

LEE COUNTY RESOLUTION NO. 11-03-33

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, AMENDING RESOLUTION NO. 03-01-37, WHICH DESIGNATED THE MIDPOINT MEMORIAL BRIDGE AND VETERAN'S MEMORIAL PARKWAY AS A LIMITED ACCESS FACILITY IN ACCORDANCE WITH FLORIDA STATUTES, CHAPTER 338, AND ESTABLISHED 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 limited access facilities in accordance with Florida Statutes, Section 338.01; and,

WHEREAS, the Board designated and established the Veteran's Parkway Corridor from the Caloosahatchee River to Pine Island Road as a limited access facility with fixed access points in accordance with Florida Statutes, Section 338.01, pursuant to Resolution No. 03-01-37; and,

WHEREAS, the Board designated the roadway as a limited access facility in order to allow for the safe and relatively unimpeded movement of large volumes of traffic; and,

WHEREAS, at the request of the City Council of the City of Cape Coral, Florida (the "Cape"), the Board added a new access point to Veteran's Memorial Parkway east of Del Prado Boulevard at SE 26th Street within the City of Cape Coral (Resolution No. 03-09-95), relocated the access point for SW 2nd Court (Resolution 06-09-82) ; and,

WHEREAS, Lee County Administrative Code 11-10 sets forth the technical requirements for relocating designated access points on controlled access roadways and its criteria is used to determine whether the public interest would be served by altering the access plan on limited access facilities; and,

WHEREAS, the Royal Tee Homeowners Association, Inc. has requested a new access point to the Royal Tee Golf Club connecting Royal Tee Circle to Veterans Parkway at approximately STA 643+50, Royal Tee Golf Club has over 1.3 miles of frontage on Veterans Parkway with no existing direct access; and,

WHEREAS, the request meets the criteria for Administrative Code 11-10 and has demonstrated a public benefit by enhancing the health safety and welfare of the public with a new connection to Veterans Parkway; and,

WHEREAS, the Board finds that the creation of a new access point for Royal Tee Golf Club at approximately STA 643+50 will preserve safety and traffic capacity and is, therefore, in the best interest of the public; and,

WHEREAS, the Board desires to reaffirm the designation of Veteran's Memorial Parkway as a limited access facility, all previous amendments as well as the creation of a new access point for Royal Tee Golf Club at approximately STA 643+50.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS that:

1. The designation of the Veteran's Memorial Parkway corridor from the Caloosahatchee River to Pine Island Road as a limited access facility with fixed access points in accordance with Section 338.01, F.S. is hereby affirmed including the access point added east of Del Prado Boulevard at SE 26th Street within the City of Cape Coral. (Map attached as Exhibit 1.)
2. The access to SW 2nd Court is hereby relocated approximately 131± feet to the west of its current location, from Highway Station 891+58.26 to Highway Station 890+27, as reflected in Exhibits 1 and 2 attached hereto.
3. The creation of a new access point for Royal Tee Golf Club at approximately STA 643+50 does not present a threat to public health, safety, and welfare. The new access point will serve the public interest because it will improve traffic circulation.
4. The design attached as Exhibit 1 supercedes all prior depictions of the limited access facility.
5. This resolution was adopted by an affirmative vote of a super majority of the Board of County Commissioners.

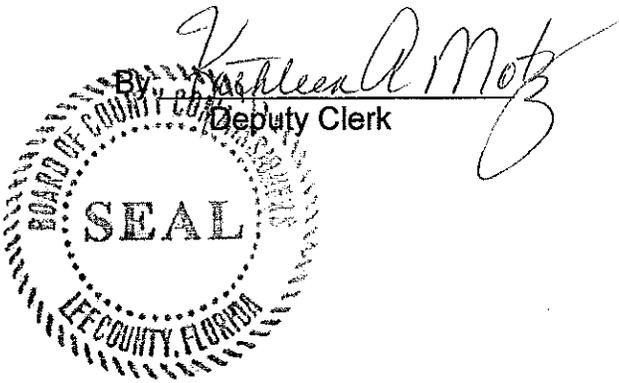
Commissioner Manning made a motion to adopt the foregoing resolution, seconded by Commissioner Judah. The vote was as follows:

John Manning	Aye
Brian Bigelow	Aye
Ray Judah	Aye
Tammara Hall	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 29th day of March 2011.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA



By: Frank Mann
Frank Mann, Chairman

APPROVED AS TO FORM:

By: Michael D. Jacob
Michael D. Jacob
Office of the County Attorney

Exhibit 1: Veteran's Memorial Parkway Access Map