

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20061471

1. ACTION REQUESTED/PURPOSE: Conduct second public hearing on the proposed designation of Treeline Boulevard/Ben Hill Griffin Parkway as a controlled access facility between Daniels Parkway and Alico Road.

2. WHAT ACTION ACCOMPLISHES: The Land Development Code requires that the Board adopt resolutions that designate roadways as controlled access facilities utilizing the same process applicable to the adopting of ordinances affecting the use of land.

3. MANAGEMENT RECOMMENDATION: Adopt resolution.

4. Departmental Category: 09 Transportation **5:05 #1**

5. Meeting Date: 11-28-06

6. Agenda: **7. Requirement/Purpose: (specify)**

<input type="checkbox"/> Consent	<input type="checkbox"/> Statute	Resolution pursuant to LDC-10-298
<input type="checkbox"/> Administrative	<input type="checkbox"/> Ordinance	
<input type="checkbox"/> Appeals	<input type="checkbox"/> Admin. Code	
<input checked="" type="checkbox"/> Public	<input checked="" type="checkbox"/> Other	
<input type="checkbox"/> Walk-On		

8. Request Initiated:
 Commissioner _____
 Department **DOT**
 Division _____
 By: **Scott Gilbertson**
 Director, DOT

9. Background:

A controlled access roadway/facility is a roadway that is the subject of a Board resolution, designating the road as a controlled access facility and specifying the access points along the roadway corridor. The Board may only designate roadways as controlled access facilities by adopting a resolution through the public hearing process.

The purpose of designating a roadway as a controlled access facility is to preserve safety and optimize the roadway's traffic capacity. The intent of the resolution is to set access points at specific locations and restrict access along the designated corridor to those locations. The Board's adoption of a controlled access road resolution does not guarantee, create, or vest in any property owner a right or property interest with respect to the designated access point, median opening, or turning movement. Approval for construction of new or use of an existing access point, median opening, or turning movement is reserved to the County. The County's approval will be based upon facts and circumstances applicable to the request at the time of the application for development order or permit submittal.

DOT staff recommends the designation of the Treeline Boulevard/Ben Hill Griffin Parkway corridor from Daniels Parkway to Alico Road as a controlled access facility. The attached resolution and sketch depicts the recommended access points along the roadway corridor. Staff recommends adoption of the proposed controlled access resolution.

10. Review for Scheduling:

Department Director	Purchasing or Contracts	Human Resources	Other	County Attorney	Budget Services				County Manager/P.W. Director
<i>[Signature]</i>	N/A	N/A	N/A	<i>[Signature]</i>	Analyst <i>[Signature]</i>	Risk <i>[Signature]</i>	Grants <i>[Signature]</i>	Mgr. <i>[Signature]</i>	<i>[Signature]</i>
					RK/11/15	11/15/06	11/15/06	11/15/06	11-3-06

11. Commission Action:

- Approved
- Deferred
- Denied
- Other

RECEIVED BY COUNTY ADMIN: *[Signature]*
 11-15-06
 8:53 AM
 COUNTY ADMIN FORWARDED TO: *[Signature]*
 11-16-06
 3PM

Rec. by CoAtty
 Date: 11/16/06
 Time: 9:10 AM
 For forwarded To: ADMIN
 11/15/06 8:30

LEE COUNTY RESOLUTION NO. 06-11-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY FLORIDA DESIGNATING BEN HILL GRIFFIN PARKWAY AND TREELINE AVENUE BETWEEN ALICO ROAD AND DANIELS PARKWAY AS A CONTROLLED ACCESS FACILITY IN ACCORDANCE WITH CHAPTER 10 OF THE LEE COUNTY LAND DEVELOPMENT CODE, AND ESTABLISHING PERMANENT ACCESS POINTS.

