

CARRY OVER

DOT

Lee County Board Of County Commissioners

Blue Sheet No. 20061732

Agenda Item Summary

1. ACTION REQUESTED/PURPOSE: Approve an amendment to the Daniels Parkway Controlled Access Resolution to add a connection point on the north side of Daniels Parkway at STA 2545+76+/-50.

2. WHAT ACTION ACCOMPLISHES: Addition of the connection point provides access to a development parcel 1,000 feet east of Gateway Boulevard on Daniels Parkway.

3. MANAGEMENT RECOMMENDATION: Approve the amendment adding the connection point.

4. Departmental Category: DOT

CO#1

5. Meeting Date:

FEB 13 2007

6. Agenda:

7. Requirement/Purpose: (specify)

8. Request Initiated:

Consent

Statute

Commissioner

x Administrative

Ordinance

Department

Transportation

Appeals

x Admin. Code 11-10

Division

Public

Other

By:

Walk-On

Scott Gilbertson, Director

9. Background:

A Warranty Deed for this section of Daniels Parkway, dated July 7, 1982, was recorded in OR Book 1644 Page 1739. Condition "a" of the Deed reserves the right to construct accesses at 660 feet intervals. The right-of-way in the deed was realigned to the south in the extension of Daniels Parkway from Gateway Boulevard to State Road 82. Regardless of the earlier deed provisions or discussions, the Board of County Commissioners retains the right and authority to exercise its police power to modify roadway median openings, access points and turning movements to protect the health, safety and welfare of the traveling public.

On October 4, 1989, the Board adopted Resolution 89-10-11, designating Daniels Parkway as a "controlled access" facility to which permanent access points are restricted. The resolution has been amended seven times. An amendment in Resolution 01-01-28 included this section of Daniels Parkway. The amendment included an access point to an extension of Commerce Lakes Drive but did not include an access point at the requested location.

Local Development Order case DOS2006-00168, Westlinks East Business Park, includes a technical analysis to add an access point to the development. The submittal satisfies the technical requirements of Administrative Code AC-11-10. Staff believes the access point will not threaten the health, safety and welfare of the traveling public. Approval of a modification to a controlled access facility is at the discretion of the Board of County Commissioners.

A resolution has been prepared for the Board's consideration in connection with this request. Staff recommends approval of the amendment adding the proposed access point.

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
					Analyst	Risk	Grants	Mgr.	
<i>11/17/07</i>				<i>Dmc 1/23/07</i>	<i>RK 1/24</i>	<i>MP 1/24/07</i>	<i>1/24/07</i>	<i>1/25/07</i>	<i>1.17.07</i>

11. Commission Action: ON 2-13-07 4- Bigelow dissenting

- Approved
- Deferred on 2-6-07
- Denied 1 WK - J/B
- Other

RECEIVED BY COUNTY ADMIN:
 9:45 MP
 24 to RK
 COUNTY ADMIN FORWARDED TO:
 10:25 PP

Rec. by CoAtty
 Date: 2/3/07
 Time: 10:25 AM
 Forwarded To:
 ADMIN 1/23/07

Rec. by CoAtty
 Date: 1/28/07
 Time: 10:30 AM
 Forwarded To:

LEE COUNTY RESOLUTION No. 07-02-16

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, AMENDING RESOLUTION NO. 89-10-11, AS AMENDED, WHICH DESIGNATED DANIELS ROAD AS A CONTROLLED ACCESS ROAD AND ESTABLISHED PERMANENT ACCESS POINTS

WHEREAS, Section 10-285(h) of the Lee County Land Development Code provides for the designation of certain streets in Lee County as "controlled access" facilities to which permanent access points are restricted to locations established and set by design study and plans adopted by resolution of the Lee County Board of County Commissioners; and

WHEREAS, the Board of County Commissioners retains the right and authority to exercise its police power to modify roadway median openings, access points and turning movements to protect the health, safety and welfare of the traveling public; and

WHEREAS, on October 4, 1989, the Board of County Commissioners adopted Resolution No. 89-10-11, which designated Daniels Road as a controlled access road, from U.S. 41 to State Road 82, and established permanent access points; and

WHEREAS, Resolution No. 89-10-11 was subsequently amended on April 5, 1993 by Resolution No. Z-92-073, to add a connection point and median opening at Station 170+95 +/-50 on the south side;

WHEREAS, Resolution No. 89-10-11 was further amended by Board Resolutions adopted as follows:

