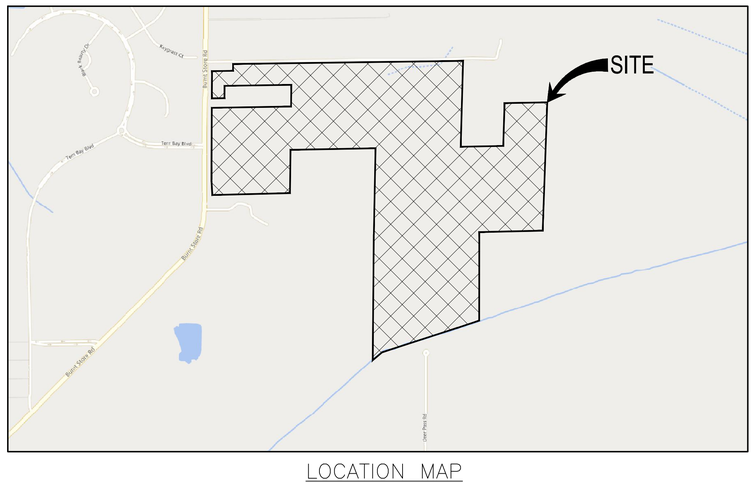
PREPARED FOR:

DANIEL B. LIGHT & BURNT STORE ROAD-RET, LLC

8000 SUMMERLIN LAKES DRIVE, SUITE 100
FORT MYERS, FL 33907
PHONE: (239) 489-4066



GENERAL LOCATION MAP



LOCATION MAP

SECTIONS 16 & 21

TOWNSHIP 42

RANGE 23

SITE INFORMATION

PROJECT AREA:	277.55
PARCEL STRAP NO:	422316300002, 422316300003, 422316300006, 422316300007, 422316300009, 422316300010, 422316400001, 422316400005, 422316400004, 422316400006, 422321200001
PARCEL ADDRESS:	14400 BURNT STORE RD PUNTA GORDA 33955
CURRENT ZONING:	PD AND CG
PROPOSED USE:	PLANNED DEVELOPMENT

UTILITY SERVICE PROVIDERS

WATER:	
CHARLOTTE COUNTY UTILITIES	3100 LOVELAND BOULEVARD PORT CHARLOTTE, FLORIDA 33980 PHONE: 941-764-4300
SEWER:	
CHARLOTTE COUNTY UTILITIES	3100 LOVELAND BOULEVARD PORT CHARLOTTE, FLORIDA 33980 PHONE: 941-764-4300
ELECTRIC:	
FLORIDA POWER AND LIGHT	2245 MURPHY COURT NORTH PORT, FLORIDA 34289 PHONE: 800-375-8490
PHONE:	
CENTURY LINK	4195 KINGS HIGHWAY PORT CHARLOTTE, FLORIDA 33980 PHONE: 941-637-5141
CABLE:	
COMCAST	12600 WESTLINKS DRIVE, SUITE 4 FORT MYERS, FLORIDA 33913 PHONE: 239-318-1525
FIRE PROTECTION:	
CHARLOTTE COUNTY FIRE/EMS	26571 AIRPORT ROAD PUNTA GORDA, FLORIDA 33982 PHONE: 941-833-5600
SOLID WASTE DISPOSAL:	
WASTE MANAGEMENT	25515 OLD LANDFILL ROAD PORT CHARLOTTE, FLORIDA 33980 PHONE: 941-629-1106

PROJECT CONTACTS

CIVIL ENGINEER:	
ATWELL, LLC TODD R. REBOL, P.E., VICE PRESIDENT	4161 TAMIAMI TRAIL, BLDG. 5, UNIT 501 PORT CHARLOTTE, FLORIDA 33952 PHONE: 941-625-1165
SURVEYOR:	
ATWELL, LLC STEVEN R. SONBERG, P.E., P.S.M., DIRECTOR	4161 TAMIAMI TRAIL, BLDG. 5, UNIT 501 PORT CHARLOTTE, FLORIDA 33952 PHONE: 941-625-1165
ENVIRONMENTAL:	
MONARCH ECOLOGY GROUP, LLC TAMMY LYDAY	3431 PINE VALLEY DRIVE SARASOTA, FL 34239 PHONE: (941) 313-6479
ARCHITECT:	
N/A	
LANDSCAPE ARCHITECT:	
N/A	
TRAFFIC ENGINEER:	
TR TRANSPORTATION CONSULTANTS, INC.	2726 OAK RIDGE COURT, SUITE 503 FORT MYERS, FL 33901 PHONE: (239) 278-3090

SHEET LIST TABLE

SHEET	TITLE
1	COVER SHEET
2	AERIAL
3	PD CONCEPT PLAN

ATWELL
866.850.4200 www.atwell.com
4161 TAMIAMI TRAIL, BLDG 5, UNIT 501
PORT CHARLOTTE, FL 33952
941.625.1165

TODD R. REBOL, P.E. LICENSE NO. 64040

NO.	DATE	REVISION DESCRIPTION	BY



AERIAL

SAGE POINTE

CHARLOTTE COUNTY, FLORIDA

PREPARED FOR: DANIEL B. LIGHT & BURNT STORE ROAD-RET, LLC

PLAN REVISIONS

NO.	DATE	REVISION DESCRIPTION	BY

ATWELL
866.850.4200 www.atwell.com
4161 TAMIAMI TRAIL, BLDG 5, UNIT 501
PORT CHARLOTTE, FL 33952
941.625.1165

SCALE: 1"= 300'

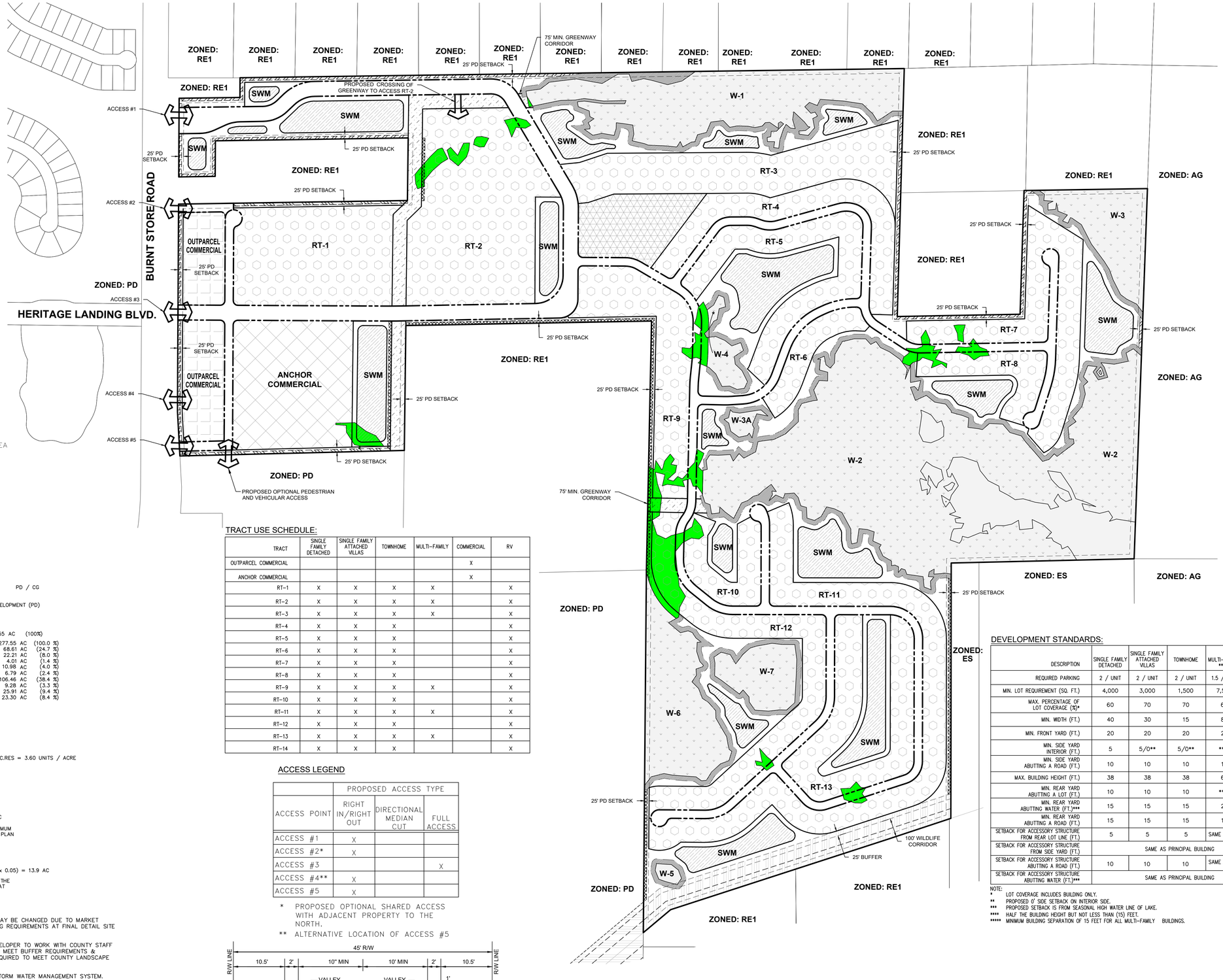
SHEET NO. 2

TODD R. REBOL, P.E.
LICENSE NO. 64560
DESIGNED BY: TV
REVIEWED BY: TRR
PROJECT NUMBER: 34005929
COMPLETION DATE: 5-24-22
BOOK AND PAGE:
DATUM:

NOT RELEASED FOR CONSTRUCTION

LEGEND

- WETLAND AREA
- 15' MIN, 25' AVERAGE WETLAND BUFFER AREA
- PRESERVATION AREA
- WETLAND IMPACT AREA
- AMENITY AREA
- ANCHOR COMMERCIAL AREA
- OUTPARCEL COMMERCIAL AREA
- STORMWATER AREA
- RESIDENTIAL AREA
- WILDLIFE CORRIDOR AREA
- 75' GREENWAY CORRIDOR AREA
- PROPOSED 8' PERIMETER LANDSCAPE STRIP
- PROPOSED TYPE "B" BUFFER
- PROPOSED TYPE "C" BUFFER
- NO BUFFER PROPOSED



TRACT USE SCHEDULE:

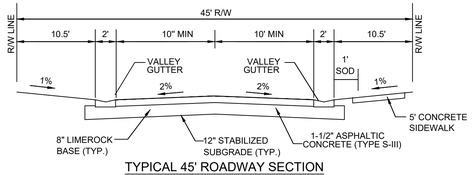
TRACT	SINGLE FAMILY DETACHED	SINGLE FAMILY ATTACHED VILLAS	TOWNHOME	MULTI-FAMILY	COMMERCIAL	RV
OUTPARCEL COMMERCIAL					X	
ANCHOR COMMERCIAL					X	
RT-1	X	X	X	X		X
RT-2	X	X	X	X		X
RT-3	X	X	X	X		X
RT-4	X	X	X			X
RT-5	X	X	X			X
RT-6	X	X	X			X
RT-7	X	X	X			X
RT-8	X	X	X			X
RT-9	X	X	X	X		X
RT-10	X	X	X			X
RT-11	X	X	X	X		X
RT-12	X	X	X			X
RT-13	X	X	X	X		X
RT-14	X	X	X			X

ACCESS LEGEND

ACCESS POINT	PROPOSED ACCESS TYPE: RIGHT IN/RIGHT OUT	DIRECTIONAL MEDIAN CUT	FULL ACCESS
ACCESS #1	X		
ACCESS #2*	X		
ACCESS #3			X
ACCESS #4**	X		
ACCESS #5	X		

* PROPOSED OPTIONAL SHARED ACCESS WITH ADJACENT PROPERTY TO THE NORTH.

** ALTERNATIVE LOCATION OF ACCESS #5



TYPICAL 45' ROADWAY SECTION

N.T.S.

SITE PLAN SUMMARY

1) PROPERTY INFORMATION:

CURRENT ZONING AND LAND USE: PD / CG

PROPOSED USE: PLANNED DEVELOPMENT (PD)

2) PROJECT LAND USE

PROPERTY AREA:	277.55 AC	(100%)
DEVELOPMENT AREA (PD AREA) :	277.55 AC	(100.0 %)
PRESERVATION AREA	68.61 AC	(24.7 %)
STORMWATER AREA	22.21 AC	(8.0 %)
AMENITY AREA	4.01 AC	(1.4 %)
ANCHOR COMMERCIAL AREA	10.98 AC	(4.0 %)
OUTPARCEL COMMERCIAL AREA	6.79 AC	(2.4 %)
RESIDENTIAL AREA	106.46 AC	(38.4 %)
WILDLIFE/ GREENWAY CORRIDOR AREA	9.28 AC	(3.3 %)
RIGHT OF WAY AREA	25.91 AC	(9.4 %)
COMMON OPEN SPACE AREA	23.30 AC	(8.4 %)

3) FLOOD ZONE

THE PARCEL LIES IN FLOOD ZONE "D"

4) DENSITY

PROPOSED MAXIMUM UNITS = 999 UNITS

PROPOSED MAXIMUM DENSITY: 999 UNITS / 277.55 AC.RES = 3.60 UNITS / ACRE

5) PARKING REQUIREMENTS:

(SEE DEVELOPMENT STANDARDS)

6) OPEN SPACE

OPEN SPACE REQUIRED: 277.55 AC X 20% = 55.51 AC

FINAL OPEN SPACE CALCULATION IDENTIFYING THE MINIMUM 20% OPEN SPACE WILL BE PROVIDED AT FINAL DETAIL PLAN APPLICATION.

7) OPEN HABITAT SPACE

REQUIRED: 5% OF PROPERTY AREA = (277.55 AC x 0.05) = 13.9 AC

FINAL OPEN SPACE HABITAT CALCULATION IDENTIFYING THE MINIMUM 5% OPEN HABITAT SPACE WILL BE PROVIDED AT FINAL DETAIL PLAN APPLICATION.

PLANNED DEVELOPMENT NOTES:

1. ALL TRACT LINES SHOWN ARE PRELIMINARY & MAY BE CHANGED DUE TO MARKET CONDITIONS, DESIGN CONSTRAINTS OR PERMITTING REQUIREMENTS AT FINAL DETAIL SITE PLAN APPROVAL.
2. WHERE A LANDSCAPE BUFFER IS REQUIRED, DEVELOPER TO WORK WITH COUNTY STAFF TO DETERMINE IF EXISTING TREES & VEGETATION MEET BUFFER REQUIREMENTS & DETERMINE WHAT ADDITIONAL TREES WILL BE REQUIRED TO MEET COUNTY LANDSCAPE BUFFER MINIMUM REQUIREMENTS.
3. ALL ON-SITE LAKES WILL BE A PART OF THE STORM WATER MANAGEMENT SYSTEM.
4. PROPOSED PROJECT SHALL BE SERVICED BY CENTRAL WATER & SEWER.
5. ALL INTERNAL STREETS ARE PROPOSED TO BE PRIVATE.
6. PARALLEL PARKING IS PROPOSED WITHIN R.O.W. TO SERVE COMMUNITY FACILITIES.
7. NO BUFFERS ARE PROPOSED IN ANY AREA WHERE WETLANDS ARE ADJACENT TO THE PROPERTY LINE.

DEVELOPMENT STANDARDS:

DESCRIPTION	SINGLE FAMILY DETACHED	SINGLE FAMILY ATTACHED VILLAS	TOWNHOME	MULTI-FAMILY *****	COMMERCIAL	RV
REQUIRED PARKING	2 / UNIT	2 / UNIT	2 / UNIT	1.5 / UNIT	PER USE (3-9-79)	N/A
MIN. LOT REQUIREMENT (SQ. FT.)	4,000	3,000	1,500	7,500	10,000	2,800
MAX. PERCENTAGE OF LOT COVERAGE (%)*	60	70	70	60	60	40
MIN. WIDTH (FT.)	40	30	15	80	100	35
MIN. FRONT YARD (FT.)	20	20	20	20	20	20
MIN. SIDE YARD INTERIOR (FT.)	5	5/0**	5/0**	****	10	5
MIN. SIDE YARD ABUTTING A ROAD (FT.)	10	10	10	10	10	10
MAX. BUILDING HEIGHT (FT.)	38	38	38	60	45	38
MIN. REAR YARD ABUTTING A LOT (FT.)	10	10	10	****	15	5
MIN. REAR YARD ABUTTING WATER (FT.)***	15	15	15	20	20	20
MIN. REAR YARD ABUTTING A ROAD (FT.)	15	15	15	15	15	15
SETBACK FOR ACCESSORY STRUCTURE FROM REAR LOT LINE (FT.)	5	5	5	SAME AS PRINCIPAL BUILDING		
SETBACK FOR ACCESSORY STRUCTURE FROM SIDE YARD (FT.)	SAME AS PRINCIPAL BUILDING					
SETBACK FOR ACCESSORY STRUCTURE ABUTTING A ROAD (FT.)	10	10	10	SAME AS PRINCIPAL BUILDING		
SETBACK FOR ACCESSORY STRUCTURE ABUTTING WATER (FT.)***	SAME AS PRINCIPAL BUILDING					

NOTE:

* LOT COVERAGE INCLUDES BUILDING ONLY.

** PROPOSED 0' SIDE SETBACK ON INTERIOR SIDE.

*** PROPOSED SETBACK IS FROM SEASONAL HIGH WATER LINE OF LAKE.

**** HALF THE BUILDING HEIGHT BUT NOT LESS THAN (15) FEET.

***** MINIMUM BUILDING SEPARATION OF 15 FEET FOR ALL MULTI-FAMILY BUILDINGS.

0 250
SCALE: 1"= 250'

ATWELL
866.850.4200 www.atwell.com
4161 TAMIAMI TRAIL, BLDG 5, UNIT 501
PORT CHARLOTTE, FL 33952
941.625.1165

PD CONCEPT PLAN

SAGE POINTE

CHARLOTTE COUNTY, FLORIDA

DANIEL B. LIGHT & BURNT STORE ROAD-RET, LLC

PREPARED FOR:

NO.	DATE	REVISION DESCRIPTION	BY

PLAN REVISIONS

TODD R. REBOL, P.E.

LICENSE NO. 64040

DESIGNED BY:	REVIEWED BY:
TV	TRR
PROJECT NUMBER:	COMPLETION DATE:
24005029	9-24-25
BOOK AND PAGE:	DATUM:

SHEET NO. 3

NOT RELEASED FOR CONSTRUCTION

SAGE POINTE PLANNED DEVELOPMENT
SCHEDULE OF USES

Residential Area

Accessory uses and structures - Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures, including:

Garages, carports and sheds
Fences or walls
Swimming pools, tennis and pickleball courts, and any other similar non-commercial recreational uses and structures

Residential Units

Single-Family detached or attached
Duplex or triplex
Townhomes
Multifamily

Community Recreational Facilities

Emergency services.

Minor home occupation. (See section 3-9-74, home occupations.)

Model home. (See section 3-9-78, model homes.)

Park, Public, private, or not for profit

Recreational Vehicles

Commercial Area

Amphitheater.

Animal hospital, boarding facility.

Art, dance, music, photo studio or gallery.

Assisted living facility or day care center, adult

Auditorium, performing arts center.

Bank, financial services.

Bar, cocktail lounge, nightclub, tavern.

Boat, travel trailer and motor vehicle sales, including recreational vehicles and campers.

Boat, travel trailer and motor vehicle repair, services, including recreational vehicles and campers.

Building trades contractor's office.

Business services.

Clubhouse, community center.

Commercial laundry.

Day care center, child.

Drug store, pharmacy.

Dry cleaner.

Emergency services.

Essential services. (See section 3-9-71, essential services.)

Farm equipment sales and service.

Funeral homes

Gas station.

General offices.

General retail sales and services. (See section 3-9-61, accessory outdoor retail sales, display, and storage.

Government uses and facilities.

Heliport, helistop.

Hospital.

Hotel, motel, inn.

Laboratories, class 1, 2, 3.

Laundromat.

Leisure vehicle rental.

Liquor, package store.

Medical or dental office, clinic.

Mini-warehouses or storage facilities, but not bulk storage of flammable liquids.

Model home. (See section 3-9-78, model homes.)

Motor vehicle wash.

Noncommercial vehicle rental.

Nursing home.

Paid or public parking lot, garage, structure.

Park, public or not-for-profit.

Personal services.

Place of worship. (See section 3-9-82, places of worship.)

Post office.

Printing facilities.

Private club.

Private off-site parking.

Professional services.

Recreation, indoor.

Recreation, outdoor.

Restaurant.

Storage of boat, travel trailer and motor vehicle, including recreational vehicles and campers.

Telecommunications facility (See section 3-9-68, communication towers.)

University or college.

Vocational, trade, or business school.

Wholesale sales.

SAGE POINTE

CHARLOTTE COUNTY

REZONE APPLICATION

ENVIRONMENTAL REPORT

Prepared for:

Daniel B. Light & Burnt Store Road-RET, LLC
8000 Summerlin Lakes Drive, Suite 100 |
Fort Myers, FL 33907

Prepared by:

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941-313-6479

September 15, 2025

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1.0 INTRODUCTION

Monarch Ecology Group, LLC (MONARCH) conducted an environmental assessment in support of a Charlotte County rezone modification for the Sage Pointe (f.k.a. Saundry Burnt Store Road) Project (277.55+/- acres). The site is located east of Burnt Store Road, southwest of U.S. Highway 41/ Tamiami Trail, and north of Zemel Road in Punta Gorda, Florida. The southern boundary of the site abuts Pirate Canal (aka Clark Canal). The site includes the following 11 parcels: 422316300006, 422316300007, 422316300002, 422316300009, 422316300010, 422316400001, 422316400005, 422316400004, 422316400006, 422316400007, and 422321200001 (Project Site). The site is located in Sections 16 and 21, Township 42 South, Range 23 East, Charlotte County, Florida (Figures 1 and 2). The project site is located in the Charlotte Harbor Drainage Watershed (Figure 3). The Saundry Burnt Store Road 265-acre Project was originally rezoned to a Planned Development (PD) as mixed residential development under Ordinance No. 2007-64 in September 2007.

The proposed modification is for Planned Development includes up to 999 residential units and 195,000 square feet of commercial floor area, approximately 8,000 square feet per commercial acre. The Project includes the construction of a mixed-use commercial and multi-family development with associated roadways, infrastructure, amenities, and surface water management system. The proposed plan development will incorporate the requirements of the Burnt Store Overlay, including the reservation of corridors through the property for Greenway and the wildlife corridors. The plan also includes a mix of housing types internal to the project with a commercial shopping center along Burnt Store Road.

Wetlands and surface waters were delineated by MONARCH and Environmental Consulting & Technology, Inc. (ECT) consistent with state methodology[1] and mapped all existing vegetative communities as required by Charlotte County Comprehensive Plan. The Project Site largely consists of pine flatwoods and freshwater wetlands with some degree of disturbance by nuisance and exotic vegetation and has historically been undeveloped except for some agricultural use for cattle grazing land. A surface water creek, small ditches and a “U” shaped borrow pond dug from uplands make up the remaining habitats on site. The borrow pond was excavated around the early

[1] Chapter 62-340, F.A.C. Delineation of the Landward Extent of Wetlands and Surface Waters

1980s with a few trails running through the property. The property has largely remained unchanged, except during the expansion of Burnt Store Road in the mid-2000s along the properties' western boundary. Field work for this environmental assessment began in March through June 2022 with agency site reviews in June and October 2023, and more recently in April and May 2025.

To assist with this application, MONARCH reviewed publicly available data such as: high resolution aerial photographs, National Wetlands Inventory (NWI), SWFWMD Land Use data, Charlotte County Geographic Information System (GIS) data, the Natural Resource Conservation Service (NRCS) Soil Survey, and several listed species databases published by the Florida Fish and Wildlife Conservation Commission (FWC) and the United States Fish and Wildlife Service (USFWS). MONARCH's findings for wetlands and surface waters, habitats and listed species are summarized in the report as well as an impact assessment that addresses wetland impacts, avoidance and minimization, and mitigation.

2.0 HABITAT ASSESSMENT

MONARCH conducted a habitat assessment to evaluate wetland and upland habitats on the property. Wetlands were delineated by MONARCH and ECT and were established following both state[2] and federal[3] methodologies. The majority of the jurisdictional extent of wetlands and surface waters have been formally reviewed and approved by SWFWMD under Environmental Resource Permit (ERP) No. 43047604.000 (Appendix A). As shown on Figure 4, the project site encompasses 64.17 acres of wetlands, 1.05 acres of shallow surface water creek, 0.35 acres of surface water ditch, and 3.20 acres of surface water borrow pond.

The *Soil Survey of Charlotte County* (USDA 2024) shows ten (10) mapped soil types within the Project Site (Figure 5) and is predominantly characterized by Pineda-Pineda, Wet, Fine sand, 0 to 2 percent slopes (026) which are commonly associated with upland habitats. Hydric soils found onsite include Cypress Lake fine sand, 0 to 2 percent slopes (013), Isles Fine sand, Frequently Ponded, 0 to 1 percent slopes (039), Felda Fine Sand, Frequently Ponded, 0 To 1 Percent Slopes (049), and Pineda Fine Sand, Frequently Ponded, 0 To 1 Percent Slopes (073).

MONARCH also mapped all habitats and land uses based on the *Florida Land Use and Cover Forms Classification Systems*[4] (FLUCFCS) as well as the Supplemental FLUCFCS with the modifiers for the level of nuisance and exotic vegetation.[5] The different habitats are depicted on the enclosed Land Use Map (Figure 6). The wetlands and surface waters are characterized as hydric flatwoods (FLUCFCS 625), freshwater marsh (FLUCFCS 641), forested mixed wetlands (FLUCFCS 630), hydric melaleuca (FLUCFCS 6191), stream (FLUCFCS 511), borrow pond (FLUCFCS 527), and a small swale (FLUCFCS 514). Most of the uplands onsite are characterized by pine flatwoods (FLUCFCS 411) with some degree of nuisance and exotic vegetation cover (FLUCFCS 411E2/E3) and melaleuca (FLUCFCS 424) and well as improved pasture (FLUCFCS 211). Descriptions of the different habitats and

[2] Chapter 62-340, F.A.C. Delineation of the Landward Extent of Wetlands and Surface Waters
[3] USACE Technical Report Y-87-1 and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual; Atlantic and Gulf Coastal Plain Region (Version 2.0).
[4] Published by FDOT January 1999
[5] WilsonMiller, Inc., April 2000

land uses are summarized below by FLUCFCS type. Representative photographs are included in the Photolog (Appendix B).

2.1 UPLANDS

Approximately 75.2% (208.78 acres) of the project site is classified as upland habitats, most of which are designated as pine flatwoods (FLUCFCS 411/411E2/411E3). The remaining upland habitat is designated as improved pasture (FLUCFCS 211) or melaleuca (FLUCFCS 424). The upland land uses are discussed in further detail below.

Improved Pasture (FLUCFCS 211; 12.00 acres)

This habitat type is only located on the northwest corner of the site. The canopy is mostly open with some sparse slash pine(*Pinus elliottii*). Other vegetation present in this area include Bahia grass *(Paspalum notatum)*, smutgrass *(Sporobolus indicus)*, bluestem *(Andropogon* spp.), pawpaw *(Asimina spp.)*, and Caesar weed (*Urena lobata*). Cattle and horses were present in area at time of site visit.

Pine Flatwoods (FLUCFCS 411; 20.46 acres)

This habitat type makes up most of the upland areas throughout the site. The canopy consists of mostly slash pine, as well as laurel oak *(Quercus laurifloria)*, melaleuca (*Melaleuca quinquenervia)*, and cabbage palm *(Sabal palmetto)*. The subcanopy consists of saw palmetto *(Serenoa repens)*, Brazilian pepper *(Schinus terebinthifolia)*, and wax myrtle *(Morella cerifera)*. The understory is dominated by blackroot *(Pterocaulon pycnostachyum)*, and consists of wiregrass *(Aristida stricta)*, yellow thistle *(Cirsium horridulum)*, oakleaf fleabane *(Erigeron quercifolius)*, yellow hatpins *(Syngonathus flavidulus)*, beaksedge *(Rhynchospora* spp.), tickseed *(Coreopsis* spp.), Caesar weed, witchgrass *(Dichanthelium spp.)*, muscadine grapevine *(Vitis rotundifolia)*, poison ivy *(Toxicodendron radicans)*, and greenbrier *(Smilax* spp.).

Pine Flatwoods (25-49% Nuisance/Exotic) (FLUCFCS 411 E2; 96.09 acres)

This habitat type is similar to the pine flatwoods as described above but with a dense predominance with 25-49% nuisance/exotic vegetation in the understory and canopy of melaleuca, Brazilian pepper, and downy rose myrtle (*Rhodomyrtus tomentosa*).

Pine Flatwoods (50-75% Nuisance/Exotic) (FLUCFCS 411 E3; 71.37 acres)

This habitat type is similar to the pine flatwoods as described above but with a dense predominance 50-75% nuisance/exotic in the understory and canopy of melaleuca, Brazilian pepper, and downy rose myrtle.

Melaleuca (FLUCFCS 424; 8.86 acres)

This habitat consists of monocultures of dense melaleuca stand along with Brazilian pepper and scattered pines.

2.2 WETLANDS AND SURFACE WATERS

The site contains 17 wetlands totaling 64.17 acres of wetlands, 1.05 acres of surface water/ creek, 0.35 acres of surface water/ ditch, and 3.20 acres of surface water farm pond as depicted on the Wetland and Surface Water Map (Figure 4). As depicted on the Land Use/Land Cover Map (Figure 6), the wetlands are classified as hydric melaleuca (FLUCFCS 6191), freshwater marshes (FLUCFCS 641), hydric pine (FLUCFCS 625), or other wetland forested mixed (FLUCFCS 630), while the surface waters are classified as lakes (FLUCFS 527) or streams and waterways (FLUCFCS 511) and a small swale (FLUCFCS 514). SWFWMD issued ERP Permit No. 43047604.000 (Appendix A) for the mass-grading of 265 acres of the project and allowed for the proposed wetland impacts. Site reviews were conducted with Ms. Tasha Daily (SWFWMD) on June 1, 2023, and Mr. Jonathan Guinn (FDEP Section 404) on October 23, 2023, to review the project wetland delineations, proposed impacts, WOTUS determination, and UMAM scores. The wetland uses are discussed in further detail below.

Hydric Melaleuca (FLUCFCS 6191; 39.37 acres)

This habitat type consists of a canopy and subcanopy of slash pine, melaleuca, cabbage palm, myrsine (*Myrsine cubana*), saltbush (*Baccharis halimifolia*), and wax myrtle. The understory vegetation includes yellow hatpins, spadeleaf (*Centella asiatica*), wiregrass, bluestem, rosy camphorweed (*Pluchea baccharis*), beaksedge, branched hedgehyssop (*Gratiola ramosa*), foxtail flatsedge (*Cyperus alopecuroides*), yellow-eyed grass (*Xyris spp.*), savanna false pimpernel (*Lindernia grandiflora*), Bermuda grass (*Cynodon dactylon*), fogfruit (*Phyla nodiflora*), shrubby

false buttonweed (*Spermacoce verticillata*), dwarf St. John's wort (*Hypericum mutilum*), and sand cordgrass (*Spartina bakeri*). Hydrologic indicators present at this habitat type include lenticels, lichen lines, fluting, moss collars, topography changes, algal matting, and hummocks.

Freshwater Marsh (FLUCFCS 641; 19.88 acres)

This habitat type consists of wax myrtle, water pimpernel *(Samolus ebracteatus*), beaksedge, branched hedgehyssop, bluestem, false daisy *(Eclipta prostrata)*, rosy camphorweed, tenangle pipewort *(Eriocaulon decangulare)*, spadeleaf, wiregrass, largeflower rosegentian *(Sabatia grandiflora)*, yellow hatpins (*Syngonanthus flavidulus*), peelbark St. John's wort *(Hypericum fasciculatum)*, corkwood *(Stillingia aquatica)*, marsh mermaidweed *(Proserpinaca palustris)*, and sand cordgrass. Hydrologic indicators present in this habitat type include adventitious roots, algal matting, and topography change.

Hydric Pine (FLUCFCS 625; 4.19 acres)

This habitat type consists of a canopy and subcanopy of sparse slash pine and cabbage palm located in the northeast corner of the site. The understory vegetation includes yellow hatpins, wiregrass, bluestem, beaksedge, branched hedgehyssop, foxtail flatsedge, yellow-eyed grass, savanna false pimpernel, Bermuda grass, fogfruit, shrubby false buttonweed, dwarf St. John's wort, and sand cordgrass. Hydrologic indicators present at this habitat type, topography changes and algal matting.

Other Wetland Forested Mixed (FLUCFCS 630, 0.73 acres)

This habitat type is made up of four small, forested wetlands formed by overflow impoundments adjacent to the creek running through the site. Canopy includes cabbage palm, laurel and live oaks, with understory of wax myrtle, Brazilian pepper, saltbush.

Streams and Waterways (FLUCFCS 510, 1.05 acres)

This habitat type is a shallow channelized creek running diagonally through the northwestern section of the site. The vegetation consists of Brazilian pepper, cabbage palm, Carolina willow (*Salix caroliniana*), laurel oak, wax myrtle, saltbush, fetterbush *(Lyonia lucida)*, spadeleaf, rosy camphorweed, poison ivy, muscadine grapevine, and greenbrier.

Ditch (FLUCFCS 514, 0.35 acres)

A narrow surface water ditch runs along the southwest segment of the property. It is surrounded by slash pine, Brazilian pepper, and wax myrtle with little vegetation in the ditch and is excavated from uplands.

Lakes (FLUCFCS 527, 3.20 acres)

Based on a review of historical imagery, the pond located on the west side of the site near Burnt Store Road, was constructed between 1974 and 1985 completely in uplands. Excavated material from the pond (created from borrow pit activity) was likely used for adjacent road development. The pond is not vegetated and is not connected to the unnamed intermittent stream.

3.0 WETLAND IMPACT ASSESSMENT

Below is a wetland impact discussion that addresses proposed wetland and surface water impacts, impact assessments, and mitigation. Proposed impacts will occur as a result to accommodate the construction of the development, roadway infrastructure, and minor grading impacts where stormwater ponds and residential lots are abutting wetlands. Overall, the proposed impacts are to 4.76 acres of wetlands, 1.05 acres of the surface water creek, 3.20 acres of the upland-cut borrow pond, and 0.35 acres of the ditch along the southwest boundary. The project has been designed to avoid the larger wetlands systems while maintaining the Greenway and Wildlife Corridors through the site. However, due to site constraints, the project cannot avoid all wetlands and will, therefore, be impacted. The project will preserve 59.41 acres (92.6%) of the wetlands. A long-term habitat management plan will ensure the preservation areas are maintained in perpetuity (Appendix C).

3.1 DIRECT WETLAND IMPACTS

Wetland 2, 2A, and 2B Impacts (1.57 acres)

This impact includes two areas to be impacted: one along the western boundary of the site and the second along the central portion of the site. Both these locations allow for roadway access to the south portion and the eastern portion of the site. The roadway has been aligned to avoid and preserve the main portion of Wetland 2 and Wetland 3A to the north. The impacts are to the edges of the wetland which are predominately melaleuca-dominated coverage. Additional improvements include dry detention ponds and residential lots. These impacts are to Category II (Wetland 2) and Category III (Wetlands 2A and 2B), which are needed for roadway access to parts of the site.

Wetland 4 Impacts (0.24 acres)

This impact is located along the western boundary of the site. This impact allows for roadway to access the south portion of the site. The roadway has been aligned to avoid a large portion of Wetland 4 and Wetland 3A to the south. The impacts are to the edges of the wetland which are predominately melaleuca vegetative coverage. This impact is to Category III, which is needed for roadway access to parts of the site.

Wetland 6 Impacts (1.53 acres)

This impact is located along the western boundary of the site. This impact allows for the construction of a roadway to access the south portion of the site. The roadway has been curved to avoid the more expansive part of Wetland 6 along with Wetland 7 to the east. Additional improvements include dry detention ponds and residential lots. The impacts are to the edges of the wetland which are predominately melaleuca vegetative coverage. This impact is to Category II, which are needed for roadway access to parts of the site.

Wetlands 8, 10, 11 Impacts (0.68 acres)

These impacts are to three separate wetlands: one along the southwestern boundary of the site and the other two at the south end of the site. Wetland 8 impact (0.35 acres) is needed for the stormwater pond associated with the commercial parcel. The other two impacts (0.11 and 0.22 acres, respectively) are for roadway access to the south portion and the eastern portion of the site. These impacts are all to Category III wetlands.

Wetland 9A, 9B, 9C, 9D Impacts (0.73 acres)

These impacts are located just south of the roadway entrance to the site. These are individual small wetlands all less than 0.5 acre in size each. The forested wetlands will be impacted in their entirety. The impacts are unavoidable since the wetlands run diagonally through the northern portion of the site. These impacts are all to Category III wetlands.

Surface Water SW-1 Impacts (1.05 acres)

The proposed impacts to surface water in its entirety. The shallow creek has been channelized and runs diagonally through the west central part of the site. A 24-inch HDPE pipe (or similar) will replace the creek to adequately maintain flows through the site. There are no other options since the main entrance coming into the site is from Burnt Store Road that would not avoid the creek impact. The proposed site plan calls for commercial development with several outparcels along the Burnt Store Road frontage. The 75-foot Greenway has been relocated to accommodate the updates to the Site Plan and aligns with Wetland 1 and connects with the offsite property's Greenway to the south and State-owned lands to the south and east surrounding the site.

The remainder of the wetlands features will avoid impact by the implementation of construction measures, including the installation of silt fences and preserving upland buffers. Overall, a total of 59.41 acres (92.6 %) of onsite wetlands will be preserved. A conservation easement granted to Charlotte County will be placed over the preserved wetlands and their respective upland buffers.

Table 3-1. Wetlands and Surface Water Impacts Associated for the Sage Pointe Project.