WHEREAS, the Board of County Commissioners (Board) is considered the transportation authority in Lee County by virtue of the authority granted in Florida Statutes, Section 125.01(m), to provide and regulate roads; and,

WHEREAS, the Board, as transportation authority, has the power to establish, designate, and regulate controlled access facilities in accordance with Chapter 10 of the Land Development Code (LDC); and,

WHEREAS, the Board desires to designate and establish Ben Hill Griffin Parkway and Treeline Boulevard, between Alico Road and Daniels Parkway, as a controlled access facility with fixed access points; and,

WHEREAS, the Board designates roadways as controlled access facilities in order to allow for the safe and relatively unimpeded movement of large volumes of traffic; and,

WHEREAS, the Board finds that the designation of this roadway corridor as a controlled access facility will preserve safety and traffic capacity and, therefore, is in the best interest of the public.

NOW, THEREFORE, be it resolved by the Board of County Commissioners that:

1. Ben Hill Griffin Parkway and Treeline Avenue, between Alico Road and Daniels Parkway, is hereby designated as a controlled access facility with fixed access points in accordance with Chapter 10 of the LDC.
2. The fixed access points along this roadway corridor are set forth in detail in the attached exhibit and map/sketch.
3. The Board's adoption of this resolution does not guarantee, create, or vest in any property owner a right or property interest with respect to a designated access point, median opening, or turning movement.
4. Approval for the construction of a new, or use of an existing access point, median

opening, or turning movement is reserved to the County. Approval of such requests will be based upon facts and circumstances applicable to the request at the time of application for development order or permit submittal.

5. This resolution was adopted by an affirmative vote of a super majority of the Board of County Commissioners.

Commissioner _____ made a motion to adopt the foregoing resolution, seconded by Commissioner _____. The vote was as follows:

Robert P. Janes
Douglas R. St. Cerny
Ray Judah
Tammara Hall
John Albion

Duly passed and adopted this ____ day of November 2006.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

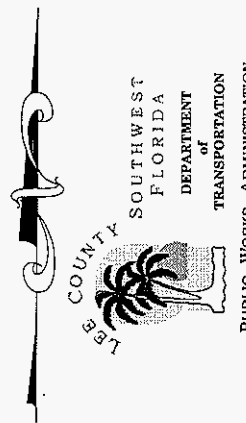
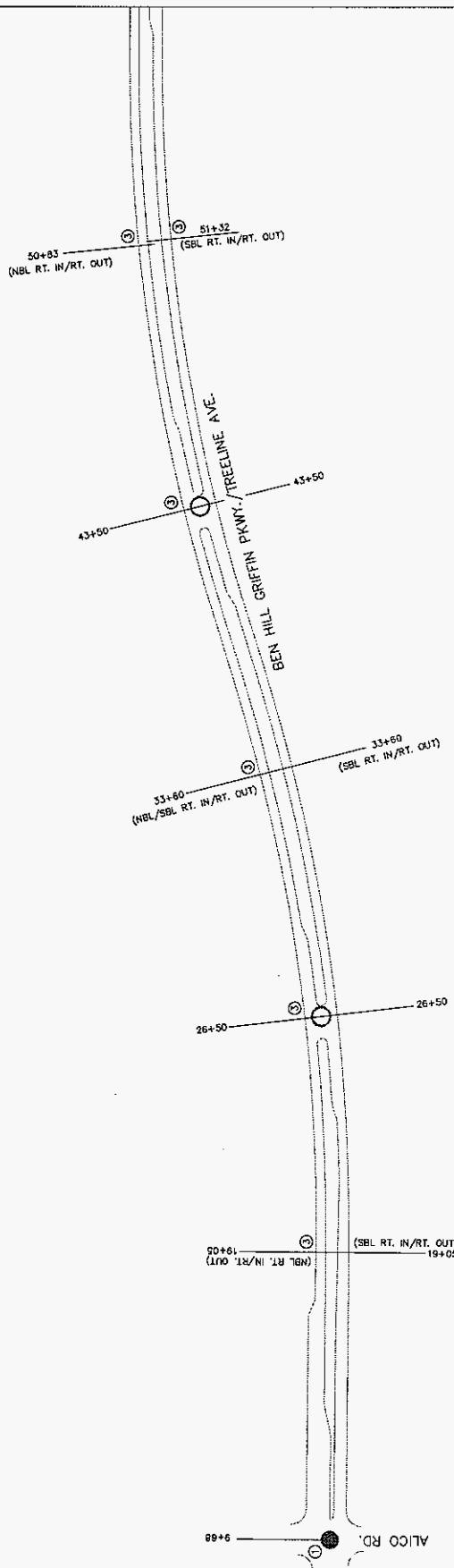
BY: _____
Deputy Clerk