1. Resolution No. Z-93-045, adopted September 15, 1993, to add a connection point at Station 312+86 +/-50 on the north side for a temporary right-in/right-out access only; and
2. Resolution No. 97-12-04, adopted December 2, 1997, to add a connection point at Station 135+93.59 on the north side for a full movement connection point at an existing median opening; and
3. Resolution No. 98-03-07, adopted March 24, 1998, to add a right-turn in only connection point at Station 158+40± on the south side of Daniels Parkway; and
4. Resolution No. 99-08-23, adopted August 17, 1999, to add a right-in/right-out only connection point at Station 156+80 on the north side of Daniels;

5. Resolution No. 01-01-28, adopted January 23, 2001, identified and designated access points on Daniels Parkway from Treeline Avenue to State Road 82;
6. Resolution No. 04-04-05, adopted April 6, 2004, added a right-in/right-out only connection point at Station 2529+01 on the north side of Daniels;
7. Resolution No. 06-11-28, adopted November 28, 2006, added a right-in/right-out only connection point at Station 272+38 on the south side of Daniels and

WHEREAS, Westlinks East Associates, LLC, requests an additional connection point to allow right-in/right-out access only on the north side of Daniels Parkway at highway station 2545+76+/-50, approximately 1000 feet east of Gateway Boulevard.

WHEREAS, the Lee County Department of Transportation has concluded that the designated connection point will not hinder traffic capacity nor be contrary to the protection of the health, safety and welfare of the citizens of Lee County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lee County, Florida that:

1. Daniels Parkway, from U.S. 41 to State Road 82, including its intersections, is designated as a controlled access road facility.
2. Absent subsequent Board action in accordance with applicable County regulations, the connection points are limited to those identified on attached Exhibit "A." Provided, however, no vested right to a particular connection point location is granted by virtue of adopting Exhibit "A." The County retains full power and authority to exercise its police power to modify connection points, median openings and turning movements to protect the health, safety and welfare of the traveling public.
3. Resolution No. 89-10-11 is further amended to add a new connection point to Daniels Parkway, a controlled access facility from U.S. 41 to State Road 82, for right in/right out access only on the north side of Daniels Parkway at highway station 2545+76+/-50, approximately 1000 feet east of Gateway Boulevard.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Judah, and seconded by Commissioner Hall, and, upon being put to a vote, the result was as follows:

ROBERT P. JANES	Aye
BRIAN BIGELOW	Nay
RAY JUDAH	Aye
TAMMARA HALL	Aye
FRANK MANN	Aye

DULY PASSED AND ADOPTED THIS 13th DAY OF February 2007.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY
COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: *Kathleen A. Metz*
Deputy Clerk