Wetland ID	FLUCFCS Code	Habitat Type	Wetland Category	Total Wetland Area	Direct Impacts	Preserved Wetland Area
Wetlands						
WL-1	6191	Hydric Melaleuca	II	11.27	0.01	11.26
WL-2	641/6191	Hydric Melaleuca	II	33.79	1.29	32.50
WL-2A	6191	Hydric Melaleuca	III	0.08	0.08	-
WL-2B	6191	Hydric Melaleuca	III	0.20	0.20	-
WL-3	625	Hydric Pine	III	4.19	-	4.19
WL-3A	6191	Hydric Melaleuca	III	0.41	-	0.41
WL-4	6191	Hydric Melaleuca	III	1.58	0.24	1.34
WL-5	641	Freshwater Marsh	III	0.25	-	0.25
WL-6	641/6191	Hydric Melaleuca	II	8.21	1.53	6.68
WL-7	641/6191	Freshwater Marsh	III	2.68	-	2.68
WL-8	6191	Hydric Melaleuca	III	0.35	0.35	-
WL-9A	630	Forested Mixed	III	0.33	0.33	-
WL-9B	630	Forested Mixed	III	0.17	0.17	-
WL-9C	630	Forested Mixed	III	0.08	0.08	-
WL-9D	630	Forested Mixed	III	0.15	0.15	-
WL-10	6191	Hydric Melaleuca	III	0.11	0.11	-
WL-11	6191	Hydric Melaleuca	III	0.22	0.22	-
Surface Waters						
SW-1	511	Creek	Other Surface Water	1.05	1.05	-
OSW-2	527	Borrow Pond	Other Surface Water	3.20	3.20	-
OSW-3	514	Ditches	Other Surface Water	0.35	0.35	-
Total Wetland/ Surface Water =>				**68.83**	**9.36**	**59.41**

3.2 WETLAND BUFFERS

Overall, the project will maintain an average 25-foot buffers around all preserved wetlands consistent with Charlotte County requirements which is consistent with SWFWMD criteria

(minimum 15-foot, average 25-foot buffers). Where impacts are proposed to several of the wetlands for the fill slopes (Wetlands 2, 4, 6), a 15-foot minimum buffer will be created (consistent with SWFWMD requirements) to protect the remainder of the wetland and will be replanted with a variety of native trees, shrubs and groundcover to create a structural buffer for the adjacent wetland. Details of buffer impacts and replanting will be provided during Final Detail Site Plan.

3.3 UMAM ANALYSIS

MONARCH conducted an impact assessment for all proposed impact areas in June 2023 and more recently in February 2025 based on the Uniform Mitigation Assessment Methodology (UMAM) outlined in Chapter 62-345, F.A.C. and scored each impact area based on current conditions for location/landscape, water environment and community structure. The impact assessment addresses direct impacts with "current condition" scores and "with project" conditions to quantify the functional loss associated with the proposed impact. Below is a summary of UMAM scores assigned for wetland in its current condition and the functional loss quantified by UMAM for the impacts. It should be noted that SWFWMD has approved the wetland impacts and UMAM during the original permitting of the 265-acre project (Appendix A). A modification of that permit will be submitted for any additional wetland impacts proposed.

As shown in Table 3-2, the proposed direct wetland impacts will result in a total functional loss of 1.799 freshwater herbaceous units and 0.365 freshwater forested units.

Table 3-2. UMAM Summary for the Sage Pointe Project Wetland Impacts.

System ID	System Type	Impact Type	Location/ Landscape		Water Environment		Community Structure		Delta	Impact Acreage	Functional Loss
			Without	With	Without	With	Without	With			
Direct Impacts											
WL-2	H	Fill	6	0	5	0	5	0	-0.53	1.29	-0.684
WL-4	H	Fill	6	0	6	0	7	0	-0.63	0.24	-0.151
WL-6	H	Fill	6	0	6	0	7	0	-0.63	1.53	-0.964
WL-9A-9D	F	Fill	6	0	4	0	5	0	-0.50	0.73	-0.365
									Total Functional Loss		**-2.164**

3.4 MITIGATION

Mitigation for functional loss associated with unavoidable wetland impacts will be provided through the purchase of credits from an offsite mitigation bank that is both state and federally approved and deemed suitable based on the service area, watershed and availability of mitigation credits. The project site is in the Charlotte Harbor Drainage Watershed and Little Pine Island Mitigation Bank (LPIMB) is the only mitigation bank that services this watershed. The proposed wetland impacts will result in a total functional loss of 1.799 freshwater herbaceous units and 0.365 freshwater forested units. A letter of credit reservation for 1.80 freshwater herbaceous credits and 0.37 freshwater forested credits will be provided from LPIMB.

4.0 LISTED SPECIES

MONARCH conducted a general wildlife survey to specifically evaluate the site for listed species designated as Endangered or Threatened by the FWC (under Chapter 68A-27, F.A.C.) and by the USFWS (under 50 CFR 17 and 23). Additional wildlife surveys are currently underway by EcoWild Consulting Group, LLC (EcoWild).

The listed species survey was conducted following general guidelines and methodologies provided in the Florida Wildlife Conservation Guide[6] (2018) and focused on listed species that are known to occur in Charlotte County and have potential to use habitats such as those found onsite. Before initiating field surveys, MONARCH first conducted a desktop analysis to review relevant regulatory databases for listed species that are known to occur in the area (e.g., bald eagle nests, wood stork colonies, scrub-jay territories, etc.) and also took into consideration USFWS consultation areas that overlap this site (i.e., Florida bonneted bat, Florida scrub-jay).

MONARCH then conducted a wildlife survey beginning in March through June 2022, with agency site reviews in June and October 2023, and more recently in April and May 2025 to evaluate for listed species or evidence of them using the site (i.e., gopher tortoise burrows) which included a preliminary gopher tortoise (*Gopherus polyphemus*) survey that was conducted in accordance with methods found in the FWC *Gopher Tortoise Permitting Guidelines* (Revised April 2023). During the recent survey efforts, MONARCH documented listed species observations or evidence of their occurrence (e.g., tracks, nests, burrows, etc.). A map depicting locations of all listed species observed during field efforts is included as Figure 7. Most of the uplands on the project site are pine flatwoods with some level of nuisance and exotic vegetation, and there are also areas of hydric pine and open water feature, that provided limited habitat for listed species. Table 4-1 below provides a summary of listed species that are known to occur in Charlotte County that were considered for the survey, followed by a brief summary for each species.

[6] Developed by FWC and USFWS

Table 4-1. Listed Species Observed or Having Potential to Occur at Sage Pointe.

Common Name	Scientific Name	Legal Status		Probability Of Occurrence
		USFWS	FWC[1]	
Reptiles				
American Alligator	*Alligator mississippiensis*	T (S/A)	FT (S/A)	Observed
Gopher Tortoise	*Gopherus polyphemus*	-----	ST	Observed
Eastern Indigo Snake	*Drymarchon couperi*	T	FT	Low
Mammals				
Florida Bonneted Bat	*Eumops floridanus*	E	FE	Low
Birds				
Bald Eagle	*Haliaeetus leucocephalus*	*	-----	Observed
Florida Scrub-jay	*Aphelocoma coerulescens*	T	FT	Low
Red-cockaded Woodpecker	*Picoides borealis*	E	FE	Low
Southeastern American Kestrel	*Falco sparverius paulus*	-----	ST	Low
Florida Burrowing Owl	*Athene cunicularia floridana*	-----	ST	Low
Florida Sandhill Crane	*Antigone canadensis pratensis*	-----	ST	Low
Wood Stork	*Mycteria americana*	T	FT	Moderate
Little Blue Heron	*Egretta caerulea*	-----	ST	Moderate
Tricolored Heron	*Egretta tricolor*	-----	ST	Moderate
Roseate spoonbill	*Platalea ajaja*	-----	ST	Moderate

* Bald eagles are afforded federal protection under the Bald and Golden Eagle Protection Act.

USFWS Status: E: Endangered (subject to state and federal protection); T: Threatened (subject to state and federal protection); T(S/A): Threatened due to similarity of appearance.

FWC Status: FE: Federal Endangered (subject to state and federal protection); FT: Federally Threatened (subject to state and federal protection); ST: State-Threatened only (not federally listed).

FT(S/A): Federally Threatened due to similarity of appearance.

American Alligator

The American alligator (*Alligator mississippiensis*) is a common species in Florida that is federally listed as threatened because of its similarity in appearance to the federally threatened American crocodile (*Crocodylus acutus*). American crocodiles mostly occur in coastal areas of south Florida, but their range can extend as far north as Tampa Bay. They primarily occur in brackish or saltwater areas and can also be found in ponds, coves, tidal creeks, mangrove swamps and

occasionally are encountered in more inland freshwater areas where extensive canal systems exist. American crocodiles are not reasonably expected to occur on the site. American alligators have potential to occur on nearly any site in Florida that has freshwater wetlands, rivers, lakes, ponds, ditches and canals. Alligators are expected to regularly use the onsite pond given it provides suitable open water habitat, and they may periodically use the deeper portions of wetlands and ditches when water levels allow. One alligator was observed in the sump adjacent to Burnt Store Road (Figure 7). The project is not expected to result in adverse impacts to alligators since impacts are minimal and animals are expected to leave the are on their own accord. Further, there are regulations or development restrictions related to the alligator. A number of ponds will be constructed with development which may provide more open water habitat for occasional use by alligators.

Gopher Tortoise

Gopher tortoises are state listed as threatened and prefer well-drained soils found in association with sandhills, xeric scrub habitat, palmetto prairie, and pine flatwoods but can be found in other habitats and even developed/disturbed areas. MONARCH completed a preliminary gopher tortoise survey on October 2023, February 2025, and in April 2025 in accordance with methods found in the FWC *Gopher Tortoise Permitting Guidelines* (Revised April 2023). A total of three (3) potentially occupied and three (3) abandoned gopher tortoise burrows were observed throughout the site (Figure 7). Based on the USDA's Web Soil Survey database, half of the soils onsite (Pineda-Pineda Wet, Fine Sand) is considered "unsuitable" for gopher tortoises due to ponding and water table characteristics with areas mapped as Myakka Fine Sand and Smyrna Fine Sand which are classified as "less suitable" for gopher tortoises. Regardless, a formal (100% coverage) pre-construction survey will be conducted in accordance with FWC guidelines, and if any gopher tortoise burrows are found within the project area, MONARCH will assist the Applicant in obtaining a gopher tortoise relocation permit from FWC to excavate burrows and relocate tortoises offsite (to FWC approved recipient site) prior to construction.

Eastern Indigo Snake

The eastern indigo snake (*Drymarchon couperi*) is federally listed as threatened and can be found in a wide-variety of habitats throughout Florida including sandhill, scrub, pine flatwoods, scrubby

flatwoods, high pine, dry prairie, tropical hardwood hammocks, hydric hammocks, edges of freshwater marshes and agricultural fields. The indigo snake is a commensal species of the gopher tortoise and commonly uses their burrows for refuge. No eastern indigo snakes were observed during multiple field surveys, but they are a cryptic species.

Potential effects to indigo snakes during the review of permit applications are evaluated based on the *Eastern Indigo Snake Programmatic Effect Determination Key*[7] published by the USFWS South Florida Ecological Services Field Office (2017). Based on criteria outlined in the *Eastern Indigo Snake Key*[3]*,* if a project will impact less than 25 acres of potential indigo snake habitat, will be conditioned to follow the *Standard Protection Measures for the Eastern Indigo Snake* (USFWS 2024), and any potential refugia (i.e., gopher tortoise burrows) will be excavated prior to development, the action is "*Not Likely to Adversely Affect*" the species. Although the site contains suitable habitat and is in the range of occurrence for the species, the potential for occurrence by indigo snakes is considered low based on the historic agricultural uses on site, dense/overgrown conditions in areas, limited refugia sites, and habitat fragmentation from surrounding developments and adjacent roadways. The Applicant will follow the USFWS *Standard Protection Measures for the Eastern Indigo Snake* (2024) to minimize the potential harm or harassment associated with this species prior to, during, and after construction. The *Standard Protection Measures* include practical steps that can be taken to minimize impacts to eastern indigo snakes, such as educating construction personnel to stop work and allowing snakes to leave the work area if they are encountered.

A formal (100% coverage) gopher tortoise burrow survey will be conducted prior to construction and a relocation permit will be obtained from FWC to excavate burrows and relocate tortoises from the site. During relocation efforts, if any indigo snakes are encountered while excavating gopher tortoise burrows, they will be allowed to vacate the area in accordance with USFWS criteria outlined in the *Eastern Indigo Snake Programmatic Effect Determination Key*[3] and the FWC Permitting Guidelines without harm or harassment Given the low probability of occurrence by

[7] South Florida Ecological Service Office Eastern Indigo Snake Effect Determination Key (USFWS, Revised July 2017).

indigo snakes and conservation measures that will be followed, the project is not expected to result in adverse impacts to indigo snakes.

Florida Bonneted Bat

The Florida bonneted bat (*Eumops floridanus*) is federally listed as Endangered and the Project Site occurs in the USFWS consultation area for this species. FBB have been documented in South Florida (including Charlotte County) and are believed to forage in a wide variety of habitats including semitropical forests with tropical hardwood, pineland and mangrove habitats, as well as man-made areas such as golf courses and neighborhoods. Little is known about their life history, but they are known to roost in live or dead trees and tree snags. Large/mature trees of any species 34 ft or taller, snags 28 ft or taller, with dbh 7.4 in or greater may constitute potential FBB roosting habitat.

Critical habitat was recently designated as of April 2024 for this species and includes 1,160,625 acres in portions of 13 counties. Critical habitat does not occur on the project site; therefore, none will be affected. Unit 3A, of the Babcock Units, encompassing 88,559 acres is located in proximity to the project. Since the project partially falls within the FBB consultation area (which includes all of Charlotte County) and has potential roosting and foraging habitat, a formal acoustic survey to determine presence of the FBB may be required. Following completion of the FBB survey, MONARCH will coordinate with the USFWS to review the project plan to rule out FBB concerns.

Bald Eagle

While no longer listed by the USFWS as Threatened or Endangered, the bald eagle (*Haliaeetus leucocephalus*) is afforded protection under the federal Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). Two (2) eagle nests are located in proximity to the site as shown on the enclosed Listed Species Database Map (Figure 8). The closest eagle nest (CH954) is located approximately 660-ft, just outside of the secondary zone, south of the project site. Eagles have been observed flying over the project site on separate occasions which can be expected given the nearby nests. Since the project is outside of the 660-foot eagle nest protection zone(s) of known nests, the project will not adversely affect this species. The 100-ft Wildlife Corridor is located along the south boundary, further protecting the eagle territory. The

project site contains a few large pines that may be potentially suitable for nesting; however, no eagle nests were observed during multiple field surveys. The majority of the pine trees are smaller pines that are not suitable for eagle nesting. MONARCH will continue to monitor for eagle activity and any new eagle nests that become established and considered for future development.

Red Cockaded Woodpecker

The red cockaded woodpecker (RCW) is federally listed as threatened. It inhabits old growth (i.e., 60 years in age or older) pine-dominated habitat which in South Florida includes those containing slash pine with a DBH as small as 6 inches (USFWS 2004). They are the only woodpecker that excavate their cavities in live trees. The site is located within the USFWS consultation area and occurrence area for this species. The nearest documented RCW colony is located approximately 3.6 miles southeast of the site on land included in and managed as part of the Fred C. Babcock-Cecil M. Webb Wildlife Management Area (FWC FWRI, FNAI). Nearly all RCW colonies are known and managed.

No RCWs or cavities in live pine trees have been documented on-site during the listed species surveys or other fieldwork conducted on the Project site. The majority of the project site consists of smaller pines with a dense unmanaged understory that is not suitable for RCW nesting or foraging; therefore, the RCW is not expected to be adversely affected by the project.

Florida Scrub-jay

The Florida scrub-jay is federally listed as Threatened and is known to occur in Charlotte County. The designated consultation area overlaps the project site. Scrub-jays require xeric habitats including scrubby flatwoods which contain scrub oaks (which provide a primary food source) and open sandy soils to cache acorns. These conditions do not occur on the project site or immediate surrounding areas. The project site consists mostly of dense pine flatwoods consisting of slash pine with a saw palmetto understory.

No Florida scrub-jays were observed or heard during multiple field surveys. Considering Florida scrub-jays remain in their territory year-round, and no scrub-jays were observed during survey

efforts and no preferred or optimal habitat (i.e., scrub oaks) occur within or immediately surrounding the Project Site, the project is expected to have no effect on the Florida scrub-jay.

Southeastern American Kestrel

The American kestrel (*Falco sparverious*) is a wintering migratory species and the Southeastern American kestrel (*Falco sparverious paulus*) is the state listed resident subspecies of kestrel. They are identical and cannot be distinguished during the winter months. Kestrels tend to inhabit open lands where both foraging and nesting opportunities exist. They nest in natural cavities of dead trees (snags) and abandoned woodpecker nests or utility poles and prefer open lands for foraging where prey can be easily detected, including sandhills, open pine savannah, pastures, and open wooded lots.

No kestrels have been observed on this site during multiple field surveys including surveys during April 2025 which overlaps with the breeding season for the resident subspecies; however, due to presence of some suitable habitat, a kestrel survey may be required prior to development. MONARCH will continue to monitor for kestrels on this project and will conduct either a pre-construction survey or a formal kestrel survey to comply with FWC guidelines.

Florida Burrowing Owls

Burrowing owls are state listed as Threatened and inhabit sandhills, ruderal communities, dry prairies, and pasture with minimal groundcover vegetation and well-drained soils. No burrowing owls or burrows were observed onsite, nor are they expected to occur given most of the uplands are highly overgrown with canopy or dense shrub and brush cover.

Florida Sandhill Cranes

Florida sandhill cranes (*Antigone canadensis pratensis*) are state listed as Threatened. This species typically nests in shallow, freshwater marsh wetlands between February and April. They also utilize open grassy areas such as medians and pasture for foraging. During the surveys, MONARCH did not observe any sandhill cranes. Nesting opportunities onsite are low and minimal foraging habitat is available in the pasture areas near excavated ponds. It is possible cranes may occasionally utilize the area for foraging; however, nesting is unlikely.

Wood Stork

Based on a review of the USFWS Wood Stork Florida Active Nesting Colonies and Core Foraging Area Google Earth files, the nearest wood stork (*Mycteria americana*) colonies (i.e., North Port Charlotte North and North Port Charlotte) are located more than 10 miles from the project. The designated Core Foraging Areas (i.e., 18.6-mile buffer) of these colonies overlap the project site. During survey efforts, wood storks were not observed onsite. Wood storks have been proposed for delisting because of recovery.

Considering the distance of the known colonies from the project, disturbance to the colonies will not occur. Any loss of suitable foraging habitat (SFH) for wood storks as defined in the *Wood Stork Effect Determination Key*[8] will be addressed to ensure the project will not result in adverse effects to this species. SFH is defined as wetlands or surface waters (i.e., ditches) that typically have shallow-open water areas with permanent or seasonal water depth between 2 to 15 inches deep and can support and concentrate aquatic prey (i.e., small fish, frogs, etc.). The wetlands and surface waters onsite provide foraging habitat for wood storks, but regardless, mitigation will be provided for all wetland impacts (through mitigation bank) and will offset any concern for loss of SFH. As a result, the project is not likely to adversely affect wood storks.

State-Listed Wading Birds

Wading birds in general are expected to use the site regularly given the extent of wetlands and surface waters. No wading birds or colonies were observed onsite. One wading bird colony is documented in FWC records approximately 2 miles east of the project site in Charlotte Harbor (Figure 8). Wading bird breeding season generally starts in February and goes through August. Therefore, if any construction is to occur during wading bird breeding season, MONARCH will conduct pre-construction surveys to evaluate for any nesting by listed species of wading birds. The surveys will follow methods found in the FWC guidelines outlined in *Species Conservation Measures and Permitting Guidelines for Threatened Wading Birds (Little Blue Heron, Reddish Egret, Roseate Spoonbill, and Tricolored Heron)*. If any listed wading bird nests are documented, a 330-foot buffer will be maintained to preclude disturbances during nesting (February-August).

[8] South Florida Programmatic Concurrence on Wood Stork Effect Determination Key in South Florida (USFWS, May 2010).

5.0 NATIVE HABITAT MANAGEMENT PLAN

The Native Habitat Management Plan has been prepared to address the long-term management of the designated preserve areas that include the preserved wetlands, wetland buffers, and upland preservation areas totaling total 68.61 acres for the Sage Pointe project (Appendix C). The 75-foot Greenway has been relocated to accommodate the updates to the Site Plan and aligns with Wetland 1 to the north, through the western side of the site, and connects with the offsite property's Greenway to the south and aligns with State-owned lands to the south and east surrounding the site. The 100-ft Wildlife Corridor is located along the south boundary aligned with Zemel Canal which is consistent with adjacent property's Wildlife Corridor. The Greenway and Wildlife Corridor enhance the project's overall connectivity to offsite preservation area and surrounding State-owned lands.

The maintenance plan shall be implemented to ensure that the preservation areas remain relatively free (< 5% aerial coverage) of the nuisance and exotic vegetative species and maintain a minimum of 80% aerial coverage of desirable native vegetative species. The maintenance plan will consist of an initial nuisance/exotic vegetation treatment and removal event, with scheduled maintenance events to ensure the regrowth of nuisance and exotic vegetation is limited. All maintenance activities will be conducted via a combination of hand removal and in-place treatment in conjunction with spray application of approved aquatic herbicides which can be used to selectively treat undesirable vegetation. No herbicide treatment of desirable native species is permitted.

FIGURES

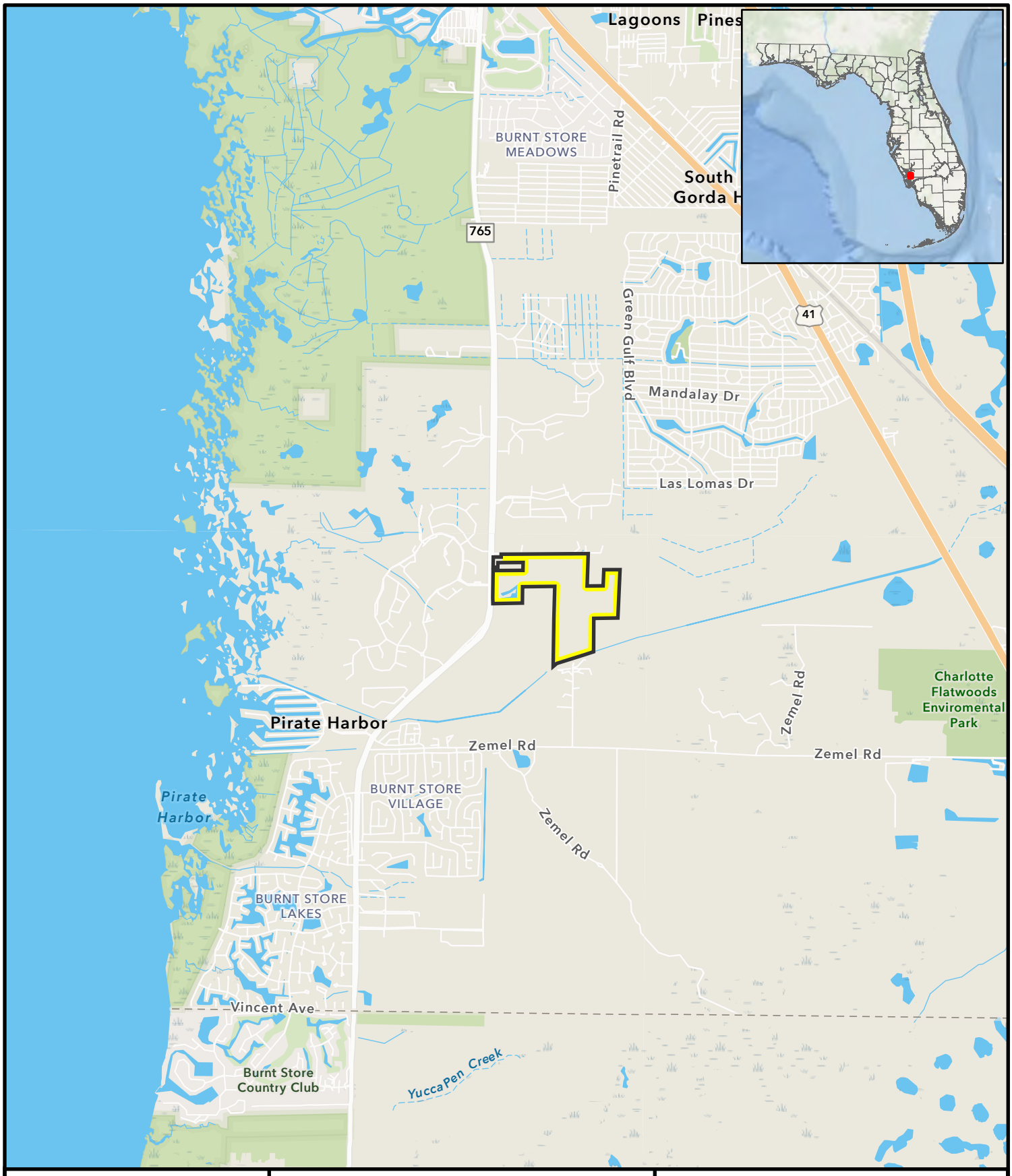


Figure 1
Location Map

Sage Pointe
Charlotte County, Florida

Project Boundary

0 0.5 1
Miles

N

Sources: ESRI, 2025; Monarch Ecology Group, 2025

Monarch
ECOLOGY GROUP

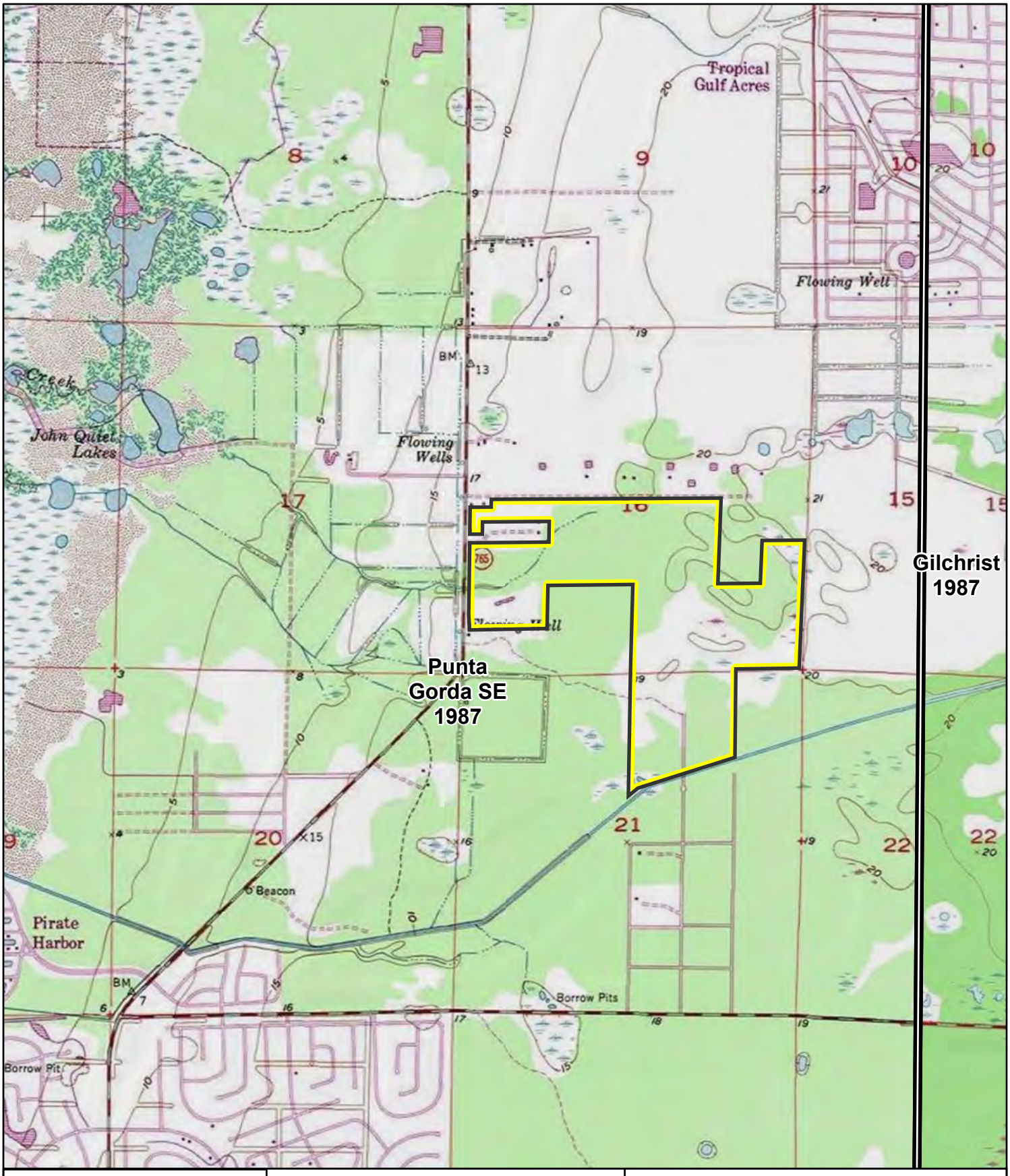


Figure 2
Topographic Map

Sage Pointe
Charlotte County, Florida

0 1,000 2,000
Feet

N

USGS Quad (7.5 min)

Project Boundary

Sources: USGS, Punta Gorda SE Quad, 1994; Monarch Ecology, 2025

Monarch
ECOLOGY GROUP



Figure 3
Watersheds

Sage Pointe
Charlotte County, Florida

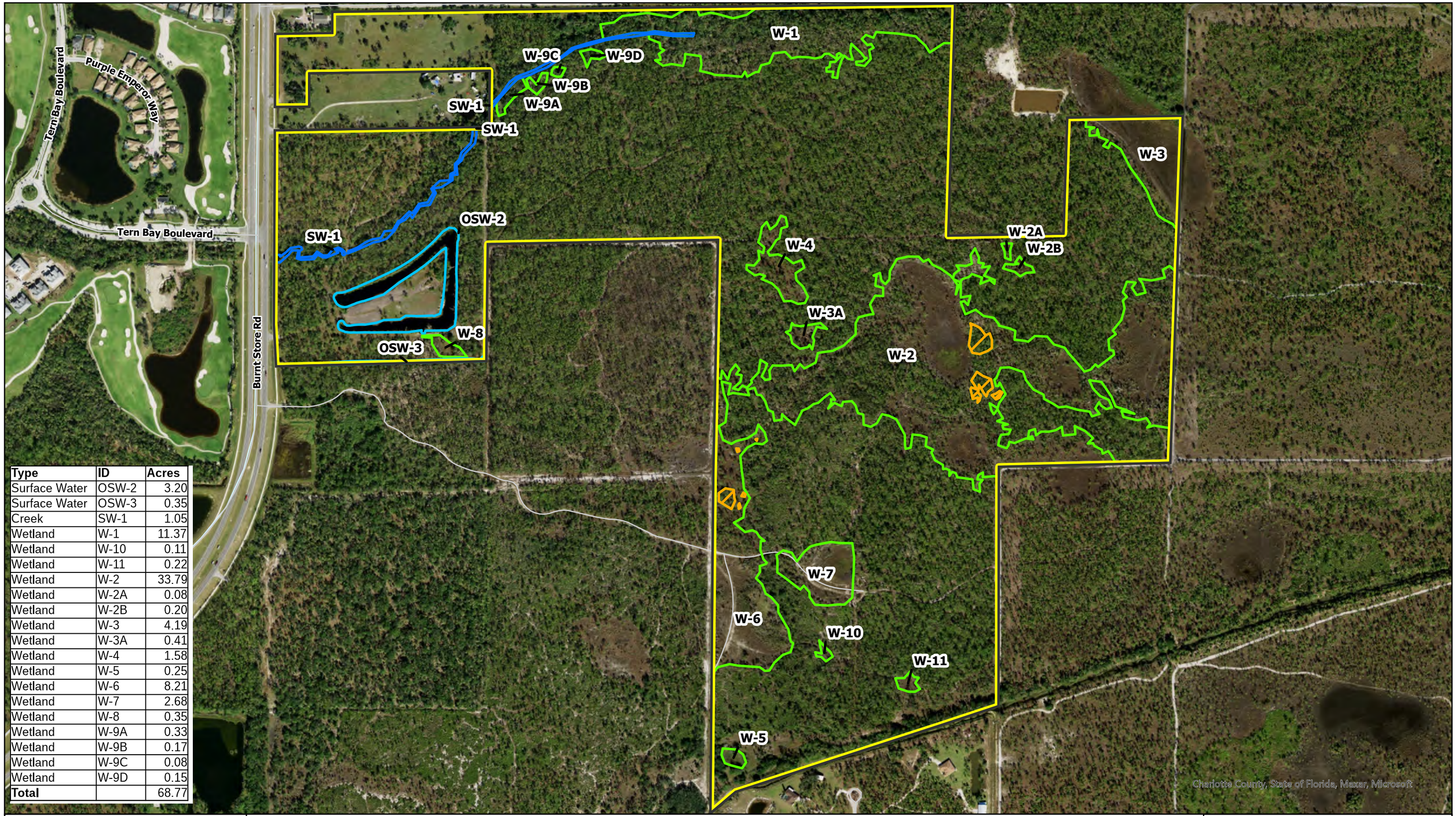
Project Boundary
Basins (NHD HUC12)

N

0 0.5 1
Miles

Sources: USGS, 2024; FDOT Imagery, 2024; Monarch Ecology, 2025

Monarch
ECOLOGY GROUP



Type	ID	Acres
Surface Water	OSW-2	3.20
Surface Water	OSW-3	0.35
Creek	SW-1	1.05
Wetland	W-1	11.37
Wetland	W-10	0.11
Wetland	W-11	0.22
Wetland	W-2	33.79
Wetland	W-2A	0.08
Wetland	W-2B	0.20
Wetland	W-3	4.19
Wetland	W-3A	0.41
Wetland	W-4	1.58
Wetland	W-5	0.25
Wetland	W-6	8.21
Wetland	W-7	2.68
Wetland	W-8	0.35
Wetland	W-9A	0.33
Wetland	W-9B	0.17
Wetland	W-9C	0.08
Wetland	W-9D	0.15
Total		68.77

Figure 4
Wetlands and Surface Waters

Sage Pointe
Charlotte County, Florida

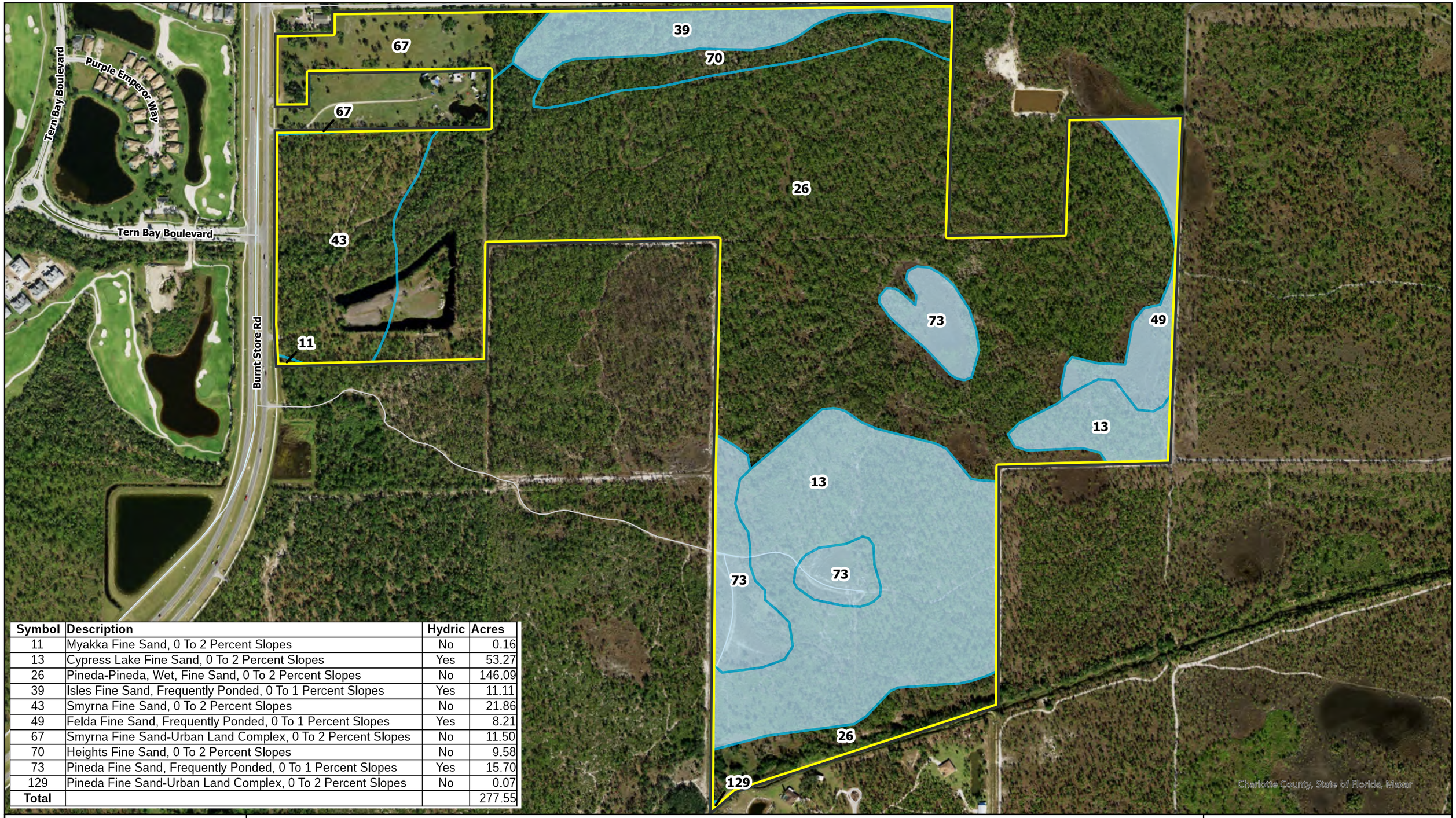
Project Boundary
Wetland
Creek
Surface Water
Upland