BY: _____
Tammara Hall, Chairwoman

Approved as to form by:

Donna Marie Collins
County Attorney's Office

Exhibit 1: Ben Hill Griffin Parway/Treeline Avenue Access Map



**BEN HILL GRIFFIN PKWY./
TREELINE AVE.
DESIGNATED ACCESS POINTS**

ADOPTED _____ PER RESOLUTION # _____

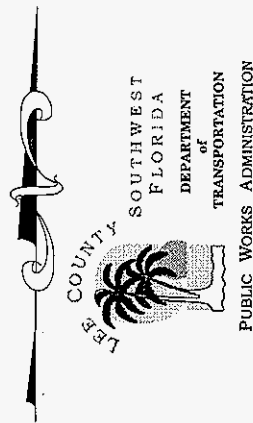
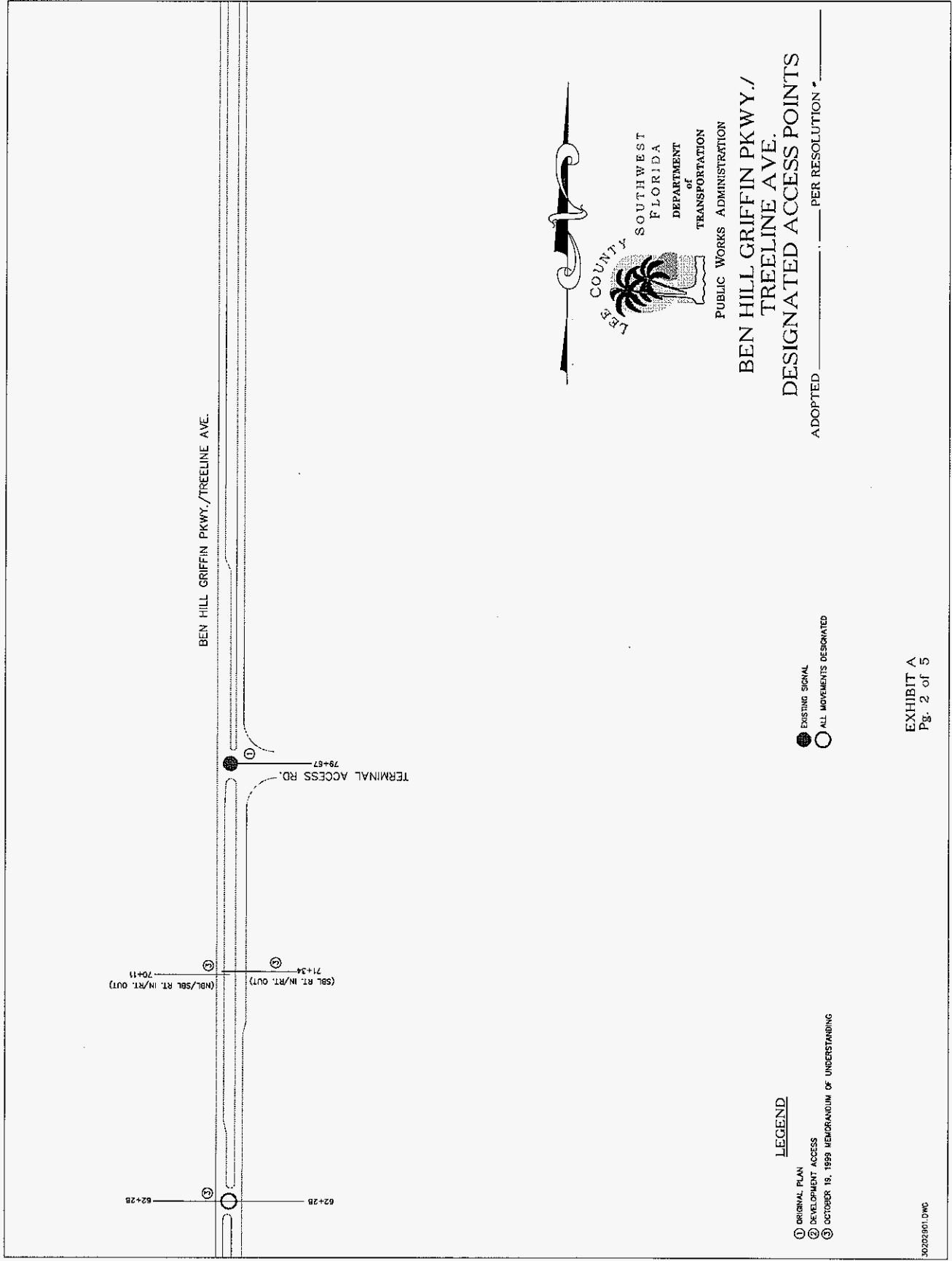
PUBLIC WORKS ADMINISTRATION