BY: *[Signature]*
Robert Janes, Chairman



APPROVED AS TO FORM

BY: *Donna Marie Collins*
Donna Marie Collins
Office of the Lee County Attorney

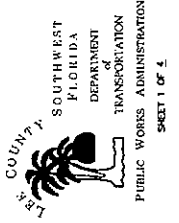
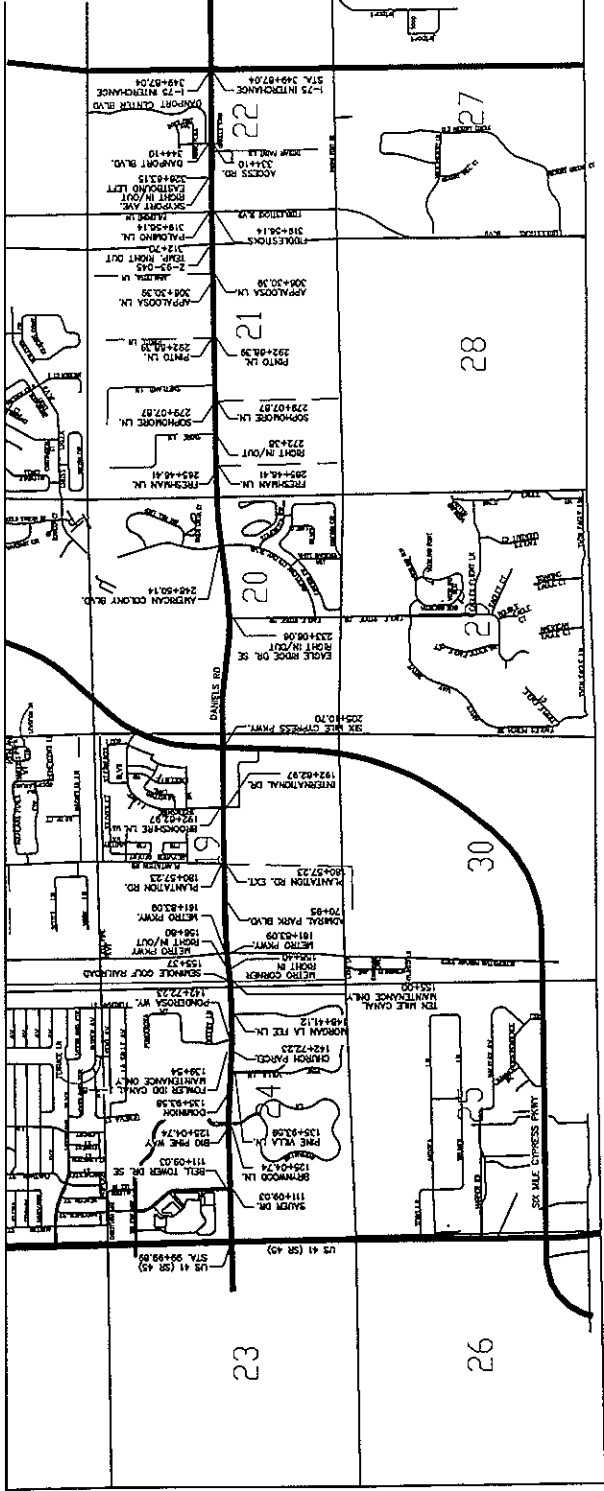
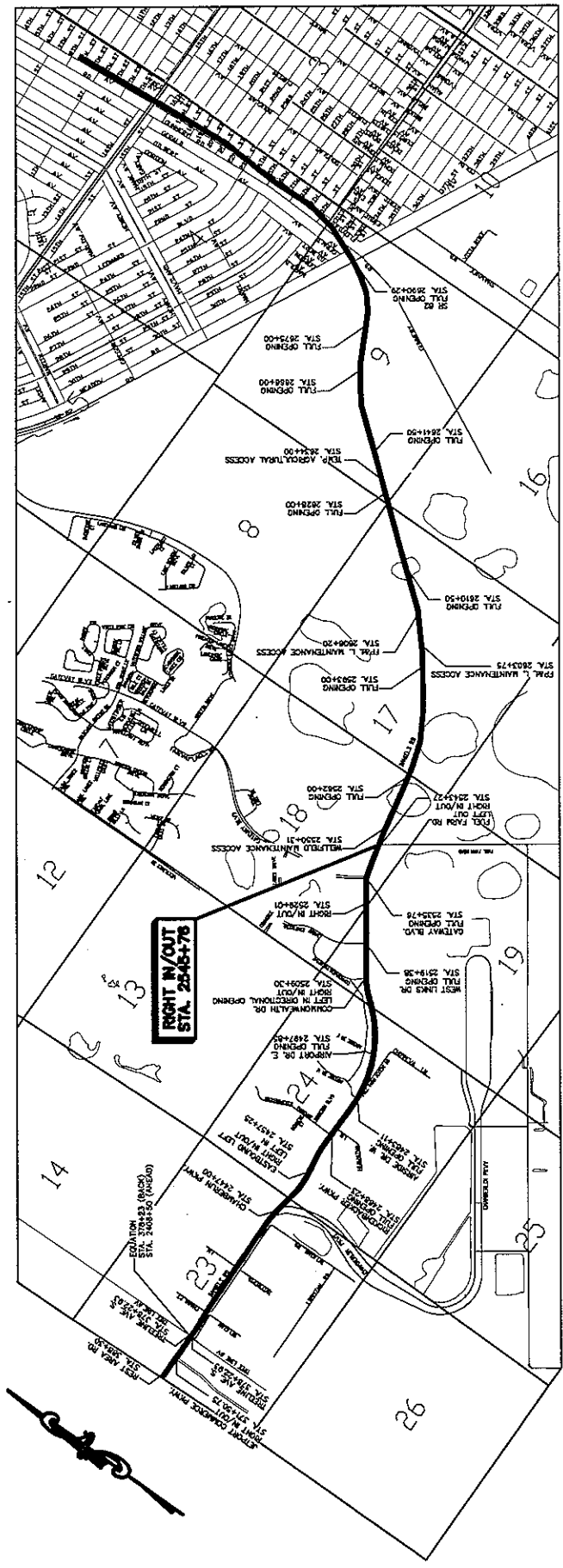