N

0 250 500
US Feet

Sources: FDOT Imagery, 2024; Monarch Ecology Group, 2025

Monarch ECOLOGY GROUP



Symbol	Description	Hydric	Acres
11	Myakka Fine Sand, 0 To 2 Percent Slopes	No	0.16
13	Cypress Lake Fine Sand, 0 To 2 Percent Slopes	Yes	53.27
26	Pineda-Pineda, Wet, Fine Sand, 0 To 2 Percent Slopes	No	146.09
39	Isles Fine Sand, Frequently Ponded, 0 To 1 Percent Slopes	Yes	11.11
43	Smyrna Fine Sand, 0 To 2 Percent Slopes	No	21.86
49	Felda Fine Sand, Frequently Ponded, 0 To 1 Percent Slopes	Yes	8.21
67	Smyrna Fine Sand-Urban Land Complex, 0 To 2 Percent Slopes	No	11.50
70	Heights Fine Sand, 0 To 2 Percent Slopes	No	9.58
73	Pineda Fine Sand, Frequently Ponded, 0 To 1 Percent Slopes	Yes	15.70
129	Pineda Fine Sand-Urban Land Complex, 0 To 2 Percent Slopes	No	0.07
Total			277.55

Figure 5
Soils

Sage Pointe
Charlotte County, Florida

Project Boundary
Soils
Hydric Soil

N

0 250 500
US Feet

Sources: USDA, 2024; FDOT Imagery, 2024; Monarch Ecology Group, 2025

Monarch ECOLOGY GROUP

FLUCCS	Description	Acres
211	Improved Pasture	12.00
411	Pine Flatwoods	20.46
411 E2	Pine Flatwoods 25-50% Exotic and Noxious	96.09
411 E3	Pine Flatwoods 50-75% Exotic and Noxious	71.37
424	Melaleuca	8.86
511	Stream	1.05
514	Ditch	0.35
527	Stormwater Pond	3.20
625	Hydric Pine	0.73
630	Wetland Forested Mixed	19.88
641	Freshwater marshes	39.37
6191	Hydric Melaleuca	4.19
Total		277.55

Figure 6
Land Use/Land Cover

Sage Pointe
Charlotte County, Florida

Project Boundary
Land Use/Land Cover

N

0 250 500
US Feet

Sources: FDOT Imagery, 2024; Monarch Ecology Group, 2025

Monarch ECOLOGY GROUP

Type	ID	Acres
Surface Water	OSW-2	3.20
Surface Water	OSW-3	0.35
Creek	SW-1	1.05
Wetland	W-1	11.37
Wetland	W-10	0.11
Wetland	W-11	0.22
Wetland	W-2	33.79
Wetland	W-2A	0.08
Wetland	W-2B	0.20
Wetland	W-3	4.19
Wetland	W-3A	0.41
Wetland	W-4	1.58
Wetland	W-5	0.25
Wetland	W-6	8.21
Wetland	W-7	2.68
Wetland	W-8	0.35
Wetland	W-9A	0.33
Wetland	W-9B	0.17
Wetland	W-9C	0.08
Wetland	W-9D	0.15
Total		68.77

Figure 7
Observed Listed Species

Sage Pointe
Charlotte County, Florida

Project Boundary
Wetland
Creek
Surface Water
Upland
Bald Eagle Nest
Primary Nest Protection Zone (330-ft)
Secondary Nest Protection Zone (660-ft)
Potentially Occupied Gopher Tortoise Burrow
Abandoned Burrow
American Alligator
Snag

N

0 300 600
US Feet

Sources: FDOT Imagery, 2024; Monarch Ecology Group, 2025

Monarch ECOLOGY GROUP

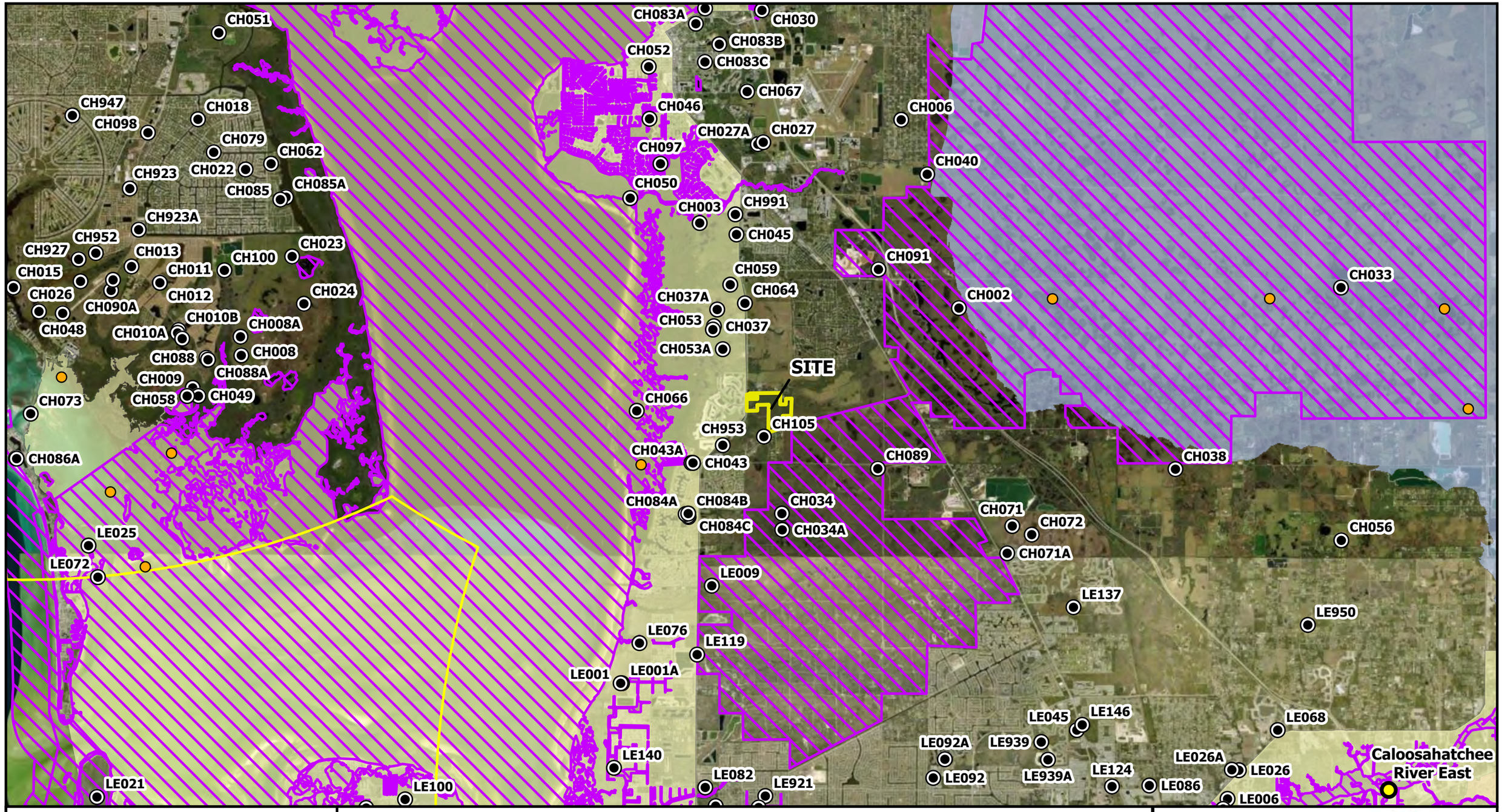


Figure 6
Listed Species

Sage Pointe
Charlotte County, Florida

0 1 2
Miles

N

- Project Boundary
- Bald Eagle Nest
- Wood Stork Nesting Colony
- Wood Stork Foraging Area
- Wading Bird Colony
- Smalltooth_Sawfish_Critical_Habitat
- Dispersal Pathway
- Primary Expansion Area
- Secondary
- Critical Habitat

distance

- Primary Nest Protection Zone (330-ft)
- Secondary Nest Protection Zone (660-ft)
- <all other values>

Site Lies within:
USFWS Wood Stork Foraging Area
USFWS Consultation Area:
Florida Scrub Jay
Red Cockaded Woodpecker

Source: FWC, 2023; USFWS, 2023; FDOT Imagery, 2020; Monarch Ecology Group, 2025

Monarch
ECOLOGY GROUP

APPENDIX A

SWFWMD ERP PERMIT NO. 43047604.000

Southwest Florida Water Management District
2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
SUNCOM 628-4150 TDD only 1-800-231-6103 (FL only)
On the Internet at: WaterMatters.org

An Equal Opportunity Employer

Bartow Service Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Service Office
78 Sarasota Center Boulevard
Sarasota, Florida 34240-9770
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

August 06, 2024

Daniel Light
6810 International Center Blvd.
Fort Myers, FL 33912

Burnt Store Road-RET, LLC
Attn: Randy Thibaut
6810 International Center Blvd.
Fort Myers, FL 33912

Subject: **Notice of Intended Agency Action - Approval**
ERP Individual Construction

Project Name:	Burnt Store Road 265
App ID/Permit No:	860261 / 43047604.000
County:	Charlotte
Sec/Twp/Rge:	S21/T42S/R23E, S16/T42S/R23E

Dear Permittee(s):

The Southwest Florida Water Management District (District) has completed its review of the application for Environmental Resource Permit. Based upon a review of the information you have submitted, the District hereby gives notice of its intended approval of the application.

The File of Record associated with this application can be viewed at http://www18.swfwmd.state.fl.us/erp/erp/search/ERPSearch.aspx and is also available for inspection Monday through Friday, except for District holidays, from 8:00 a.m. through 5:00 p.m. at the District's Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

If you have any questions or concerns regarding the application or any other information, please contact the Environmental Resource Permit Bureau in the Tampa Service Office.

Sincerely,

David Kramer, P.E.
Bureau Chief
Environmental Resource Permit Bureau
Regulation Division

cc: Q. Grady Minor & Associates, P.A.
FDEP South District
Michael J. Delate, P.E., Q. Grady Minor & Associates, P.A.

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Sec/Twp/Rge:	S21/T42S/R23E, S16/T42S/R23E

Dear Permittee(s):

The Southwest Florida Water Management District (District) is in receipt of your application for the Environmental Resource Permit. Based upon a review of the information you submitted, the application is approved.

Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action on the permit application described in this letter.

If approved construction plans are part of the permit, construction must be in accordance with these plans. These drawings are available for viewing or downloading through the District's Application and Permit Search Tools located at www.WaterMatters.org/permits.

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notices of agency action, as well as a noticing form that can be used, are available from the District's website at www.WaterMatters.org/permits/noticing. If you publish notice of agency action, a copy of the affidavit of publication provided by the newspaper should be sent to the District's Tampa Service Office for retention in this permit's File of Record.

If you have any questions or concerns regarding your permit or any other information, please contact the Environmental Resource Permit Bureau in the Tampa Service Office.

Sincerely,

David Kramer, P.E.
Bureau Chief
Environmental Resource Permit Bureau
Regulation Division

Enclosures: Approved Permit w/Conditions Attached
As-Built Certification and Request for Conversion to Operation Phase
Notice of Authorization to Commence Construction
Notice of Rights

cc: Q. Grady Minor & Associates, P.A.
FDEP South District
Michael J. Delate, P.E., Q. Grady Minor & Associates, P.A.

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE

INDIVIDUAL CONSTRUCTION
PERMIT NO. 43047604.000

EXPIRATION DATE: **August 06, 2029** **PERMIT ISSUE DATE:** **August 06, 2024**

This permit is issued under the provisions of Chapter 373, Florida Statutes, (F.S.), and the Rules contained in Chapter 62-330, Florida Administrative Code, (F.A.C.). The permit authorizes the Permittee to proceed with the construction of a surface water management system in accordance with the information outlined herein and shown by the application, approved drawings, plans, specifications, and other documents, attached hereto and kept on file at the Southwest Florida Water Management District (District). Unless otherwise stated by permit specific condition, permit issuance constitutes certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341. All construction, operation and maintenance of the surface water management system authorized by this permit shall occur in compliance with Florida Statutes and Administrative Code and the conditions of this permit.

PROJECT NAME:	Burnt Store Road 265
GRANTED TO:	Daniel Light 6810 International Center Blvd. Fort Myers, FL 33912
OTHER PERMITTEES:	Burnt Store Road-RET, LLC Attn: Randy Thibaut 6810 International Center Blvd. Fort Myers, FL 33912

ABSTRACT: This permit authorization is for the construction of a stormwater management system serving a 273.0-acre residential project. The proposed activities include the mass grading of future residential lots, associated roadways, and infrastructure. A series of retention, dry detention, and wet detention ponds will provide treatment and attenuation for runoff from the site. Future residential areas will require permit modifications prior to construction. The project is located southeast of Burnt Store Road and Heritage Landing Boulevard, in Charlotte County.

OP. & MAIN. ENTITY:	Burnt Store Road 265, Inc.
OTHER OP. & MAIN. ENTITY:	N/A
COUNTY:	Charlotte
SEC/TWP/RGE:	S21/T42S/R23E, S16/T42S/R23E
TOTAL ACRES OWNED OR UNDER CONTROL:	530.00
PROJECT SIZE:	273.00 Acres
LAND USE:	Residential
DATE APPLICATION FILED:	November 28, 2022
AMENDED DATE:	N/A

I. Water Quantity/Quality

POND No.	Area Acres @ Top of Bank	Treatment Type
Dry 1	0.35	NO TREATMENT SPECIFIED
Dry 2	0.55	NO TREATMENT SPECIFIED
Dry 3	0.24	NO TREATMENT SPECIFIED
Dry 4	1.09	NO TREATMENT SPECIFIED
Dry 5	0.75	NO TREATMENT SPECIFIED
Dry 6	0.66	NO TREATMENT SPECIFIED
Dry 7	0.98	NO TREATMENT SPECIFIED
Dry 8	0.91	NO TREATMENT SPECIFIED
Dry 9	0.30	NO TREATMENT SPECIFIED
Dry 10	0.35	NO TREATMENT SPECIFIED
Dry 11	0.43	NO TREATMENT SPECIFIED
Dry 12	1.11	NO TREATMENT SPECIFIED
Dry 13	0.32	NO TREATMENT SPECIFIED
Dry 14	0.26	NO TREATMENT SPECIFIED
Lake 1	4.30	MAN-MADE WET DETENTION
Lake 2	6.10	MAN-MADE WET DETENTION
Lake 3	4.20	MAN-MADE WET DETENTION
Lake 4	2.90	MAN-MADE WET DETENTION
Ret 15	0.39	ON-LINE RETENTION
Ret 16	0.20	ON-LINE RETENTION
Ret 17	1.13	ON-LINE RETENTION
Ret 18	1.96	ON-LINE RETENTION
Lake 5	5.80	MAN-MADE WET DETENTION
	Total: **35.28**	

Water Quantity/Quality Comment: The proposed ponds provide treatment for runoff from the site via wet detention and on-line retention. The project is separated into two basins, Basin A and B. Basin A consists of Ponds Dry Detention 1 through 14 which are attenuation only ponds and interconnected with Lakes 1 through 4. Wet detention is the primary method of treatment for Basin A and presumptive criteria were utilized to determine the required treatment volume. Basin B consists of Ponds Retention 15 through 18 which are interconnected with Lake 5 and is located within an Impaired Water Body, Pirate Canal (2082A) for nutrients. In order to satisfy net improvement criteria, Ponds Retention 15 through 18 provide treatment via online retention which then cascade into wet detention pond Lake 5. Water quality certification is waived as a condition of this permit. The system provides attenuation of the post-development 25-year, 24-hour peak discharge rate to the pre-development 25-year, 24-hour peak discharge rate. The plans and calculations reflect the North American Vertical Datum of 1988 (NAVD 88).
A mixing zone is not required.
A variance is not required.

II. 100-Year Floodplain

Encroachment (Acre-Feet of fill)	Compensation (Acre-Feet of excavation)	Compensation Type	Encroachment Result* (feet)
30.77	0.00	Storage Modeling	N/A

Floodplain Comment: Onsite floodplain elevations have been established by site-specific stormwater modeling. The Engineer-of-Record has demonstrated that fill placed within the floodplain will have no adverse impacts on offsite locations by dynamic stormwater modeling.

*Depth of change in flood stage (level) over existing receiving water stage resulting from floodplain encroachment caused by a project that claims Minimal Impact type of compensation.

III. Environmental Considerations

Wetland/Other Surface Water Information

Wetland/Other Surface Water Name	Total Acres	Not Impacted Acres	Permanent Impacts		Temporary Impacts	
			Acres	Functional Loss*	Acres	Functional Loss*
SW-1	0.83	0.73	0.10	0.05	0.00	0.00
SW-2	3.41	0.00	3.41	0.00	0.00	0.00
OSW-3	0.53	0.00	0.53	0.00	0.00	0.00
WL-1	11.27	11.27	0.00	0.00	0.00	0.00
WL-2	33.79	32.93	0.86	0.46	0.00	0.00
WL-2A	0.08	0.00	0.08	0.00	0.00	0.00
WL-2B	0.20	0.00	0.20	0.00	0.00	0.00
WL-3	4.19	4.19	0.00	0.00	0.00	0.00
WL-3A	0.41	0.41	0.00	0.00	0.00	0.00
WL-4	1.58	1.58	0.00	0.00	0.00	0.00
WL-5	0.25	0.25	0.00	0.00	0.00	0.00
WL-6	8.21	6.54	1.67	1.06	0.00	0.00
WL-7	2.68	2.68	0.00	0.00	0.00	0.00
WL-8	0.35	0.00	0.35	0.19	0.00	0.00
WL-9A	0.33	0.33	0.00	0.00	0.00	0.00
WL-9B	0.17	0.00	0.17	0.08	0.00	0.00
WL-9C	0.08	0.08	0.00	0.00	0.00	0.00
WL-9D	0.15	0.15	0.00	0.00	0.00	0.00
WL-10	0.11	0.00	0.11	0.00	0.00	0.00
WL-11	0.22	0.00	0.22	0.00	0.00	0.00
Total:	**68.84**	**61.14**	**7.70**	**1.84**	**0.00**	**0.00**

*** For impacts that do not require mitigation, their functional loss is not included.**

Wetland/Other Surface Water Comments:
The project area for this ERP contains 64.07 acres of wetlands (FLUCCS 619/625/630/641). Permanent direct filling impacts to 3.66 acres of the project wetlands will occur for the construction of a residential development and associated stormwater management system. Permanent direct filling impacts to 3.05 acres of qualifying wetlands were evaluated using the Uniform Mitigation Assessment Method (UMAM) as required pursuant to Chapter 62-345, F.A.C. The results of the direct impact UMAM analysis indicate a functional loss of 1.79 units due to the permanent direct impacts proposed. There are 4.77 acres of surface waters (FLUCCS 510 and FLUCCS 520) located within the project area. Permanent filling and dredging impacts to 4.04 acres of the project surface waters will also occur for the construction of a residential development and associated stormwater management system. Permanent direct filling and dredging impacts to 0.10 acre of qualifying surface waters were evaluated using the Uniform Mitigation Assessment Method (UMAM) as required pursuant to Chapter 62-345, F.A.C. The results of the direct impact UMAM analysis indicate a functional loss of 0.05 units due to the permanent direct impacts proposed. The results of the UMAM analysis identify a total functional loss of 1.84 units due to the project's proposed permanent and secondary wetland impacts.

Mitigation Information

Name	Creation		Enhancement		Preservation		Restoration		Enhancement +Preservation		Other	
	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain	Acres	Functional Gain
Little Pine Island Mitigation Bank	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.09
Little Pine Island Mitigation Bank	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.75
Total:	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**1.84**

Mitigation Comments:
Wetland mitigation for permanent impacts will be provided by the purchase of 0.09 freshwater forested credits and 1.75 freshwater herbaceous credits from the Little Pine Island Mitigation Bank (LPIMB), FDEP ERP No. 362434779. The results of the UMAM analysis indicate a relative functional gain of 1.84 units. The UMAM analysis determined that the mitigation provided by the permit adequately offsets the project's proposed impacts to functional wetland habitat.

Wetland mitigation will not be required for 3.94 acres of permanent filling impacts to the project surface waters pursuant to Subsection 10.2.2 of the ERP Applicant's Handbook Vol. I. Under this Section, wetland mitigation is not required for impacts that have been determined to be de minimis to fish, wildlife and listed species.

Specific Conditions

1. If the ownership of the project area covered by the subject permit is divided, with someone other than the Permittee becoming the owner of part of the project area, this permit may be terminated, unless the terms of the permit are modified by the District or the permit is transferred pursuant to Rule 40D-1.6105, F.A.C. In such situations, each land owner shall obtain a permit (which may be a modification of this permit) for the land owned by that person. This condition shall not apply to the division and sale of lots or units in residential subdivisions or condominiums.

2. The Permittee shall retain the design professional registered or licensed in Florida, to conduct on-site observations of construction and assist with the as-built certification requirements of this project. The Permittee shall inform the District in writing of the name, address and phone number of the design professional so employed. This information shall be submitted prior to construction.

3. Wetland buffers shall remain in an undisturbed condition except for approved drainage facility construction/maintenance. No owner of property within the subdivision may perform any work, construction, maintenance, clearing, filling or any other type of activities within the wetlands, wetland buffers and drainage easements described in the approved permit and recorded plat of the subdivision, unless prior approval is received from the Southwest Florida Water Management District.

4. The following boundaries, as shown on the approved construction drawings, shall be clearly delineated on the site prior to initial clearing or grading activities:

   a. wetland and surface water areas

   b. wetland buffers

   c. limits of approved wetland impacts

   The delineation shall endure throughout the construction period and be readily discernible to construction and District personnel.

5. Rights-of-way and easement locations necessary to construct, operate and maintain all facilities, which constitute the permitted stormwater management system, and the locations and limits of all wetlands, wetland buffers, upland buffers for water quality treatment, 100-year floodplain areas and floodplain compensation areas, shall be shown on the final plat recorded in the County Public Records. Documentation of this plat recording shall be submitted to the District with the As-Built Certification and Request for Conversion to Operational Phase Form, and prior to beneficial occupancy or use of the site.

6. Copies of the following documents in final form, as appropriate for the project, shall be submitted to the Regulation Division:
   a. homeowners, property owners, master association or condominium association articles of incorporation, and

   b. declaration of protective covenants, deed restrictions or declaration of condominium

   The Permittee shall submit these documents with the submittal of the Request for Transfer of Environmental Resource Permit to the Perpetual Operation Entity form.

7. The following language shall be included as part of the deed restrictions for each lot: "Each property owner within the subdivision at the time of construction of a building, residence, or structure shall comply with the construction plans for the stormwater management system approved and on file with the Southwest Florida Water Management District ."

8. For dry bottom retention systems, the retention area(s) shall become dry within 72 hours after a rainfall event. If a retention area is regularly wet, this situation shall be deemed to be a violation of this permit.

9. Certification of compliance with state water quality standards under Section 401 of the Clean Water Act, 33 U.S.C. 1341 is waived.

10. For the area(s) shown on the construction drawings as future residential areas, a permit modification shall be

obtained for any construction in this/these area(s).

11. If limestone bedrock is encountered during construction of the stormwater management system, the District must be notified and construction in the affected area shall cease.

12. The Permittee shall notify the District of any sinkhole development in the stormwater management system within 48 hours of discovery and must submit a detailed sinkhole evaluation and repair plan for approval by the District within 30 days of discovery.

13. The Permitted Plan Set for this project includes the set received by the District on May 6, 2024.

14. If prehistoric or historic artifacts such as pottery or ceramics, stone or shell tools or metal implements, or any other physical remains that could be associated with Native American cultures or early colonial or American settlement are encountered at any time within the project area, the permittee shall cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee shall contact the Florida Department of State, Division of Historical Resources, Compliance Review Section at (850) 245-6333, as well as the District. Project activities in the immediate vicinity shall not resume without authorization from the District after coordination with the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work that may disturb the unmarked human remains shall stop immediately and the proper authorities notified in accordance with Section 872.05, Florida Statutes.

15. The operation and maintenance entity shall provide for the inspection of the permitted project after conversion of the permit to the operation and maintenance phase. For systems utilizing retention or wet detention, the inspections shall be performed five (5) years after operation is authorized and every five (5) years thereafter.

The operation and maintenance entity must maintain a record of each inspection, including the date of inspection, the name and contact information of the inspector, whether the system was functioning as designed and permitted, and make such record available upon request of the District.

Within 30 days of any failure of a stormwater management system or deviation from the permit, an inspection report shall be submitted using Form 62-330.311(1), “Operation and Maintenance Inspection Certification” describing the remedial actions taken to resolve the failure or deviation.

16. District staff must be notified in advance of any proposed construction dewatering. If the dewatering activity is likely to result in offsite discharge or sediment transport into wetlands or surface waters, a written dewatering plan must either have been submitted and approved with the permit application or submitted to the District as a permit prior to the dewatering event as a permit modification. A water use permit may be required prior to any use exceeding the thresholds in Chapter 40D-2, F.A.C.

17. Off-site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. Stages may be subject to operating schedules satisfactory to the District.

18. The permittee shall complete construction of all aspects of the stormwater management system, including wetland compensation (grading, mulching, planting), water quality treatment features, and discharge control facilities prior to beneficial occupancy or use of the development being served by this system.

19. The following shall be properly abandoned and/or removed in accordance with the applicable regulations:

a. Any existing wells in the path of construction shall be properly plugged and abandoned by a licensed well contractor.

b. Any existing septic tanks on site shall be abandoned at the beginning of construction.

c. Any existing fuel storage tanks and fuel pumps shall be removed at the beginning of construction.

20. All stormwater management systems shall be operated to conserve water in order to maintain environmental quality and resource protection; to increase the efficiency of transport, application and use; to decrease waste; to minimize unnatural runoff from the property and to minimize dewatering of offsite property.

21. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the occupation of the site or operation of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the system to a local government or other responsible entity.

22. This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the approved project area(s), may constitute grounds for revocation or enforcement action by the District, unless a modification has been applied for and approved. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.

23. Issuance of this authorization also constitutes a finding of consistency with Florida's Coastal Zone Management Program, as required by Section 307 of the Coastal Zone Management Act.

24. This permit does not authorize the Permittee to cause any adverse impact to or "take" of state listed species and other regulated species of fish and wildlife. Compliance with state laws regulating the take of fish and wildlife is the responsibility of the owner or applicant associated with this project. Please refer to Chapter 68A-27 of the Florida Administrative Code for definitions of "take" and a list of fish and wildlife species. If listed species are observed onsite, FWC staff are available to provide decision support information or assist in obtaining the appropriate FWC permits. Most marine endangered and threatened species are statutorily protected and a "take" permit cannot be issued. Requests for further information or review can be sent to FWCConservationPlanningServices@MyFWC.com.

25. A “Recorded notice of Environmental Resource Permit,” Form No. 62-330.090(1), shall be recorded in the public records of the County(s) where the project is located.

26. The Permittee shall not begin construction within the project area until the Little Pine Island Mitigation Bank has received a permit modification authorizing the withdrawal of 0.09 freshwater forested credits and 1.75 freshwater herbaceous credits from mitigation bank FDEP ERP No. 362434779, and a copy of this modification is provided to the District, or this permit has been modified to provide an equivalent level of mitigation to be completed by the Permittee. Initiation of construction prior to issuance of the required permit modification shall be a violation of this permit.

GENERAL CONDITIONS

1. The general conditions attached hereto as Exhibit "A” are hereby incorporated into this permit by reference and the Permittee shall comply with them.

David Kramer, P.E.

Authorized Signature

EXHIBIT A

GENERAL CONDITIONS:

1 The following general conditions are binding on all individual permits issued under this chapter, except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate, project-specific conditions.

a. All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C., or the permit may be revoked and the permittee may be subject to enforcement action.

b. A complete copy of this permit shall be kept at the work site of the permitted activity during the construction phase, and shall be available for review at the work site upon request by the Agency staff. The permittee shall require the contractor to review the complete permit prior to beginning construction.

c. Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007)*, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, which are both incorporated by reference in subparagraph 62-330.050(8)(b)5, F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

d. At least 48 hours prior to beginning the authorized activities, the permittee shall submit to the Agency a fully executed Form 62-330.350(1), "Construction Commencement Notice,"[effective date], incorporated by reference herein (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02505>), indicating the expected start and completion dates. A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5),F.A.C. However, for activities involving more than one acre of construction that also require a NPDES stormwater construction general permit, submittal of the Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), shall also serve as notice of commencement of construction under this chapter and, in such a case, submittal of Form 62-330.350(1) is not required.

e. Unless the permit is transferred under Rule 62-330.340, F.A.C., or transferred to an operating entity under Rule 62-330.310, F.A.C., the permittee is liable to comply with the plans, terms and conditions of the permit for the life of the project or activity.

f. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

1. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex - "Construction Completion and Inspection Certification for Activities Associated with a Private Single-Family Dwelling Unit" [Form 62-330.310(3)]; or

2. For all other activities - "As-Built Certification and Request for Conversion to Operation Phase" [Form 62-330.310(1)].

3. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

g. If the final operation and maintenance entity is a third party:

1. Prior to sales of any lot or unit served by the activity and within one year of permit issuance, or within 30 days of as- built certification, whichever comes first, the permittee shall submit, as applicable, a copy of the operation and maintenance documents (see sections 12.3 thru 12.3.4 of Volume I) as filed with the Department of State, Division of Corporations and a copy of any easement, plat, or deed restriction needed to operate or maintain the project, as recorded with the Clerk of the Court in the County in which the activity is located.

2. Within 30 days of submittal of the as- built certification, the permittee shall submit "Request for Transfer of Environmental Resource Permit to the Perpetual Operation and Maintenance Entity" [Form 62-330.310 (2)] to transfer the permit to the operation and maintenance entity, along with the documentation requested in the form. If available, an Agency website that fulfills this transfer requirement may be used in lieu of the form.

h. The permittee shall notify the Agency in writing of changes required by any other regulatory agency that require changes to the permitted activity, and any required modification of this permit must be obtained prior to implementing the changes.

i. This permit does not:

1. Convey to the permittee any property rights or privileges, or any other rights or privileges other than those specified herein or in Chapter 62-330, F.A.C.;

2. Convey to the permittee or create in the permittee any interest in real property;

3. Relieve the permittee from the need to obtain and comply with any other required federal, state, and local authorization, law, rule, or ordinance; or

4. Authorize any entrance upon or work on property that is not owned, held in easement, or controlled by the permittee.

j. Prior to conducting any activities on state-owned submerged lands or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed.

k. The permittee shall hold and save the Agency harmless from any and all damages, claims, or liabilities that may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any project authorized by the permit.

l. The permittee shall notify the Agency in writing:

1. Immediately if any previously submitted information is discovered to be inaccurate; and

2. Within 30 days of any conveyance or division of ownership or control of the property or the system, other than conveyance via a long-term lease, and the new owner shall request transfer of the permit in accordance with Rule 62-330.340, F.A.C. This does not apply to the sale of lots or units in residential or commercial subdivisions or condominiums where the stormwater management system has been completed and converted to the operation phase.

m. Upon reasonable notice to the permittee, Agency staff with proper identification shall have permission to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

n. If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving

subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section, at (850) 245-6333 or (800) 847-7278, as well as the appropriate permitting agency office. Such subsurface work shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S. (2012).

o. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 62-330.201, F.A.C., provides otherwise.

p. The permittee shall provide routine maintenance of all components of the stormwater management system to remove trapped sediments and debris. Removed materials shall be disposed of in a landfill or other uplands in a manner that does not require a permit under Chapter 62-330, F.A.C., or cause violations of state water quality standards.

q. This permit is issued based on the applicant's submitted information that reasonably demonstrates that adverse water resource-related impacts will not be caused by the completed permit activity. If any adverse impacts result, the Agency will require the permittee to eliminate the cause, obtain any necessary permit modification, and take any necessary corrective actions to resolve the adverse impacts.

r. A Recorded Notice of Environmental Resource Permit may be recorded in the county public records in accordance with Rule 62-330.090(7), F.A.C. Such notice is not an encumbrance upon the property.

2. In addition to those general conditions in subsection (1) above, the Agency shall impose any additional project-specific special conditions necessary to assure the permitted activities will not be harmful to the water resources, as set forth in Rules 62-330.301 and 62-330.302, F.A.C., Volumes I and II, as applicable, and the rules incorporated by reference in this chapter.

SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT

NOTICE OF

AUTHORIZATION

TO COMMENCE CONSTRUCTION

Burnt Store Road 265
PROJECT NAME

Residential
PROJECT TYPE

Charlotte
COUNTY

S21/T42S/R23E, S16/T42S/R23E
SEC(S)/TWP(S)/RGE(S)

Daniel Light
PERMITTEE See permit for additional permittees

APPLICATION ID/PERMIT NO: 860261 / 43047604.000

DATE ISSUED: August 06, 2024

David Kramer, P.E.
Issuing Authority

THIS NOTICE SHOULD BE CONSPICUOUSLY DISPLAYED AT THE SITE OF THE WORK

Notice of Rights

ADMINISTRATIVE HEARING

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.

2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of state-owned submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.

3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.

4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.

5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended or proposed action is not available prior to the filing of a petition for hearing.

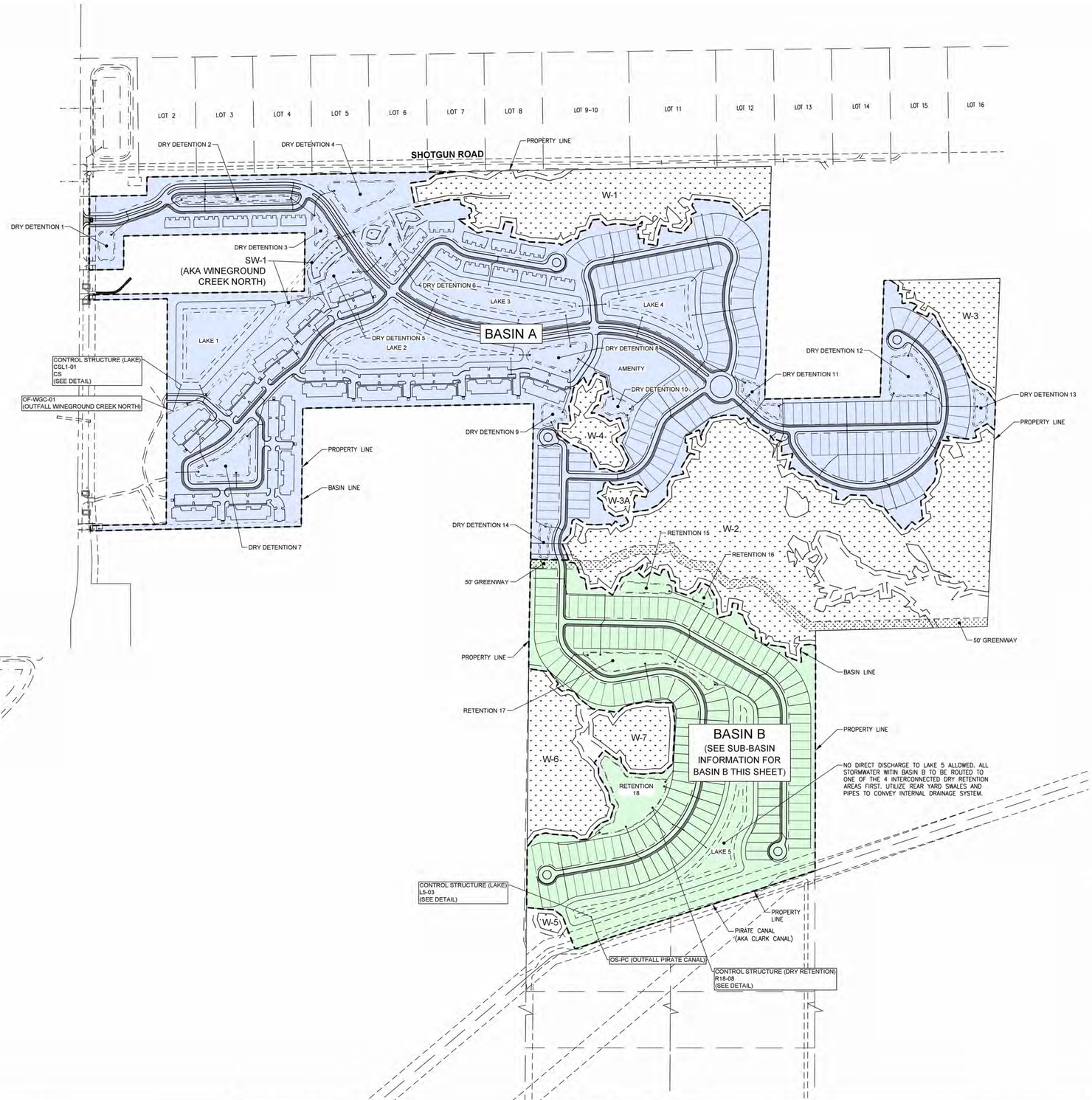
6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28-106, F.A.C. A request or petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C. can be viewed at www.flrules.org or at the District's website at www.WaterMatters.org/permits/rules.

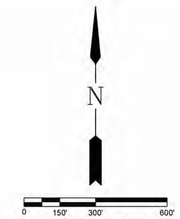
7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 Highway 301 North,Tampa,FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 367-9788. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.WaterMatters.org/about.

JUDICIAL REVIEW

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.

2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9. 110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.





