

- Drive thru facilities
- Big box retailers and single free standing retail facilities greater than 20,000 square feet.

POLICY XX.3.6: This amendment mandates Commercial developments within the boundaries must provide interconnection opportunities with adjacent uses in order to minimize access points onto primary road corridors; and residential developments to provide interconnect opportunities with commercial areas, including but not limited to bike paths and pedestrian access ways.

OBJECTIVE XX.4: RESIDENTIAL USES. This land use category will enhance the character of the area by evaluating adjacent uses, natural resources, access and recreational or open space, and requiring compliance with enhanced buffering requirements.

POLICY XX.4.1: This land use will provide opportunities for public access to the water and shall include provisions for bicyclists/pedestrians. At a minimum one public access easement shall be provided to the waterfront per development.

POLICY XX.4.2: Road capacity improvements needed within the property to serve demands generated outside the community will be designed to minimize the impacts on the community

OBJECTIVE XX 5: COMMUNITY CHARACTER. This land use category will propose To enact regulations, policies and actions affecting the character and aesthetic appearance of the development to help create a visually attractive community while maintain the rich heritage of the area.

POLICY XX.5.1: In order to maintain a Marine identity for the community, commercial developments are shall will use vernacular Florida architectural styles for all buildings. (See design standards) The use of Mediterranean styles of architecture is discouraged.

POLICY XX.5.2: Maximum height allowed for this category is 230'-0". Front set backs are set at a minimum of 25'-0", Rear setback are set at a minimum of 20'-0" and side setbacks are Set at 40'-0". Marina type uses located on open water will have a minimum set back of 15'-0". Open space will be increase for this category by 10%

POLICY XX.5.3: In order to preserve/enhance/restore the heritage and natural beauty of the area. This land use category will provide an educational component with the

objective of educating the public on its unique quality and rich history and how to protect the area. This will be done with descriptive display, multimedia presentations and other proven means to educate and inform.

OBJECTIVE XX.6: COORDINATION OF MASS TRANSIT. The developer(s) will establish coordination coordinate with Lee County to ensure consistency with the TDP (Transit Development Plan)

POLICY XX.6.1: Mixed-use developments, as defined in the Lee Land Development Code as containing both commercial and residential uses within the same development shall will provide for an interconnection of commercial with residential uses with pedestrian linkages., mixed-use developments will be limited to an overall density of 17 10 dwelling units per acre at these locations. A minimum of 4 units per acre of this density can only be used for timeshare development. Mixed use Developments that use commercial and residential within the same development shall be allowed to use the entire site for density calculation may be developed as provided for under the Glossary terms: "Mixed Use," "Mixed Use Building," and "Density."

POLICY XX.6.2: Bicycle & Pedestrian facilities will be provided throughout the development. Connections between all uses are required to facilitate these alternative modes of transportation. When possible, connections to adjacent developments shall be provided.

POLICY XX.6.3: Vehicular connections between residential and non-residential uses will be provided to facilitate the internal capture of trips. When possible, vehicular connections to adjacent developments will be made to provide alternative access to the non-residential and mixed use components of the development. this development other than the Main Street.

POLICY XX.6.4: Water access Each development shall provide at a minimum one designated public access easement point to the water.

OBJECTIVE XX.7: INCORPORATION AND UTILIZATION OF MULTIMODAL AND ALTERNATIVE MODES OF TRANSIT. The development will establish a comprehensive approach to multimodal and alternative modes of transportation for its residents and guests. These will include, but not be limited to mass transits stops (minimum of one), or shuttle service to a stop, bicycle rental, integrated network of sidewalks and board walks, Airport shuttle services and water-taxi transportation facilities.

POLICY XX.7.1: Each development will establish a water taxi /shuttle service to and from the property. The shuttle will be open to guest, residents and outsiders wanting an alternative access to the water. Hours of operation will be determined based on market conditions but will at a minimum provide three (3) round trips daily.

POLICY XX.7.2: Each development will establish an airport shuttle service to and from the Southwest Florida International Airport and the development. The shuttle services hours of operation will be determined based on market conditions and can either be a fixed route shuttle or a point of demand service type or combination thereof.

POLICY XX.7.3: Where Projects are intersected by public roadways for developments greater than 20 acres and with a split greater than 15%, some sort of grade separation may should be provided for safe pedestrian and bicycle access between the properties. The purpose of this is to safely move pedestrian and bicycles across the road. Examples of this would involve taking the bicycle/pedestrian facilities up and over the road or involve in-taking the road over the pedestrian/bicycles paths. Any such improvements would be considered site-related.

POLICY XX.7.4.: As part of any rezoning action, the existing roadways that are adjacent to or run through the project, particularly Main Street, will be evaluated with a cross-sectional analysis to identify needed upgrades of driver and bicycle/pedestrian safety and bus access to and from this property. At a minimum one bus stop will be provided along Main Street to Lee Tran standards or better. Where bicycle/pedestrian upgrades or additions are determined by Lee County to be desirable along Main Street or other area streets, any such improvements on behalf of this property and outside the boundaries of this property will be eligible for road impact fee credits in accordance with the Lee County Land Development Code.

OBJECTIVE XX8: GENERAL SITE DEVELOPMENT STANDARDS. The site design for projects within this Land use category will consider the individual characteristics of their site, along with the overall context of the development. This will be done by careful consideration of the site design with respect to the local climate, existing structures and adjacent vegetation, transportation access and the impact (both positive and negative) that the building or structure may have on adjacent areas.

POLICY XX.8.1: DRMUWDF shall seek solutions that minimize the impact of grading with respect to the removal of natural vegetation and the major alterations of existing grades. Impacts on mangroves other than a noted in this document are prohibited.

POLICY XX 8.2: The orientation of the building(s) should take into account any existing native vegetation, parcel configuration, solar orientation, access, adjacent structures and views.

POLICY XX 8.3: The impact and intensity of the paving, minimizing of clearing limits, and aesthetics are important factors to be considered in the design of the project entries, parking areas and roads. Landscape, circulation signage, lighting, striping and changes in paving materials should be coordinated to enhance circulation. Parking areas shall be designed to avoid long rows of parking spaces without adequate landscaping. All parking areas and driveways shall be paved using pervious materials when applicable. At a minimum fifty (50) percent of all parking and driveway areas shall be constructed using pervious materials. Landscaping in these areas shall be designed above the county minimum standards. Parking lot shade trees or cluster shall be increased by a minimum of 15%. Trees used in the parking area shall be a minimum of 14' in height and a 3.5 inch caliper.

POLICY XX 8.4: Attention shall be given to the locations of pedestals and transformers as they relate to aesthetics. All utilities shall be installed underground. Any utility items, which must protrude above ground for service, access, safety, or code, must be screened with a wall, fence, and/or landscape elements.

POLICY XX 8.5: Lighting shall be used to accent key architectural elements, to emphasize landscape features, and to provide a safe and enjoyable environment. The outlining of a building or roof with lighting is prohibited. Exterior Light sources must be concealed where possible and all light shall be in shades of white. Colored lights are prohibited. No spillover of light can occur on neighboring properties and lighting must be shielded to prevent glare. Tree-up lighting shall be concealed underground or in shrub masses. Garden lights or walkway bollards should direct the light downward with a concealed light source and shall be incorporated into landscape beds.

Parking lot light fixtures shall not exceed 25 feet in height and lighting located in pedestrian areas shall not exceed 15 feet. No "cobra" head style fixtures are permitted. Light fixtures should either be designed as an integral design element that complements the design of the project through style and material or blend into the landscape by the use of muted colors and simple designs. Exterior light fixtures are encouraged to be either wrought iron or cast aluminum. Mill finish metal is allowed. Building mounted security and service area lighting fixtures must not project above the fascia or roofline of the building and must be shielded. Such fixture and shields must be a harmonious color with the building. Security fixtures may not be substituted for parking lot or walkway lighting and are restricted to loading, storage, service and other similar locations.

POLICY XX 8.6: No wall, screen, or fence of any kind may be constructed unless they are architecturally compatible with those of the building and the landscaping. The design of these elements shall appear seamless with the building and/or landscaping.

POLICY XX 8.7: The projects within this land use category will provide to the inhabitants and guest an area of last refuge should anyone not heed the warnings of an impending storm. This area is not to be advertised as a hurricane shelter, but as a place of last resort.

OBJECTIVE XX 9: SERVICE AREA AND EQUIPMENT. The intent of this section is to ensure that service and function areas are planned and designed to have the least amount of impact on the general public and adjacent neighbors. This can be accomplished by providing adequate space and incorporating these elements into the project at an early stage.

