

LEE COUNTY RESOLUTION NO. 16-09-13

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, AMENDING RESOLUTION NO. 93-11-112, AS AMENDED, WHICH DESIGNATED SUMMERLIN 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 November 17, 1993, the Board of County Commissioners adopted Resolution No. 93-11-112 Summerlin Road as a controlled access facility from Boy Scout Road southeast to McGregor Boulevard, and establishing permanent access points; and

WHEREAS, Resolution No. 93-11-112 was subsequently amended as follows:

1. No. 94-05-24, adopted 5-18-94 which added a connection point at Station 327+38 +/-50 on the west side of Summerlin Road for full access by school busses only;
2. No. 95-06-60, adopted 6-21-95 adding a right-in/right-out only connection point on the east side at Station 244+62 +/-50;
3. No. 95-10-44, adopted 10-16-95 adding a right-in only connection point on the east side at Station 203+28 +/-50;
4. No. 97-12-10, adopted on 12-9-97, relocating an existing access point from Station 229+90 +/-50 to Station 274+17 +/-50 and establishing an eastbound left-in, right-in and right-out access only on the north side;
5. No. 99-01-13, adopted 1-12-99, adding a right-in/right-out only connection point on the east side at Station 186+68 +/-50;
6. No. 99-07-05, adopted 7-6-99, relocating an existing right-in/right-out only access point on the east side from Station 244+62 +/-50;
7. No. 99-11-42, adopted 11-15-99, adding a left-in, right-in and right-out only connection point on the east side of Summerlin Road at Station 125+50 +/-50;
8. No. 00-05-05, adopted 5-1-2000, adding an eastbound left-in, right-in and right-out only connection point on the northwest side at Station 308+35 +/-50;
9. No. 03-04-33 adopted 4-21-2003, adding a right-in/right-out only connection point on the northwest side at Station 326+56 +/-50;

10. No. 06-08-47, adopted 8-21-2006, relocating an existing right-in/right-out only access point on the east side from Station 339+71 +/-50 to Station 338+68 +/-50;
11. No. 07-08-10, adopted 08-06-2007, relocating an existing median opening from Station 205+50 to Station 206+40;
12. No. 13-03-04, adopted 03-05-2013, modification of the access point to allow the right-out movement at Station 203+28.
13. No. 16-03-18, adopted 03-15-2016, eliminates the east bound left turn movement onto Summerlin Road from Park Royal Drive, at Station 287+50, leaving all other movement unchanged.
14. No. 16-05-09, adopted 05-17-2016, creates a new access point on Summerlin Road north side, at Station 178+20, to add a right turn only off of Summerlin Road 670 feet east of Pine Ridge Road.

WHEREAS, Winkler Junction LLC desires to add an access point (right-in) at Station 307+60; and,

WHEREAS, the Lee County Department of Transportation has concluded that, the addition of 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. Summerlin Road, from Colonial Boulevard southwest to McGregor Boulevard, including its intersections, is designated a controlled access road facility.
2. Resolution No. 93-11-112 is hereby further amended as follows:
 - a. The access point at Station 307+60 is amended to add the right-in only directional movements conditioned as follows:
 - Conveyance of a cross access easement and roadway from the parcel known as STRAP 34452400000110000 across the parcel known as STRAP 344524000001000050 with the intent to provide the former parcel to access Winkler Road across the latter parcel. Both parcels are owned by Winkler Junction LLC.
 - Construction of the access must be to the applicable LDC development standards.
3. 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.

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

John E. Manning	<u>Aye</u>
Cecil L Pendergrass	<u>Aye</u>
Larry Kiker	<u>Aye</u>
Brian Hamman	<u>Aye</u>
Franklin B. Mann	<u>Aye</u>

Duly passed and adopted this 6th day of September, 2016.

ATTEST:
LINDA DOGGETT, CLERK

By Joyce Townsend
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By Franklin B. Mann
Franklin B. Mann, Chair



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

By Michael A. [Signature]
Office of the Lee County Attorney