SCALE: 1" = 300'

SURFACE WATER MANAGEMENT SUMMARY

	BASIN A	BASIN B *
CONTROL ELEVATION (FT.-NAVD)	17.50	17.50
PRE-DEVELOPMENT DISCHARGE RATE (CFS)	55.13	218.46
POST-DEVELOPMENT DISCHARGE RATE (CFS)	43.16	26.90
10-YEAR, 24-HOUR STORM STAGE (FT.-NAVD)	19.23	19.97 (B1), 18.59 (B2)
25-YEAR, 24-HOUR STORM STAGE (FT.-NAVD)	19.44	20.06 (B1), 18.61 (B2)
100-YEAR, 24-HOUR ZERO DISCHARGE STORM STAGE (FT.-NAVD)	20.36	20.53 (B1), 20.53 (B2)
MINIMUM RECOMMENDED ROAD CROWN ELEVATION (FT.-NAVD)	19.44	20.06
MINIMUM PERIMETER BERM ELEVATION (FT.-NAVD)	19.44	20.06
MINIMUM RECOMMENDED FINISHED FLOOR ELEVATION (FT.-NAVD)	20.36	20.53
FEMA ELEVATION (FT.-NAVD)	ZONE 'D' (FLOOD HAZARD ANALYSIS HAS NOT BE CONDUCTED)	ZONE 'D' (FLOOD HAZARD ANALYSIS HAS NOT BE CONDUCTED)
WBID	2086, NOT IMPAIRED	2082A, IMPAIRED (NUTRIENT LOADING ANALYSIS CONDUCTED)

* SEE BASIN DETAIL THIS SHEET FOR LOCATION OF SUB-BASINS B1 & B2

DETENTION/RETENTION AREAS

ITEM	ACRES (@TOB)
DRY DETENTION 1	0.4
DRY DETENTION 2	0.6
DRY DETENTION 3	0.2
DRY DETENTION 4	1.1
DRY DETENTION 5	0.7
DRY DETENTION 6	0.6
DRY DETENTION 7	1.0
DRY DETENTION 8	0.9
DRY DETENTION 9	0.3
DRY DETENTION 10	0.4
DRY DETENTION 11	0.4
DRY DETENTION 12	1.1
DRY DETENTION 13	0.3
DRY RETENTION 14	0.3
DRY RETENTION 15	0.4
DRY RETENTION 16	0.2
DRY RETENTION 17	1.1
DRY RETENTION 18	2.0
TOTAL DETENTION AREA	12.0

LAKE AREAS

ITEM	ACRES
LAKE 1	4.3
LAKE 2	5.1
LAKE 3	4.1
LAKE 4	2.9
LAKE 5	5.8
TOTAL LAKE AREA	22.2

LAND USE SUMMARY - BASIN A

ITEM	ACRES
BUILDINGS	20.8
CONCRETE / DRIVEWAYS	6.4
DRY RETENTION (AT TOB)	8.3
LAKES (AT CONTROL)	16.5
OPEN SPACE	60.2
PAVEMENT (INCLUDING CURB)	19.0
TOTAL BASIN AREA	131.2

NOTE:
SEE FURTHER AREA ASSUMPTIONS FOR BASIN A BELOW.

LAND USE SUMMARY - BASIN B

ITEM	ACRES
BUILDINGS	14.9
CONCRETE / DRIVEWAYS	3.0
DRY RETENTION (AT TOB)	3.7
LAKES (AT CONTROL)	5.8
OPEN SPACE	24.3
PAVEMENT (INCLUDING CURB)	3.6
TOTAL BASIN AREA	55.3

NOTE:
BUILDING PADS ASSUMED AT 3,800 S.F. PER LOT
(3,800 S.F. x 171 LOTS = 14.9 AC.)
DRIVEWAYS / OTHER IMPERVIOUS ON LOTS ASSUMED AS
600 S.F. PER LOT
(600 S.F. x 171 LOTS = 2.4 AC.)

BASIN A LAND USE ASSUMPTIONS

1. AMENITY AREA TAKEN AS 80% IMPERVIOUS WITH 30% BEING BUILDING AND 50% BEING DRIVES/OTHER IMPERVIOUS.
   - AMENITY AREA (AC.) 2.43 AC.
   - BUILDING (AC.) (30/100)(2.43 AC.) = 0.73 AC.
   - DRIVEWAYS/OTHER (50/100)(2.43 AC.) = 1.22 AC.
   - OPEN SPACE 0.48 AC.
2. 6-PLEX STRUCTURES 7,815 S.F. (16 BUILDINGS) = 125,040 S.F.
3. 6-PLEX DRIVEWAYS 600 S.F. (48) = 28,800 S.F.
4. APARTMENT STRUCTURES 16,264 S.F. (14 BUILDINGS) = 227,696 S.F.
5. MULTI-FAMILY STRUCTURE WALKWAYS 11,317 S.F.
6. SINGLE FAMILY LOTS BUILDING PADS 3,800 S.F. (137) = 520,600 S.F.
7. SINGLE FAMILY DRIVEWAYS/OTHER 600 S.F. (137) = 82,200 S.F.

BASIN SUMMARY

BASIN A

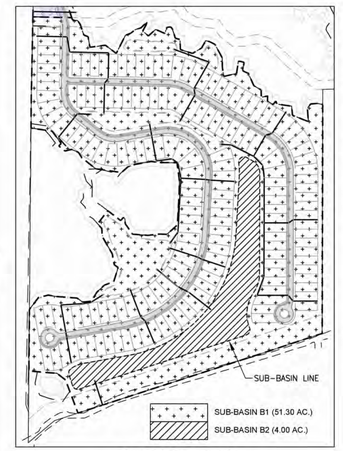
INCLUDES A SERIES OF 14 DRY DETENTION AREAS AND 4 WET DETENTION AREAS. THE WBID IS NOT IMPAIRED, THEREFORE NO RETENTION IS REQUIRED. DISCHARGE IS CONTROLLED VIA A CONTROL STRUCTURE IN LAKE 1 WHICH DISCHARGES TO WINEGROUND CREEK NORTH ON-SITE. PLEASE NOTE CONTROL STRUCTURE FOR BASIN A SPLIT INTO TWO SIDE-BY-SIDE STRUCTURES FOR CONTRACTIBILITY.

BASIN B

INCLUDES A SERIES OF 4 INTERCONNECTED DRY RETENTION AREAS AND ONE WET DETENTION AREA. ALL STORMWATER IN BASIN B TO BE INITIALLY CONVEYED TO DRY RETENTION FOR NUTRIENT LOADING THEN CONTROL STRUCTURE IN RETENTION 14 TO CONVEY STORMWATER TO LAKE 5. CONTROLLED DISCHARGE FROM LAKE 5 TO PIRATE CANAL VIA L5-03 CONTROL STRUCTURE.

NOTE:

ONLY BACKBONE SURFACE WATER MANAGEMENT SYSTEM INLETS AND PIPES SHOWN FOR MASS GRADING PLAN. DETAILED GRADING AND INTERNAL CONVEYANCE TO BE DEVELOPED PRIOR TO CONSTRUCTION.



SUB-BASIN B DETAIL
N.T.S.

LEGEND

BASIN A

BASIN B

Revision	Date	Description	By
2	01/2024	PER BIOLOGIST REVIEW	D.C.M.
1	03/2023	REVISED PER SWFWMD COMMENTS DATED 12/28/2022	D.C.M.

DESIGNED BY: R.J.T.
DRAWN BY: D.C.M.
APPROVED: M.J.D.
JOB CODE: LSIBSR
SCALE: 1" = 300'

GradyMinor
Civil Engineers • Land Surveyors • Planners • Landscape Architects
Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266
Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380
Q. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134

BURNT STORE ROAD 265

POST-DEVELOPMENT PLAN

ELEVATIONS SHOWN HEREON ARE BASED UPON NORTH AMERICAN VERTICAL DATUM 1988 (NAVD '88) CONVERSION FACTOR TO NATIONAL GEODETIC VERTICAL DATUM 1929 (NGVD '29) IS (+)1.142

MICHAEL J. DELATE, P.E.
FLORIDA P.E. LICENSE NO. 49442

MUNICIPALITY: CHARLOTTE COUNTY
SEC/TWNSHP/RNG: 16 & 21/42S/23E
DATE: NOVEMBER 2022
SUBMITTAL TYPE: SWFWMD
SHEET 9 OF 17

PERMITTED DRAWINGS SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD)
For construction permits, the Permittee shall notify the District in writing when construction begins.

O:\ENGINEERING\PROJ-ENG\LL\LSIBSR\OTDWGS\SUBMITTALTYPE\SWFWMD\LSIBSR_SWF_SITE.DWG 5/3/2024 2:33 PM

APPENDIX B

PHOTOLOG

Site Name: Burnt Store Road Parcels	Site Location: Punta Gorda, Charlotte County, FL
Photograph No.: 1 Date: April 1, 2025 Description: Habitat representation: Pine Flatwoods (FLUCFCS 411), portions dominated by downy rose myrtle.	

Site Name: Burnt Store Road Parcels	Site Location: Punta Gorda, Charlotte County, FL
Photograph No.: 2 Date: April 1, 2025 Description: Habitat representation: Pine Flatwoods (FLUCFCS 411), western portion of site	

Site Name: Burnt Store Road Parcels	Site Location: Punta Gorda, Charlotte County, FL
Photograph No.: 3	
Date: April 1, 2025	
Description: Habitat representation for Disturbed wetlands (FLUCFCS 6191)	

Site Name: Burnt Store Road Parcels	Site Location: Punta Gorda, Charlotte County, FL
Photograph No.: 4 Date: April 1, 2025 Description: Habitat representation for Herbaceous marsh wetland (FLUCFCS 641), south portion of site	

Site Name: Burnt Store Road Parcels	Site Location: Punta Gorda, Charlotte County, FL
Photograph No.: 5 Date: April 1, 2025 Description: Habitat representation for Herbaceous marsh wetland (FLUCFCS 641), central portion of site	

Site Name: Burnt Store Road Parcels	Site Location: Punta Gorda, Charlotte County, FL
Photograph No.: 6 Date: April 1, 2025 Description: Herbaceous marsh wetland (FLUCFCS 641), central-west portion of site	

Site Name: Burnt Burnt Store Road Parcels	Site Location: Punta Gorda, Charlotte County, FL

Photograph No.: 7	
Date: April 1, 2025	
Description: Habitat representation for adjacent to the Creek (FLUCFCS 511), central portion of site	

Site Name: Burnt Store Road Parcels	Site Location: Punta Gorda, Charlotte County, FL
Photograph No.: 8	
Date: April 1, 2025	
Description: Filled trail and culvert crossing at Creek (FLUCFCS 511), central portion of site	

APPENDIX C

NATIVE HABITAT MANAGEMENT PLAN

SAGE POINTE

CHARLOTTE COUNTY

NATIVE HABITAT MANAGEMENT PLAN

Prepared for:

Daniel B. Light & Burnt Store Road-RET, LLC
8000 Summerlin Lakes Drive, Suite 100 |
Fort Myers, FL 33907

Prepared by:

Tammy Lyday, Senior Project Manager
Monarch Ecology Group, LLC
3431 Pine Valley Drive
Sarasota, Florida 34239
tlyday@monarchecology.com
941-313-6479

September 15, 2025

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2.2 Measure to Protect Wildlife and Integrity of Native Habitat..... 2-1
2.3 Monitoring Plan 2-2

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Figure 2. USGS Topo Map
Figure 3. Pre-Development Land Use Map
Figure 4. Post-Development Preservation Map

1.0 INTRODUCTION

The Native Habitat Management Plan has been prepared to address the long-term management of the designated preserve area that includes the preserved wetlands, wetland buffers, and upland preservation areas for the Sage Pointe project. The site (277.55+/- acres) is located east of Burnt Store Road, southwest of U.S. Highway 41 Tamiami Trail, and north of Zemel Road in Punta Gorda, Florida. The southern boundary of the site abuts Pirate Canal (aka Clark Canal). The site is located in Sections 16 and 21, Township 42 South, Range 23 East, Charlotte County, Florida (Figures 1 and 2).

The proposed Planned Development includes up to 999 residential units and 195,000 square feet of commercial floor area, approximately 8,000 square feet per commercial acre. The Project includes the construction of a mixed-use commercial and multi-family development with associated roadways, infrastructure, amenities, and surface water management system. The proposed plan of development will incorporate the requirements of the Burnt Store Overlay, including the reservation of corridors through the property for the Greenways and the wildlife corridors. The plan also includes a mix of housing types internal to the project with a commercial shopping center along Burnt Store Road.

Monarch Ecology Group, LLC (MONARCH) mapped all habitats and land uses based on the *Florida Land Use and Cover Forms Classification Systems*[1] as well as the Supplemental FLUCFCS with the modifiers for the level of nuisance and exotic vegetation.[2] The pre-development habitats are depicted on the enclosed Land Use Map (Figure 3). The wetlands and surface waters are characterized as hydric flatwoods (FLUCFCS 625), freshwater marsh (FLUCFCS 641), forested mixed wetlands (FLUCFCS 630), hydric melaleuca (FLUCFCS 6191), stream (FLUCFCS 511), borrow pond (FLUCFCS 527), and a small swale (FLUCFCS 514). Most of the uplands onsite are characterized by pine flatwoods (FLUCFCS 411) with some degree of nuisance and exotic vegetation cover (FLUCFCS 411E2/E3) and melaleuca (FLUCFCS 424) and well as improved pasture (FLUCFCS 211).

[1] Published by FDOT January 1999
[2] WilsonMiller, Inc., April 2000

2.0 NATIVE HABITAT PRESERVATION AREA MANAGEMENT PLAN

The implementation of the Habitat Management Plan will the preserved wetlands, the upland buffers, and upland preservation areas totaling 68.61 acres. As part of the onsite enhancement the wetlands, upland buffers, and other uplands will be restored (Figure 4).

The maintenance plan shall be implemented to ensure that the preservation areas remain relatively free (< 5% aerial coverage) of the nuisance and exotic vegetative species and maintain a minimum of 80% aerial coverage of desirable native vegetative species. The maintenance plan will consist of an initial nuisance/exotic vegetation treatment and removal event, with scheduled maintenance events to ensure the regrowth of nuisance and exotic vegetation is limited. All maintenance activities will be conducted via a combination of hand removal and in-place treatment in conjunction with spray application of approved aquatic herbicides which can be used to selectively treat undesirable vegetation. No herbicide treatment of desirable native species is permitted.

2.1 Prohibited Activities

Filling, excavating, alteration, trimming, or removal of native vegetation within the preservation areas will be prohibited except for the improvements proposed as shown on the Master Concept Plan. Except as provided in the next paragraph, only activities necessary to implement the maintenance plan described above will be allowed within the preservation areas.

Compatible activities within the preservation areas may include, but not be limited to, passive recreational uses, such as nature trails, habitat identification signs, picnic tables, observation decks, and similar passive recreational uses that may be approved through Site Plan review.

2.2 Measure to Protect Wildlife and Integrity of Native Habitat

Entrance to the preservation areas will be limited to the homeowners and guests of the community for the purpose of viewing the area or performing maintenance activities, and contractors hired to perform maintenance activities required or permitted by this plan. Public access to the preservation areas will not be permitted. In the case of any entrance to the preservation areas, care shall be taken to protect wildlife and the integrity of the habitat. Habitat for wildlife, as well as overall increase

in the ecological value of the preservation areas will be ensured through implementation of the maintenance plan. Signage will be added along the perimeter of the preservation areas, particularly where it abuts development to warn residences of the conservation status of the preserves and the signs will be identified on the Final Detail Site Plan.

2.3 Monitoring Plan

To ensure that the preservation areas meet the success criteria described above, a Time Zero Monitoring Event will be conducted within 45 days of the initial exotic removal event. Subsequent monitoring events will be conducted annually for a period of no less than 3 years. If at the end of the three years, the preserve areas have met or exceeded the success criteria described above, monitoring requirements for the preserve areas will be suspended. However, additional monitoring may be required if the success criteria of native or nuisance/exotic plant coverage has not been achieved.

If assessment of the preserve areas demonstrates that the success criteria have been met, the responsible party shall provide written certification by an Environmental Scientist, Biologist, or registered Engineer, or Landscape Architect that the maintenance efforts have met applicable success criteria. If certification of success is not submitted or is not approved by the County, then annual monitoring shall continue until the criteria are met and deemed successful. The monitoring program and any corrective actions to maintain the preserve areas shall be at the sole expense or the property owner(s) or developer.

The results of these monitoring events will be compiled in monitoring reports to include:

- Qualitative overview of vegetative species present
- Percent coverage by nuisance/ exotic vegetation
- Wildlife observations
- Permanent fixed-point photo stations
- Discussion of ongoing maintenance activities
- Identification of insufficiencies and recommendations for future remediation

Such monitoring report must be provided to the County within 45 days of monitoring inspection event, unless an extension by the County is granted.

FIGURES

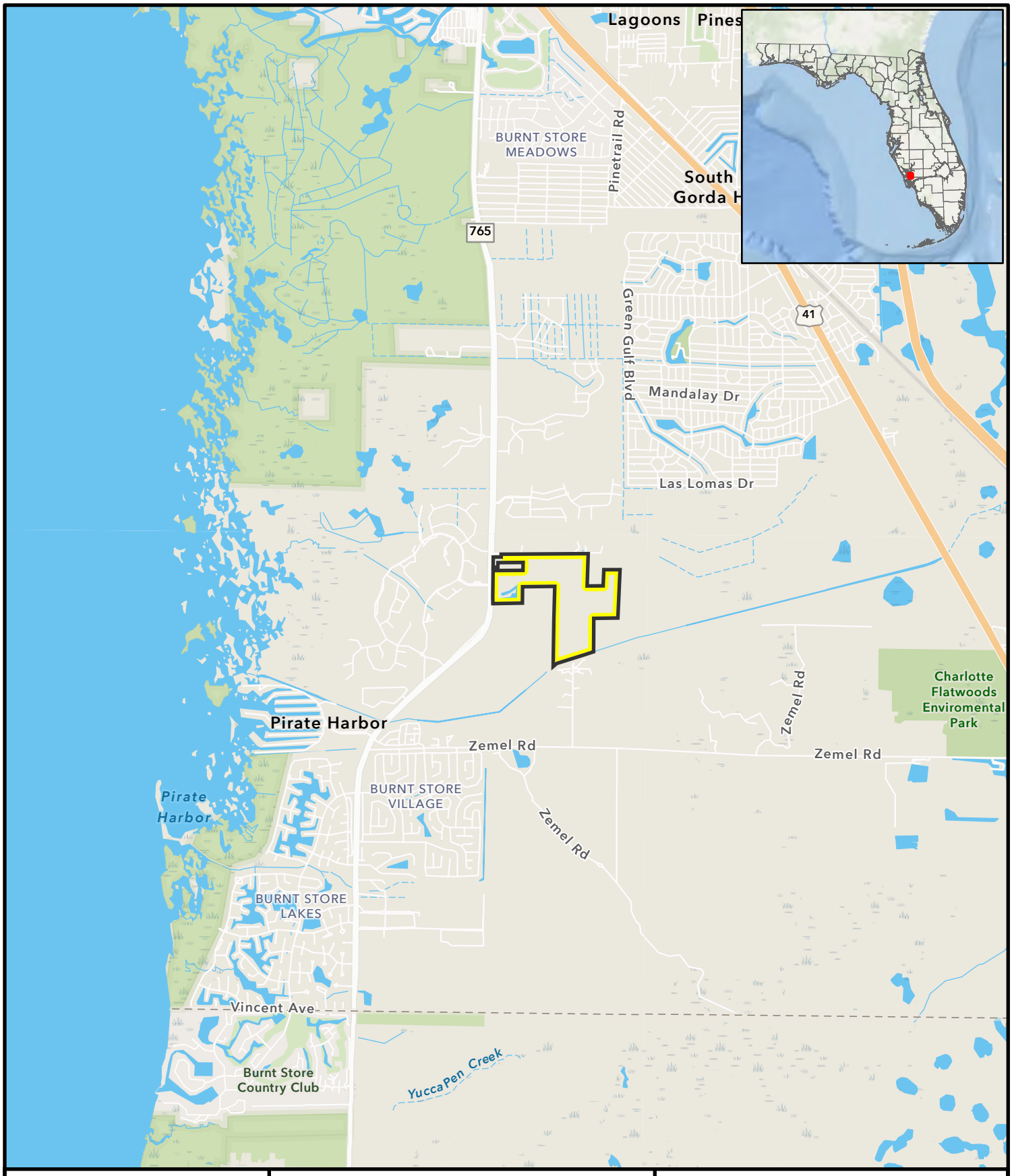


Figure 1
Location Map

Sage Pointe
Charlotte County, Florida

Project Boundary

0 0.5 1
Miles

N

Sources: ESRI, 2025; Monarch Ecology Group, 2025

Monarch
ECOLOGY GROUP

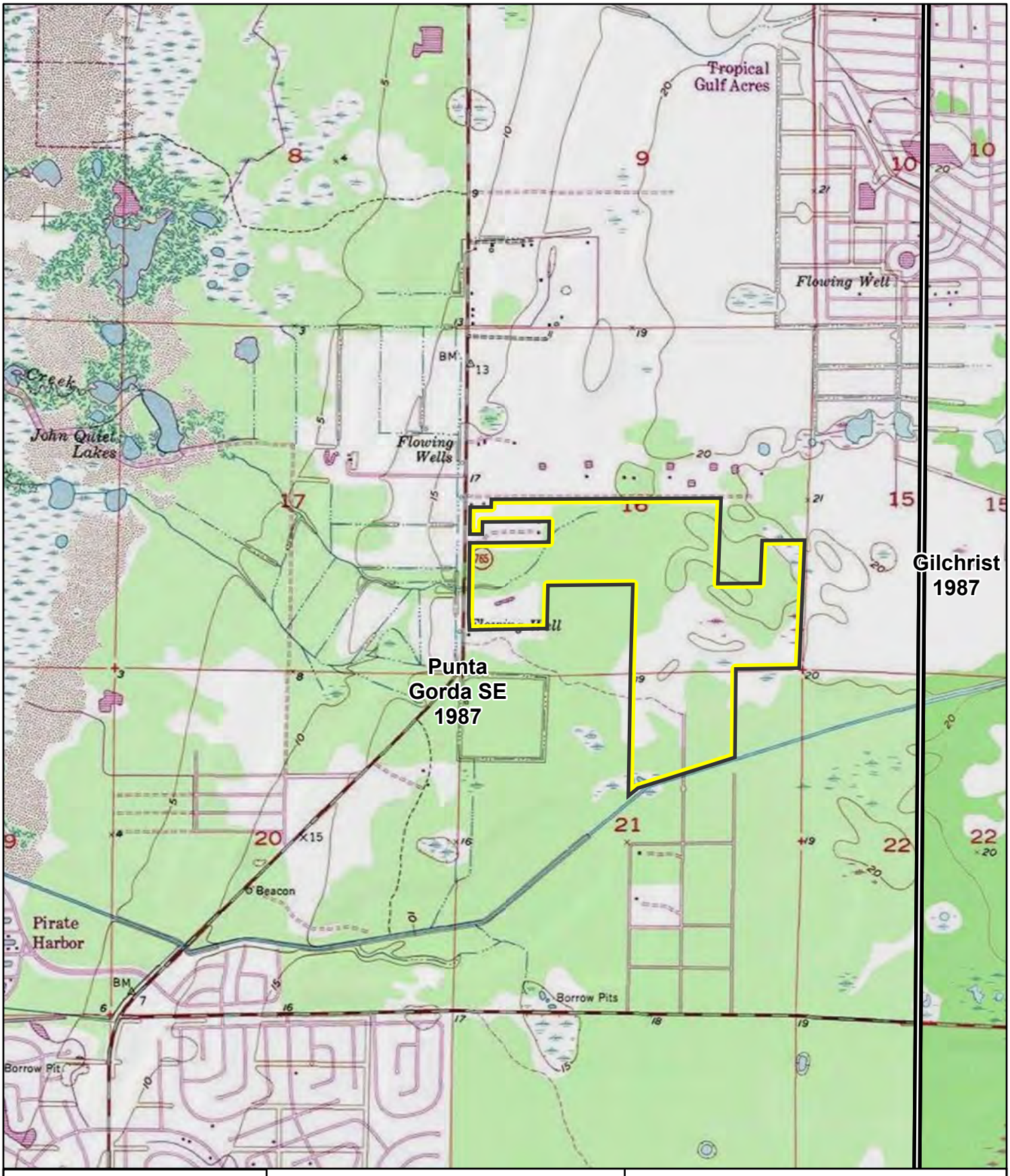


Figure 2
Topographic Map

Sage Pointe
Charlotte County, Florida

0 1,000 2,000
Feet

N

USGS Quad (7.5 min)

Project Boundary

Sources: USGS, Punta Gorda SE Quad, 1994; Monarch Ecology, 2025

Monarch
ECOLOGY GROUP

FLUCCS	Description	Acres
211	Improved Pasture	12.00
411	Pine Flatwoods	20.46
411 E2	Pine Flatwoods 25-50% Exotic and Noxious	96.09
411 E3	Pine Flatwoods 50-75% Exotic and Noxious	71.37
424	Melaleuca	8.86
511	Stream	1.05
514	Ditch	0.35
527	Stormwater Pond	3.20
625	Hydric Pine	0.73
630	Wetland Forested Mixed	19.88
641	Freshwater marshes	39.37
6191	Hydric Melaleuca	4.19
Total		277.55

Figure 3
Land Use/Land Cover

Sage Pointe
Charlotte County, Florida

Project Boundary
Land Use/Land Cover

N

0 250 500
US Feet

Sources: FDOT Imagery, 2024; Monarch Ecology Group, 2025

Monarch ECOLOGY GROUP

Figure 4
Post Development
Preservation Map

Sage Pointe
Charlotte County, Florida

- Project Boundary (277.55 ac)
- Wetland Impact (4.76 ac)
- 110: Residential Uses
- 140: Commercial and Services
- 180: Amenity Area
- 190: Open Land
- 411: Pine Flatwoods
- 411: Greenway Cooridor
- 411: Wildlife Corridor
- 527: Stormwater Pomd
- 625: Hydric Pine
- 641: Freshwater Marshes
- 630: Wetland Forested Mixed
- 814: Roads

N

0 250 500
US Feet

Sources: FDOT Imagery, 2024; Monarch Ecology Group, 2025

Charlotte County, State of Florida, Maxar, Microsoft

Monarch
ECOLOGY GROUP

TR TRANSPORTATION CONSULTANTS, INC

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

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

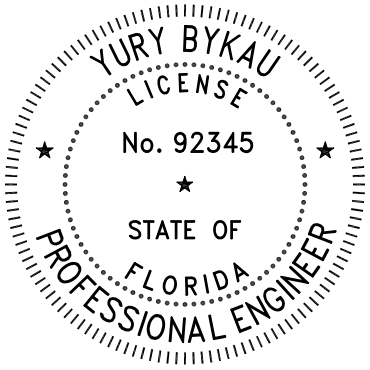
TRAFFIC IMPACT STATEMENT

FOR

SAGE POINTE
CHARLOTTE COUNTY

PROJECT NO. F2506.14

PREPARED BY:
TR Transportation Consultants, Inc.
Certificate of Authorization Number: 27003
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090



September 11, 2025

TRANSPORTATION CONSULTANTS, INC

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I. INTRODUCTION

II. EXISTING CONDITIONS

III. PROPOSED DEVELOPMENT

IV. TRIP GENERATION & DISTRIBUTION

V. TRAFFIC IMPACT AREA

VI. LEVEL OF SERVICE ANALYSIS

VII. CONCLUSION

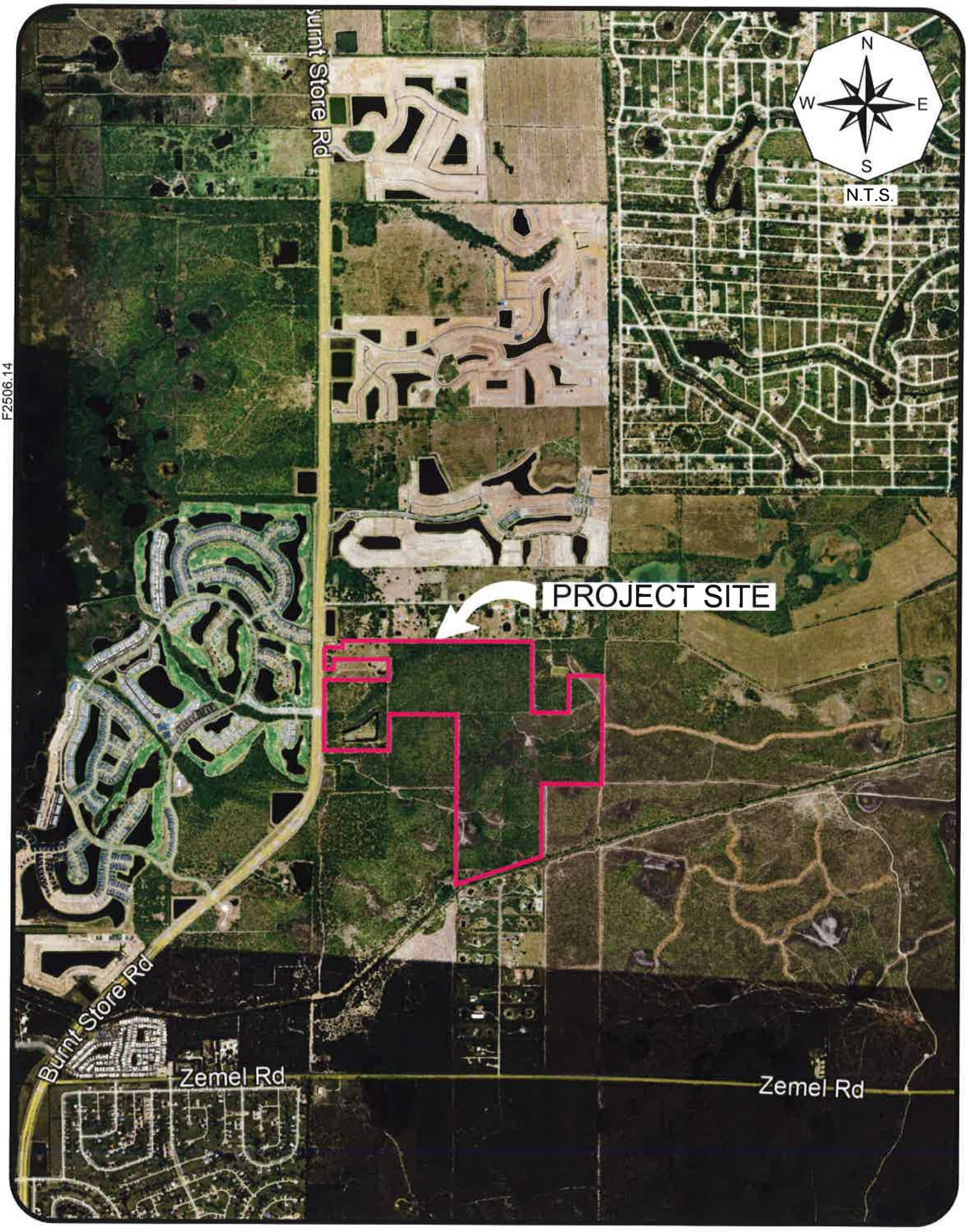
TR TRANSPORTATION CONSULTANTS, INC

I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Charlotte County Department of Community Development for projects seeking rezoning approval. The proposed project is located at 14440 Burnt Store Road in Charlotte County, Florida. **Figure 1** illustrates the approximate location of the subject site.

Approximately 265 acres of the subject property is currently zoned Planned Development and entitled with 999 residential units (Z-07-06-44-TDU). The remaining of the property is in the Commercial General (CG) zoning category and located along Burnt Store Road frontage. The proposed Planned Development will combine both properties into an integrated Planned Development with needed commercial uses along Bunt Store Road and residential development within the remainder of the Planned Development. Consistent with existing approvals, the proposed Planned Development will include 999 residential units and 195,000 square feet of commercial floor area. Access to the site is proposed to Burnt Store Road via multiple connections. The primary access connection to the site will be opposite of the existing full median opening at Heritage Landing Boulevard.

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



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TR TRANSPORTATION CONSULTANTS, INC

PROJECT LOCATION MAP
SAGE POINTE

Figure 1

II. EXISTING CONDITIONS

The subject site is currently vacant. The subject site is generally bordered by Burnt Store Road to the west, Shotgun Road to the north, vacant land to the east, and by residential uses and vacant land to the south.

Burnt Store Road is a four-lane divided roadway adjacent to the site. Burnt Store Road has a posted speed limit of 55 mph and is under the jurisdiction of Charlotte County. Charlotte County is in process of conducting a Burnt Store Road Corridor Study that contemplates a potential east-west connector that will extend from Burnt Store Road to Tuckers Grade. It is understood that this potential future east-west connector could be initially constructed as a two-lane roadway with the future expansion to a four-lane facility. The Burnt Store Road widening to a six-lane facility is also being contemplated with the future east-west connector. At the request of the County Staff, the east-west connector was included as part of the traffic report.

III. PROPOSED DEVELOPMENT

Approximately 265 acres of the subject property is currently zoned Planned Development and entitled with 999 residential units (Z-07-06-44-TDU). The remaining of the property is in the Commercial General (CG) zoning category and located along Burnt Store Road frontage. The proposed Planned Development will combine both properties into an integrated Planned Development with needed commercial uses along Bunt Store Road and residential development within the remainder of the Planned Development. Consistent with existing approvals, the proposed Planned Development will include 999 residential units and 195,000 square feet of commercial floor area. **Table 1** summarizes the uses/intensities that were assumed as part of proposed rezoning request.

Table 1
Land Use
Sage Pointe

Land Use	Intensity
Residential Housing	999 Dwelling Units
Commercial Retail	195,000 Sq. Ft.

Access to the site is proposed to Burnt Store Road via multiple connections. The primary access connection to the site will be opposite of the existing full median opening at Heritage Landing Boulevard.

IV. TRIP GENERATION & DISTRIBUTION

The trip generation for the proposed rezoning was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation Manual***, 11th Edition. Land Use Code 210 (Single-Family Detached Housing) was utilized for the trip generation purposes of the proposed residential uses and Land Use Code 820 (Shopping Center) was utilized for the trip generation purposes of the proposed commercial retail uses. Note, utilizing ITE LUC 210 (Single-Family Detached Housing) for the residential uses results in the most conservative trip generation for the residential uses when compared to the other ITE uses such as multi-family, single-family attached housing, etc. The trip generation equations utilized for these land uses are attached to the Appendix for reference. **Table 2** outlines the anticipated weekday A.M. and P.M. peak hour and daily trip generation of the Planned Development as currently proposed.

Table 2
Trip Generation – Total Trips
Sage Pointe

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Single-Family Detached Housing LUC 210 (999 Dwelling Units)	151	454	605	545	320	865	8,385
Retail LUC 820 (195,000 Sq. Ft.)	154	95	249	438	475	913	10,955
Total Trips	**305**	**549**	**854**	**983**	**795**	**1,778**	**19,340**

However, the total trips generated by the project shown in Table 2 will not all be new trips added to the adjacent roadway system. With mixed use projects, ITE estimates that there will be a certain amount of interaction between uses that will reduce the overall trip generation of the proposed development. This interaction is called "internal capture". In other words, trips that would normally come from external sources would come from uses that are within the project, thus reducing the overall impact the development has on the surrounding roadways. ITE, in conjunction with a study conducted by the NCHRP (National Cooperative Highway Research Program), has summarized the internal trip capture reductions between various land uses. For uses shown in Table 2, there is data in the ITE report for interaction between the retail and residential uses.

An internal capture calculation was completed consistent with the methodologies in the NCHRP Report and published in the ITE *Trip Generation Handbook*, 3rd Edition. The resultant analysis indicates that there will be an internal trip capture reduction of two percent (2%) in the A.M. peak hour and nineteen percent (19%) in the PM peak hour between the retail and residential uses. The summary sheets utilized to calculate these internal capture rates for the weekday AM peak hour and PM peak hour are included as part of the methodology statement in the Appendix of this report.

Pass-by traffic was also taken into account for the proposed retail uses on site. Consistent with ITE LUC 820, twenty-nine percent (29%) of the total retail project traffic was assumed to be pass-by traffic.

Table 3
Trip Generation – New Trips
Sage Pointe

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Total Trips	305	549	854	983	795	1,778	19,340
Less Internal Capture (2% AM/ 19% PM)	-8	-8	-16	-168	-168	-336	-3,675
Total Trips (Less Internal Capture)	**297**	**541**	**838**	**815**	**627**	**1,442**	**15,665**
Less Retail Pass-By (29%)	-35	-35	-70	-108	-108	-216	-2,573
New Commercial Trips	**262**	**506**	**768**	**707**	**519**	**1,226**	**13,092**

*Internal capture trips were obtained from the attached internal capture matrices.

The trips the proposed development is anticipated to generate as shown in Table 3 were then assigned to the surrounding roadway network. As requested by the County Staff, the analysis included the future east-west connector from Burnt Store Road to Tuckers Grade. The new trips anticipated to be added to the surrounding roadway network were assigned based upon the routes drivers are anticipated to utilize to approach the subject site. The anticipated trip distribution of the development traffic was consistent with the approved distribution for the Heritage Landing DRI on the west side of Burnt Store Road and is summarized on the attached **Table 1A**. Note, approximately 10% of project traffic was assigned to/from Heritage Landing Boulevard due to proposed commercial retail uses on site that are anticipated to be utilized by the residents of the Heritage Landing DRI.

V. TRAFFIC IMPACT AREA

In order to determine which roadway segments surrounding the site will be significantly impacted by the trips shown in Table 3 and as outlined in the Charlotte County Engineering Design Manual – Part 7, **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links will experience a significant impact as a result of the added development traffic. A traffic impact area is defined in the Charlotte County Engineering Design Manual as any roadway where the project trips exceed 5% of the Peak Hour – Two Way adopted service volume at the adopted Level of Service standard pursuant to the Comprehensive Plan.