POLICY XX 9.1 No materials, supplies, or equipment shall be stored in an area on a site except inside a closed building or behind a suitable barrier so as not to be visible to the general public or to an adjoining site. Loading doors and service areas shall be screened, and/or buffered by landscaping, so as not to be visible from any street or from any adjoining residential site. Adequate area shall be provided on site for all loading and maneuvering of trucks and other vehicles in order that such operations will not be carried out in the street.

POLICY XX 9.2: Screening devices must be of a height at least equal to that of the material or equipment being screened. The design, material, textures, and colors of screening devices shall be architecturally compatible with those of the building and with the landscaping. The design of these elements shall appear seamless with the building and/or landscaping. Frequently, planting material can provide an effective screen offering the same opaqueness of a wall. Plantings should be considered to soften the "hardness" of man-made screens.

OBJECTIVE XX.10: ARCHITECTURAL STANDARDS. The architectural theme for the development exhibits characteristics of early Florida building traditions. A common architectural theme based on the local region, along with local interpretations of these styles, is required for all buildings within the development including ancillary buildings. All buildings should complement their surroundings. The horizontal landforms, local climate, and native vegetation, should dictate the dwelling location and form. The architectural details and definition shall consider all sides of the building and include, but not be limited to, banding, accent materials, roof character, and window treatments.

The policies have been set to help create a visually attractive community. These standards are to be above and beyond the counties design standards in the LDC.

POLICY XX 10.1: Large blank unadorned walls will not be permitted. All equipment shall be screened and be placed out of view. Natural materials and paint colors shall be in warm earth tones for the exterior of buildings and structures.

POLICY XX 10.2: Special attention should be given to scale and proportion to the building site as it is of major importance to the development. The scale relationship of each building component shall relate to the overall massing for the project. The introduction of characteristics such as steep roofs, detailed eaves, balconies, and other building ornamentation is encouraged to customize the mass and design of an individual building or large structures. Retaining walls, planter walls, and privacy walls should be used to break up the elevations of a building and help relate the structure to the ground.

POLICY XX 10.3: Architectural details and design (such as changes in plane, height, texturing, banding, etc.) shall be considered in each elevation to give large surfaces and structures interest where appropriate. Equal attention to detail and architectural definition must be given to all sides of the structure, including, but not limited to, the foundations, banding, accent materials

POLICY XX 10.4: The following architectural details shall be considered in the design of each building:

- Varying roof heights, roof character, and window treatment.
- Mix of hip, gable for roofs, flat and varying slopes
- Detailed windows and/or doors
- Decorative shutters
- Recessed windows
- Railings and associated details
- Cantilevered balconies
- Verandas and courtyards
- The appearance of "thick" walls
- Decorative chimneys, tower or other roof apparatus
- Exposed rafter tails
- Planters, pergolas, and trellises
- Clap board siding or Textured "hand-toweled" wall finish or smooth stucco with banding
- Metal of flat tile roofs
- Exterior stairs

POLICY XX 10.5: Colors and materials are an intricate part of the Architecture and landscape for this development. Warm and rich colors that are evocative of the coastal region shall be considered when selecting colors for this project. An example of inappropriate color is a bright color used for large areas of wall and roof surfaces.

POLICY XX 10.6: Materials expression within the architecture includes massive wood beams, supported rooflines, cantilevered balconies and other decorative elements. Beams should be made of redwood, cedar or cypress with a finish that is rough-cut. Walls should be made of clap board or textured stucco or simulated limestone that adds richness to the wall surface. Decorative metals for gates, railings, and other decorative details should be finished black, dark bronze, galvanized or copper. Stone and simulated stone should be rough or smooth and laid in a fashion appropriate to the style of architecture. Materials like coral rock, limestone, granite, pre-cast concrete, or architectural foam should be used as decorative detailing at windows, doors, for wall material, or other decorative areas on the building. Vinyl or wood is siding is discouraged.

POLICY XX 10.7: Preferred building materials are:

- Fiber-Cement lap siding.
- Painted stucco in natural earth tones; anodized or paint finish is required on all metal surfaces including windows, flashing, drips, and caps, in colors complimenting or matching the approved colors.
- Fascias must be constructed of cedar or redwood or other similar material and painted to match the trim color. Soffits must be of wood or stucco. Metal or vinyl soffits are prohibited.
- Foam products used on the exterior of buildings shall be installed to meet industry standards to ensure quality construction and be detailed away from areas that are in high traffic areas.

POLICY XX 10.8: All buildings shall have pitched roofs or simulated pitched rooflines. The minimum roof pitch allowed in the Development is 4 in 12. Overhangs may vary as necessitated by architectural design and these design guidelines. The typical roof overhangs are very wide to protect from the sun & rain and to provide passive energy conservation. Flat roofs are not allowed unless accompanied with a full parapet. Parapets may be appropriate in certain situations above walkways and in conjunction with a coordinated signage design or as a decorative element. Roofs shall have a

minimum overhang of 2 feet on the eaves and 1 foot on gable ends or as noted otherwise in these standards. Fascias must be a minimum of 10 inches. No metal fascias are allowed.

POLICY XX 10.9: All rooftop equipment must match roofing colors and be placed as inconspicuously as possible, preferably located near the rear elevation. Exposed flashing, gutters, and downspouts must be painted to match the fascia and/or walls of the structure or be made of copper and left to weather to natural patina. Preferred roof materials: flat roof and or Standing seam metal roofs

POLICY XX 10.10: Buildings must have a minimum overhang of 24 inches with a 10inch fascia (gable ends may utilize a one foot overhang with a 10 inch fascia), or a minimum of 14-inch overhang and a 10" fascia when associated with a cornice, banding, or corbels (minimum height of 8 inches).

POLICY XX 10.11: Windows and doors are often dominant elements in the design of buildings. The trim around these openings thus becomes an important feature to link the openings to the buildings. Windows should utilize clear glass or a tinted glass of bronze, gray, green, or smoked colors. No reflective glass or tinting may be used. Aluminum window frames in white or with warm, earth tone finishes such as bronze, sepia, ochre, and terra cotta are permitted. Mill finished aluminum is prohibited. Windows within stucco walls on all facades shall provide architectural detailing or be banded. Window openings should follow classic geometry that includes both square and rectangular windows. Radius or arched top shapes are encouraged in accent areas.

POLICY XX 10.12: Awnings shall be designed as an integral part of the project or building and should be associated with an opening. Awnings shall be made of canvas and shall not be backlit. Awnings shall not be connected to another elevation or be used above the roofline of a building.

POLICY XX 10.13: Shutters are encouraged as an integral part of the building design when appropriate. Shutters should be designed and sized according to the opening it is associated with.

POLICY XX 10.14: Doors constructed of wood are encouraged. Heavy, rustic plank doors are a signature element of buildings and entrances. Recessed doorways, giving the appearance of thick walls, are encouraged. Ornamental iron or aluminum gates used as part of the entry sequence are encouraged. Service and emergency exit doors shall be painted the same color as adjacent walls

POLICY XX 10.15: Covered walkways/loggias are required on the front of all buildings and shall be constructed of a material that is consistent with the overall look and design for the building/project.

POLICY XX 10.16: Accessory buildings shall be consistent with the style of the main buildings. An accessory building must be of the same color, material, and architectural style as the main building or of color, material, and style that is generally recognized as complimentary to that of the main structure. Any utilities servicing accessory buildings shall be installed underground. Freestanding metal utility sheds or storage sheds are not permitted.

POLICY XX 10.17: Parking Garage and Structures

Intent: to hide the function / storage of the cars in an aesthetically pleasing manner. All garage structures shall be design with punched openings and closed corners. The following are acceptable means of masking commercial garages:

- Liner Buildings can be placed in front of garage structure to disguise the function. Liner buildings are structures placed in front of the garage structure and can be functional or non functional. Liner building shall be designed with multiple facades.
- Landscaping
- Combination of liner buildings and landscaping

POLICY XX 10.18: Boardwalk Areas

Intent: to provide guidelines for the development of a boardwalk along the commercial waterfront property that promotes a multitude of activities that are waterfront related and open to the general public. Multiple access routes to the boardwalk shall be provided. The area between the boardwalk and the main buildings shall be provided with both active and passive spaces for the enjoyment of guests. Board walks through preserves are intended for passive activities only.

Commercial area Boardwalk-Minimum width shall be 6'0" or greater and shall have a large portion of the water front at 12 feet or greater for the majority of the water. The boardwalk will be made with Materials or a combination of materials that are durable and ADA compliant.

Preserve area Boardwalks shall be in a width of 5'-0" -7'-0" and or ADA compliant. Materials shall be built with sustainable "green" Materials. Only one preserve boardwalk in the a defined mangrove area is allowed. Only one shaded structure with a maximum of two benches is allowed in the preserve area.

