

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH FLORIDA
RESOLUTION NUMBER 12-24

WHEREAS, an application to rezone approximately 36.32 acres of property located in unincorporated Lee County (San Carlos Island) to Mixed-Use Planned Development has been filed and is currently scheduled to be heard by the Lee County Hearing Examiner on November 14, 2012; and

WHEREAS, the proposed development of that site will include a 450 unit hotel and related uses including a 75,000 square foot convention center, 271 residential units, 10,000 square feet of general and medical office space, and 85,000 square feet of commercial retail space and a maximum building height of 230 feet; and

WHEREAS, residents and patrons of the proposed development will utilize Estero Boulevard to travel to Fort Myers Beach; and

WHEREAS, the current level of service (LOS) for southbound San Carlos Boulevard is "D;" and

WHEREAS, the Town's traffic consultant has reviewed the Traffic Impact Study (TIS) for the proposed development and is of the opinion that the proposed development will further degrade the LOS of southbound Estero Boulevard; and

WHEREAS, the Town Council desires to communicate to the Hearing Examiner and ultimately the Board of County Commissioners that they should be cognizant of the negative effect this development will have on traffic congestion on Estero Boulevard and they should require the applicant to mitigate those impacts.

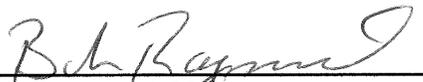
NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA, as follows:

1. The Town Council hereby urges the Lee County Hearing Examiner and the Board of County Commissioners to carefully review the TIS submitted by the applicant and the traffic analysis and recommendations made by the Town's traffic consultant, Weston & Sampson Engineers, Inc. when considering the Ebtide rezoning application. The Town Council further urges the Lee County Hearing Examiner and the Board of County Commissioners that any approval of the rezoning should include a requirement that the applicant mitigate all negative impacts on the LOS of southbound Estero Boulevard, through a traffic impact mitigation plan. A copy of the Town consultant's peer review analysis of the applicant's TIS is attached hereto and incorporated herein by reference. Further, the applicant's traffic impact mitigation plan should mitigate impacts to the intersection of Main Street and San Carlos Boulevard.
2. A certified copy of this Resolution shall be presented to Lee County at both the Hearing Examiner proceeding and when the application is considered by the Board of County Commissioners.
3. This resolution shall take effect immediately upon adoption.

The foregoing Resolution was adopted by the Town Council upon a motion by Councilmember **Mandel** and seconded by Councilmember **List**, and upon being put to a vote, the result was as follows:

Bob Raymond, Mayor	AYE	Alan Mandel, Vice Mayor	AYE
Dan Andre, Councilmember	AYE	Jo List, Councilmember	AYE
Joe Kosinski Councilmember	AYE		

DULY PASSED AND ADOPTED THIS 5TH DAY OF NOVEMBER, 2012.

By: 
Bob Raymond, Mayor

ATTEST:
By: 
Michelle D. Mayher, Town Clerk

Approved as to form and legal sufficiency:

FOWLER WHITE BOGGS

By: 