The Level of Service threshold volumes for County maintained roadways were taken from the ***2024 Charlotte County Roadway Level of Service Data*** spreadsheet tables provided by the Charlotte County Transportation Engineering Division for all roadways in the study area. Due to lack of traffic data for future east-west connector roadway in the County's Level of Service spreadsheet, the Level of Service threshold volumes for this roadway were assumed to be based on the same threshold volumes as for Notre Dame Boulevard. Based on the information contained within Table 1A, the proposed development is anticipated to significantly impact Burnt Store Road between Charlotte County/Lee County line and Acline Road.

VI. LEVEL OF SERVICE ANALYSIS

A horizon year analysis of 2032 was selected as the analysis year to evaluate the future impacts this project will have on the surrounding roadway network. The existing peak hour peak season two-way volumes were obtained from the most recent ***Charlotte County Roadway Level of Service Data*** report. Based on the project distribution illustrated on Table 1A, the link data was analyzed for the year 2032 without the development and year 2032 with the development. As requested by the County Staff during the methodology meeting, the vested traffic from the approved developments in

the area were also included to the determine the future 2032 background traffic volumes. The vested projects included in the analysis and the percentage of which they were included were Simple Life PD (50%), Heritage Landing DRI (653 trips), Heritage Station (100%), Coral Creek PD (80%), Bryan Paul PD (50%), Starling PD (80%), Turnleaf (80%), Burnt Store Preserve (20%), Firelight North (60%), Firelight South (60%), Firelight East (60%), Home Dynamics (20%), and vacant lots (20%). The vested traffic data was provided by the County Staff during the methodology process and is attached to the Appendix of this report for reference. Attached **Table 3A** summarizes the vested trip data and distribution of vested trips to the surrounding roadway network. Note, the vested traffic data was distributed consistent with the attached approved traffic study for Firelight North project prepared by Kimley Horn.

Table 2A, located in the Appendix of this report indicates the methodology utilized to conduct the Level of Service Analysis. From the Level of Service Analysis indicated in Table 2A, the proposed rezoning request is NOT projected to cause any roadways to operate below the adopted Level of Service Standards. It is important to note that Burnt Store Road between Heritage Landing Boulevard and Acline Road was shown to operate at a poor Level of Service in the 2032 background (without project) conditions. Therefore, these roadway segments of Burnt Store Road are considered as future pre-existing deficiencies that this project should not be responsible for mitigating. This project will be responsible for the payment of the road impact fees, which are used to mitigate off-site roadway impacts.

Charlotte County is in process of conducting a Burnt Store Road Corridor Study. Based on the Burnt Store Road Area plans presented to the Board of County Commissioners, it was concluded and recommended to the Board to construct an east-west connector from Burnt Store Road to Tuckers Grade between year 2030 and 2035 as well as consider the 6-laning of Burnt Store Road after the construction of the east-west connector. The future 6-laning of Burnt Store Road would address the capacity issues shown in the Level of Service analysis conducted as part of this report.

Turn lane improvements at the proposed site access drives as well as intersection analysis will be evaluated at the time the project seeks a site plan approval.

VII. CONCLUSION

The proposed rezoning request is to combine two properties into an integrated Planned Development with needed commercial uses along Bunt Store Road and residential development within the remainder of the Planned Development. Consistent with existing approvals, the proposed Planned Development was evaluated based on 999 residential units and 195,000 square feet of commercial floor area.

The Level of Service analysis conducted as part of this report indicates that the proposed rezoning request is NOT projected to cause any roadways to operate below the adopted Level of Service Standards. It is important to note that Burnt Store Road between Heritage Landing Boulevard and Acline Road was shown to operate at a poor Level of Service in the 2032 background (without project) conditions. Therefore, these roadway segments of Burnt Store Road are considered as future pre-existing deficiencies that this project should not be responsible for mitigating. This project will be responsible for the payment of the road impact fees, which are used to mitigate off-site roadway impacts.

Charlotte County is in process of conducting a Burnt Store Road Corridor Study. Based on the Burnt Store Road Area plans presented to the Board of County Commissioners, it was concluded and recommended to the Board to construct an east-west connector from Burnt Store Road to Tuckers Grade between year 2030 and 2035 as well as consider the 6-laning of Burnt Store Road after the construction of the east-west connector. The future 6-laning of Burnt Store Road would address the capacity issues shown in the Level of Service analysis conducted as part of this report.

Turn lane improvements at the proposed site access drives as well as intersection analysis will be evaluated at the time the project seeks a site plan approval.

APPENDIX

METHODOLOGY MEETING NOTES

TR TRANSPORTATION CONSULTANTS, INC

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FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

MEMORANDUM

TO: Mr. Ravi Kamarajugadda
Charlotte County Transportation Engineer

FROM: Yury Bykau, P.E.
Transportation Consultant

DATE: August 12, 2025

RE: Burnt Store Rd PD Rezone
Rezoning Traffic Impact Statement Methodology

This memorandum summarizes the methodology that will be utilized for the traffic impact analysis to be prepared by TR Transportation Consultants, Inc. for the rezoning for the property located at 14440 Burnt Store Road in Charlotte County, Florida. Approximately 265 acres of the subject property is currently zoned Planned Development and entitled with 999 residential units. The remaining approximately 12 acres are in the CG zoning category and located along Burnt Store Road frontage. The proposed Planned Development will combine both properties into an integrated Planned Development with needed commercial uses along Bunt Store Road and residential development within the remainder of the Planned Development. Consistent with existing approvals, the proposed Planned Development will include 999 residential units and 195,000 square feet of commercial floor area, approximately 8,000 square feet per commercial acre.

Access to the site is being proposed to Burnt Store Road via three (3) connections. The northmost and southernmost driveways are proposed to be right-in/right-out only driveways. The center access to Burnt Store Road will be opposite of the existing unsignalized full median opening at Heritage Landing Boulevard. See intersection spacing exhibit.

TRIP GENERATION

The trip generation will be completed utilizing the Institute of Transportation Engineer's (ITE) report, ***Trip Generation Manual,*** 11th Edition. Land Use Code 210 (Single Family Detached Housing) and Land Use Code 820 (Shopping Center) will be utilized for the proposed residential and commercial development. The proposed development is illustrated in **Table 1**.

Table 1
Land Use
Burnt Store Rd PD Rezone

Land Use	Intensity
Single-Family Detached Housing (LUC 210)	999 Dwelling Units
Retail (LUC 820)	195,000 Sq. Ft.

Table 2 reflects the total weekday AM and PM peak hour trip generation of the proposed development.

Table 2
Trip Generation – Total Trips
Burnt Store Rd PD Rezone

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Single-Family Detached Housing LUC 210 (999 Dwelling Units)	151	454	605	545	320	865	8,385
Retail LUC 820 (195,000 Sq. Ft.)	154	95	249	438	475	913	10,955
Total Trips	**305**	**549**	**854**	**983**	**795**	**1,778**	**19,340**

However, the total trips generated by the project shown in Table 2 will not all be new trips added to the adjacent roadway system. With mixed use projects, ITE estimates that there will be a certain amount of interaction between uses that will reduce the overall trip generation of the proposed development. This interaction is called "internal capture". In other words, trips that would normally come from external sources would come from uses that are within the project, thus reducing the overall impact the development has on the surrounding roadways. ITE, in conjunction with a study conducted by the NCHRP (National Cooperative Highway Research Program), has summarized the internal trip capture reductions between various land uses. For uses shown in Table 2, there is data in the ITE report for interaction between the retail and residential uses.

An internal capture calculation was completed consistent with the methodologies in the NCHRP Report and published in the ITE Trip Generation Handbook, 3rd Edition. The resultant analysis indicates that there will be an internal trip capture reduction of two percent (2%) in the A.M. peak hour and nineteen percent (19%) in the PM peak hour between the retail and residential uses. The summary sheets utilized to calculate these internal capture rates for the weekday AM peak hour and PM peak hour are included in the Appendix of this report for reference.

Pass-by traffic was also taken into account for the proposed retail uses on site. Consistent with ITE LUC 820, twenty-nine percent (29%) of the total retail project traffic was assumed to be pass-by traffic.

Table 3
Trip Generation – New Trips
Burnt Store Rd PD Rezone

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Total Trips	305	549	854	983	795	1,778	19,340
Less Internal Capture (2% AM/ 19% PM)	-8	-8	-16	-168	-168	-336	-3,675
Total Trips (Less Internal Capture)	**297**	**541**	**838**	**815**	**627**	**1,442**	**15,665**
Less Retail Pass-By (29%)	-35	-35	-70	-108	-108	-216	-2,573
New Commercial Trips	**262**	**506**	**768**	**707**	**519**	**1,226**	**13,092**

*Internal capture trips were obtained from the attached internal capture matrices.

TRIP DISTRIBUTION

The trip distribution for the project trips will be consistent with the previous Heritage Landing traffic study across the street or based on previous D1RPM Travel Model (FSUTMS) and E+C Roadway Network model prepared for Starling and Turnleaf projects in the area.

STUDY AREA

The roadway link level of service analysis will be evaluated on those roadways that are shown to be significantly impacted (>5% of adopted LOS standard).

EXISTING/FUTURE TRAFFIC

The roadway link Level of Service analysis will be based on the most recent Charlotte County Roadway Level of Service Data Spreadsheet. The Level of Service Thresholds for County maintained roadways will be derived from the Charlotte County Roadway Level of Service Data Spreadsheet. The Level of Service Thresholds for State maintained roadways will be derived from the FDOT's District One LOS Spreadsheet and Generalized Peak Hour Two-Way Service Volumes tables.

Analysis scenarios will be as follows:

- Existing traffic Conditions
- Future Background Traffic (Build-out Year Traffic Conditions) + Vested Traffic Volumes (if available)
- Future Background Traffic + Vested + Project Traffic (Build-out Year Traffic Conditions)

The projected build-out year background traffic conditions will be determined by increasing the existing peak season traffic volumes by an Annual Growth Rate (AGR) of 2% (if requested) and will include any vested traffic volumes from surrounding projects as provided by Charlotte County.

Attachments

NCHRP 684 Internal Trip Capture Estimation Tool			
Project Name:		**Organization:**	
Project Location:		**Performed By:**	
Scenario Description:		**Date:**	
Analysis Year:		**Checked By:**	
Analysis Period:	**AM Street Peak Hour**	**Date:**	

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)

Land Use	Development Data (*For Information Only*)			Estimated Vehicle-Trips[3]		
	ITE LUCs[1]	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	820	195.000	SF	249	154	95
Restaurant				0		
Cinema/Entertainment				0		
Residential	210	999	Units	605	151	454
Hotel				0		
All Other Land Uses[2]				0		
				854	305	549

Table 2-A: Mode Split and Vehicle Occupancy Estimates

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.[4]	% Transit	% Non-Motorized	Veh. Occ.[4]	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses[2]						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	3	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	5	0	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary

	Total	Entering	Exiting
All Person-Trips	854	305	549
Internal Capture Percentage	2%	3%	1%
External Vehicle-Trips[5]	838	297	541
External Transit-Trips[6]	0	0	0
External Non-Motorized Trips[6]	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use

Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	3%	3%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	2%	1%
Hotel	N/A	N/A

[1]Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

[2]Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

[3]Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

[4]Enter vehicle occupancy assumed in Table 1-A vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be made to Tables 5-A, 9-A (O and D). Enter transit, non-motorized percentages that will result with proposed mixed-use project complete.

[5]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A.

[6]Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

NCHRP 684 Internal Trip Capture Estimation Tool			
Project Name:		**Organization:**	
Project Location:		**Performed By:**	
Scenario Description:		**Date:**	
Analysis Year:		**Checked By:**	
Analysis Period:	**PM Street Peak Hour**	**Date:**	

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)

Land Use	Development Data (*For Information Only*)			Estimated Vehicle-Trips[3]		
	ITE LUCs[1]	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	820	195,000	SF	913	438	475
Restaurant				0		
Cinema/Entertainment				0		
Residential	210	999	Units	865	545	320
Hotel				0		
All Other Land Uses[2]				0		
				1,778	983	795

Table 2-P: Mode Split and Vehicle Occupancy Estimates

Land Use	Entering Trips			Exiting Trips		
	Veh. Occ.[4]	% Transit	% Non-Motorized	Veh. Occ.[4]	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses[2]						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	124	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	44	0	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary

	Total	Entering	Exiting
All Person-Trips	1,778	983	795
Internal Capture Percentage	19%	17%	21%
External Vehicle-Trips[5]	1,442	815	627
External Transit-Trips[5]	0	0	0
External Non-Motorized Trips[6]	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use

Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	10%	26%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	23%	14%
Hotel	N/A	N/A

[1]Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers

[2]Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

[3]Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

[4]Enter vehicle occupancy assumed in Table 1-P vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be made

[5]Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P.

[6]Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas A&M Transportation Institute - Version 2013.1

TABLES 1A, 2A & 3A

TABLE 1A
TWO-WAY PROJECT TRAFFIC VS. LOS D LINK VOLUMES
SAGE POINTE

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 768 VPH IN= 262 OUT= 506

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 1,226 VPH IN= 707 OUT= 519

ROADWAY	SEGMENT	Sta. #	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	TWO-WAY PROJECT TRAFFIC	% PROJ TRAFFIC of ADOPTED LOS
Burnt Store Rd	N. of Acline Rd	171	4LD	0	0	3,245	3,528	3,528	12%	147	4.2%
	N. of Notre Dame Blvd	186	4LD	0	0	3,245	3,528	3,528	17%	208	5.9%
	N. of East-West Connector	186	4LD	0	0	3,245	3,528	3,528	21%	257	7.3%
	N. of Coral Creek Project	186	4LD	0	0	3,245	3,528	3,528	35%	429	12.2%
	N. of Turnleaf Project	186	4LD	0	0	3,245	3,528	3,528	40%	490	13.9%
	N. of Starling Project	186	4LD	0	0	3,245	3,528	3,528	50%	613	17.4%
	N. of Site	186	4LD	0	0	3,245	3,528	3,528	55%	674	19.1%
	S. of Site	186	4LD	0	0	3,245	3,528	3,528	35%	429	12.2%
	S. of Fiurelight North	186	4LD	0	0	3,245	3,528	3,528	27%	331	9.4%
	S. of Heritage Station	186	4LD	0	0	3,245	3,528	3,528	25%	307	8.7%
	S. of Zemel Rd	187	4LD	0	0	3,245	3,528	3,528	20%	245	7.0%
Zemel Rd	E. of Burnt Store Rd	307	2LU	0	0	1,408	1,616	1,616	5%	61	3.8%
Acline Rd	E. of Burnt Store Rd	191	2LU	0	0	1,408	1,616	1,616	5%	61	3.8%
Notre Dame Blvd	E. of Burnt Store Rd	N/A	2LU	0	0	1,408	1,616	1,616	4%	49	3.0%
East-West Connector	E. of Burnt Store Rd	N/A	2LU	0	0	1,408	1,616	1,616	14%	172	10.6%

* Two-way peak hour Level of Service Thesholds for County roadways were taken from the 2024 Charlotte County Roadway Level of Service Data Spreadsheet
* For East-West Connector, the Level of Service Thresholds were assumed based on Notre Dame Blvd.
* Remaining 10% of project traffic was assigned to/from Heritage Landing Blvd.

TABLE 2A
CHARLOTTE COUNTY TRAFFIC COUNTS AND LEVEL OF SERVICE CALCULATIONS
SAGE POINTE

TOTAL PROJECT TRAFFIC AM = 768 VPH IN = 262 OUT= 506

TOTAL PROJECT TRAFFIC PM = 1,226 VPH IN = 707 OUT= 519

ROADWAY	SEGMENT	Sta. #	2024 AADT	2024 PK HR PK SEASON VOLUME[1]	VESTED PROJECT TWO-WAY TRAFFIC [2]	2032 BACKGROUND PK HR PK SEASON VOLUME	LOS	PERCENT PROJECT TRAFFIC	MAX PROJ. TWO-WAY TRAFFIC	2032 COMBINED TWO-WAY TRAFFIC	LOS
Burnt Store Rd	N. of Notre Dame Blvd	186	18,344	1,669	1,881	3,550	F	17%	208	3,759	F
	N. of East-West Connector	186	18,500	1,702	1,925	3,627	F	21%	257	3,885	F
	N. of Coral Creek Project	186	18,500	1,702	2,704	4,406	F	35%	429	4,835	F
	N. of Turnleaf Project	186	18,500	1,702	2,448	4,150	F	40%	490	4,640	F
	N. of Starling Project	186	18,500	1,702	2,165	3,867	F	50%	613	4,480	F
	N. of Site	186	18,500	1,702	1,841	3,543	F	55%	674	4,218	F
	S. of Site	186	18,500	1,702	960	2,662	C	35%	429	3,091	C
	S. of Firelight North	186	18,500	1,702	1,441	3,143	C	27%	331	3,474	D
	S. of Heritage Station	186	18,500	1,702	1,432	3,134	C	25%	307	3,440	D
	S. of Zemel Rd	187	15,221	1,400	1,092	2,492	C	20%	245	2,737	C
East-West Connector	E. of Burnt Store Rd	N/A	0	0	1,189	1,189	C	14%	172	1,361	C

[1] The 2024 peak hour peak season two-way traffic volumes were obtained from 2024 Charlotte County Roadway Level of Service Data.

[2] Obtained from Table 3A.

NOTE: Traffic using the East-West connector shown are from the proposed development and vested trips only and doesn't inlcude other background trips. The analysis will be finalized at the

TABLE 3A
VESTED TRIPS

			% OF DEVELOPMENT
SIMPLE LIFE VESTED TRAFFIC			
TOTAL PROJECT TRAFFIC PM :	130	VPH	(50%)
HERITAGE STATION VESTED TRAFFIC			
TOTAL PROJECT TRAFFIC PM :	138	VPH	(100%)
HERITAGE LANDING VESTED TRAFFIC			
TOTAL PROJECT TRAFFIC PM :	653	VPH	(Per County)
CORAL CREEK			
TOTAL PROJECT TRAFFIC PM :	692	VPH	(80%)
BRYAN PAUL			
TOTAL PROJECT TRAFFIC PM :	465	VPH	(50%)
STARLING			
TOTAL PROJECT TRAFFIC PM :	546	VPH	(80%)
TURNLEAF			
TOTAL PROJECT TRAFFIC PM :	1,179	VPH	(80%)
BURNT STORE PRESERVE			
TOTAL PROJECT TRAFFIC PM :	42	VPH	(20%)
FIRELIGHT NORTH			
TOTAL PROJECT TRAFFIC PM :	519	VPH	(60%)
FIRELIGHT EAST/SOUTH			
TOTAL PROJECT TRAFFIC PM :	532	VPH	(60%)
HOME DYNAMICS			
TOTAL PROJECT TRAFFIC PM :	51	VPH	(20%)
VACANT LOTS			
TOTAL PROJECT TRAFFIC PM :	388	VPH	(20%)

			SIMPLE LIFE		HERITAGE STATION		HERITAGE LANDING		CORAL CREEK		BRYAN PAUL		STARLING		TURNLEAF		BURNT STORE PRESERVE		FIRELIGHT NORTH		FIRELIGHT EAST/SOUTH		HOME DYNAMICS		VACANT LOTS		TOTAL COMBINED
			PERCENT	PROJECT	PERCENT	PROJECT	PERCENT	PROJECT	PERCENT	PROJECT	PERCENT	PROJECT	PERCENT	PROJECT	PERCENT	PROJECT	PERCENT	PROJECT	PERCENT	PROJECT	PERCENT	PROJECT	PERCENT	PROJECT	PERCENT	PROJECT	TWO-WAY
		Sta.	PROJECT	TWO-WAY	PROJECT	TWO-WAY	PROJECT	TWO-WAY	PROJECT	TWO-WAY	PROJECT	TWO-WAY	PROJECT	TWO-WAY	PROJECT	TWO-WAY	PROJECT	TWO-WAY	PROJECT	TWO-WAY	PROJECT	TWO-WAY	PROJECT	TWO-WAY	PROJECT	TWO-WAY	VESTED
ROADWAY	SEGMENT	#	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC
Burnt Store Rd	N. of Notre Dame Blvd	186	42%	55	25%	35	42%	274	42%	291	25%	116	42%	229	42%	495	42%	18	14%	73	21%	112	42%	21	42%	163	1,881
	N. of East/West Connector	186	75%	98	25%	35	42%	274	42%	291	25%	116	42%	229	42%	495	42%	18	14%	73	21%	112	44%	22	42%	163	1,925
	N. of Coral Creek Project	186	75%	98	43%	59	75%	490	42%	291	70%	326	75%	410	42%	495	42%	18	15%	78	21%	112	75%	38	75%	291	2,704
	N. of Turnleaf Project	186	20%	26	43%	59	75%	490	20%	138	65%	302	75%	410	42%	495	20%	8	15%	78	21%	112	75%	38	75%	291	2,448
	N. of Starling Project	186	20%	26	43%	59	75%	490	20%	138	60%	279	75%	410	20%	236	20%	8	15%	78	21%	112	75%	38	75%	291	2,165
	N. of Heritage Landing	186	20%	26	43%	59	75%	490	20%	138	55%	256	20%	109	20%	236	20%	8	15%	78	21%	112	75%	38	75%	291	1,841
	S. of Firelight North	186	20%	26	43%	59	20%	131	20%	138	45%	209	20%	109	20%	236	20%	8	16%	83	21%	112	75%	38	75%	291	1,441
	S. of Heritage Station	186	20%	26	53%	73	20%	131	20%	138	40%	186	20%	109	20%	236	20%	8	16%	83	21%	112	75%	38	75%	291	1,432
	S. of Zemel Rd	187	18%	23	38%	52	18%	118	18%	125	25%	116	18%	98	18%	212	18%	8	22%	114	22%	117	75%	38	18%	70	1,092
East-West Connector	E. of Burnt Store Rd	N/A	31%	40	18%	25	31%	202	31%	215	5%	23	31%	169	31%	365	31%	13	0%	0	0%	0	31%	16	31%	120	1,189

* Vested Traffic Volumes were provided by County Staff.

CHARLOTTE COUNTY ROADWAY
LEVEL OF SERVICE DATA

CHARLOTTE COUNTY: 2024 ROADWAY LEVEL OF SERVICE DATA SHEET - PEAK HOUR TWO-WAY

VV SNO	Roadway	Station	From	To	Context Class	Lanes	2024 AADT	Level of Service Calculations[1]									
								K100	100th Hr Vol.	Level of Service Limits (Pk. Hr. Two-way Vol.)				Level of Service		Percent (%) Capacity Used
										B	C	D	E	Adopted	Current	
1	Acline Road	167	U.S. 41	Taylor Rd.	C3C	2-Lane	1,865	0.092	172	*	1104	1560	*	D	C	11%
2	Acline Road	191	Burnt Store Rd.	U.S. 41	C3R	2-Lane	1,563	0.092	144	*	1408	1616	*	D	C	9%
3	Airport Road	249	Cooper St.	Taylor Rd.	C3R	2-Lane	5,688	0.092	523	*	1408	1616	*	D	C	32%
4	Airport Road	169	Taylor Rd	I-75	C3C	2-Lane	6,333	0.092	583	*	1104	1560	*	D	C	37%
5	Airport Road	168	I-75	Golf Course Blvd.	C3C	2-Lane	4,591	0.092	422	*	1104	1560	*	D	C	27%
6	Appleton Blvd	211	San Cruz Waterway	C.R. 771	C3R	2-Lane	3,619	0.092	333	*	1408	1616	*	D	C	21%
7	Aqui Esta Drive	170	Bal Harbor Blvd.	U.S. 41	C3R	2-Lane	9,234	0.092	850	*	1408	1616	*	D	C	53%
8	Cooper Street	250	U.S. 41	Airport Rd.	C3C	2-Lane	6,065	0.092	558	*	1104	1560	*	D	C	36%
9	Atwater Street	25	Peachland Blvd.	Veterans Blvd.	C3R	2-Lane	4,107	0.092	378	*	1408	1616	*	D	C	23%
10	Bachman Blvd		Atwater St.	Yorkshire St.	C3R	2-Lane	1,139	0.092	105	*	1408	1616	*	D	C	6%
11	Bayshore Road	27	Sibley Bay St.	Edgewater Dr.	C3C	2-Lane	2,381	0.092	219	*	1104	1560	*	D	C	14%
12	Bayshore Road	312	Edgewater Dr.	U.S. 41	C3R	2-Lane	2,824	0.092	260	*	1408	1616	*	D	C	16%
13	Beach Road	118	Gulf Blvd.	S.R. 776	C3R	2-Lane	8,831	0.092	812	*	1408	1616	*	D	C	50%
14	Beacon Drive	234	Westchester Blvd.	Elmira Blvd.	C3R	2-Lane	2,902	0.092	267	*	1408	1616	*	D	C	17%
15	Beacon Drive	235	Elmira Blvd.	Olean Blvd.	C3R	2-Lane	3,088	0.092	284	*	1408	1616	*	D	C	18%
16	Beacon Drive	220	Olean Blvd.	Midway Blvd.	C3R	2-Lane	3,463	0.092	319	*	1408	1616	*	D	C	20%
17	Beaver Lane	222	Hancock Ave.	Westchester Blvd.	C3R	2-Lane	4,061	0.092	374	*	1408	1616	*	D	C	23%
18	Biscayne Drive	1	Cornelius Blvd.	Chancellor Blvd.	C3R	2-Lane	3,244	0.092	298	*	1408	1616	*	D	C	18%
19	Biscayne Drive	3	SR-776	Cornelius Blvd.	C3R	2-Lane	3,072	0.092	283	*	1408	1616	*	D	C	17%
20	Brig Cir W		Harness Rd	Brig St	C3R	2-Lane	242	0.092	22	*	1408	1616	*	D	C	1%
21	Brig St		Brig Cir W	Boundary Blvd.	C3R	2-Lane	551	0.092	51	*	1408	1616	*	D	C	3%
22	Boundary Blvd		Cape Haze Dr.	Rotonda Blvd S	C3R	2-Lane	1,344	0.092	124	*	1408	1616	*	D	C	8%
23	Burnt Store Road	187	Lee County line	Zemel Rd.	C3R	4-Lane	15,221	0.092	1,400	*	3245	3528	*	D	C	40%
24	Burnt Store Road	186	Zemel Rd.	Acline Rd.	C3R	4-Lane	18,500	0.092	1,702	*	3245	3528	*	D	C	48%
25	Burnt Store Road	171	Acline Rd.	U.S. 41	C3R	4-Lane	20,745	0.092	1,909	*	3245	3528	*	D	C	54%
26	Campbell St		Eisenhower Dr	Chamberlain Blvd.	C3R	2-Lane	217	0.092	20	*	1408	1616	*	D	C	1%
27	Cape Haze Drive	161	Amberjack Cove Waterway	C.R. 775	C3R	2-Lane	3,259	0.092	300	*	1408	1616	*	D	C	19%
28	Capricorn Blvd	224	Rampart Blvd.	Sandhill Blvd.	C3R	2-Lane	3,799	0.092	350	*	1408	1616	*	D	C	22%
29	Carmalita Street	190	BMX Track	U.S. 41	C3R	2-Lane	4,861	0.092	447	*	1408	1616	*	D	C	28%
30	Carmalita Street	311	Florida St.	BMX Track	C3R	2-Lane	2,577	0.092	237	*	1408	1616	*	D	C	15%
31	Chamberlain Blvd	2	Cornelius Blvd.	US 41	C3R	2-Lane	3,091	0.092	284	*	1408	1616	*	D	C	18%
32	Chancellor Blvd	123	Campbell St.	Apollo Waterway	C3R	2-Lane	3,935	0.092	362	*	1408	1616	*	D	C	22%
33	Chancellor Blvd	124	Apollo Waterway	US-41	C3R	2-Lane	5,793	0.092	533	*	1408	1616	*	D	C	33%
34	Cochran Blvd	15	Education Way	Collingswood Blvd.	C3R	2-Lane	7,124	0.092	655	*	1408	1616	*	D	C	41%
35	Cochran Blvd	96	Pellam Blvd.	Education Way	C3R	2-Lane	12,182	0.092	1,121	*	1408	1616	*	D	C	69%
36	Cochran Blvd	94	Lakeview Blvd.	Pellam Blvd.	C3R	2-Lane	14,620	0.092	1,345	*	1408	1616	*	D	C	83%
37	Cochran Blvd	95	U.S. 41	Lakeview Blvd.	C3C	4-Lane	14,970	0.092	1,377	*	2898	3455	*	D	C	40%
38	Cochran Blvd	259	U.S. 41 S.	Veteran's Blvd.	C3C	4-Lane	22,347	0.092	2,056	*	2898	3455	*	D	C	60%
39	Collingswood Blvd	4	Toledo Blade Blvd.	S.R. 776	C3R	2-Lane	3,583	0.092	330	*	1408	1616	*	D	C	20%
40	Collingswood Blvd	5	Wintergarden Ave.	Toldeo Blade Blvd.	C3R	2-Lane	6,895	0.092	634	*	1408	1616	*	D	C	39%
41	Collingswood Blvd	31	Edgewater Dr.	Wintergarden Ave.	C3R	2-Lane	5,849	0.092	538	*	1408	1616	*	D	C	33%
42	Collingswood Blvd	32	O'Hara Dr.	Edgewater Dr.	C3R	2-Lane	3,701	0.092	340	*	1408	1616	*	D	C	21%
43	Conway Blvd	33	U.S. 41	Olean Blvd	C3R	2-Lane	3,967	0.092	365	*	1408	1616	*	D	C	23%
44	Conway Blvd	246	Olean Blvd	Midway Blvd	C3R	2-Lane	-	0.092	-	*	1408	1616	*	D	C	N/A
45	Cooper Street	151	Airport Rd.	Taylor Rd.	C3R	2-Lane	3,562	0.092	328	*	1408	1616	*	D	C	20%

Contact: Ravi Kamarajugadda - Ravi.Kamarajugadda@charlottecountyfl.gov or (941) 575-3668

CHARLOTTE COUNTY: 2024 ROADWAY LEVEL OF SERVICE DATA SHEET - PEAK HOUR TWO-WAY

VV SNO	Roadway	Station	From	To	Context Class	Lanes	2024 AADT	Level of Service Calculations								
								K100	100th Hr Vol.	Level of Service Limits (Pk. Hr. Two-way Vol.)				Level of Service		Percent (%) Capacity Used
										B	C	D	E	Adopted	Current	
136	Midway Blvd	69	Riviera Ln.	Lakeview Blvd.	C3R	2-Lane	5,453	0.092	502	*	1408	1616	*	D	C	31%
137	Midway Blvd	68	Lakeview Blvd.	U.S. 41	C3R	4-Lane	9,294	0.092	855	*	3245	3528	*	D	C	24%
138	Midway Blvd	64	U.S. 41	Elkcam Blvd.	C3R	4-Lane	10,519	0.092	968	*	3245	3528	*	D	C	27%
139	Midway Blvd	66	Elkcam Blvd.	Harbor Blvd.	C3R	4-Lane	13,928	0.092	1,281	*	3245	3528	*	D	C	36%
140	Midway Blvd	65	Harbor Blvd	Orlando Blvd.	C3R	4-Lane	14,726	0.092	1,355	*	3245	3528	*	D	C	38%
141	Midway Blvd	67	Orlando Blvd.	Inverness St.	C3R	4-Lane	15,174	0.092	1,396	*	3245	3528	*	D	C	40%
142	Midway Blvd	70	Invenness St.	Kings Highway	C3R	4-Lane	14,223	0.092	1,309	*	3245	3528	*	D	C	37%
143	Murdock Circle	83	Education Way	U.S. 41	C3C	4-Lane	10,236	0.092	942	*	2898	3455	*	D	C	27%
144	Murdock Circle	87	U.S. 41	Veterans Blvd.	C3C	4-Lane	13,361	0.092	1,229	*	2898	3455	*	D	C	36%
145	Jones Loop Road N	273	Burnt Store Rd.	Taylor Rd.	C3R	4-Lane	19,800	0.092	1,822	*	3245	3528	*	D	C	52%
146	Jones Loop Road N	173	Taylor Rd.	I-75	C3C	4-Lane	26,915	0.092	2,476	*	2898	3455	*	D	C	72%
147	Jones Loop Road N	318	I-75	Piper Rd	C3C	4-Lane	12,342	0.092	1,135	*	2898	3455	*	D	C	33%
148	N Jones Loop Road	174	E of Piper Rd	0	C3R	2-Lane	4,199	0.092	386	*	1408	1616	*	D	C	24%
149	N. Beach Road	119	Sarasota Co. Line	Gulf Blvd.	C3R	2-Lane	3,013	0.092	277	*	1408	1616	*	D	C	17%
150	Notre Dame Blvd		Burnt Store Rd.	US 41	C3R	2-Lane	1,404	0.092	129	*	1408	1616	*	D	C	8%
151	O'Hara Drive	243	Collingswood Blvd.	Midway Blvd.	C3R	2-Lane	1,981	0.092	182	*	1408	1616	*	D	C	11%
152	Olean Blvd	73	U.S. 41	Easy St.	C3C	4-Lane	6,225	0.092	573	*	2898	3455	*	D	C	17%
153	Olean Blvd	72	Easy St.	Conway Blvd.	C3R	2-Lane	5,507	0.092	507	*	1408	1616	*	D	C	31%
154	Olean Blvd	71	Conway Blvd.	Beacon Dr.	C3R	2-Lane	5,441	0.092	501	*	1408	1616	*	D	C	31%
155	Olean Blvd	74	Beacon Dr.	Kings Highway	C3R	2-Lane	4,742	0.092	436	*	1408	1616	*	D	C	27%
156	Orlando Blvd	75	Midway Blvd.	Quasar Blvd.	C3R	2-Lane	2,148	0.092	198	*	1408	1616	*	D	C	12%
157	Parade Cir		Rotonda Blvd N	Rotonda Blvd N	C3R	2-Lane	3,462	0.092	319	*	1408	1616	*	D	C	20%
158	Paulson Drive	229	U.S. 41	Prineville St.	C3C	2-Lane	4,370	0.092	402	*	1104	1560	*	D	C	26%
159	Peachland Blvd	265	CochranBlvd.	Forrest Nelson Blvd.	C3R	2-Lane	7,914	0.092	728	*	1408	1616	*	D	C	45%
160	Peachland Blvd	77	Forrest Nelson Blvd.	Atwater St.	C3R	2-Lane	9,691	0.092	892	*	1408	1616	*	D	C	55%
161	Peachland Blvd	79	Atwater St.	Harbor Blvd.	C3R	2-Lane	9,691	0.092	892	*	1408	1616	*	D	C	55%
162	Peachland Blvd	78	Harbor Blvd.	Beacon Dr.	C3R	2-Lane	10,107	0.092	930	*	1408	1616	*	D	C	58%
163	Peachland Blvd	80	Beacon Dr.	Loveland Blvd.	C3R	2-Lane	11,230	0.092	1,033	*	1408	1616	*	D	C	64%
164	Pellam Blvd	240	Wintergarden Ave.	CochranBlvd.	C3R	2-Lane	4,749	0.092	437	*	1408	1616	*	D	C	27%
165	Pellam Blvd	241	Edgewater Dr.	Wintergarden Ave.	C3R	2-Lane	2,834	0.092	261	*	1408	1616	*	D	C	16%
166	Pine Street	131	Sarasota Co. Line	Second St.	C3R	4-Lane	9,934	0.092	914	*	3245	3528	*	D	C	26%
168	Piper Road	175	Jones Loop Rd.	Golf Course Blvd.	C3C	4-Lane	10,784	0.092	992	*	2898	3455	*	D	C	29%
169	Port Charlotte Blvd	101	Sunrise Waterway	Edgewater Dr.	C3R	2-Lane	2,393	0.092	220	*	1408	1616	*	D	C	14%
170	Prineville Street	230	Paulson Dr.	Hillsborough Blvd.	C3C	2-Lane	5,340	0.092	491	*	1104	1560	*	D	C	31%
171	Quesada Avenue	81	Cochran Boulevard (a.k.a.Toledo Blade)	Forrest Nelson Blvd.	C3R	2-Lane	9,250	0.092	851	*	1408	1616	*	D	C	53%
172	Quesada Avenue	84	Forrest Nelson Blvd.	Hinton St.	C3R	2-Lane	10,854	0.092	999	*	1408	1616	*	D	C	62%
173	Quesada Avenue	85	Hinton St.	Harbor Blvd.	C3R	2-Lane	5,084	0.092	468	*	1408	1616	*	D	C	29%
174	Rampart Blvd	192	Kings Highway	I-75	C3R	2-Lane	14,039	0.092	1,292	*	1408	1616	*	D	C	80%
175	Rio De Janeiro Avenue	106	Harborview Rd.	Rampart Blvd.	C3R	2-Lane	8,861	0.092	815	*	1408	1616	*	D	C	50%
176	Rio De Janeiro Avenue	107	Rampart Blvd.	Sandhill Blvd.	C3R	2-Lane	5,694	0.092	524	*	1408	1616	*	D	C	32%
177	Rio Villa Drive	176	Deltona Dr.	U.S. 41	C3R	2-Lane	2,580	0.092	237	*	1408	1616	*	D	C	15%
178	Robin Rd		Gasparilla Rd	End of Road	C3C	2-Lane	28	0.092	3	*	1104	1560	*	D	C	0%
179	Rotonda Blvd E	154	Boundary Blvd.	C.R. 771	C3R	2-Lane	4,716	0.092	434	*	1408	1616	*	D	C	27%
180	Rotonda Blvd N	122	Parade Cir.	Rotonda Cir.	C3R	2-Lane	2,115	0.092	195	*	1408	1616	*	D	C	12%
181	Rotonda Blvd W	135	Normandy Way	Boundary Blvd.	C3R	2-Lane	5,072	0.092	467	*	1408	1616	*	D	C	29%