Kiosks -These are encouraged along the Commercial boardwalk at appropriate intervals and in various sizes. They may provide commercial services or information. Kiosks shall be designed to be architecturally compatible with the main building. Kiosks may be fixed or mobile.

POLICY XX10.19 Landscape Standards

DESIGN INTENT

It is intended that nature be an integral design component with the building and site plan for this project. The landscape should be carefully designed and detailed to heighten one's sense of nature as well as to promote health of the plant species within the community. A landscape design that incorporates Xeriscape principles to conserve water is required. Indigenous plant preservation/enhancement and buffering shall be provided in accordance with the zoning regulations of Lee County.

Views from the roadways, and adjacent properties toward a landscaped area should complement the appearance of the building. All front, side and rear building setback areas must be landscaped and should contain primarily native plants. A minimum of 70% native plants must be used in the landscape design. Corners of the building shall be landscaped with trees and under plantings to soften the buildings edges. All shade trees must be planted at a minimum height of 14'-0" and a 3.5 caliper. Palms should be planted in cluster of three or more and shall be a minimum height of 16' feet at planting and a minimum clear trunk of ten feet. Specimen palms may be used similar to shade tree placements in the landscape design of the project.

Ornamental plantings should be used close to the building. Existing native plants that are preserved may be credited for these requirements. A listing of approved and disapproved planting material has been provided in the index for your review.

Shrub masses can be used to channel winds, buffer intruding noises and views, and screen private areas. All shrub plantings should be massed in groupings of three or more plants. Linear hedges or box-clipped shrubs are not allowed within the buffers. Larger shrubs and plantings may be required at large wall and fencing areas.

To prevent the further infestation and choking of native plants, all species on lee

counties list of exotics shall be removed including but not limited to:

Australian Pine - Casuarina equisetifolia

Punk Tree or Cajeput - Melaleuca leucandendra

Brazilian Pepper - Schinus terebinthifolius

Downy Rose Myrtle - Rhodomytus tomentosa

Air Potato - Dioscorea bulbifera

Lather Leaf - Colubrina asiatica

Climbing Fern - Lygodium spp.

Java Plum - Syzygium cumini

Catchlaw Mimosa - Mimosa pigra

Earleaf Acacia - Acacia auriculiformis

Women's tongue - Albizia lebbbeck

Laurel Fig - ficus microcarpa

PARKING AREAS AND ISLANDS-

Parking areas shall provide a hedge type buffer at the perimeter of the parking area. A landscape buffer shall be provided between the building and the drive or parking area for all public areas. A landscaped parking island shall be provided per beyond county code. Landscaping shall be provided at each island with a minimum of 1 shade tree (or 3 palms) and 8 (three gallon) shrubs.

POLICY XX10.20 Xeriscape Landscape Standards Project shall incorporate the use of Xeriscape landscaping techniques such as described in the SFWMD xeriscaping principals.

OBJECTIVE XX.11: WATER QUALITY, QUANTITY, AND SURFACE WATER RESOURCES. Destination Resort Mixed Use Water Dependant Facilities must be located, designed and operated in such a way that they will not degrade the ambient surface or groundwater quality. These facilities must be located, designed and operated in such a way that they will not adversely impact the surrounding existing water. The

location, design and operation of Mixed Use Water Dependant Facilities must maintain or improve the storage and distribution of surface water resources.

POLICY XX.11.1: Any Destination Resort Mixed Use Water Dependant Facilities proposed within the land use category must cooperate with Lee County and SFWMD in implementing an overall surface water management plan as outlined in Objective 60.2 and 117.1. Compliance with these Policies must be demonstrated during Development Order approval.

OBJECTIVE XX.12: WILDLIFE. The location, design and operation of Destination Resort Facilities will incorporate preservation and/or management activities that restrict the loss of wildlife habitat or impact on protected species, species of special concern, threatened or endangered species.

POLICY XX.12.1: The development will not have an impact on any existing, viable on-site occupied wildlife habitat for protected species, species of special concern, threatened or endangered species.

POLICY XX.12.2: Through the development review process, Private Recreation Facilities will be designed and operated to conserve critical habitat of protected species. This will be accomplished through regulation, incentives and public acquisition.

POLICY XX.12.3: The development will meet the requirements of the Lee County Manatee Protection Plan at time of Development Order

OBJECTIVE XX.13: NATURAL RESOURCES. Destination Resort Facilities must be located, designed and operated to minimize environmental impacts, and where appropriate, protect, enhance and manage natural resources such as, waterways, wetlands, natural water bodies, and indigenous uplands.

POLICY XX.13.1: All retained onsite natural areas, must be perpetually managed by the owner(s), or their assignees, with accepted Best Management Practices. The type of management techniques will be determined by the specific plant community. A natural area land management plan must be submitted to the Lee County Division of planning prior to the approval of a final local development order. This policy does not preclude areas that have been compromised in the past to be designed in such a way as to be assessable to the public for environmental and educational purposes. Management techniques addressed in the plan must include, but not be limited to the following:

- Exotic pest plant control

- Removal of any trash and debris;
- Restoration of appropriate hydrology;
- Native plant restoration, where appropriate;
- Discussion of flora and fauna;
- Retention of dead trees and snags;

POLICY XX.13.2: The development will minimize adverse effects on wetlands and riparian areas.

POLICY XX.13.3: Destination Resort Mixed Use Water Dependant Facilities must be designed to preserve a minimum of 20% of on-site, indigenous native upland habitat.

POLICY XX.13.4: The development will incorporate energy and resource conservation devices, such as green building technologies

POLICY XX.13.5 Mangroves areas and islands located in this district shall be considered for inclusion into conservation land category in the proposed FLUM or as a conservation easement

OBJECTIVE XX.14: INTERGOVERNMENTAL COORDINATION WITH THE TOWN OF FORT MYERS BEACH. Due to the unique location and proximity to the town of Fort Myers Beach the development will commit to working with the town to propose and resolve concerns.

POLICY XX.14.1: The developer will set up and coordinate a dialogue with the town to review parking and access issue during the Development order process.

POLICY XX.14.2: The developer will provide a liaison to any harbor planning committee to coordinate activities in and around the Harbor

OBJECTIVE XX.15: Marina Design and Conservation

POLICY XX.15.1: Marina design must incorporate natural wetland vegetative buffers near the docking areas and in ingress/egress areas for erosion and sediment control, runoff purification and habitat purposes and protect environmentally sensitive areas

OBJECTIVE XX 16: Development and Redevelopment in the Coastal High Hazard Areas:

POLICY XX 16.1: Project must construct on site shelter to withstand Category 5 hurricane force winds and storm surge to accommodate residents and hotel guests in compliance with the following requirements:

- I. On-site shelters and all required equipment and supplies for these facilities must comply with the following standards:
 - (a) Elevation to the anticipated storm surge from a land falling Category 5 storm.
 - (b) Construction to withstand winds of 200 mph in accordance with the Florida Building Code.
 - (c) Construction with minimum exterior glass with all glazed openings provided with impact protection in accordance with the Florida Building Code.
 - (d) Equipped with emergency power and potable water supplies to last up to five days.
 - (e) Protected with adequate ventilation, sanitary facilities, and first aid medical equipment.
- II. Developer/operator must conduct annual training of the on-site shelter managers. The training is to be conducted by the Red Cross and approved by Lee County Emergency Management.
- III. Developer/operator must submit a post storm recovery plan including post storm evacuation plan for review and approval by Lee County Emergency Management.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The property currently contains four different Future Land Use designations: Suburban, Urban Community, Industrial Development, and Wetlands.
- Waterfront areas of the County can be a major tourist attraction and provide the economic lift the area needs.
- Some waterfront areas were developed forty or more years ago and are in need of

improvements.

- Tourism and resort development may be a substitute for the declining shrimping industry.
- Replacing old mobile homes with stronger conventional buildings in the flood high hazard areas will provide better protection for people's lives and properties.
- The site is located within the Coastal High Hazard area. The requested density of 17 du/a is not appropriate; however, a density cap of 10 du/a would be appropriate because it closely matches the existing density on the property.
- Density higher than the recommended density may cause traffic and evacuation issues. However, staff recommended density will have no net increase from what is existing today.
- The requested height of 230 feet will be out of character with the low and mid rise buildings in the area. For this reason staff recommends transmittal with a height limitation of 135 feet, increased to a maximum of 185 feet with multi-layered parking structures under buildings.
- Central Water and sanitary sewer service is available to the site with adequate capacity to serve the proposed development.
- Fire District, EMS, and Sheriff Department have reviewed and have no objection to the redevelopment of the site, as proposed.
- During the winter tourist season, the roads in the area, especially San Carlos Boulevard, at times, does not function at an acceptable Level of service.