LEGEND

- ① ORIGINAL PLAN
- ② DEVELOPMENT ACCESS
- ③ OCTOBER 19, 1999 MEMORANDUM OF UNDERSTANDING

- EXISTING SIGNAL
- ALL MOVEMENTS DESIGNATED

EXHIBIT A
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**BEN HILL GRIFFIN PKWY./
TREELINE AVE.
DESIGNATED ACCESS POINTS**

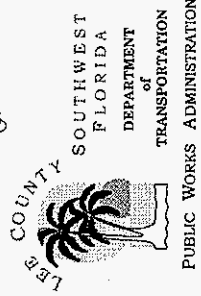
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BEN HILL GRIFFIN PKWY./TREELINE AVE.

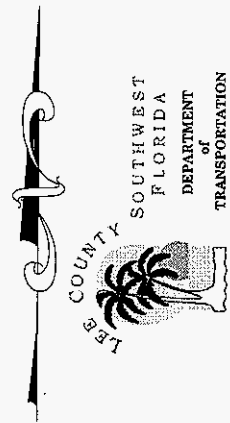
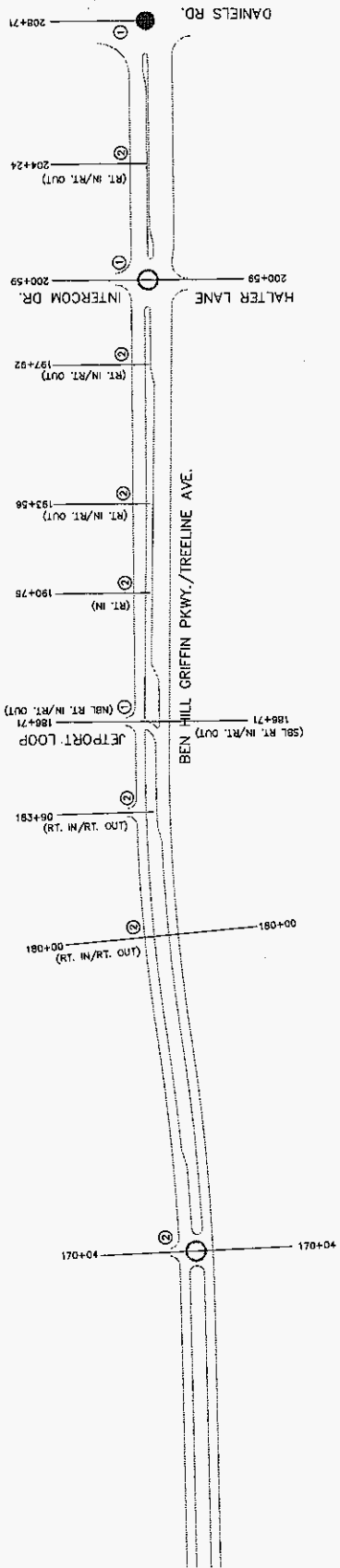


BEN HILL GRIFFIN PKWY./
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DESIGNATED ACCESS POINTS**

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