CHARLOTTE COUNTY: 2024 ROADWAY LEVEL OF SERVICE DATA SHEET - PEAK HOUR TWO-WAY

VV SNO	Roadway	Station	From	To	Context Class	Lanes	2024 AADT	Level of Service Calculations[1]								
								K100	100th Hr Vol.	Level of Service Limits (Pk. Hr. Two-way Vol.)				Level of Service		Percent (%) Capacity Used
										B	C	D	E	Adopted	Current	
228	US Highway 17*	115	Washington Loop Rd	DeSoto Co. Line	C2	4-Lane	16,367	0.090	1,473	3040	4350	5290	6070	D	C	28%
229	US Highway 41*	189	Lee County Line	Zemel Rd.	C2	4-Lane	26,000	0.090	2,340	3040	4350	5290	6070	D	C	44%
230	US Highway 41*	328	Zemel Rd.	Morningside Dr	C2	4-Lane	22,918	0.090	2,063	3040	4350	5290	6070	D	C	39%
231	US Highway 41*	185	Morningside Dr	Tuckers Grade Blvd	C3C	4-Lane	22,918	0.090	2,063	*	2898	3455	*	D	C	60%
232	US Highway 41*	-	Tuckers Grade Blvd	Taylor Rd.	C3C	4-Lane	22,918	0.090	2,063	*	2898	3455	*	D	C	60%
233	US Highway 41*	-	Taylor Rd	Burnt Store Rd	C3R	4-Lane	17,100	0.090	1,539	*	3245	3528	*	D	C	44%
234	US Highway 41*	288	Burnt Store Rd.	US 41/Cross St	C3R	4-Lane	32,386	0.090	2,915	*	3245	3528	*	D	C	83%
235	US Highway 41*	-	US 41/Cross St NB	Melbourne St.	C3C	2-Lane	26,364	0.090	2,373	*	1615	2281	*	D	F	104%
237	US Highway 41*		US 41/Cross St SB	Melbourne St.	C3C	2-Lane	29,000	0.090	2,610	*	1615	2281	*	D	F	114%
236	US Highway 41*		Melbourne St.	Harborview Rd.	C3C	6-Lane	45,500	0.090	4,095	*	4505	5114	*	D	C	80%
238	US Highway 41*	277	Harborview Rd.	Harbor Blvd.	C3C	6-Lane	45,500	0.090	4,095	*	4505	5114	*	D	C	80%
239	US Highway 41*	278	Harbor Blvd	Forrest Nelson Blvd.	C3C	6-Lane	51,976	0.090	4,678	*	4505	5114	*	D	D	91%
240	US Highway 41*	285	Forrest Nelson Blvd.	Murdock Circle	C3C	6-Lane	56,842	0.090	5,113	*	4505	5114	*	D	D	100%
241	US Highway 41*	287	Murdock Circle	Toledo Blade Blvd.	C3C	6-Lane	39,145	0.090	3,523	*	4505	5114	*	D	C	69%
242	US Highway 41*	295	Toledo Blade Blvd.	Sarasota Co Line	C3C	6-Lane	38,000	0.090	3,420	*	4505	5114	*	D	C	67%
250	Veterans Blvd	89	US-41	Murdock Circle	C3C	4-Lane	24,969	0.092	2,297	*	2898	3455	*	D	C	66%
251	Veterans Blvd	280	Murdock Circle	Cochran Blvd.	C3C	4-Lane	29,214	0.092	2,688	*	2898	3455	*	D	C	78%
252	Veterans Blvd	282	Cochran Blvd.	Harbor Blvd.	C3C	4-Lane	25,647	0.092	2,360	*	2898	3455	*	D	C	68%
253	Veterans Blvd	26	Harbor Blvd.	Loveland Blvd	C3C	4-Lane	24,241	0.092	2,230	*	2898	3455	*	D	C	65%
254	Veterans Blvd	258	Loveland Blvd.	Kings Highway	C3C	4-Lane	25,172	0.092	2,316	*	2898	3455	*	D	C	67%
255	Veterans Blvd	308	Kings Highway	Peachland Blvd.	C3C	4-Lane	27,068	0.092	2,490	*	2898	3455	*	D	C	72%
256	Westchester Blvd	99	Gardner Dr.	Beacon Dr.	C3R	2-Lane	4,621	0.092	425	*	1408	1616	*	D	C	26%
257	Westchester Blvd	98	Beacon Dr.	Kings Highway	C3R	2-Lane	4,662	0.092	429	*	1408	1616	*	D	C	27%
258	Wilmington Blvd	42	Gondelier Waterway	S.R. 776	C3R	2-Lane	3,278	0.092	302	*	1408	1616	*	D	C	19%
259	Winchester Blvd	310	S.R. 776	Sarasota Co Line	C3R	4-Lane	9,376	0.092	863	*	3245	3528	*	D	C	24%
260	Winchester Blvd	314	S.R 776	Apple Valley Ave	C3R	4-Lane	8,897	0.092	819	*	3245	3528	*	D	C	23%
261	Yorkshire St		Bachman Blvd	Peachland Blvd.	C3R	2-Lane	1,423	0.092	131	*	1408	1616	*	D	C	8%
262	Zemel Road	307	Burnt Store Rd.	County Landfill	C3R	2-Lane	3,384	0.092	311	*	1408	1616	*	D	C	19%
263	Zemel Road	257	County Landfill	U.S. 41	C3C	2-Lane	3,242	0.092	298	*	1104	1560	*	D	C	19%

Notes and Assumptions for the LOS Computations:
1. LOS Calculations are based on 2023 Multimodal Quality/Level of Service Handbook
2. "*" Traffic Data Information Obtained from FDOT 2023 Charlotte County Level of Service Report

APPROVED FIRELIGHT NORTH TIS

Kimley»Horn

March 27, 2024

Mr. Ravi Kamarajugadda, GISP
Project Manager
Charlotte County Public Works Department
7000 Florida Street
Punta Gorda, Florida 33950

Suite 1400
201 North Franklin Street
Tampa, Florida
33602

Re: Firelight North (Updated)
Charlotte County, Florida
Traffic Impact Statement

Dear Mr. Kamarajugadda:

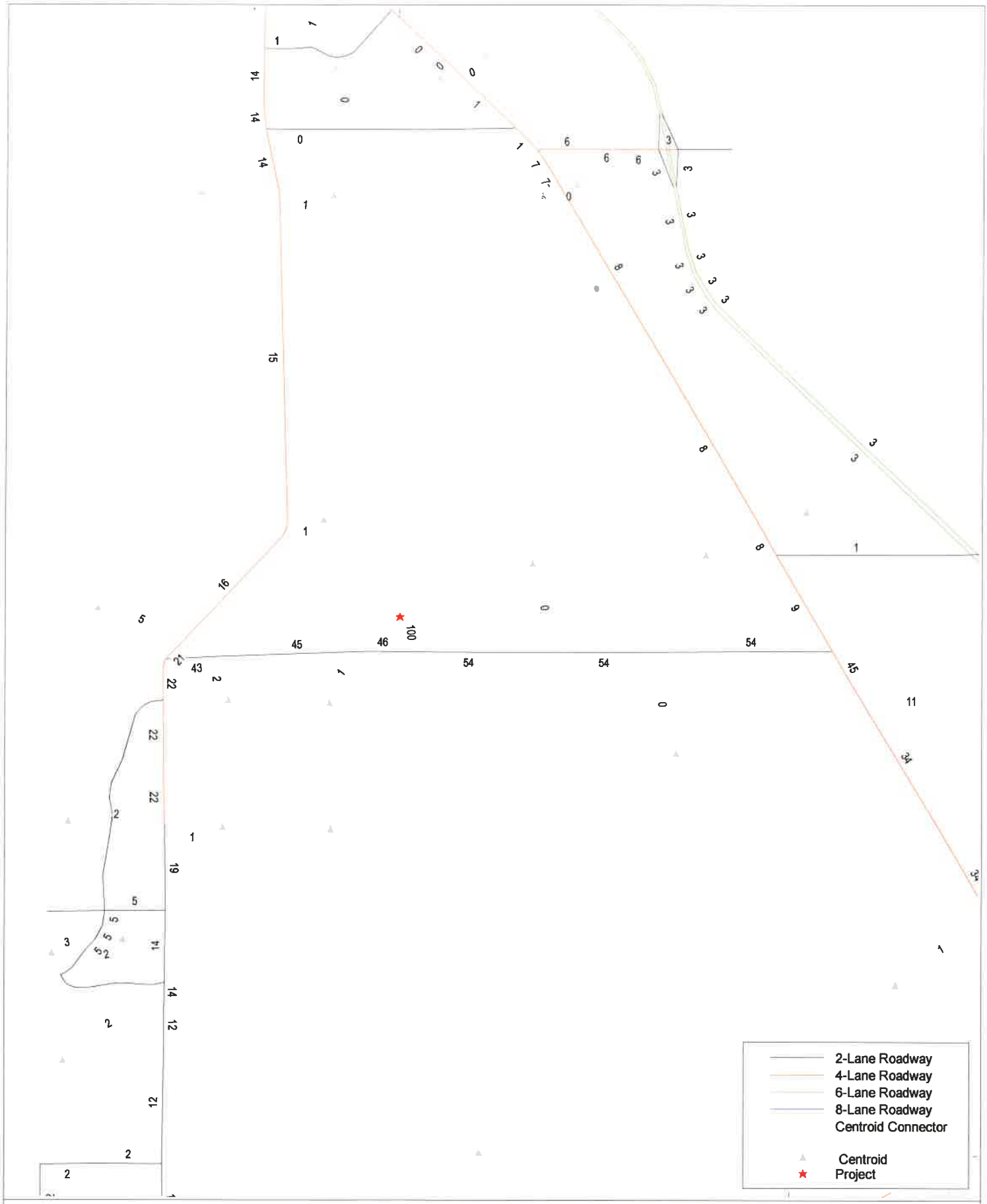
This updated Traffic Impact Statement (TIS) has been prepared for the proposed Firelight North development based on the methodology that was submitted on November 6, 2023 and comments received by Charlotte County staff on January 2, 2024 and March 7, 2024. Additionally, the analysis was updated based on meetings with Charlotte County staff on March 12 and 15, 2024. The project site is generally located north of Zemel Road and east of Burnt Store Road, in Charlotte County, Florida. As illustrated in **Figure 1**, the site location is approximately 0.9 miles east of the Burnt Store Road & Zemel Road intersection. The anticipated buildout year is 2030.

The Applicant is preparing a rezone application for the currently vacant parcel that is currently zoned as RE-1 (Residential Estate). A traffic study was previously completed in August 2021 to rezone the site to Residential Planned Development, which would allow up to 1,000 single-family dwelling units. An updated traffic study has been prepared for this application.

The conceptual site plan is provided as **Figure 2** and indicates that access to the site is to be provided through the following proposed access connections:

- Driveway 1: Northernmost connection along Burnt Store Road: right-in/right-out only connection
- Driveway 2: Southernmost connection along Burnt Store Road: Restricted Crossing U-Turn (RCUT) access connection
- Driveway 3: Westernmost connection along Zemel Road: Emergency only full-access connection
- Driveway 4: Easternmost connection along Zemel Road: full-access connection

TEL: 813 620 1460



DISTRICT 1 REGIONAL PLANNING MODEL - 2023 EXISTING PLUS COMMITTED NETWORK
SELECT ZONE ANALYSIS - FIRELIGHT NORTH
FEBRUARY 2023

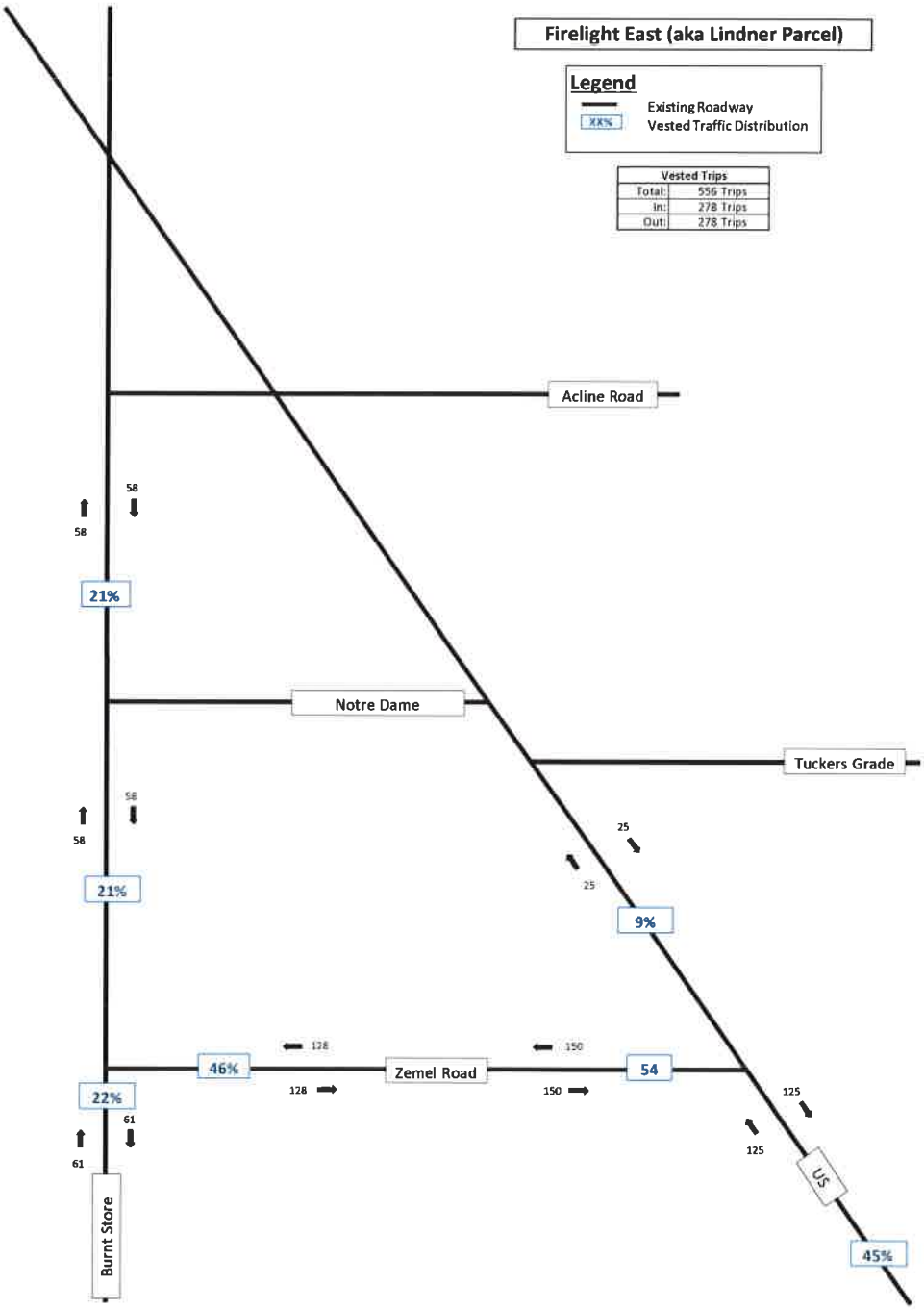
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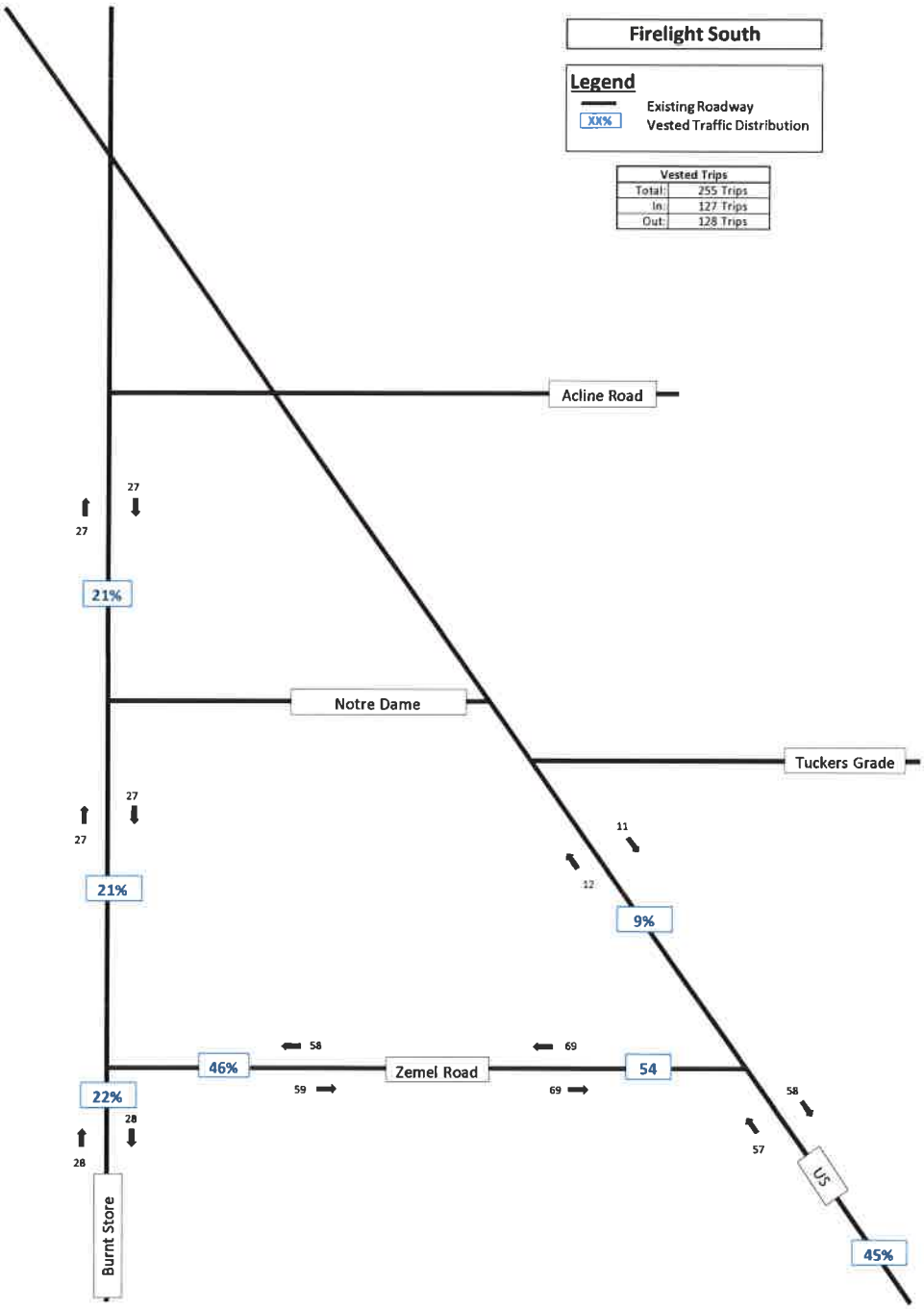
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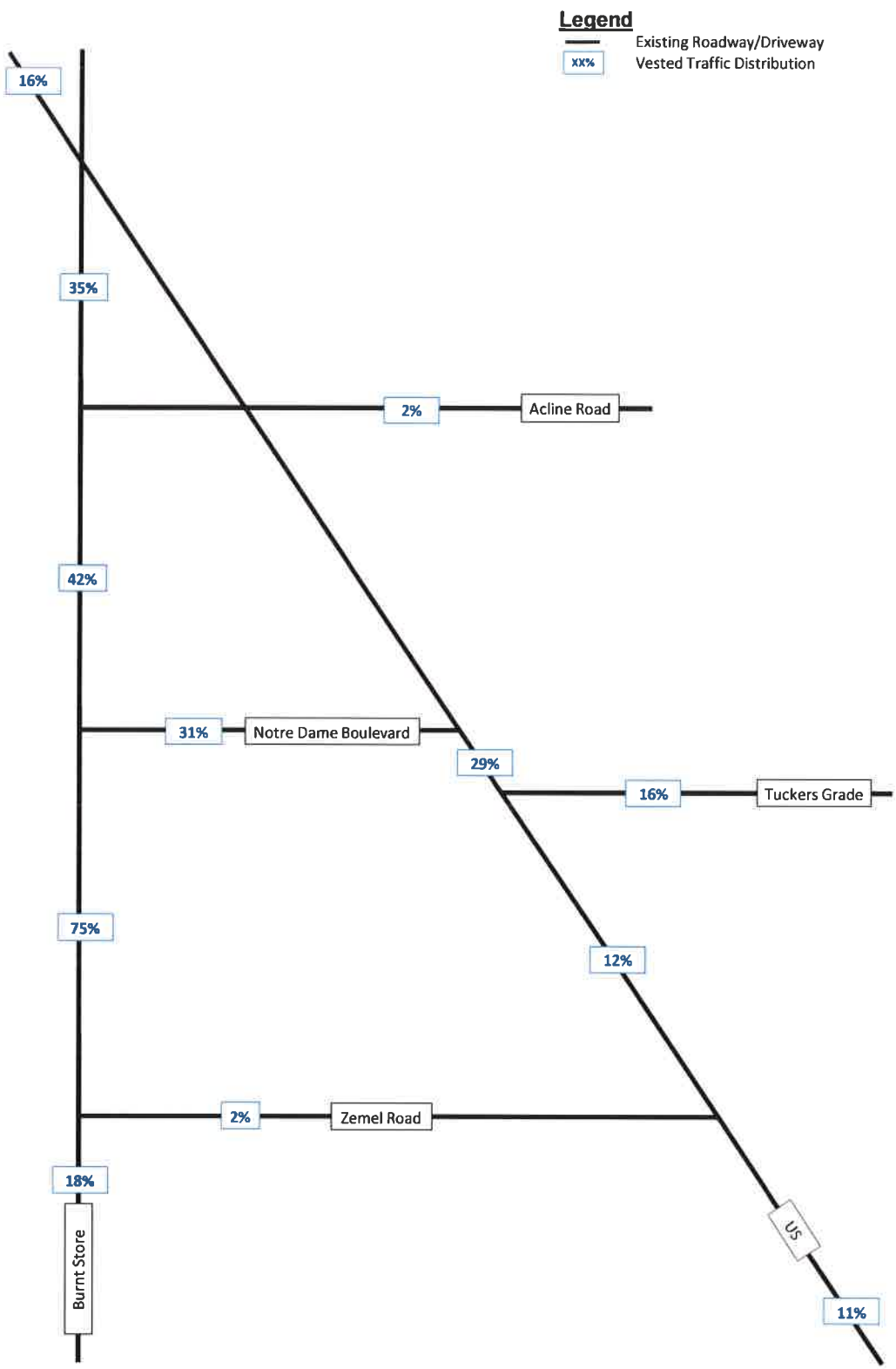
Roadway	From	To	Vested Traffic
Burnt Store Road	Lee County Line	Zemel Road	858
	Zemel Road	Acline Road	2,854
U.S. 41	Tuckers Grade	Zemel Road	494
	Zemel Road	Lee County Line	751
Zemel Road	Burnt Store Road	Project Access	462
	Project Access	County Landfill	527
	County Landfill	U.S. 41	527

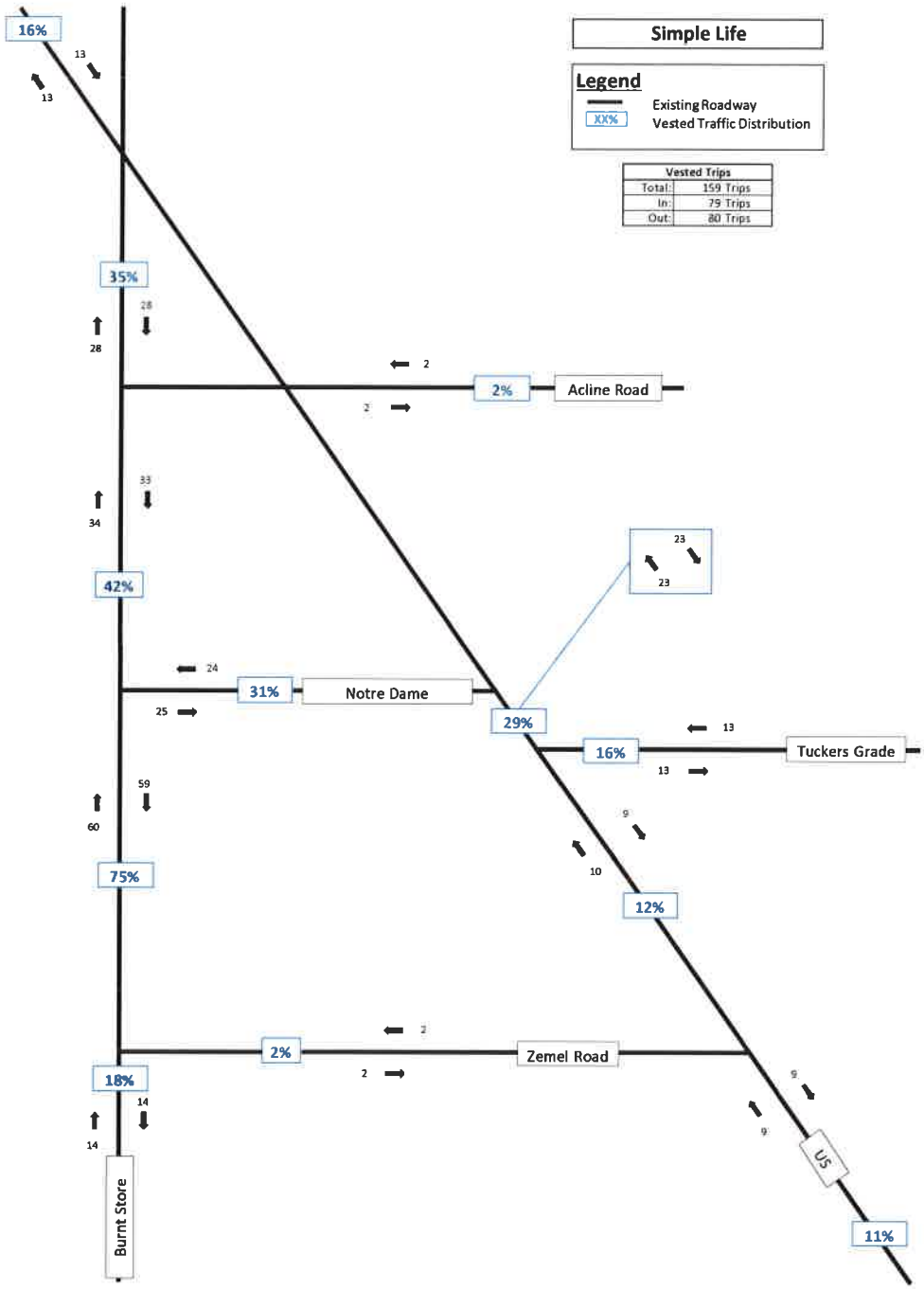
Vested Trips

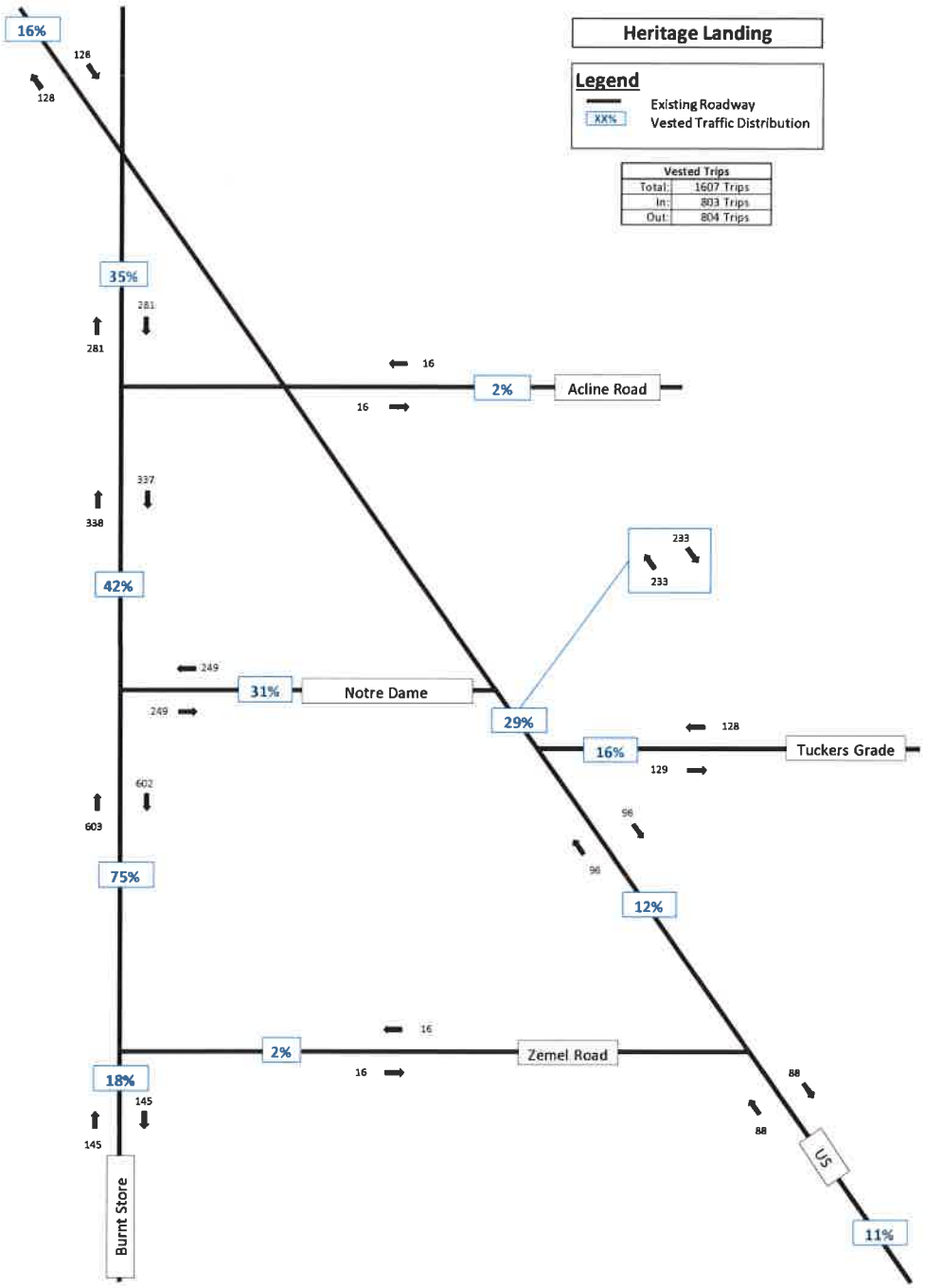
Vested Development	Vested Trips
Simple Life	159
Heritage Landing	1,607
Coral Creek	1,011
Burnt Store Road South	729
Heritage Station	127
Firelight East (aka Lindner Parcel)	556
Firelight South	255
Total	**4,444**

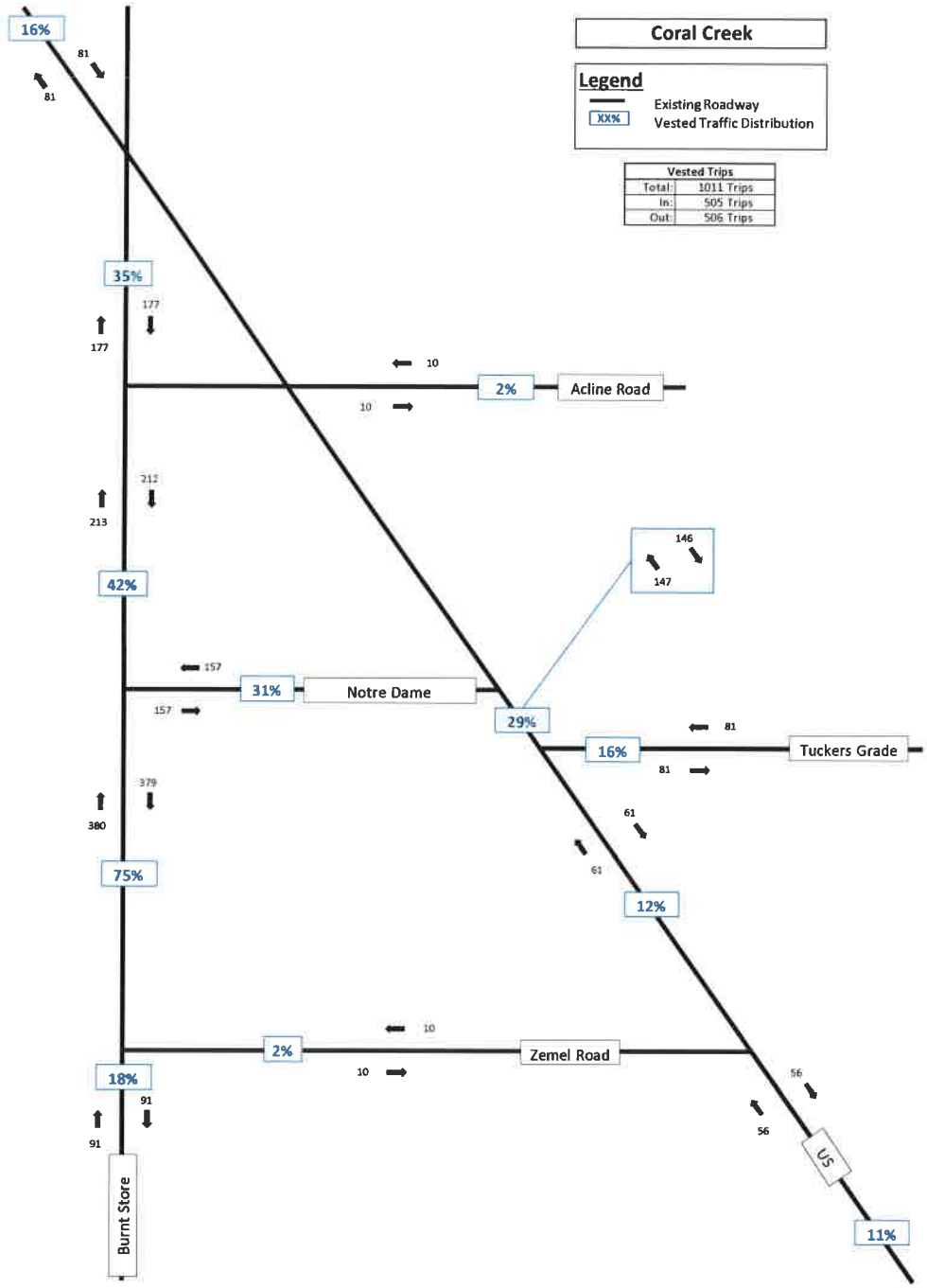

Firelight East (aka Lindner Parcel)
Legend
Existing Roadway
XX%
Vested Trafic Distribution
Vested Trips
Total: 556 Trips
In: 278 Trips
Out: 278 Trips
Acline Road
58
58
21%
Notre Dame
Tuckers Grade
58
58
21%
25
25
9%
128
128
46%
Zemel Road
150
150
54
22%
61
61
125
125
US
45%
Burnt Store

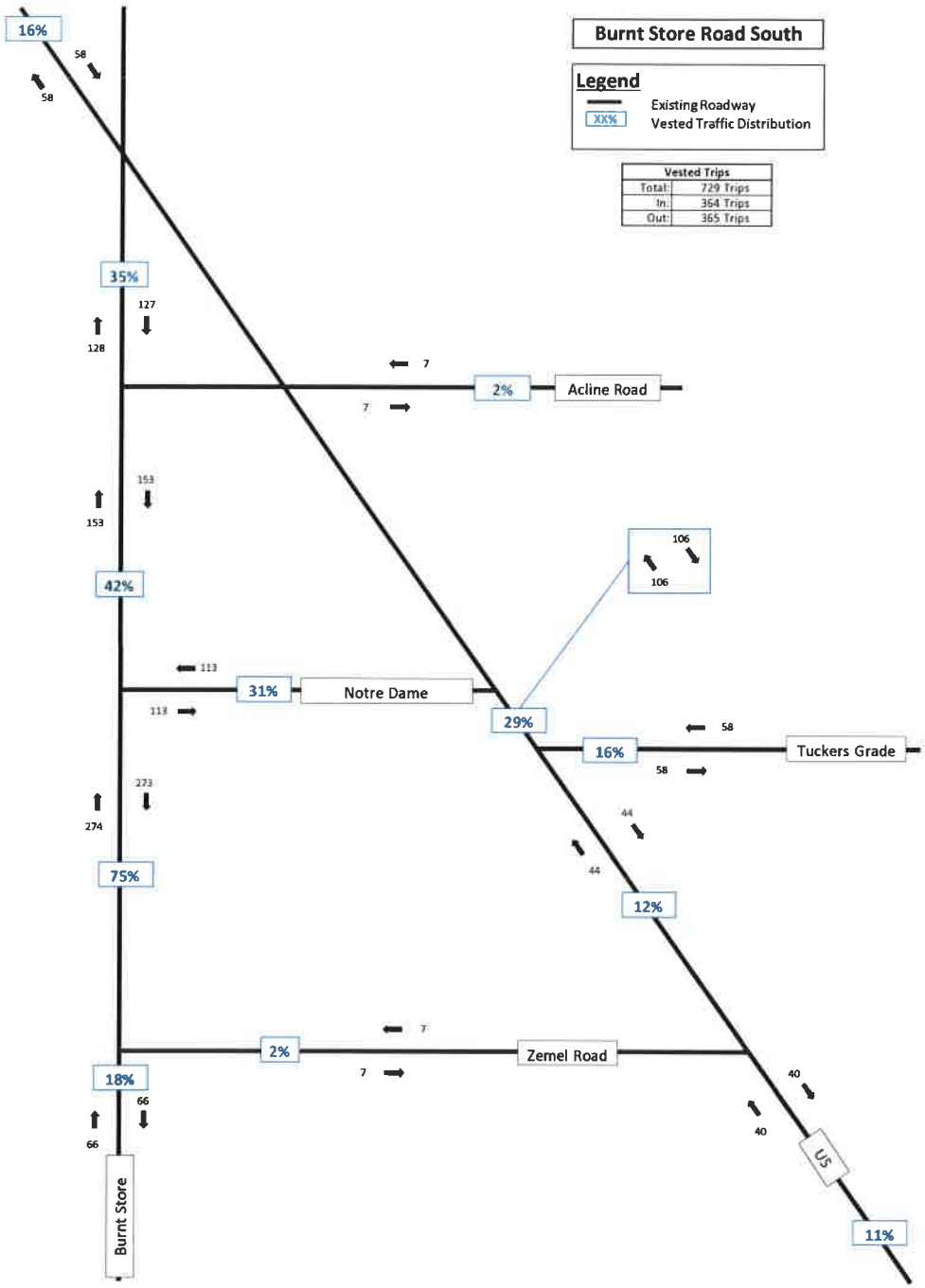

Firelight South
Legend
Existing Roadway
XX%
Vested Trips
Total: 255 Trips
In: 127 Trips
Out: 128 Trips
Acline Road
Notre Dame
Tuckers Grade
Zemel Road
Burnt Store
US
21%
21%
9%
46%
54
22%
45%
27
27
27
27
11
12
58
59
69
69
58
57
28
28