D. BACKGROUND DISCUSSION:

The applicant, Mc Harris Planning and Design, initially submitted this amendment on September 28/ 2008. The applicant is requesting to create a new Future Land Use district called "Destination Resort Mixed-Use Water-Dependent." The applicant is also requesting to change the Future Land Use designation of the subject property to this new Land Use category.

The applicant is proposing to redevelop the site with up to 376 residential units, 115 units time share, a 350 room hotel with accessory uses, a marina with a 500 boat storage capacity, 98,000 square feet of general commercial and allow for up to 110 live-aboard units.

Current Suburban Land Use designation of the area which encompasses the majority of the land allows up to six dwelling units per acre. The proposed Future Land Use category, as requested, will allow up to 17 dwelling units per acres. Furthermore, this Future Land Use district will allow residential density calculation over the entire development area for mixed use projects.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

INTRODUCTION

The proposed amendment is the result of a desire by the owners to redevelop and expand the existing uses and replace some of the uses with new uses such as residential, commercial-retail, hotel and office uses by creating a new future land use category called "Destination Resort Mixed-Use Water-Dependent". The new future land use category would facilitate the redevelopment of the existing uses as well as new uses while enhancing the waterfront and public uses thereof.

COMPREHENSIVE PLAN BACKGROUND

The subject property was designated "Urban Community" and "Industrial Development" by the original Lee County Future Land Use Map, adopted in 1984.

In 1990 the northern portion of the property was designated "Suburban" and Wetlands, while the southern portion kept its designation of "Urban Community" and "Industrial Development."

More than fifty percent of the site's current Future Land Use designation is "Suburban". Lee Plan defines Suburban as:

POLICY 1.1.5: *The Suburban areas are or will be predominantly residential areas that are either on the fringe of the Central Urban or Urban Community areas or in areas where it is appropriate to protect existing or emerging residential neighborhoods. These areas provide housing near the more urban areas but do not provide the full mix of land uses typical of urban areas. The standard residential densities are the same as*

the Urban Community category. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. Bonus densities are not allowed. (Amended by Ordinance No. 94-30)

The remainder of the property is designated as "Urban Community", "Industrial Development" and "Wetland". Lee Plan defines those categories as:

POLICY 1.1.4: *The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, Fort Myers Beach, South Fort Myers, the city of Bonita Springs, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6). Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum of ten dwelling units per acre (10 du/acre). (Amended by Ordinance No. 94-30, 02-02)*

POLICY 1.1.7: *The Industrial Development areas play an important role in strengthening the county's economic base and will become increasingly important as the county grows in size and urban complexity. To a great extent these are the areas to which Lee County must look for expanded job opportunities, investments and production opportunities, and a balanced and sufficient tax base. These areas have special locational requirements that are more stringent than those for residential areas, including transportation needs (e.g., air, rail, highway); industrial levels of water, sewer, fire protection, and other urban services; and locations that are convenient for employees to reach. Whereas the other Future Urban Areas will include a broad combination of residential, commercial, public, and limited industrial land uses, the Industrial Development area is to be reserved mainly for industrial activities per se, as well as for selective land use mixtures such as the combined uses of industrial, manufacturing, research, properly buffered recreational uses (except where precluded by airport hazard zone regulations), and office complexes (if specifically related to adjoining industrial uses) that constitute a growing part of Florida's economic development sector. New natural resource extraction (mining) activities and fill dirt operations must be approved through the Industrial Planned Development rezoning*

process. Retail or wholesale of products manufactured or processed upon the premises may be allowed at a ratio of 1 square foot of commercial uses to 10 square feet of industrial use in association with a Planned Development. Ancillary minor retail commercial uses intended to support the surrounding industrial land uses may not exceed 30,000 square feet per development; and, at buildout, may not exceed more than ten percent (10%) of the total acreage of the lands designated as Industrial Development areas in each community outlined in Map 16. Residential uses, other than bona fide caretaker residences, are not permitted in this category except to the extent provided in Chapter XIII of the Plan. (Amended by Ordinance No. 94-30, 98-09, 99-15, 02-02)

OBJECTIVE 1.5: WETLANDS. *Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended in F.S. 373.4211. (Amended by Ordinance No. 94-30)*

POLICY 1.5.1: *Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 114 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan. (Amended by Ordinance No. 94-30)*

POLICY 1.5.2: *When the exact location of Wetlands boundaries is in question, Chapter XIII of this plan provides an administrative process, including a field check, to precisely define the boundary. (Amended by Ordinance No. 94-30)*

POLICY 1.5.3: *Wetlands that are conservation lands will be subject to the provisions of Policy 1.4.6 as well as the provisions of Objective 1.5. The most stringent provisions of either category will apply. Conservation wetlands will be identified on the FLUM to distinguish them from non-conservation wetlands. (Added by Ordinance No. 98-09)*

POLICY 1.4.6: *The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of*

legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation, and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of the 2020 Program or the 2020 ordinances. (Added by Ordinance No. 98-09, Amended by Ordinance No. 02-02)

The applicant's request is to create a new land use category, "Destination Resort Mixed-Use Water-Dependent" to replace all Land Use categories of the property in question. The proposed category would facilitate the redevelopment of the travel trailer park and commercial and industrial areas with residential multi-family development as well as a large hotel with all ancillary uses, commercial uses and marina and water dependant uses. The redevelopment will occur on 28.97 acres. The site is currently developed with a recreational vehicle park, a marina, a restaurant and some accessory and ancillary uses.

WATER-DEPENDANT OVERLAY

Map 2 of the Lee Plan indicates the southern portion of the property, south of Main Street, in the in the San Carlos Island Water-Dependent Overlay. This Overlay was Adopted on January 3, 1998.

GOAL 12: SAN CARLOS ISLAND. *All development approvals on San Carlos Island must be consistent with following objective and policy in addition to other provisions of this plan. (Added by Ordinance No. 94-30)*

OBJECTIVE 12.1: SAN CARLOS ISLAND WATER-DEPENDENT OVERLAY ZONE. *To protect marine-orientated land uses on San Carlos Island from incompatible or pre-emptive land uses all development must be consistent with the following policies in addition to other provisions of this plan. (Added by Ordinance No. 99-15)*

POLICY 12.1.1: *New development and substantial redevelopment within the Industrial Development land use category on San Carlos Island will be permitted only in accordance with the following criteria. (See glossary for definitions and Map 2 for map boundaries.) However, in no event will Lee County permit new*

or expanded petroleum facilities which would serve uses other than marine-related uses.

1. At the foot of the Matanzas Pass Bridge - Within the water-dependent overlay zone which is defined as land within 150 feet of the shoreline: water-dependent marine industrial uses and water-dependent functions of recreational marinas.

- Landward of the overlay zone (150-foot line): marine industrial uses, in addition to water-related accessory uses which may be permitted to occupy up to 50% of that portion of a parcel lying landward of the 150-foot line.*

2. North of Main Street - Within the water-dependent overlay zone, which is defined as land within 150 feet of the shoreline: water-dependent marine industrial uses and recreational marinas.

- Landward of the overlay zone (150-foot line): marine industrial uses, in addition to commercial or marine industrial uses which support the major industrial activities and recreational marinas.*

3. South of Main Street - Within the water-dependent overlay zone which is defined as land within 300 feet of the shoreline: water-dependent marine industrial uses only.

- Landward of the overlay zone (300-foot line): marine industrial uses; in addition, dry-storage recreational marinas may also be permitted through the "planned development" rezoning process, provided the following is clearly demonstrated:*

- Water access can be provided with only minimal interference to the waterfront industrial uses; and*
- Adequate road access is provided for the waterfront industrial uses; and*
- Any other commercial uses (such as food service or retail space) must be clearly ancillary to the recreational marina or industrial uses and comprise no more than five percent (5%) of the site.*

4. Water-Dependent Overlay Zones in General - The water-dependent

overlay zones will be included in the Lee County Zoning Regulations and may be the subject of deviation requests during the "planned development" rezoning process. This provision is particularly intended to encourage joint use of parking, access easements, and stormwater retention facilities where such joint use does not negate the essential purpose of the overlay zones. (This also applies to the water-dependent overlay zones elsewhere on San Carlos Island as described in Policy 12.1.1.)