EXHIBIT "A"
 DANIELS PARKWAY
 DESIGNATED ACCESS POINTS

EXHIBIT "A"
 DANIELS PARKWAY
 DESIGNATED ACCESS POINTS



STA	access	spacing south	spacing north	origin	movements	connection
100+00 +/-50	F			1	All	US 41
111+09 +/-50	F	1109	1109	1	All	Bell Tower Drive/Sauer Drive
125+05 +/-50	F	1396	1396	1	All	Big Pine Way/Brynwood Lane
135+94 +/-50	F	1089	1089	1	All	Dominion Apts/Pine Villa Lane
139+54 +/-50	F	n/a	n/a	1	All	Fowler IDD Canal maintenance access only
142+72 +/-50	F	678	678	1	All	Church Parcel/Ponderosa Way
148+41 +/-50	S	569	569	1	EBL NBL Rt in/out	Morgan La-Fee Lane
155+00 +/-50	F	n/a	n/a	1	All	Ten Mile Canal maintenance access only
155+37 +/-50	N	n/a	n/a	1	All	Seminole Gulf Railway
156+80 +/-50	N	n/a	839	3	Right in/out	Metropolis Avenue
158+40 +/-50	S	999	n/a	3	Right in/out	Metro Parkway
161+83 +/-50	F	343	503	1	All	Admiral Park Boulevard
170+95 +/-50	F	912	912	3	All	Plantation Road
180+57 +/-50	F	962	962	1	All	Brookshire Lakes Drive/International Drive
192+63 +/-50	F	1206	1206	1	All	Ben C. Pratt/Six Mile Cypress Parkway
205+11 +/-50	F	1248	1248	1	All	Eagle Ridge Drive
233+06 +/-50	S	2795	n/a	1	Right in/out	Cross Creek /American Colony Boulevard
248+50 +/-50	F	1544	4339	1	All	Freshman Lane
265+46 +/-50	F	1696	1696	1	All	Sophomore Lane
272+38 +/-50	S	692	n/a	4	Right in/out	Pinto Lane
279+08 +/-50	F	670	1362	1	All	Appaloosa Lane
292+68 +/-50	F	1360	1360	1	All	Palomino Lane/Fiddlesticks Boulevard
306+30 +/-50	F	1362	1362	1	All	Skyport Avenue
319+56 +/-50	F	1326	1326	1	All	Danport Boulevard
326+63 +/-50	N	707	707	1	EBL SB Rt in/out	1-75
334+10 +/-50	F	747	747	1	All	Rest Area; Recommend closing SBL
349+87 +/-50	F	1577	1577	1	All	Jetport Commerce Parkway
368+30 +/-50	N	1843	1843	1	EBL SBL SB Rt in/out	Tresline Avenue (back)
371+51 +/-50	S	321	n/a	1	Right in/out	
378+23 +/-50	F	672	993	1	All	

STA	access	spacing south	spacing north	origin	movements	connection
2408+50 +/-50	F	TBD	TBD	1	All	Treeline Avenue (forward) STA estimated
*	S	TBD	TBD	1	Right in	Sabal Ridge Subdivision
*	S	TBD	TBD	1	Right out	Sabal Ridge Subdivision
2447+00 +/-50	F	3850	3850	1	All	Chamberlin Parkway STA estimated
2457+25 +/-50	N	1025	1025	1	EBL Right in/out	Relocation of North access road
2468+23 +/-50	F	1098	1098	2	All	Richenbacher Parkway/Radar Road
2483+11 +/-50	F	1488	1488	2	All	Airside Drive West
2497+85 +/-50	F	1474	1474	2	All	Airside Drive East
2509+30 +/-50	N	1145	1145	2	EBL Right in/out	Commonwealth Boulevard
2519+38 +/-50	F	1008	1008	2	All	West Links Drive
2529+01 +/-50	N	n/a	963	3	Right in/out	Gateway Charter School access road
2535+76 +/-50	F	1638	675	2	All	Gateway Boulevard
2543+27 +/-50	S	751	751	1	NBL Right in/out	Fuel Farm Road
2545+76 +/-50	N	n/a	249	3	Right in/out	
2550+31 +/-50	N	n/a	n/a	1	Right in/out	Wellfield maintenance access
2562+00 +/-50	F	1873	1873	1	All	
2593+00 +/-50	F	3100	3100	1	All	
2603+75 +/-50	F	n/a	n/a	1	All	FPL maintenance access only
2606+20 +/-50	F	n/a	n/a	1	All	FPL maintenance access only
2610+50 +/-50	F	1750	1750	1	All	
2628+00 +/-50	F	1750	1750	1	All	
2634+00 +/-50	N & S	n/a	n/a	1	Right in/out	Temporary Agricultural Access
2641+50 +/-50	F	1350	1350	1	All	
2666+00 +/-50	F	2450	2450	1	All	
2675+00 +/-50	F	900	900	1	All	
2690+29 +/-50	F	1529	1529	1	All	State Road 82 (Immokalee Road)

average spacing 1333 1372
 1353

- 1 - original plan
- 2 - Development Order
- 3 - revision
- 4 - court order

*On January 23, 2001, the Board designated one right in and one right out access point to be located between Treeline Avenue (Sta 2408+50) and Chamberlin Parkway (Sta 2447+00) at DOT's discretion. The access points can be co-located or separate. However, only a total of one right in and one right out movement is granted in the event two access points are constructed. All costs related to the construction of the access point or points will be borne solely by the developer.