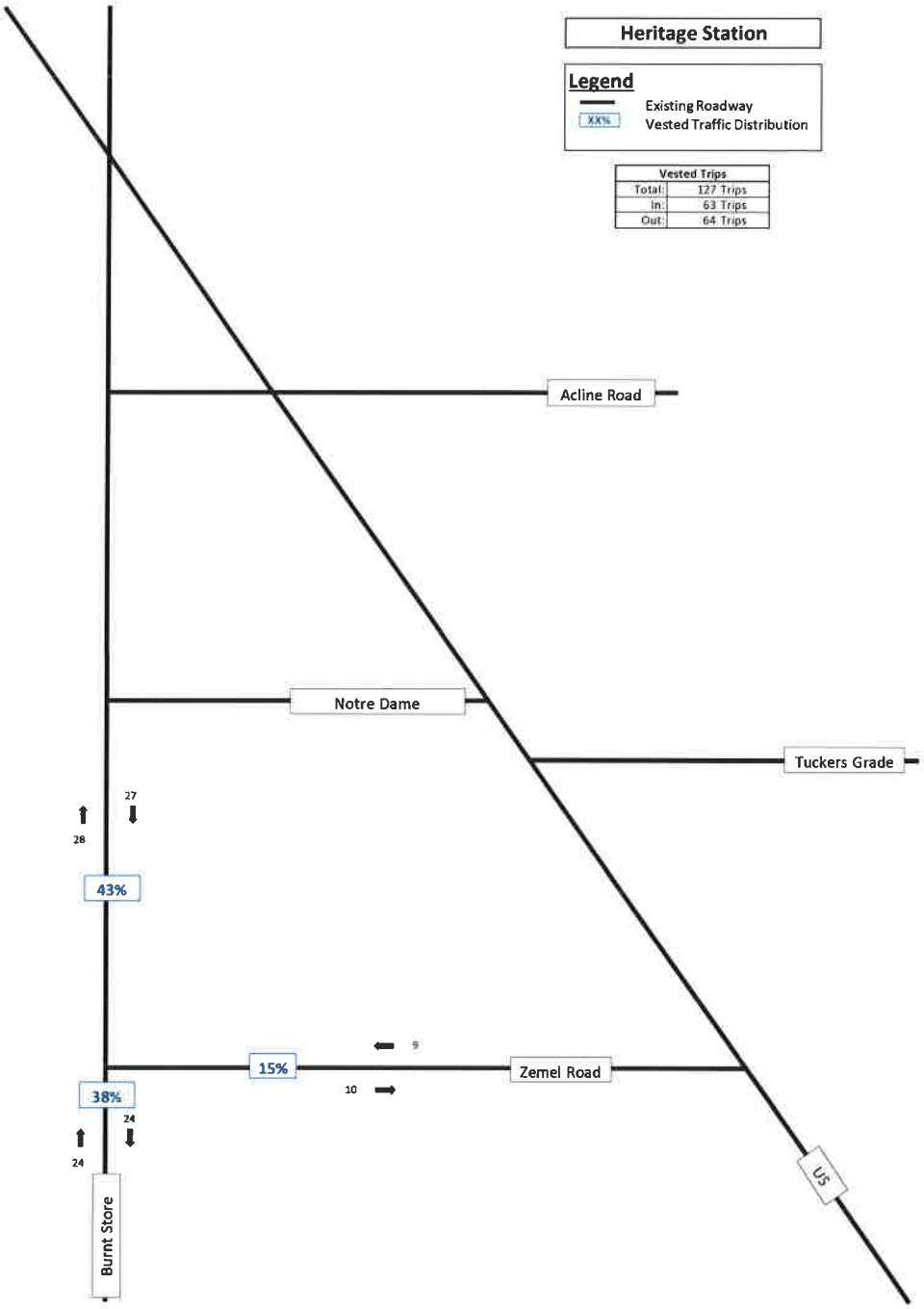

Legend
Existing Roadway/Driveway
XX%
Vested Traffic Distribution
16%
35%
2%
Acline Road
42%
31%
Notre Dame Boulevard
29%
16%
Tuckers Grade
75%
12%
2%
Zemel Road
18%
Burnt Store
US
11%


Simple Life
Legend
Existing Roadway
XX%
Vested Trips
Total: 159 Trips
In: 79 Trips
Out: 80 Trips
16%
13
13
35%
28
28
2
2%
Acline Road
2
34
33
42%
23
23
24
31%
Notre Dame
25
29%
13
16%
Tuckers Grade
13
60
59
9
10
75%
12%
2
2%
Zemel Road
2
18%
14
14
9
9
US
11%
Burnt Store


Heritage Landing
Legend
Existing Roadway
XX%
Vested Traffic Distribution
Vested Trips
Total: 1607 Trips
In: 803 Trips
Out: 804 Trips
16%
128
128
35%
281
281
16
2%
Acline Road
16
337
338
42%
233
233
249
31%
Notre Dame
249
29%
128
16%
Tuckers Grade
129
602
603
75%
96
96
12%
16
2%
Zemel Road
16
18%
145
145
88
88
US
11%
Burnt Store


Coral Creek
Legend
Existing Roadway
XX%
Vested Trips
Total: 1011 Trips
In: 505 Trips
Out: 506 Trips
16%
81
81
35%
177
177
10
10
2%
Acline Road
212
213
42%
146
147
157
157
31%
Notre Dame
29%
81
81
16%
Tuckers Grade
379
380
61
61
75%
12%
10
10
2%
Zemel Road
18%
91
91
56
56
US
11%
Burnt Store


Burnt Store Road South
Legend
Existing Roadway
XX%
Vested Trips
Total: 729 Trips
In: 364 Trips
Out: 365 Trips
16%
58
58
35%
127
128
7
7
2%
Acline Road
153
153
106
106
42%
113
113
31%
Notre Dame
29%
58
16%
58
Tuckers Grade
273
274
44
44
75%
12%
7
7
2%
Zemel Road
18%
66
66
40
40
US
11%
Burnt Store


Heritage Station
Legend
Existing Roadway
XX%
Vested Trips
Total: 127 Trips
In: 63 Trips
Out: 64 Trips
Acline Road
Notre Dame
Tuckers Grade
27
28
43%
15%
9
10
Zemel Road
38%
24
24
Burnt Store
US

ITE PASS-BY RATE

Vehicle Pass-By Rates by Land Use

Source: ITE *Trip Generation Manual*, 11th Edition

Land Use Code	820								
Land Use	Shopping Center (> 150k)								
Setting	General Urban/Suburban								
Time Period	Weekday PM Peak Period								
# Data Sites	8 Sites with GLA between 150 and 300k				16 Sites with GLA between 300 and 900k				
Average Pass-By Rate	29% for Sites with GLA between 150 and 300k				19% for Sites with GLA between 300 and 900k				
	Pass-By Characteristics for Individual Sites								
		Survey		Pass-By	Non-Pass-By Trips			Adj Street Peak	
GLA (000)	State or Province	Year	# Interviews	Trip (%)	Primary (%)	Diverted (%)	Total (%)	Hour Volume	Source
213	Florida	1990	312	28	31	41	72	—	33
225	Illinois	1994	264	35	32	33	65	1970	24
227.9	Kentucky	1993	—	34	35	31	66	—	34
235	Kentucky	1993	211	35	29	36	65	2593	2
255	Iowa	1994	222	23	38	39	77	3706	24
256	Connecticut	1994	208	27	51	22	73	3422	24
293	Illinois	1994	282	24	70	6	76	4606	13
294	Pennsylvania	1994	213	24	48	18	76	4055	24
350	Massachusetts	1994	224	18	45	37	82	2112	24
361	Virginia	1994	315	17	54	29	83	2034	24
375	North Carolina	1994	214	29	48	23	71	2053	24
413	Texas	1994	228	28	51	21	72	589	24
418	Maryland	1994	281	20	50	30	80	5610	24
450	California	1994	321	23	49	28	77	2787	24
476	Washington	1994	234	25	53	22	75	3427	24
488	Texas	1994	257	12	75	13	88	1094	13
560	Virginia	1994	437	19	49	32	81	3051	24
581	Colorado	1994	296	18	53	29	82	2939	24
598	Colorado	1994	205	17	55	28	83	3840	24
633	Texas	1994	257	10	64	26	90	—	24
667	Illinois	1994	200	16	53	31	84	2770	24
738	New Jersey	1994	283	13	75	12	87	8059	24
800	California	1994	205	21	51	28	79	7474	24
808	California	1994	240	13	73	14	87	4035	24

BURNT STORE ROAD AREA PLAN

I. Traffic Modeling
Conclusions & Recommendations

Actual development sequence, pattern, and connectivity will dictate the timing of the proposed improvements

- Tuckers Grade Extension
  - Construct 2-lane roadway between 2030 - 2035
  - Widen to 4-lane roadway by 2045

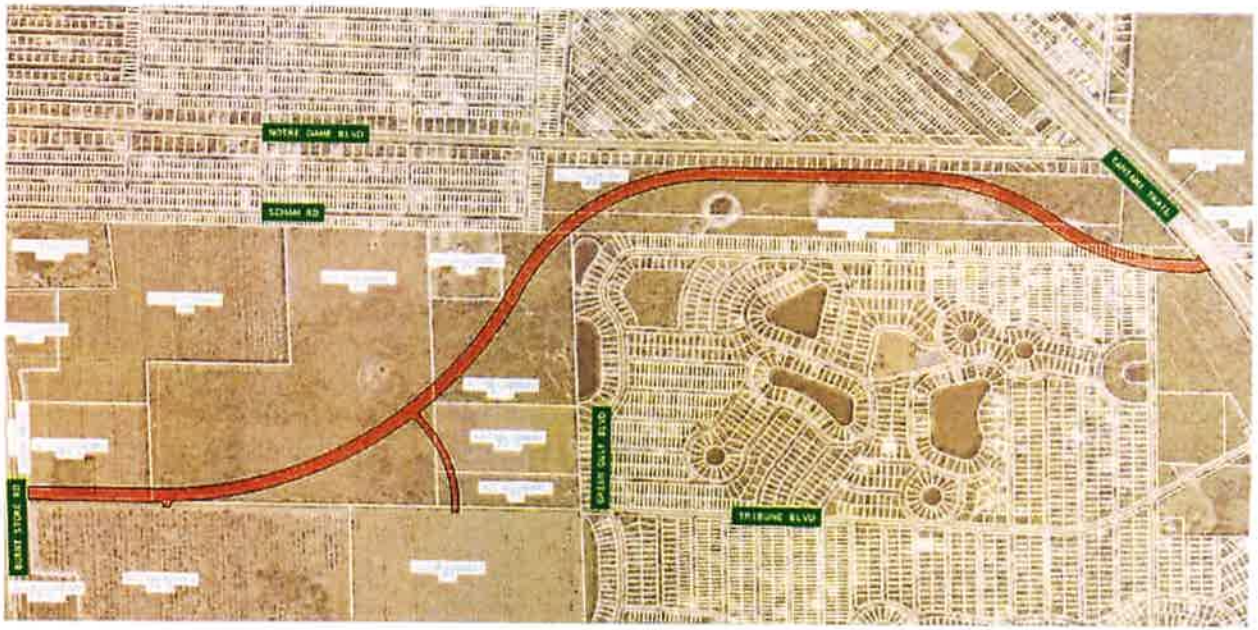
- Burnt Store Road
  - Include future operational and multimodal improvements.
  - 6-lanes to be considered after the construction of a 2-Lane Tuckers Grade Extension
  - 6-lanes are needed by the year 2045 or sooner

- Continued coordination with MPO Long Range Transportation Plan.

CHARLOTTE COUNTY
FLORIDA

Alternative Alignments

- East-West Connector Right-of-Way 120ft
- Right-of-Way Acquisition few Parcels
- Commercial Frontage
- Design Speed 45mph
- Posted Speed 45mph



CHARLOTTE COUNTY
FLORIDA

TRIP GENERATION EQUATIONS

Single-Family Detached Housing
(210)

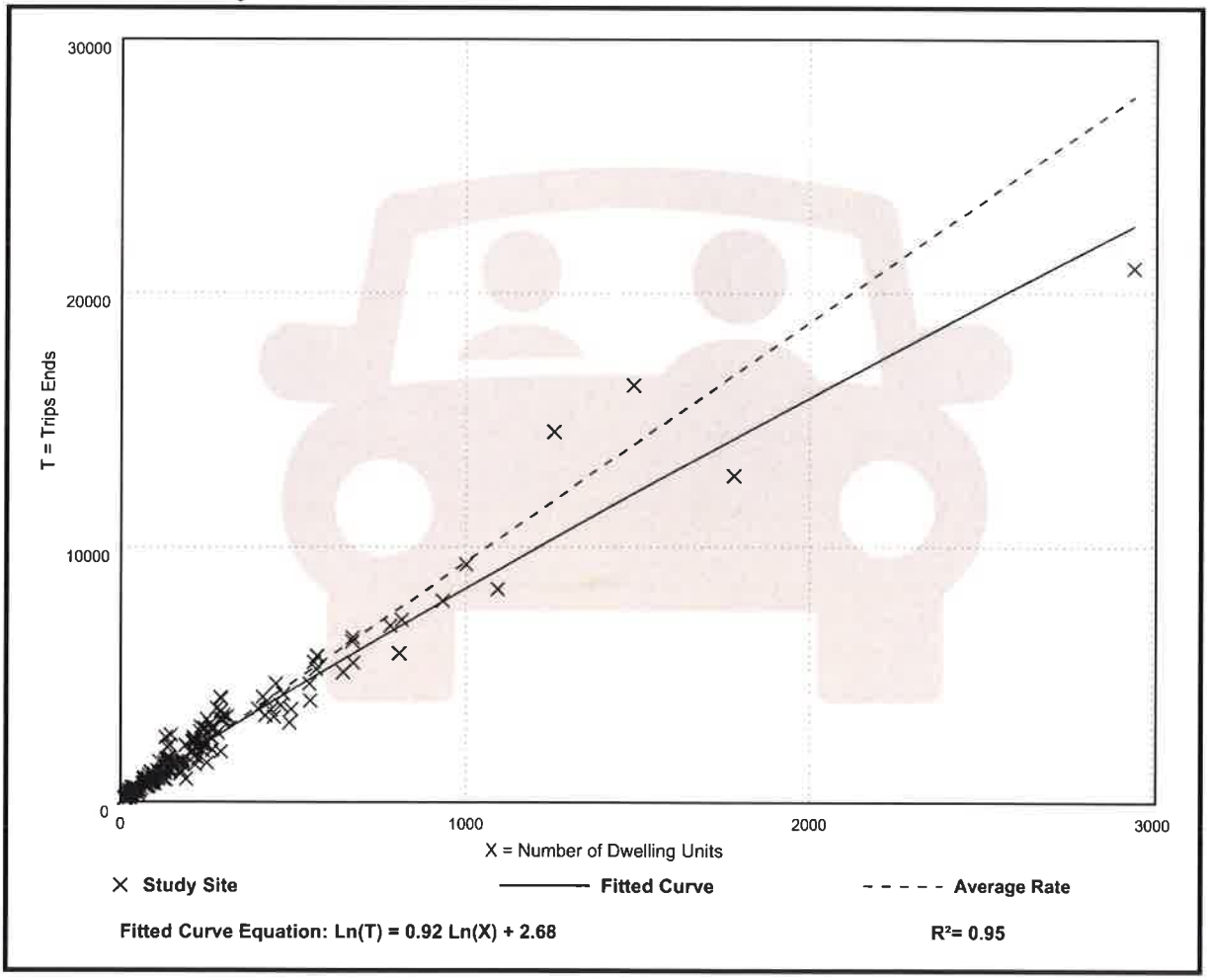
Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 174
Avg. Num. of Dwelling Units: 246
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
9.43	4.45 - 22.61	2.13

Data Plot and Equation



Fitted Curve Equation: Ln(T) = 0.92 Ln(X) + 2.68

R^2= 0.95

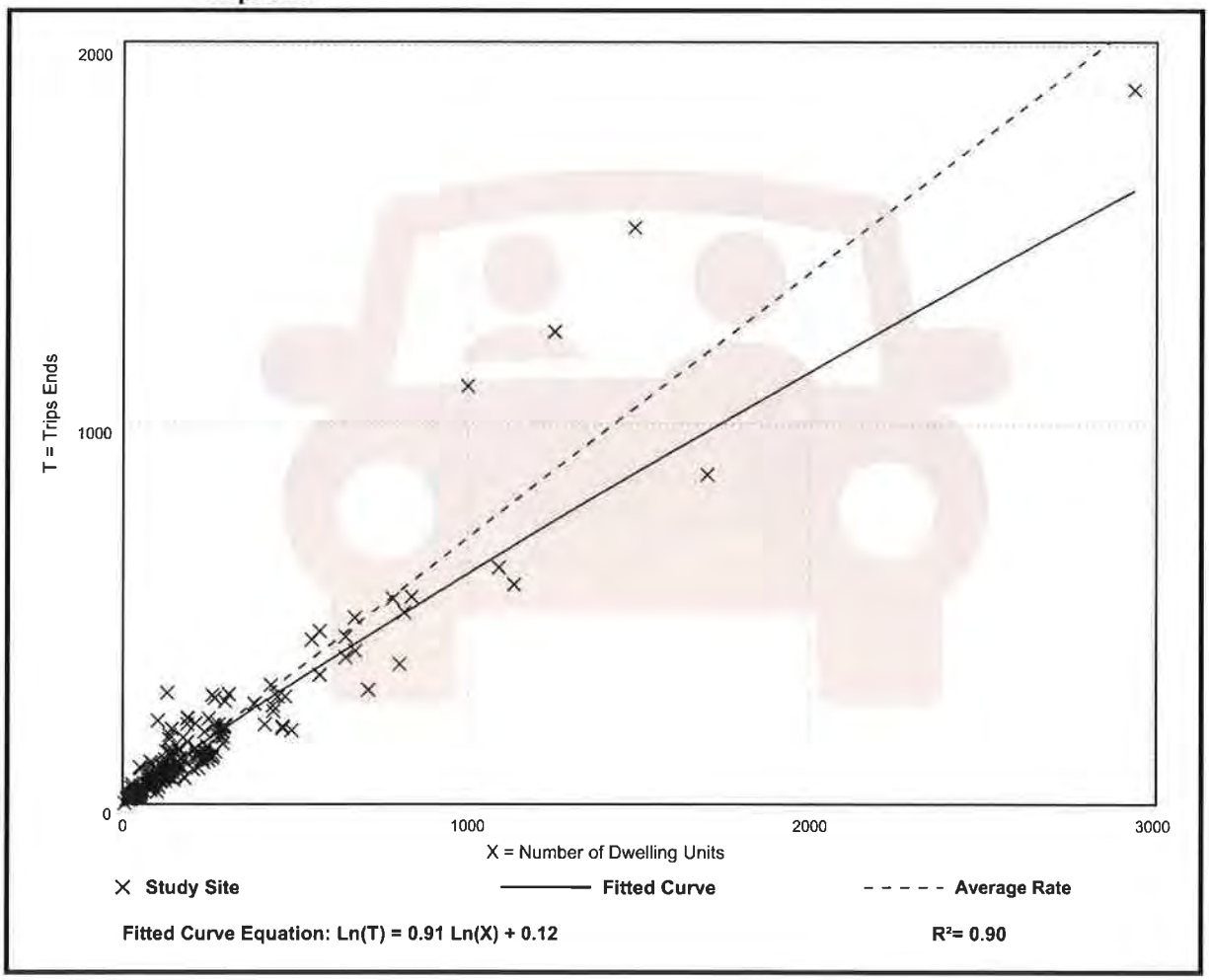
Single-Family Detached Housing
(210)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 192
Avg. Num. of Dwelling Units: 226
Directional Distribution: 26% entering, 74% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.70	0.27 - 2.27	0.24

Data Plot and Equation



Fitted Curve Equation: Ln(T) = 0.91 Ln(X) + 0.12

R^2= 0.90

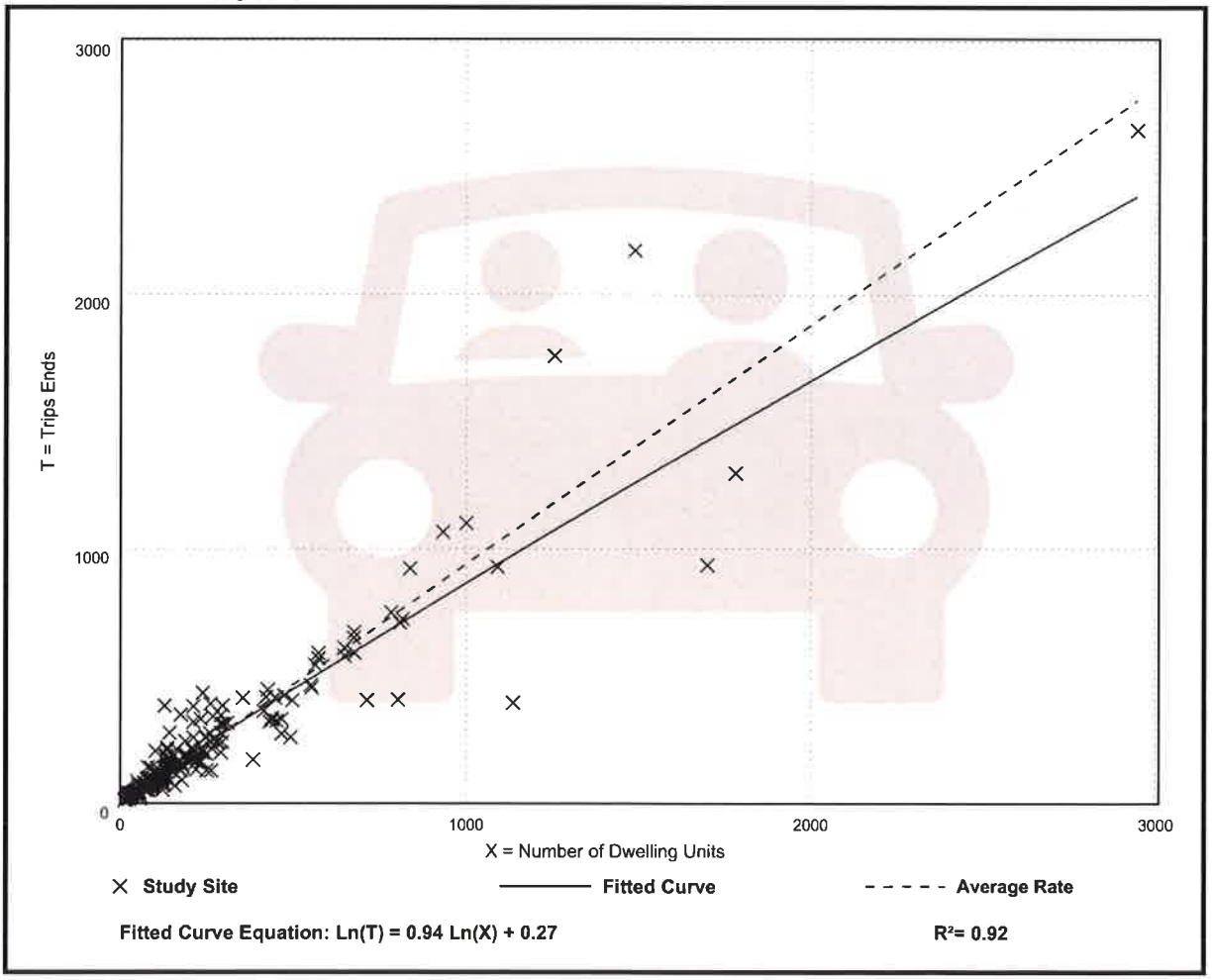
Single-Family Detached Housing
(210)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 208
Avg. Num. of Dwelling Units: 248
Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.94	0.35 - 2.98	0.31

Data Plot and Equation



Fitted Curve Equation: Ln(T) = 0.94 Ln(X) + 0.27

R^2= 0.92

Shopping Center (>150k)
(820)

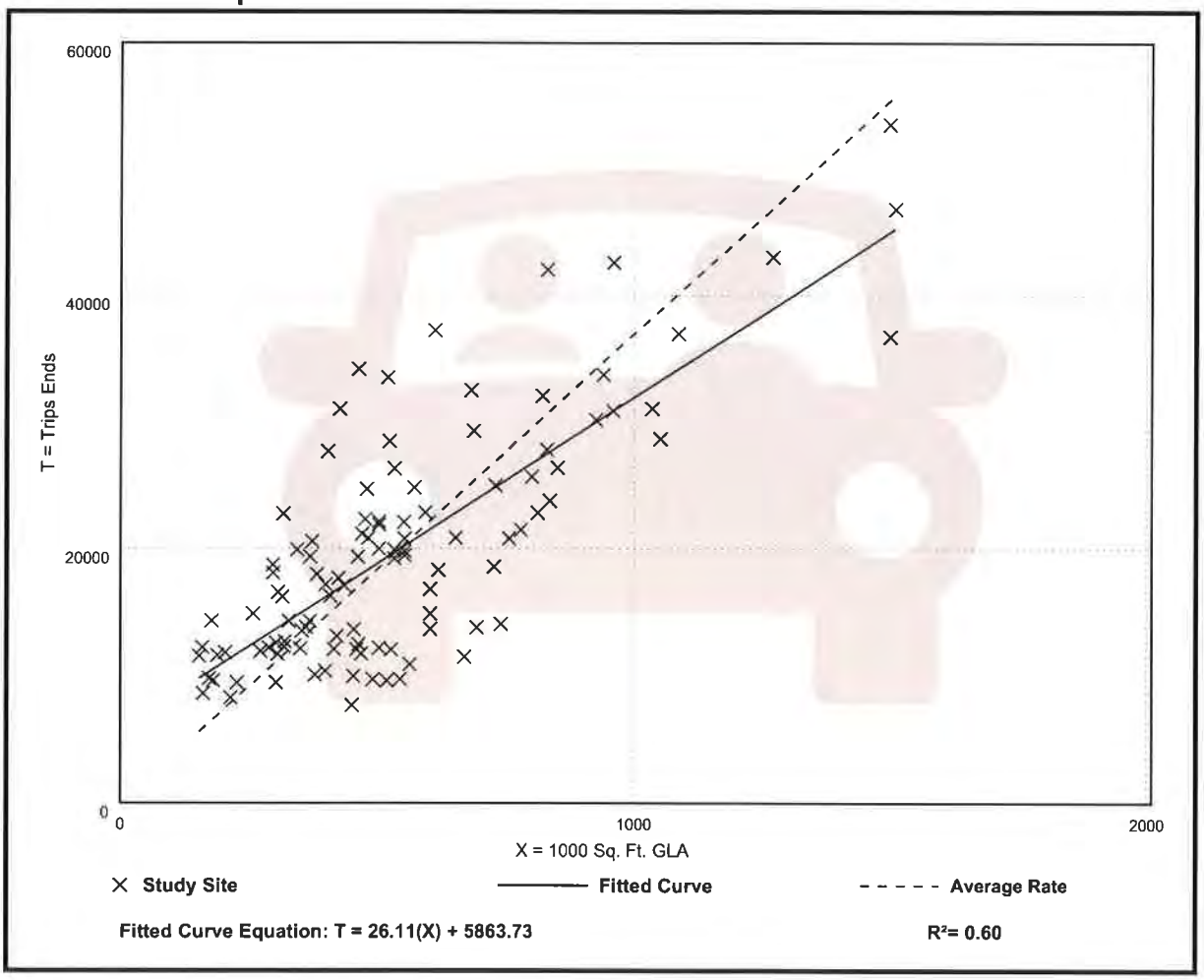
Vehicle Trip Ends vs: 1000 Sq. Ft. GLA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 108
Avg. 1000 Sq. Ft. GLA: 538
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

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

Data Plot and Equation



Fitted Curve Equation: T = 26.11(X) + 5863.73

R^2= 0.60

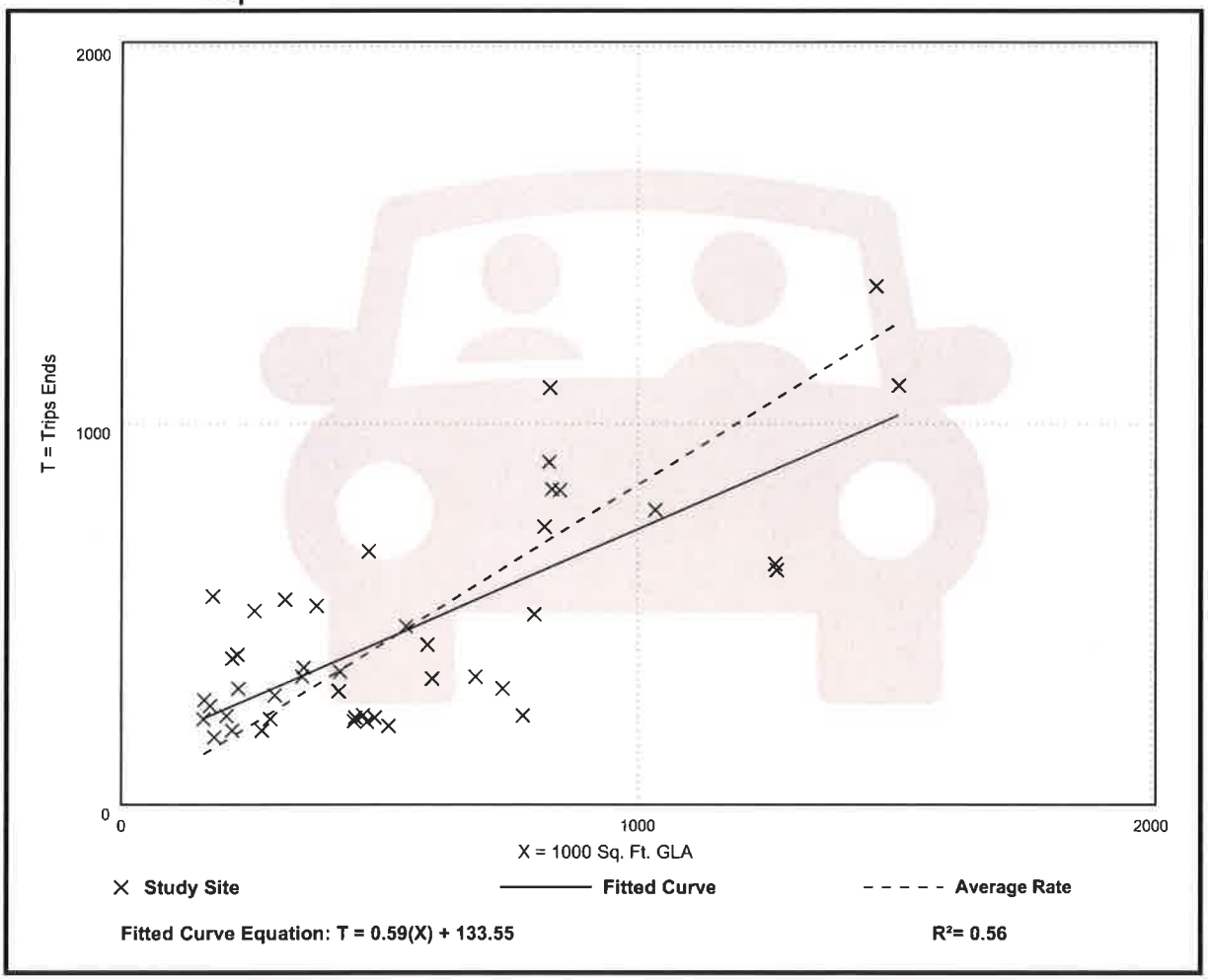
Shopping Center (>150k)
(820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.
Setting/Location: General Urban/Suburban
Number of Studies: 44
Avg. 1000 Sq. Ft. GLA: 546
Directional Distribution: 62% entering, 38% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

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

Data Plot and Equation



Fitted Curve Equation: T = 0.59(X) + 133.55

R^2= 0.56

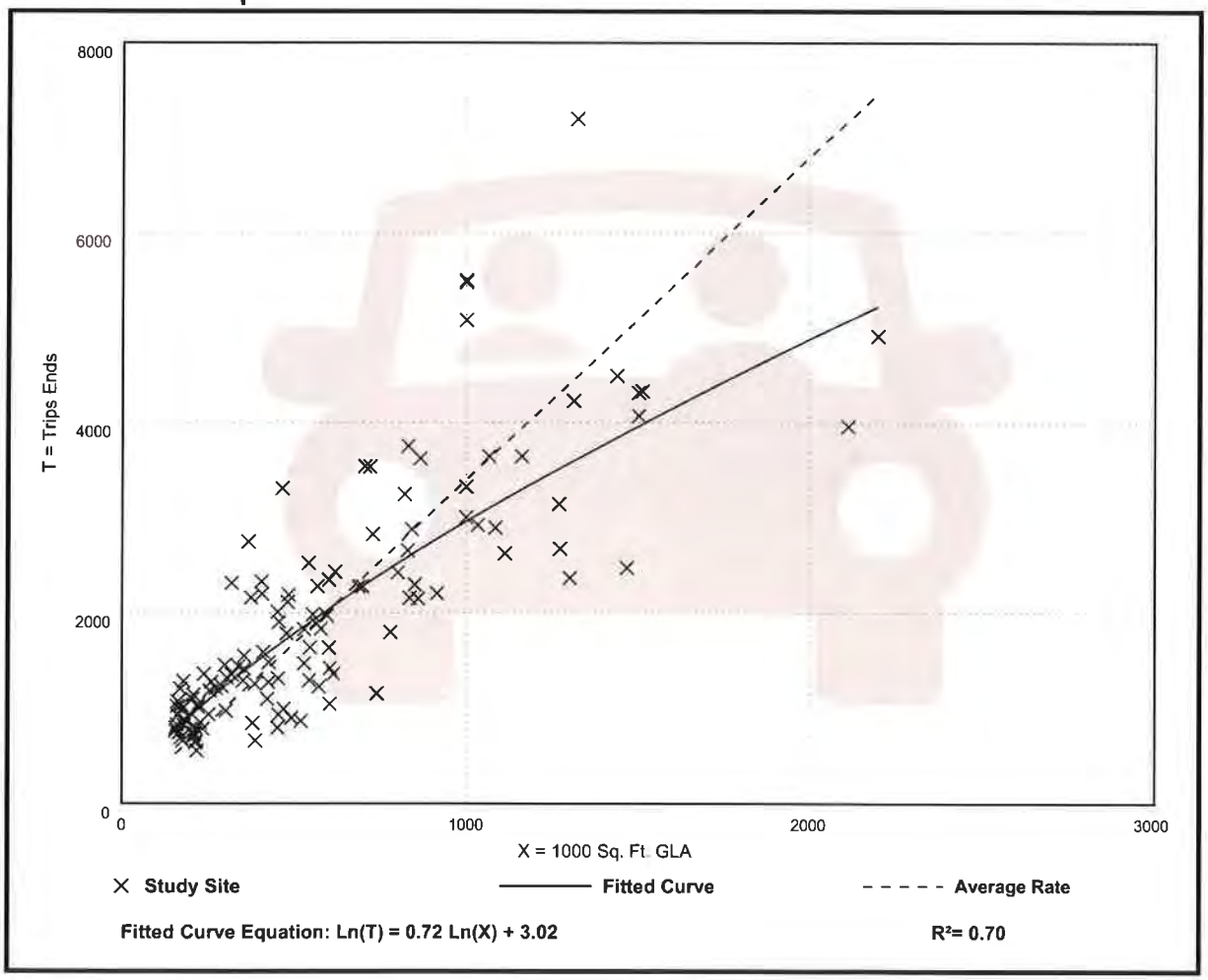
Shopping Center (>150k)
(820)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.
Setting/Location: General Urban/Suburban
Number of Studies: 126
Avg. 1000 Sq. Ft. GLA: 581
Directional Distribution: 48% entering, 52% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

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

Data Plot and Equation



Fitted Curve Equation: Ln(T) = 0.72 Ln(X) + 3.02

R^2= 0.70

DELISI
Land Use Planning & Water Policy

REZONING NARRATIVE
SAGE POINTE PD

The proposed zoning petition is a rezoning of a property that was originally zoned PUD in 2007 and another property currently zoned CG, commercial. The intent is to reconfigure the currently approved master concept plan and integrate and expand the commercial area within the overall community.

The subject property is located at 14300 Burnt Store Road in Charlotte County, FL across from the entrance to Heritage Landing Golf and Country Club. The property is approximately 1 ½ miles north of Zemel road with the northern edge running along Shot Gun Road. And the southern boundary abuts the east-west conveyance canal that runs from I-75 to Charlotte Harbor. The property is approximately 277.5 acres and is in the Burnt Store Village Community future land use category in the Charlotte County Comprehensive Plan.