- 5. Ancillary Commercial Uses - Wherever water-dependent, marine industrial uses are permitted, water-related ancillary commercial uses may also be permitted, provided they are clearly subordinate to the parcel's principal use and their total development area (building, parking, required buffers, water retention, etc.) does not exceed fifteen (15) percent of the parcel's total area. However, at the foot of the Matanzas Pass Bridge, this percentage may be increased to twenty-five (25) percent so long as the resulting commercial use of land lying in the Industrial Development land use category does not exceed fifty (50) percent of all land in that category that is under unified ownership or control as of March 1, 1988. (Amended by Ordinance No. 94-30, 99-15, 00-22)*

POLICY 12.1.2: *New development and substantial redevelopment within a portion of the Urban Community land use category on San Carlos Island will be subject to the additional requirement that within a water-dependent overlay zone, wet or dry storage recreational marinas and other water-dependent uses only will be permitted. This water-dependent overlay zone affects two separate areas, both lying south of Main Street and east of San Carlos Boulevard, as depicted on Map 2 and described as follows:*

- land within 150 feet of the shoreline along the inlet (between other lands designated as Industrial Development but exempting the Gulf Cove Trailer Park); and*
- land within 300 feet of the shoreline and lying east of, and within 930 feet of, the main Industrial Development area. (Relocated by Ordinance No. 99-15, Amended by Ordinance No. 00-22)*

OBJECTIVE 12.2: *To manage growth, development, and redevelopment on San*

Carlos Island. To maintain and enhance the area's quality of life and public and private infrastructure. (Added by Ordinance No. 98-09)

POLICY 12.2.1: *As part of the transit design process, the county will consider ways to establish pull-overs and turn-offs for the pick-up and discharge of passengers from all trolley and mass transit vehicles and requiring that such pick-up and discharge be done only at specified transit stops. (Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)*

POLICY 12.2.2: *Prior to the expenditure of public funds for the construction of new parking facilities within San Carlos Island, an analysis of the relationship of the facility to the level-of-service on constrained and backlogged roads will be undertaken, in order to determine if the location, size and function of the facility is appropriate and consistent with the adopted CRA plan and the Transportation Element of the Lee Plan. (Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)*

POLICY 12.2.3: *Recreation areas must have a minimum of impervious surfaces. (Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)*

POLICY 12.2.4: *Sidewalks, bike paths and mass transit routes must be designed to provide convenient and safe access to all recreational facilities in the area. (Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)*

SURROUNDING ZONING, LAND USES AND FUTURE LAND USE DESIGNATION

North: Hurricane Bay and Port Carlos Cove Mobile Home Pak, zoned MHPD
Suburban Future Land Use category

South: Matanzas Pass

East: Port Carlos Cove Mobile Home Park, zoned MHPD
Suburban Future Land Use category

West: Oyster Bay Mobile Home Park, zoned MHPD, vacant parcel , zoned Port, and industrial uses (Balgas), zoned IL
Suburban Future Land Use category

PUBLIC SAFETY ISSUES:

Emergency Management - Hurricane Evacuation/Shelter Impacts

As proposed by the applicant, the approval of this plan amendment would increase density in the coastal high hazard area. The Lee County Division of Public safety has expressed concerns with the request as originally submitted by the applicant for this reason. (See Attachment# 2). However, Public Safety supports the staff recommendation of transmittal at the reduced density and height. This will maintain the existing population of the property but allow for the development of safer structures in accordance with current building code standards. In addition Public Safety is requesting inclusion of a requirement that on site hurricane sheltering be provided for any redevelopment of the site.

SCHOOL IMPACTS

Staff of the School District of Lee County have reviewed the proposal. They have noted no capacity issues as a result of this request (See Attachment # 3).

POPULATION ACCOMMODATION CAPACITY DISCUSSION

The request is to create a new Future Land Use category called Destination Resort Mixed-Use Water-Dependent, and to change the Future Land Use Map (FLUM) category of approximately 28.97 acres from Suburban, Urban Community and Industrial Development to the proposed Destination Resort Mixed-Use Water-Dependent category. Suburban and Urban Community categories Standard density permits 6 du/ acre. Industrial Development category has no allowance for residential dwellings. The site currently contains 17.13 acres of Suburban and 5.12 acres of Urban community designated lands, for a total of 22.25 acres. Under the current Future Land Use designation this site may accommodate up to 133 dwelling units. However, the site was developed prior to the adoption of the Lee Plan with 271 RV units.

The applicant's request would allow for up to 17 dwelling units per acre for a maximum of 492 dwelling units. Staff recommends transmitting the proposed plan amendment at a maximum of 10 dwelling units per acre. Staff's recommendation would cap density at 289 dwelling units, which is comparable to the existing 271 units on site today.

SOILS:

The 1984 U.S. Department of Agriculture Soil Survey of Lee County classified four soil types present on the subject parcel - 59 Urban sand, 69 Matlacha gravelly fine sand, 28 Immokalee Sand, and 23 Wulfert Muck.

The Immokalee Sand is a nearly level, poorly drained soil on flatwoods with smooth slopes ranging from 0 to 2 percent.

The Matlacha Gravelly Fine sand is a nearly level, somewhat poorly drained soil formed by filling and earthmoving with smooth to slightly convex slopes ranging from 0 to 2 percent.

The Urban Sand is a nearly level, very poorly drained soil in depressions with concave slopes ranging from 0 to 2 percent.

The Wulfert Muck is a hydric soil flooded by moving water from stream overflow, run off or high tides.

MASS TRANSIT

Lee Tran has reviewed the request and provided written comments dated September 11, 2008 (See Attachment 4). In response to Lee Trans concerns about the frequency of the water taxi service to and from Fort Myers Beach, the applicant has revised its proposal to provide round trip service "as needed" with no less than 3 round trips daily.

UTILITIES

Staff from the Lee County Division of Utilities have provided written comments to planning staff, dated September 19/ 2008 (See Attachment # 5), which states that the project is located within the Lee County's service area for water and wastewater. The memorandum from the Division of Utilities indicates that the potable water will be provided from the Green Meadows water treatment plant. There is adequate capacity to provide this service. Furthermore, The Lee County Utilities is planning to increase the capacity of this plant to 16.0 million gallons per day. This project is included in Lee County Utilities' CIP and is planned to be completed by 2010.

Sanitary sewer service will also be provided by the Lee County Utilities. Fort Myers Beach Water Treatment Plant does have excess capacity to serve the net increase in flows projected by the applicant.

"Regarding the wastewater collection system capacity, the general area covered by the amendment is currently provided with wastewater service and wastewater infrastructure is in place, however, the applicant should be aware that during the development process the developer will be responsible for performing hydraulic calculations to identify the extent of required on-site and off-site improvements to the wastewater collection system to support the projected increase in flow."

"Regarding water distribution system capacity, the general area covered by the amendment is currently provided with potable water service and potable infrastructure is in place, however, the applicant should be aware that during the development process the developer will be responsible for performing hydraulic calculations to identify the extent of required on-site and off-site improvements to the water distribution system to support the projected increase in demand"

COASTAL ISSUES

The subject property is located in the "Coastal Planning Area" as defined by the Lee Plan. The Federal Emergency Management Agency's Flood Insurance Rate Map shows the subject parcel in an "AE" flood zone. The required base elevations to the first habitable floor is 10 feet depending on the specific parcels location. The 1991 "Hurricane Storm Tide Atlas for Lee County," prepared by the Southwest Florida Regional Planning Council (SWFRPC), shows that the subject property is located within the Category "Tropical Storm" storm surge zone. Additionally, the property is located in the SWFRPC Category "Tropical Storm" evacuation zone. Lee Plan Map #5 shows this site in the "Coastal High Hazard Area" of the County. Furthermore, Map #9 locates the site within the 100-Year Floodplains. Due to the location of this property within the Coastal High Hazard and 100-Year Floodplains, the following Policies of the Lee Plan are applicable to the site, and staff in formulating a recommendation reviewed this request for compliance with these policies:

POLICY 5.1.2: *Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.*

POLICY 105.1.4: *Through the Lee Plan amendment process, future land use designations of undeveloped areas within coastal high hazard areas will be considered for reduced density categories in order to limit the future population exposed to coastal flooding. (Amended by Ordinance No. 92-35, 94-30, 00-22, 05-19)*

POLICY 109.1.1: *The county will assess the impact of all new residential development upon the projected hurricane evacuation network and upon projected hurricane evacuation times, and will require mitigation either through structural (on-site, off-site shelter) provisions or through non-structural methods or techniques. (Amended by Ordinance No. 00-22)*

POLICY 110.1.3: *By 1995, all new residential development of more than 50 units will be required to provide continuing information to residents concerning hurricane evacuation and shelters, through the establishment of a homeowners' or residents' association. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 110.1.4: *By 1995, all new residential development of more than 100 units will be required to formulate an emergency hurricane preparedness plan; this plan is subject to the approval of the Lee County Division of Public Safety. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 113.1.2: *All development within the coastal planning area must be compatible with protection of natural systems. (Amended by Ordinance No. 94-30, 00-22)*

The applicant's proposed density would result in increase density in the Coastal High Hazard Area. Staff's recommendation for transmittal at 10 dwelling units per acre will have no net increase in the population of the island. In addition, redevelopment will allow for the elimination of structures that do not comply with the elevation standards of FEMA and will allow for the construction of development that complies with current construction and elevation requirements.

