

Deputy Clerk TKING
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LEE COUNTY RESOLUTION NO. 23-06-17

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), a new access point was added at Royal Tee Circle (Resolution 11-03-33); 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 PIR West Development has requested the existing directional left-in access point at approximately STA 613+00 be moved to approximately STA 611+22, This change would provide a dual directional access point at STA 611+22 allowing northbound and southbound vehicles to make both left-turns and right-turns but restricting eastbound and westbound vehicles to only right-turns out; 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 relocated connection to Veterans Parkway; and,

WHEREAS, the Board finds that the relocation of the access point from STA 613+00 to STA 611+22 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 relocation of this access point from STA 613+00 to STA 611+22.

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

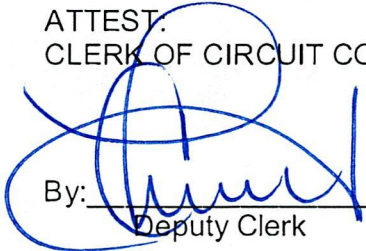
1. Relocation of the existing directional left-in access point at approximately STA 613+00 to approximately STA 611+22 does not present a threat to public health, safety, and welfare.
2. Relocation of the existing directional left-in access point at approximately STA 613+00 to approximately STA 611+22 is hereby approved.
3. The design attached as Exhibit B supersedes all prior depictions of the limited access facility.
4. This resolution was adopted by an affirmative vote of a super majority of the Board of County Commissioners.

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


Kevin Ruane	<u>Aye</u>
Cecil L Pendergrass	<u>Aye</u>
Ray Sandelli	<u>Aye</u>
Brian Hamman	<u>Aye</u>
Mike Greenwell	<u>Aye</u>

DULY PASSED AND ADOPTED this 6th day of June, 2023.

ATTEST.
CLERK OF CIRCUIT COURT

By: 
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: 
Brian Hamman, Chair



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

By: 
Office of the Lee County Attorney

- Exhibit A: Veteran's Memorial Parkway Access Management Plan
- Exhibit B: Veteran's Memorial Parkway Access Map