Since 2006, through the adoption of the Burnt Store Area Plan, the subject property has been anticipated for development. The Burnt Store Area Plan designated the subject property in the Village Residential land use category. Following the adoption of the Burnt Store Area Plan, the subject property was zoned for residential development in 2007, Ord. 2007-064, for 999 units with a mix of multi-family and single-family units.

The proposed rezoning incorporates an approximately 13-acre property that is currently zoned CG into the Planned Development. The Planned development is being redesigned to accommodate and expand the commercial center, making it viable for a shopping center, and integrate it into the overall development. The density of the Planned Development remains the same, 999 units, and will continue to contain a mix of single family and multi-family dwellings.

Standards for Approval

Charlotte County Code Section 3-9-11(e) lists the following standards for approval, which requires a narrative stating the applicant's justification for the rezoning based upon the following standards of approval:

A. Whether the proposed change would be contrary to the Comprehensive Plan

The proposed change is consistent with the Charlotte County 2050 Plan. Please see the attached Comprehensive Plan Compliance analysis for further information.

B. The existing land use pattern in adjacent areas

The subject property is located along Burnt Store Road in South Charlotte County. In 2004 Charlotte County adopted an Area Plan that looked at land uses and planned for future infrastructure along the Burnt Store Road corridor and extending east to US 41.

Since that time several properties along Burnt Store Road have been rezoned to residential use and are in the process of active development. Burnt Store Road has also been widened to address safety along the corridor and increase the capacity of the road to accommodate the anticipated development. The properties to the south and west are zoned for residential development with the property to the west nearing build out. To the north there are large lot residential units and to the north of that single residential street is a series of zoned residential communities, some of with are in the process of active land development. To the east of the subject property is preservation land owned by the State and managed by the Florida Department of Environmental Protection as part of the Charlotte Harbor Flatwoods Preserve.

The corridor currently lacks commercial uses to serve the residential development that has been occurring along the Burnt Store corridor. The subject property can provide a much needed service to the growing community that surrounds the property.

C. The capacity of public facilities and services, including but not limited to schools, roads, recreational facilities, wastewater treatment, water supply, and stormwater drainage facilities

The proposed amendment does not seek approval for an increase in residential density. Therefore, the proposed amendment will not have any additional impact on the school system or recreational facilities. Furthermore, the subject property has been zoned since 2007 for residential development. Schools and recreation will likely have already been planned to accommodate development of the subject property.

Enclosed is a traffic impact study. The study was preformed based on the assumption that all other zoned properties in the area had percentage of trips that would be present at build out of the project. The subject property's trips were then added. However, the analysis of the proposed zoning should account for the fact that the existing zoning is entitled for the same or greater development program. The 13-acre CG portion of the property could arguably accommodate more retail area than the 195,000 square feet being requested, and the current zoning already allows for 999 units. Therefore, there is no traffic impact of the <u>proposed change</u> to the zoning. Regardless of the fact that the request does not propose an increase to the existing entitlement the study concludes the following:

> *"The Level of Service analysis conducted as part of this report indicates that the proposed rezoning request is NOT projected to cause any roadways to operate below the adopted Level of Service Standards. It is important to note that Burnt Store Road between Heritage Landing Boulevard and Acline Road was shown to operate at a poor Level of Service in the 2032 background (without project) conditions. Therefore, these*

roadway segments of Burnt Store Road are considered as future pre-existing deficiencies that this project should not be responsible for mitigating. This project will be responsible for the payment of the road impact fees, which are used to mitigate off-site roadway impacts."

The subject property will be served by Charlotte County Utilities. Submitted with the proposed amendment is a letter of service availability from Charlotte County Utilities.

Finally, any proposed development will need to apply for and receive an Environmental Resource Permit from the Southwest Florida Water Management District. In accordance with Chapter 373 of the Florida Statutes and the Water Management District's Applicant's Handbook, adequate storm water facilities will need to be provided on site, and the project will have to demonstrate that off-site flooding will not occur based on the impacts of this development.

D. Whether the proposed change will adversely influence living conditions or property values in adjacent areas

The proposed development integrates well with surrounding existing and proposed uses. The property to the south is zoned for residential development and will benefit from having commercial development adjacent. Similarly, the residential community to the west, across from Burnt Store Road will benefit from the commercial development. Additionally, a type C Buffer will separate the approved PD to the south from the proposed development.

The project has been designed to set back residential development to the north, away from the existing large lot units along Shot Gun Road. This area will include a Type B buffer, preserve, water management area and the entry road. To the east is preservation land owned by the State. There will be no negative influence on living conditions for any surrounding property owner.

E. Whether the proposed change will affect public safety

The proposed amendment wil have no negative effect on public safety. The proposed amendment does not seek any increase in the total number of residential units allowed on site.

DELISI
Land Use Planning & Water Policy

SAGE POINTE
PLANNED DEVELOPMENT
COMPREHENSIVE PLAN CONSISTENCY

The subject property is located along Burnt Store Road in South Charlotte County, Florida and is within the Burnt Store Overlay as defined in the Smart Charlotte 2050 Plan. Within the overlay area, the subject property is designated Burnt Store Village Residential and is currently zoned Planned Development and Commercial General. The proposed Planned Development application combines the two zoning categories into a single Planned Development and is consistent with and implements the Charlotte County Comprehensive Plan. A detailed analysis is presented below.

> ***FLU Policy 6.2.1: Burnt Store Area Overlay District Intent and Vision***
> *The intent of the Burnt Store Area Overlay District is to provide guidance for development in the Burnt Store area. The vision for the Burnt Store Area is one where government services (such as library, park, fire/EMS, and school facilities), recreational opportunities (active and passive) and commercial needs are predominantly provided within the Area to create a fully serviced, integrated community.*

The subject property has been zoned for residential use since 2007 following the adoption of the Burnt Store Area Plan. The proposed amendment does not change the total number of units allowed under the current approval and continues to incorporate on site recreational opportunities, but changes the site plan and integrates a commercial center into the plan or development, consistent with the Village Residential land use category.

> ***FLU Policy 6.2.2: Burnt Store Land Use Categories***
> *The County implements the Burnt Store Area Plan through the land use categories identified in FLU Appendix I, with the development timing standards identified in FLU Policy 6.2.2.*

The proposed Planned development amendment is consistent with the Burnt Store Village Residential future land use category as outlined in Appendix I. The proposed density is not changing from the existing approved density, which was previously found consistent with the BSVR future land use category.

> ***FLU Policy 6.2.3: Open Space Requirement for Residential***
> *The County requires the creation and maintenance of common areas of open space and on-site recreational areas.*

The proposed site plan includes an onsite recreational amenity as well as common open space, consistent with Policy 6.2.3.

> ***FLU Policy 6.2.5: Access Management Plan***
> *The County shall assist in maintaining the level of service along Burnt Store Road. An access management plan shall be adopted by Charlotte County prior to 2017, or construction of roadway improvements and criteria shall be established for minimum separation of access points in the Code of Laws and Ordinances.*

Access points to the development have been evaluated with transportation staff in order to minimize curb cuts while providing enough access to allow for a vibrant and successful commercial center. Access to the residential is limited to the main entry at the north end of the property or through the commercial center.

> ***ENV GOAL 3: WETLANDS***
> ***Avoid, minimize, or mitigate impacts to wetlands by restoration, enhancement, creation or local wetland mitigation banking, when available.***

> ***ENV Policy 3.1.1: Identification and Categorization of Wetlands***
> *The County shall require that the presence of wetlands be identified within the review processes of Developments of Regional Impact, Land Use Amendments, Rezoning applications and preliminary site plans. The type (i.e. Category I or II as defined below) of wetlands shall also be indicated by the applicant and reviewed for accuracy.*

An environmental Assessment was conducted for the property by Monarch Ecology Group. The assessment shows that the property is predominantly uplands, with approximately 64 acres of wetland areas. The wetlands have been classified by their "class". Overall, 92.6% of the wetland area is being preserved. The wetlands have been identified, and there are not proposed impacts to Category I wetlands.

> ***FLU APPENDIX***

> ***BURNT STORE VILLAGE RESIDENTIAL (BSVR)***
> *These lands are intended for areas that are currently vacant or under active agricultural use, and will transition into residential and commercial development in the Burnt Store Overlay District.*

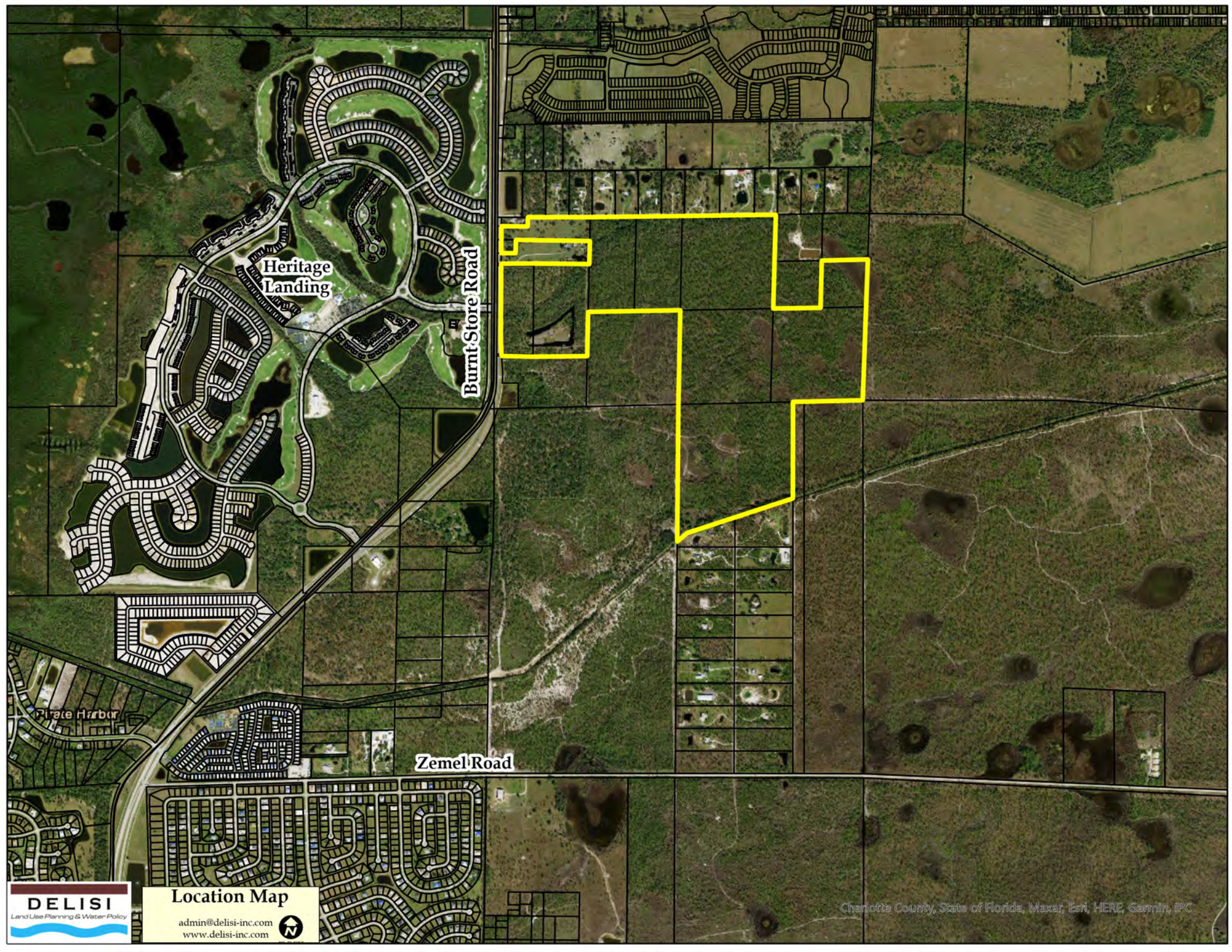
> ***General Range of Uses***
> *Residential, commercial, recreational, institutional uses and public services and facilities are allowed in this category, and may either be independently developed or integrated through a common plan of development. The Burnt Store Village Residential land use category is intended to provide for a range of housing options including multi-family and single-family dwelling units sold either fee-simple or as condo units. Recreational vehicles may also be developed as a primary use. Each space that is to be occupied by a*

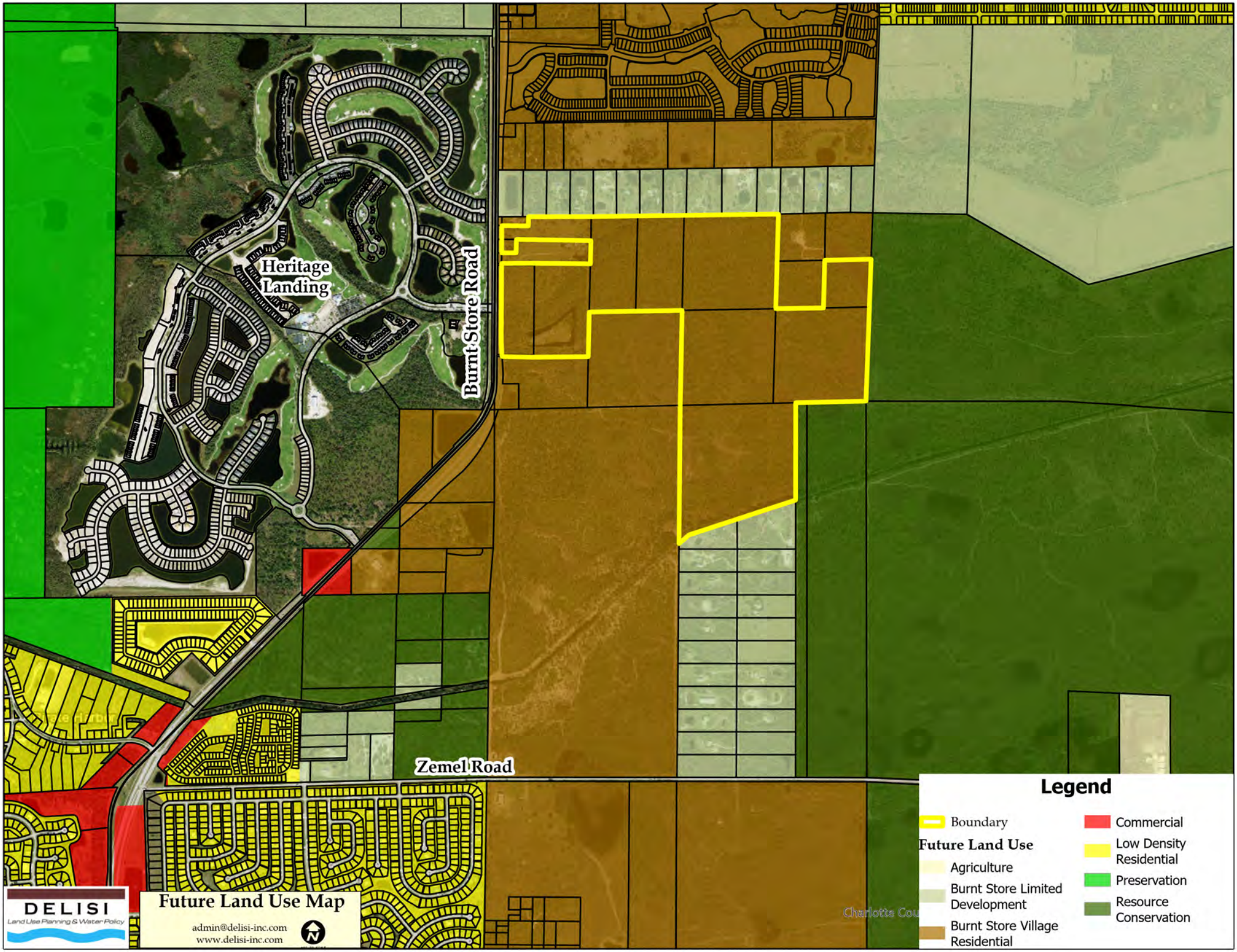
recreational vehicle shall count as a unit of density and any recreational vehicle use must be developed per Special Provision (3) below.

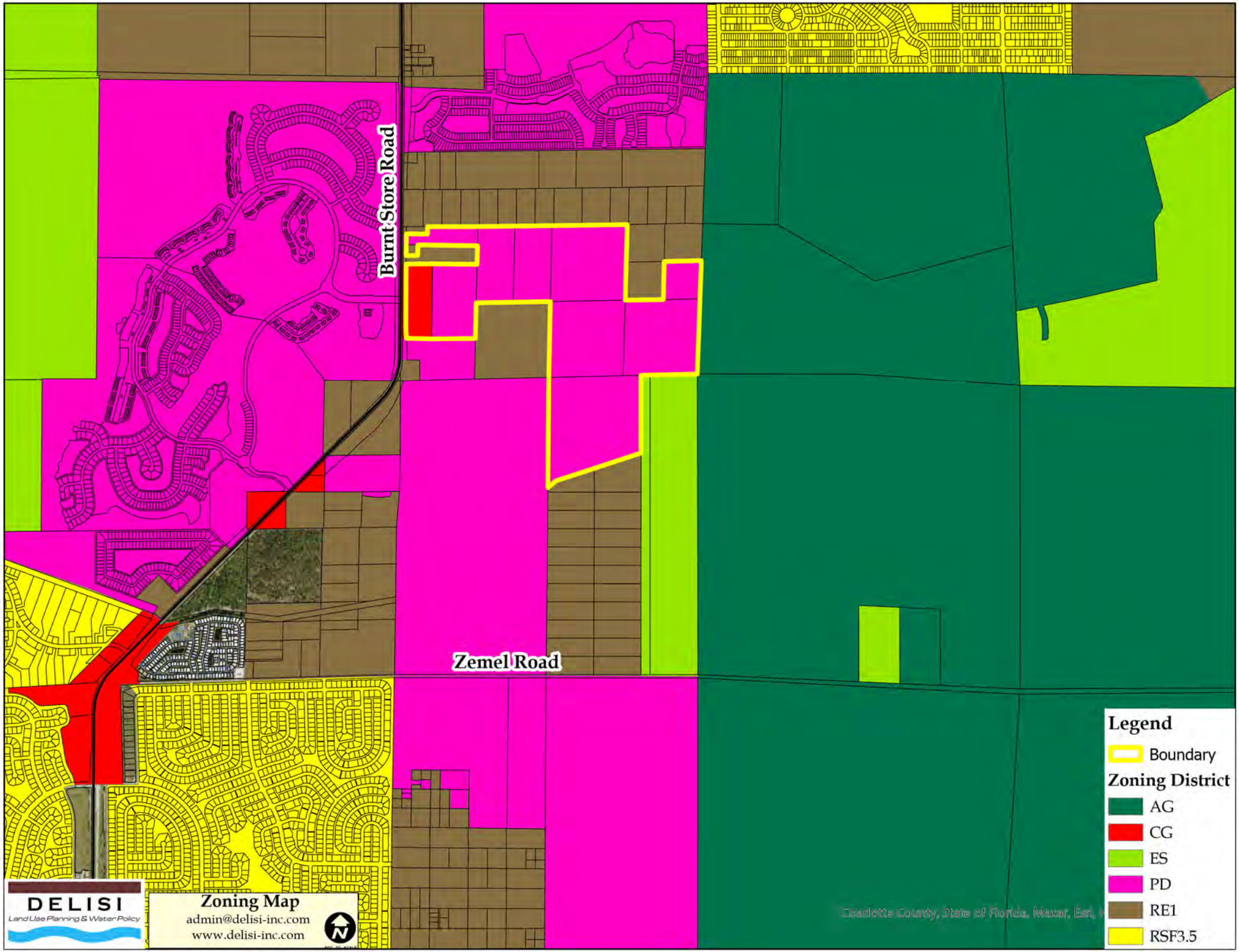
Maximum Density/Intensity

Density: Properties within this land use category are allowed one dwelling unit per ten acres by right. Property of more than 20 acres in size may develop up to five dwelling units per acre and property of 20 acres or less may develop up to one dwelling unit per acre. Any density above one dwelling unit per ten acres must be transferred through a TDU.

The proposed amendment remains consistent with the BSVR land use category. The subject property is 277.5 +/- acres in area and under this land use category would be allowed up to develop over 1,300 units with TDUs. The existing planned development allows up to 999 units, well within the allowed density range. The proposed amendment does not seek to change the allowable density.


Heritage Landing
Burnt Store Road
Pirate Harbor
Zemel Road
Location Map
admin@delisi-inc.com
www.delisi-inc.com
DELISI
Land Use Planning & Water Policy
Charlotte County, State of Florida, Maxar, Esri, HERE, Garmin, IPC


Heritage Landing
Burnt Store Road
Zemel Road
Legend
Boundary
Future Land Use
Agriculture
Burnt Store Limited Development
Burnt Store Village Residential
Commercial
Low Density Residential
Preservation
Resource Conservation
DELISI
Land Use Planning & Water Policy
Future Land Use Map
admin@delisi-inc.com
www.delisi-inc.com


Burnt Store Road
Zemel Road
Legend
Boundary
Zoning District
AG
CG
ES
PD
RE1
RSF3.5
DELISI
Land Use Planning & Water Policy
Zoning Map
admin@delisi-inc.com
www.delisi-inc.com
Charlotte County, State of Florida, Maxar, Esri,

Send to: Administrative.Assistants@CharlotteCountyFL.gov

AVAILABILITY REQUEST FORM

Charlotte County Government Utilities Department
25550 Harbor View Road, Suite 1
Port Charlotte, FL 33980
Email: Administrative.Assistants@CharlotteCountyFL.gov
Phone: 941.764.4300 Option 3

Date: 08/22/2025

First Name	Last Name
Kaeley	Gatz

Organization
Atwell, LLC

Email Address	Phone Number
kgatz@atwell.com	9416251165

Site Address

House Number	Street Name	Street Suffix
14290	Burnt Store (422316300002)	Rd.

Short Legal Description ZZZ 164223 P4-2

Subdivision	Section	Block	Lot

Availability - Completed by CCU Staff

Potable Water		Sewer		Reclaimed Water	
Connected		Connected		Connected	
Mandatory		Mandatory		Mandatory	
Available	X	Available	X	Available	X
Unavailable		Unavailable		Unavailable	

Comments

* SERVICES ARE AVAILABLE THROUGH A PRIVATE DEVELOPER'S AGREEMENT TO EXTEND AND CONNECT*

Completed By: KS Date: 8/26/2025

FOR ANY UTILITIES DEEMED UNAVAILABLE AT THIS TIME, THE PROPERTY OWNER AND/OR THEIR AGENT SHOULD RECONFIRM AVAILABILITY PRIOR TO DEVELOPMENT OF PROPERTY.

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https://www.charlottecountyfl.gov/departments/utilities/about-utilities/forms.stml

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AVAILABILITY REQUEST FORM

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25550 Harbor View Road, Suite 1
Port Charlotte, FL 33980
Email: Administrative.Assistants@CharlotteCountyFL.gov
Phone: 941.764.4300 Option 3

Date: 08/22/2025

First Name Kaeley

Last Name Gatz

Organization Atwell, LLC

Email Address kgatz@atwell.com

Phone Number 9416251165

Site Address

House Number 14300

Street Name Burnt Store (422316300003)

Street Suffix Rd.

Short Legal Description ZZZ 164223 P4

Subdivision

Section

Block

Lot

Availability - Completed by CCU Staff

Potable Water		Sewer		Reclaimed Water	
Connected		Connected		Connected	
Mandatory	X	Mandatory		Mandatory	
Available		Available		Available	
Unavailable		Unavailable	X	Unavailable	X

Comments

Completed By: KS Date: 8/29/2025

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Port Charlotte, FL 33980
Email: Administrative.Assistants@CharlotteCountyFL.gov
Phone: 941.764.4300 Option 3

Date: 08/22/2025

First Name	Last Name
Kaeley	Gatz

Organization
Atwell, LLC

Email Address	Phone Number
kgatz@atwell.com	9416251165

Site Address

House Number	Street Name	Street Suffix
14310	Burnt Store (422316300009)	Rd.

Short Legal Description ZZZ 164223 P3

Subdivision	Section	Block	Lot

Availability - Completed by CCU Staff

Potable Water		Sewer		Reclaimed Water	
Connected		Connected		Connected	
Mandatory		Mandatory		Mandatory	
Available	X	Available	X	Available	X
Unavailable		Unavailable		Unavailable	

Comments

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Completed By: KS Date: 8/26/2025

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Port Charlotte, FL 33980
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Phone: 941.764.4300 Option 3

Date: 08/22/2025

First Name	Last Name
Kaeley	Gatz

Organization
Atwell, LLC

Email Address	Phone Number
kgatz@atwell.com	9416251165

Site Address

House Number	Street Name	Street Suffix
14330	Burnt Store (422316300010)	Rd.

Short Legal Description ZZZ 164223 P3-1

Subdivision	Section	Block	Lot

Availability - Completed by CCU Staff

Potable Water		Sewer		Reclaimed Water	
Connected		Connected		Connected	
Mandatory		Mandatory		Mandatory	
Available	X	Available	X	Available	X
Unavailable		Unavailable		Unavailable	

Comments

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Port Charlotte, FL 33980
Email: Administrative.Assistants@CharlotteCountyFL.gov
Phone: 941.764.4300 Option 3

Date: 08/22/2025

First Name	Last Name
Kaeley	Gatz

Organization
Atwell, LLC

Email Address	Phone Number
kgatz@atwell.com	9416251165

Site Address

House Number	Street Name	Street Suffix
14340	Burnt Store (422316400001)	Rd.

Short Legal Description ZZZ 164223 P10

Subdivision	Section	Block	Lot

Availability - Completed by CCU Staff

Potable Water		Sewer		Reclaimed Water	
Connected		Connected		Connected	
Mandatory		Mandatory		Mandatory	
Available	X	Available	X	Available	X
Unavailable		Unavailable		Unavailable	

Comments

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Port Charlotte, FL 33980
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Phone: 941.764.4300 Option 3

Date: 08/22/2025

First Name	Last Name
Kaeley	Gatz

Organization
Atwell, LLC

Email Address	Phone Number
kgatz@atwell.com	9416251165

Site Address

House Number	Street Name	Street Suffix
14380	Burnt Store (422316400004)	Rd.

Short Legal Description ZZZ 164223 P9-1

Subdivision	Section	Block	Lot

Availability - Completed by CCU Staff

Potable Water		Sewer		Reclaimed Water	
Connected		Connected		Connected	
Mandatory		Mandatory		Mandatory	
Available		Available		Available	
Unavailable	X	Unavailable	X	Unavailable	X

Comments

*These are landlocked parcels. If they are being combined with other parcels as part of a project that do have services available then these will also be available with a Private Developer's Agreement to connect.

Completed By: KS Date: 8/26/2025

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Port Charlotte, FL 33980
Email: Administrative.Assistants@CharlotteCountyFL.gov
Phone: 941.764.4300 Option 3

Date: 08/22/2025

First Name	Last Name
Kaeley	Gatz

Organization
Atwell, LLC

Email Address	Phone Number
kgatz@atwell.com	9416251165

Site Address

House Number	Street Name	Street Suffix
14400	Burnt Store (422316300006)	Rd.

Short Legal Description ZZZ 164223 P14

Subdivision	Section	Block	Lot

Availability - Completed by CCU Staff

Potable Water		Sewer		Reclaimed Water	
Connected		Connected		Connected	
Mandatory		Mandatory		Mandatory	
Available	X	Available	X	Available	X
Unavailable		Unavailable		Unavailable	

Comments

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Completed By: KS Date: 826/2025

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Port Charlotte, FL 33980
Email: Administrative.Assistants@CharlotteCountyFL.gov
Phone: 941.764.4300 Option 3

Date: 08/22/2025

First Name	Last Name
Kaeley	Gatz

Organization
Atwell, LLC

Email Address	Phone Number
kgatz@atwell.com	9416251165

Site Address

House Number	Street Name	Street Suffix
14410	Burnt Store (422316300007)	Rd.

Short Legal Description ZZZ 164223 P5

Subdivision	Section	Block	Lot

Availability - Completed by CCU Staff

Potable Water		Sewer		Reclaimed Water	
Connected		Connected		Connected	
Mandatory		Mandatory		Mandatory	
Available	X	Available	X	Available	X
Unavailable		Unavailable		Unavailable	

Comments

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Completed By: KS Date: 8/26/2025

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Email: Administrative.Assistants@CharlotteCountyFL.gov
Phone: 941.764.4300 Option 3

Date: 08/22/2025

First Name	Last Name
Kaeley	Gatz

Organization
Atwell, LLC

Email Address	Phone Number
kgatz@atwell.com	9416251165

Site Address

House Number	Street Name	Street Suffix
14430	Burnt Store (422316400005)	Rd.

Short Legal Description ZZZ 164223 P11

Subdivision	Section	Block	Lot

Availability - Completed by CCU Staff

Potable Water		Sewer		Reclaimed Water	
Connected		Connected		Connected	
Mandatory		Mandatory		Mandatory	
Available		Available		Available	
Unavailable	X	Unavailable	X	Unavailable	X

Comments

*These are landlocked parcels. If they are being combined with other parcels as part of a project that do have services available then these will also be available with a Private Developer's Agreement to connect.

Completed By: KS Date: 8/26/2025

FOR ANY UTILITIES DEEMED UNAVAILABLE AT THIS TIME, THE PROPERTY OWNER AND/OR THEIR AGENT SHOULD RECONFIRM AVAILABILITY PRIOR TO DEVELOPMENT OF PROPERTY.

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25550 Harbor View Road, Suite 1
Port Charlotte, FL 33980
Email: Administrative.Assistants@CharlotteCountyFL.gov
Phone: 941.764.4300 Option 3

Date: 08/22/2025

First Name Kaeley

Last Name Gatz

Organization Atwell, LLC

Email Address kgatz@atwell.com

Phone Number 9416251165

Site Address

House Number 14440

Street Name Burnt Store (422316400006)

Street Suffix Rd.

Short Legal Description ZZZ 164223 P12

Subdivision

Section

Block

Lot

Availability - Completed by CCU Staff

Potable Water		Sewer		Reclaimed Water	
Connected		Connected		Connected	
Mandatory		Mandatory		Mandatory	
Available		Available		Available	
Unavailable	X	Unavailable	X	Unavailable	X

Comments

*These are landlocked parcels. If they are being combined with other parcels as part of a project that do have services available then these will also be available with a Private Developer's Agreement to connect.

Completed By: KS Date: 8/26/2025

FOR ANY UTILITIES DEEMED UNAVAILABLE AT THIS TIME, THE PROPERTY OWNER AND/OR THEIR AGENT SHOULD RECONFIRM AVAILABILITY PRIOR TO DEVELOPMENT OF PROPERTY.

All commercial developments are to access the following link for guidelines and familiarize themselves with the requirements for plans review and the utility service agreement.
https://www.charlottecountyfl.gov/departments/utilities/about-utilities/forms.stml

Disclaimer: Information provided on this form is provided as a public convenience. Every effort is made to ensure that information provided is timely and accurate. However, Charlotte County makes no warranty, representation or guaranty as to its complete accuracy, nor does Charlotte County assume liability for any errors, omissions, or inaccuracies in the information provided, regardless how caused. In any case, where reliance on information is required, please check with County staff for updated information and/or the official records of the County.

Send to: Administrative.Assistants@CharlotteCountyFL.gov

AVAILABILITY REQUEST FORM

Charlotte County Government Utilities Department
25550 Harbor View Road, Suite 1
Port Charlotte, FL 33980
Email: Administrative.Assistants@CharlotteCountyFL.gov
Phone: 941.764.4300 Option 3

Date: 08/22/2025

First Name Kaeley

Last Name Gatz

Organization Atwell, LLC

Email Address kgatz@atwell.com

Phone Number 9416251165

Site Address

House Number 26100

Street Name Zemel (422321200001)

Street Suffix Rd.

Short Legal Description ZZZ 214223 P1

Subdivision

Section

Block

Lot

Availability - Completed by CCU Staff

Potable Water		Sewer		Reclaimed Water	
Connected		Connected		Connected	
Mandatory		Mandatory		Mandatory	
Available		Available		Available	
Unavailable	X	Unavailable	X	Unavailable	X

Comments

*These are landlocked parcels. If they are being combined with other parcels as part of a project that do have services available then these will also be available with a Private Developer's Agreement to connect.

Completed By: KS Date: 8/26/2025

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FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

Florida Department of Environmental Protection
3900 Commonwealth Blvd
Tallahassee, FL 32399

January 22, 2024

RE: DHR Project File No.: 2023-3432-C Received by DHR: November 28, 2023
Cultural Resource Assessment Survey of the Burnt Store Road Property, Charlotte County, Florida

To Whom It May Concern:

Our office reviewed the referenced project in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, and its implementing regulations in *36 CFR Part 800: Protection of Historic Properties*, as well as Chapters 267.061 and 373.414, *Florida Statutes*, and implementing state regulations and the State 404 Program Operating Agreement for possible effects on historic properties listed, or eligible for listing, in the *National Register of Historic Places*. The project is subject to compliance with requirements for Florida Department of Environmental Protection Permit Application No. 0429979-002-SFG.

In October-November 2023, Archaeological Consultants, Inc. (ACI) conducted the above referenced Phase I cultural resource assessment survey (CRAS) on behalf of Burnt Store Road – RET, LLC. ACI excavated the approximately 264-acre property with 133 shovel tests dug throughout the project area in Charlotte County. As a result of the survey, no archaeological sites were identified, but two historic resources were newly recorded. The two newly recorded historic resources include 8CH2807 (Drainage Ditch No. 1), a 0.6-mile-long segment of waterway channelized ca. 1952, and 8CH2808 (Zemel/Clarks Canal), a 0.33-mile-long segment of waterway channelized ca. 1944, both of which ACI recommends be considered ineligible for listing on the NRHP. ACI also notes that previously recorded historic resource 8CH2728 (14300 Burnt Store Rd), a ca. 1964 Ranch style building, was demolished ca. 2020 and is no longer extant within the APE. Based on the survey results, it is the opinion of ACI that the proposed project will have no effect on any known historic properties.

Based on the information provided, our office concurs with the presented survey results and recommendations and finds that the proposed project will have no effect on historic properties listed, or eligible for listing, in the NRHP, or otherwise of historical, archaeological, or architectural value within the surveyed APE. Further, we find the submitted report complete and sufficient in accordance with Chapter 1A-46, *Florida Administrative Code*.

If you have any questions, please contact Ethan Putman, Historic Preservationist, by email at *Ethan.Putman@dos.myflorida.com*.

Sincerely,

Kelly L Chase
For

Alissa Slade Lotane
Director, Division of Historical Resources
& State Historic Preservation Officer

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

US Army Corps of Engineers
701 San Marco Blvd.
Jacksonville, FL 32207-8175

July 29, 2025

RE: DHR Project File No.: 2025-4883 Received by DHR: July 7, 2025
CULTURAL RESOURCE ASSESSMENT SURVEY OF BURNT STORE 24, CHARLOTTE COUNTY, FLORIDA

To Whom It May Concern:

Our office reviewed the referenced project in accordance with Section 106 of the *National Historic Preservation Act of 1966*, as amended, and its implementing regulations in *36 CFR Part 800: Protection of Historic Properties*, as well as Chapters 267.061 and 373.414, *Florida Statutes*, and implementing state regulations for possible effects on historic properties listed, or eligible for listing, in the *National Register of Historic Places*. The project is subject to compliance with requirements for United States Army Corps of Engineers (USACE) Permit Application No. SAJ-2025-01402.

In May 2025, Archaeological Consultants, Inc. (ACI) conducted the above referenced Phase I cultural resource assessment survey (CRAS) on behalf of Burnt Store Road-RET, LLC. ACI excavated approximately 24 acres with 16 shovel tests dug throughout the project area in Charlotte County. As a result of the survey, one previously recorded historical resource was encountered. That resource is 8CH2807 (Drainage Ditch #1; SHPO Ineligible, 2024), for which ACI recommends no change. No archaeological sites were identified. Based on the survey results, it is the opinion of ACI that the proposed project will not affect any known historic properties.

Based on the information provided, our office finds the submitted report complete and sufficient in accordance with Chapter 1A-46, *Florida Administrative Code*. Because our office has not yet received the Corps' determination of effects, our office abstains from supplying a determination of effects at this time.

If you have any questions, please contact Ethan Putman, Historic Preservationist, by email at *Ethan.Putman@dos.fl.gov*.

Sincerely,

Kelly L Chase
For

Alissa Slade Lotane
Director, Division of Historical Resources
& State Historic Preservation Officer

BURNT STORE CORRIDOR
COALITION
bsccfl.org

Charlotte County Board of County Commissioners
18500 Murdock Circle
Suite 536
Port Charlotte, FL 33948

March 24, 2026

Re: Letter of Support for Rezoning Application PD-25-13, Sage Pointe

Dear Commissioners:

As you are aware, the Burnt Store Corridor Coalition (BSCC) has been concerned about the lack of commercial development to support resident needs within a five mile radius of the County line. Currently residents living within this segment of the road must travel 9 to 10 miles in either direction for groceries and other commercial services and even further to secure medical assistance.

Over the last several months we have become aware of a rezoning application filed by Daniel B. Light and Burnt Store Road RET, LLC, that was previously approved for 999 residential units via Ordinance No. 2007-064 and a separate adjacent 13+/- acre parcel currently zoned CG Commercial General. The developers are interested in bringing much needed services to the area referenced above. In order to move forward, parties interested in investing in this venture require an additional 11+/- acres of commercial land, bringing the total space dedicated to commercial development to 24 acres +/-.The proposed rezoning will basically combine two separate zonings into one thoughtful masterplan to accommodate the commercial needs of the area.

We have held multiple meetings with the Applicant where we discussed landscape buffers and types of commercial uses proposed. We strongly encourage the Commissioners to support the rezoning request application number PD-25-13. This project reduces travel distance and positively impacts the quality of life of thousands of residents by providing much needed commercial services we lack along the Burnt Store Road corridor. Please vote yes.

Most sincerely,
Dr. Mary Ellen Kiss, Ph.D.
Co-Founder and Chair