TRANSPORTATION/TRAFFIC CIRCULATION IMPACTS

Staff has received a memorandum from the County Department of Transportation dated September 9, 2008 (Attachment # 6). LCDOT staff expressed concerns about the level of service problems on Estero Boulevard, and

the resultant back-ups on San Carlos Boulevard. They have also expressed concerns about the ability of the narrow, curvy, two-lane configuration of Main Street to handle the additional traffic that would be generated by the applicant's proposed density of 17 dwelling units per acre. Staff's alternative recommendation of a density cap of 10 dwelling units per acre would result in essentially no net increase in the traffic generated from the existing residential development on site today. However, the traffic generated by the proposed hotel and increased commercial intensity will increase the traffic volume in the area.

ENVIRONMENTAL CONSIDERATIONS

Staff has received a memorandum from the Division of Environmental Sciences dated September 15, 2008 (See Attachment # 7). The memorandum indicates that the applicant has agreed with their recommendation and has modified the proposed language to satisfy their concerns. Environmental staff has not indicated any concerns and did not propose any further changes in the proposed language by the applicant.

PARKS, RECREATION AND OPEN SPACE

The applicant provided an analysis in Attachment #1 regarding Parks, Recreation and Open Space. The subject property is located within the South Fort Myers Community Park Benefit District. The proposed development will create a demand for .77 acres of community park as well as 6.5 acres of Regional Park acreage in the South Fort Myers district. According to the 2007 Concurrency Inventory, the projected minimum level of service in the South Fort Myers District in 2010 is approximately 86 acres, while 154 acres of developed parks currently exist. This mixed use development contemplated by the amendment application will not adversely impact parks, recreation and open space.

POLICE

The subject property is located within the service area of the Lee County Sheriff's Department.

FIRE

The subject property is located within the Fort Myers Beach Fire Prevention District. Staff has received a memorandum from Fort Myers Beach Fire Prevention District dated September 5/ 2008 (See Attachment # 10) stating no objection with the proposed Comprehensive Plan Amendment.

EMERGENCY MEDICAL SERVICES (EMS)

Lee County Emergency Medical Services (LCEMS) provides services for this area. Lee County EMS has no objection to this request.

SOLID WASTE

The Lee County Solid Waste Division staff has reviewed the request and provided written comments dated January 18, 2008 (Attachment # 9). This letter states that the Lee County Solid Waste Division is capable of providing solid waste collection service for this development. Further, the Solid waste Ordinance and the LDC, Chapter 10, Section 10-261 have requirements for providing on-site space for placement and servicing of commercial solid waste containers.

FLORIDA STATE COMPREHENSIVE PLAN

The application provides a discussion concerning consistency of the proposal with the Florida State Comprehensive Plan as contained in F.S. 187.201. The discussion highlights various areas in which the plan amendment furthers and advances the State Comprehensive Plan. Staff concurs that the proposal is consistent with the State Comprehensive Plan.

EFFECT ON ADJACENT LOCAL GOVERNMENTS

The application provides that the proposed amendment "will not affect adjacent local governments and their comprehensive plans. Staff believes that the amendment may have some impact on adjacent local government. Staff forwarded a copy of this application to the Town of Fort Myers Beach, and their comments are included in this staff report. Staff has received a letter from the Town of Fort Myers Beach dated September 4, 2008 (Attachment #8). The letter expresses concern about the height, density, and increased traffic that may result from the requested amendment as originally proposed by the applicant. They have not commented on staff's alternative proposed recommendation.

B. CONCLUSIONS

The proposed amendment provides sound planning for a new Future Land Use category. The proposed amendment will help with the redevelopment of the area in an orderly manner. Due to the property's location in the Coastal High Hazard area, staff recommends transmittal at a maximum density of 10 units per acre. This will allow for redevelopment of the Island without measurably increasing density in the coastal high hazard area.

REDEVELOPMENT

Redevelopment of an ageing or antiquated land use is an important part of maintaining a healthy and vibrant community. While there has been some redevelopment in Lee County in the past, we are entering a phase where redevelopment will be needed more and more. How we plan, oversee, regulate, and promote this redevelopment is an emerging issue that needs policy direction from the Board of County Commissioners.

The proposed redevelopment plan for Old San Carlos Island offer some important challenges and opportunities that need to be addressed. The single biggest issue for these proposals is the challenge of the changing of the existing urban form. Urban form includes density, intensity, and building mass.

Redevelopment will be very limited if it is restricted to the demolition of existing uses that can only be rebuilt to their current density and intensity. This is why redevelopment proposals will almost always include an increase in density, more commercial intensity, or increases in building mass, or any combination of the three. These increases form the incentives that make the redevelopment project economically viable.

Old San Carlos Island redevelopment proposal is asking for increased entitlements and also increased building height. Staff has evaluated the proposals and is recommending partial density and intensity for the Old San Carlos Island Redevelopment Plan. Staff is recommending an increase in the maximum allowable height. The recommendation restricts the increase in height to 135 feet if the parking is not integrated into the structure. If multiple layers of enclosed parking are placed under the multifamily or hotel use, staff is recommending increasing the height by an additional 50 feet for a maximum height of 185 feet.

This recommendation is based on attaining the desired urban form that will allow the redevelopment to create an at grade pedestrian friendly space where the retail, the water and the people can interact. This concept is further discussed in the section of this report on Building Height.

BUILDING HEIGHT

Building height has become a critical component of the San Carlos Island Redevelopment proposal. The mixed use pedestrian friendly objective requires an urban form unlike the single use or separated use development patterns typically found here in Lee County. Mid rise multifamily or hotel developments of 9 or 10 story require a large amount of surface parking which makes the site very pedestrian unfriendly. Allowing up to 4 or 5 levels of enclosed parking structure under the residential or hotel units frees up large amounts of the site area to be utilize as the mixed use pedestrian friendly urban space. Locating the parking under the residential or hotel use allows the development to create an at grade atmosphere where the retail, the water and the people can intermingle. This type of site development also allows for additional green areas and enhanced landscaping.

In response to this, staff is recommending restricting the height to 135 feet if the parking is not integrated into the structure. If multiple layers of enclosed parking are placed under the multifamily or hotel use, staff is recommending increasing the height by up to an additional 50 feet for the parking for a maximum height of 185 feet.

C. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners transmit the proposed plan amendment with the conditions and modifications. These conditions have been included in the staff's proposed language. This recommendation includes: the creation of a new Land Use category called "Destination Resort Mixed-Use Water-Dependent;" a new Goal, Objectives and subsequent Policies guiding the development in this area; revision to Map 1 of the Future Land Use Map series to change the Future Land Use designation of the herein described 28.97 upland acres from "Urban Community," "Suburban" and "Industrial Development" to "Destination Resort Mixed-Use Water-Dependent;" change 7.09 acres from "Wetlands" to "Conservation Lands;" and, the addition of the new category and the addition of 28.97 acres in Table 1 (b).

ATTACHMENTS:

- 1- Application packet**
- 2- Memorandum from Lee County Division of Public Safety**
- 3- Memorandum from Lee County School District**
- 4- Memorandum from Lee County Transit**
- 5- Memorandum from Lee County Division of Utilities**
- 6- Memorandum from Lee County Department of Transportation**
- 7- Memorandum from Lee County Division of Environmental Sciences**
- 8- Correspondence from the Town of Fort Myers Beach Consultant**
- 9- Memorandum from Lee County Division of Solid Waste**
- 10- Fort Myers Beach Fire/ Rescue District**

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

PUBLIC HEARING DATE: September 29, 2008

A. LOCAL PLANNING AGENCY REVIEW

Staff and the applicant made their presentations to the LPA on September 29, 2008. One LPA member asked about efforts to protect manatees in the area. The applicant replied that the Manatee Protection Ordinance contained in the Land Development Code is applicable throughout the County including the waters surrounding and canals of San Carlos Island.

The applicant stated that they were in agreement with staff with the exception of density, including 100 time-share units and height. The applicant had originally asked for a density of 17 dwelling units per acre for the entire development areas including commercial and mixed use buildings. Staff's recommendation was for a maximum density of 10 dwelling units per acre. The applicant had also requested a maximum height of 230 feet. Staff's recommendation was for a maximum height of 135 feet with an option to increase it to 185 feet with a multi-story parking garage under the buildings.

The applicant also stated that the letter received by staff in response to staff's request for comment from the Town of Fort Myers Beach (Attachment 8) was done by a consultant that was not duly authorized by the Town Council to comment on the issue.

Three people spoke against the project, as proposed. They did not have problem with the Plan Amendment, but they were not in favor of the increased height and high density.

The first speaker spoke about the height, density and intensity. The speaker complained that the applicant did not seek the neighboring residents input. This speaker also talked about the fact that this is a barrier island located within the Coastal High Hazard area of the County.

The second speaker was worried about the traffic this development would generate, and how much harder it will make for the residents to drive on Main Street and exit Main Street turning left or right on San Carlos Boulevard.

The third speaker talked about the obstruction of view and how 230 foot high buildings will block the sun and the view for the neighboring residents, who live in one story mobile homes. He also talked about the noise generated by all the resort activities and its impact on the surrounding residents.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The LPA discussed the case and the LPA found that the impacts of a 185 foot tall building is not perceptively different than a 230 foot tall building. Also they discussed the density and decided to go along with the applicant request at the hearing that they needed at least 13.5 dwelling units per acre to make the development financially feasible. And the density recommended by staff was not high enough to spur redevelopment activity in the area.

By a vote of 3 to 1, the LPA recommended that the Board of County Commissioners transmit the amendment as proposed by staff, with the following changes:

- a) Increase the height from 135 or 185 with multilayered parking under buildings to 230 feet.
- b) increase the density from 10 dwelling units per acre to 13.5 dwelling units per acre.

This recommendation will require the following revisions to the proposed policies:

POLICY XX.1.1 2: This These areas can best be characterized by their proximity to the water and need for redevelopment due to changes in the market and outdated development patterns. By virtue of their proximity to navigable water and availability of public services, these location are suited to accommodate a mixture of uses that range between residential, resort, commercial and industrial type activities that all benefit from access to the water front. As Lee county moves toward being a larger metropolitan area and a world class destination these types of developments can offer a diverse living, working and vacationing experience that benefits the entire area while being environmentally friendly and economically viable. The standard-density ranges from 9-6 dwelling units per acre to 17 10 13.5 dwelling units per acre. The maximum number

of dwelling units is 17 per acre. Residential densities in developments that include commercial and residential uses in the same project or same building do not have to exclude commercial or other use lands from density calculations may be developed as provided for under the Glossary terms: "Mixed Use," "Mixed Use Building," and "Density."

POLICY XX.2.6: The maximum height for buildings is ~~135~~ 230 feet. Buildings that utilize multiple stories of enclosed parking under the residential or hotel use may add up to an additional 50 feet of building height, up to a maximum of 185 feet.

POLICY XX.6.1: Mixed-use developments, as defined in the Lee Land Development Code containing both commercial and residential uses within the same development shall provide for an interconnection of commercial with residential uses with pedestrian linkages., mixed-use developments will be limited to an overall density of ~~17 to~~ 13.5 dwelling units per acre at these locations. A minimum of 4 units per acre of this density can only be used for timeshare development. Mixed use Developments that use commercial and residential within the same development shall be allowed to use the entire site for density calculation.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA agreed with staff findings of fact and basis for recommendation for approval contained in the staff report. The LPA however found the impacts of a 185 foot tall building is not perceptively different than a 230 foot tall building.

C. VOTE:

NOEL ANDRESS	<u>AYE</u>
LES COCHRAN	<u>AYE</u>
RONALD INGE	<u>AYE</u>
JACQUE RIPPE	<u>ABSENT</u>
CARLETON RYFFEL	<u>ABSENT</u>
LELAND M. TAYLOR	<u>ABSENT</u>
RAE ANN WESSEL	<u>NAY</u>

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: October 22, 2008

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

A. BRIAN BIGELOW

TAMMARA HALL

ROBERT P. JANES

RAY JUDAH

FRANKLIN B. MANN

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS
OBJECTIONS, RECOMMENDATIONS AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: _____

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

A1: CPA 2007-00051: San Carlos Island

B. STAFF RESPONSE:

C. STAFF RECOMMENDATION:

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

A. BRIAN BIGELOW	_____
TAMMARA HALL	_____
ROBERT P. JANES	_____
RAY JUDAH	_____
FRANKLIN B. MANN	_____

**CPA2007-51
SAN CARLOS ISLAND
PRIVATELY SPONSORED
AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**Privately Sponsored Application
and Lee County Staff Analysis**

**LPA Public Hearing Document
for the
September 29, Public Hearing**

*Lee County Planning Division
1500 Monroe Street
P. O. Box 398
(239) 533-8585*

September 25, 2008

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2007-00051**

✓	Text Amendment	✓	Map Amendment
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This Document Contains the Following Reviews:

✓	Staff Review
	Local Planning Agency Review and Recommendation
	Board of County Commissioners Hearing for Transmittal
	Staff Response to the DCA Objections, Recommendations and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: September 26, 2008

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT/REPRESENTATIVE

A. Applicant: Darrell Hanson / Ramon Alvarez

B. Applicant's Representative: Joseph M. McHarris of McHarris Planning and Design

2. REQUEST:

Amend the Lee Plan by Creating a new Future Land Use category called "Destination Resort Mixed-Use Water-Dependent."

Amend the Future land Use Map Series, Map 1 to change 28.97 acres of land designated "Urban Community," "Suburban" and "Industrial Development" to "Destination Resort Mixed-Use Water-Dependent," and 7.09 acres of land designated "Wetlands" to "Conservation Lands." Incorporate a New Land use

category as well as a new Objective and Policies guiding development in this area. Add one foot note to Table 1(a). Amend Table 1 (b) to incorporate the new Future Land Use category.

APPLICANT'S REQUESTED LANGUAGE:

GOAL XX: DESTINATION RESORT MIXED USE WATER DEPENDANT LAND USE (DRMUWDL). To create a land-use category that considers the history, the uniqueness of the land, while correcting that are present with existing zoning and outdated uses, while providing a mechanism to create the future for the area.

OBJECTIVE XX.1: To ensure that Destination Resort Mixed Use Water Dependant Land-use are located in the most appropriate area within the future land use category.

POLICY XX.1.2: This area can best be characterized by their proximity to the water and need for redevelopment due to changes in the market and outdated development patterns. By virtue of their proximity to navigable water and availability of public services, these location are suited to accommodate a mixture of uses that range between residential, resort, commercial and industrial type activities that all benefit from access to the water front. As Lee county moves toward being a larger metropolitan area and a world class destination these types of developments can offer a diverse living, working and vacationing experience that benefits the entire area while being environmentally friendly and economically viable. The standard density ranges from 9 dwelling units per acre to 17 dwelling units per acre. The maximum number of dwelling units is 17 per acre. Developments that include commercial and residential uses in the same project or same building do not have to exclude commercial or other use lands from density calculations.

POLICY XX.1.2: Destination Resort Mixed Use Water Dependent location criteria

1. Located in areas characterized by predominantly outdated RV type living facilities meant for temporary habitation without individual type land ownership and depressed/underutilized water dependent waterfronts.
2. Located in areas characterized as predominantly impacted by a declining water dependant industry like commercial fishing or other and with a minimum of 8 acres of contiguous lands under unified control.
3. Located within costal wind zone areas depicted as 100 Year Flood Plains, as illustrated on Map 9 of the Lee Plan
4. Located in areas with direct access to existing roadways and navigable bodies

of water.

5. Located in an area with multiple zoning districts that may not be compatible with each other

POLICY XX.1.3: Destination Resort Mixed Use Water Dependant land use category will only be allowed, subject to the other requirements of these Goals, and in the areas as defined by the location criteria.

OBJECTIVE XX.2: GROWTH MANAGEMENT. Development of Mixed Use Water Dependant Facilities areas must be consistent with the growth management principles and practices as provided in the following policies.

POLICY XX.2.1: Developments in this land use category will use the Mixed Use Planned development zoning category

POLICY XX.2.2: Destination Resort Mixed Use Water Dependant land Use location must have adequate fire protection, transportation facilities, wastewater treatment and water supply, and provided that they have no adverse effects such as noise, lighting, or odor on surrounding land uses and natural resources.

POLICY XX.2.4: Adjacent contiguous properties may be added to the category with an update to the map and amendment to the overall existing master plan. All existing and/or new developments shall be under unified control for common areas

POLICY XX.2.5: Applications for Destination Resort Mixed Use Water Dependant Facilities development will be reviewed and evaluated as to their impacts on, and will not negatively affect, any adjacent, existing residential, commercial or conservation activities.

POLICY XX.2.6: Destination Resort Mixed Use Water Dependant land use- will be included in the Lee County Zoning Regulations and may be the subject of deviation requests during the "planned development" rezoning process. This provision is intended to encourage joint use of parking, access easements, and storm-water retention facilities where such joint use does not negate the essential purpose of the district

OBJECTIVE XX 3: COMMERCIAL LAND USES. This amendment recognize the unique conditions and preferences of Destination Resort Mixed Use Water Dependant lands and is being developed to ensure that new development areas create a unified and pleasing aesthetic/visual quality through landscaping, architecture, lighting and signage, while providing additional employment opportunities, and eliminating uses that are not

compatible with the adjacent uses. Existing and future county regulations, land use interpretations, policies, zoning approvals, and administrative actions should be undertaken in an effort to promote the goal of redevelopment for the areas with increased mixed use opportunities to service the needs of the community and surrounding areas. County regulations should attempt to ensure that commercial areas maintain a unified and pleasing aesthetic/visual quality in landscaping, architecture, lighting and signage. Commercial land uses must be designed to be compatible Old Florida or other Florida Vernacular styles of architecture and the historic identity of the area.

POLICY XX.3.1: The property owners of lands designated DRM UWDF shall utilize innovative open space design, mixed use concept that integrate well designed pedestrian/bicycle connections to commercial and, locations on or a walk-able distance to mass transit service.

POLICY XX.3.2: The cost for the provision and expansion of facilities for potable water and sanitary sewer that benefits development in the Amendment area will be borne by those who benefit. Such funding may include (but is not limited too), impact fees, special taxing or benefit districts, or Uniform Community Development Districts.

POLICY XX.3.3: The cost for the provision and expansion of facilities necessary to comply with the recommendations of the amendment that benefits development will be borne by those who benefit. Such funding may include (but is not limited to) impact fees, special taxing or benefit districts, or Uniform Community Development Districts

POLICY XX.3.4: The DRM UWDF is an area which provides the associated support development and synergism to create a viable mixed use destination type development with water dependant uses as part of the mix. This land use allows a mixture of land uses related to and justified by the development. Predominant land uses within this area are expected to be residential, commercial, transitory lodging, office, public, recreation, and development all with a water related uses. The following is a list of water dependant uses that will be allowed within the development.

Water related Permitted Uses

1. Aids to navigatio
2. Bait and tackle shops
3. Boat launch and or moorage facilities, Marina, and boat charter services
4. Communication facilities essential to service water dependant uses.

5. Facilities for refueling and providing other services for boats, ships and related marine equipment
6. Laboratory research on marine/estuarine products and resources and physical biological characteristics of the estuary.
7. Marine related specialty shop
8. Office in conjunction with a permitted or conditionally permitted use
9. Public waterfront access
10. Research and education observation
11. Storage of Marine equipment
12. Stores for sale and rental of marine supplies and equipment
13. Utilities
14. Wholesale and retail markets for marine estuarine products
15. Grocery store/ships store
16. Restaurants
17. Processing of seafood in conjunction with retail sales operation
18. Boat repair and building
19. Boat terminal facilities
20. Uses not listed as permitted but shown to be water dependent or water related
- by the applicant and approve by the director of Community Development.

POLICY XX 3.5: The following uses are prohibited within the DRMUWDF:

- Drive thru facilitates
- Big box retailers and single free standing retail facilities greater than 20,000 square feet.

POLICY XX.3.6: This amendment mandates commercial developments within the boundaries provide interconnection opportunities with adjacent uses in order to minimize access points onto primary road corridors; and residential developments to provide interconnect opportunities with commercial areas, including but not limited to bike paths and pedestrian access ways.

OBJECTIVE XX.4: RESIDENTIAL USES. This land use category will enhance the character of the area by evaluating adjacent uses, natural resources, access and recreational or open space, and requiring compliance with enhanced buffering requirements.

POLICY XX.4.1: This land use will provide opportunities for public access to the water and shall include provisions for bicyclists/pedestrians. At a minimum one public access easement shall be provided to the waterfront per development.

POLICY XX.4.2: Road capacity improvements needed within the property to serve demands generated outside the community will be designed to minimize the impacts on the community

OBJECTIVE XX 5: COMMUNITY CHARACTER. This land use category will propose regulations, policies and actions affecting the character and aesthetic appearance of the development to help create a visually attractive community while maintain the rich heritage of the area.

POLICY XX.5.1: In order to maintain a Marine identity for the community, commercial developments are shall use vernacular Florida architectural styles for all buildings. (See design standards) The use of Mediterranean styles of architecture is discouraged.

POLICY XX.5.2: Maximum height allowed for this category is 230'-0". Front set backs are set at a minimum of 25'-0", Rear setback are set at a minimum of 20'-0" and side setbacks are Set at 40'-0". Marina type uses located on open water will have a minimum set back of 15'-0" .Open space will be increase for this category by 10%

POLICY XX.5.3: In order to preserve/enhance/restore the heritage and natural beauty of the area. This land use category will provide an educational component with the objective of educating the public on its unique quality and rich history and how to protect the area. This will be done with descriptive display, multimedia presentations and other proven means to educate and inform.

OBJECTIVE XX.6: COORDINATION OF MASS TRANSIT. The-developer(s) will establish coordination with Lee County to ensure consistency with the TDP (Transit Development Plan)

POLICY XX.6.1: Mixed-use developments, as defined in the Lee Land Development Code containing both commercial and residential uses within the same development shall provide for an interconnection of commercial with residential uses with pedestrian

linkages., mixed-use developments will be limited to an overall density of 17 dwelling units per acre at these locations. A minimum of 4 units per acre of this density can only be used for timeshare development. Mixed use Developments that use commercial and residential within the same development shall be allowed to use the entire site for density calculation.

POLICY XX.6.2: Bicycle & Pedestrian facilities will be provided throughout the development. Connections between all uses are required to facilitate these alternative modes of transportation. When possible, connections to adjacent developments shall be provided.

POLICY XX.6.3: Vehicular connections between residential and non-residential uses will be provided to facilitate the internal capture of trips. When possible, connections to adjacent developments will be made to provide alternative access to the non-residential components of this development other than the Main Street.

POLICY XX.6.4: Water access-each development shall provide at a minimum one designated public access easement point to the water.

OBJECTIVE XX.7: INCORPORATION and UTILIZATION OF MULTIMODAL AND ALTERNATIVE MODES OF TRANSIT. The development will establish a comprehensive approach to multimodal and alternative modes of transportation for its residents and guests. These will include, but not be limited to mass transits stops (minimum of one), or shuttle service to a stop, bicycle rental, integrated network of sidewalks and board walks, Airport shuttle services and water-taxi transportation facilities

POLICY XX.7.1: Each development will establish a water taxi /shuttle service to and from the property. The shuttle will be open to guest, residents and outsiders wanting an alternative access to the water. Hours of operation will be determined based on market conditions but will at a minimum provide three (3) round trips daily.

POLICY XX.7.2: Each development will establish an airport shuttle service to and from the Southwest Florida International Airport and the development. The shuttle services hours of operation will be determined based on market conditions and can either be a fixed route shuttle or a point of demand service type or combination thereof.

POLICY XX.7.3: Where Projects are intersected by public roadways for developments greater than 20 acres and with a split greater than 15%, some sort of grade separation may be provided for safe pedestrian and bicycle access between the properties. The

purpose of this is to safely move pedestrian and bicycles across the road. Examples of this would involve taking the bicycle/pedestrian facilities up and over the road or involve in taking the road over the pedestrian/bicycles paths.

OBJECTIVE XX8: GENERAL SITE DEVELOPMENT STANDARDS. The site design for projects within this Land use category will consider the individual characteristics of their site, along with the overall context of the development. This will be done by careful consideration of the site design with respect to the local climate, existing structures and adjacent vegetation, transportation access and the impact (both positive and negative) that the building or structure may have on adjacent areas.

POLICY XX.8.1: DRMUWDF shall seek solutions that minimize the impact of grading with respect to the removal of natural vegetation and the major alterations of existing grades. Impacts on mangroves other than a noted in this document are prohibited.

POLICY XX 8.2: The orientation of the building(s) should take into account any existing native vegetation, parcel configuration, solar orientation, access, adjacent structures and views.

POLICY XX 8.3: The impact and intensity of the paving, minimizing of clearing limits, and aesthetics are important factors to be considered in the design of the project entries, parking areas and roads. Landscape, circulation signage, lighting, striping and changes in paving materials should be coordinated to enhance circulation. Parking areas shall be designed to avoid long rows of parking spaces without adequate landscaping. All parking areas and driveways shall be paved using pervious materials when applicable. At a minimum fifty (50) percent of all parking and driveway areas shall be constructed using pervious materials. Landscaping in these areas shall be designed above the county minimum standards. Parking lot shade trees or cluster shall be increased by a minimum of 15%. Trees used in the parking area shall be a minimum of 14'in height and a 3.5 inch caliper.

POLICY XX 8.4: Attention shall be given to the locations of pedestals and transformers as they relate to aesthetics. All utilities shall be installed underground. Any utility items, which must protrude above ground for service, access, safety, or code, must be screened with a wall, fence, and/or landscape elements.

POLICY XX 8.5: Lighting shall be used to accent key architectural elements, to emphasize landscape features, and to provide a safe and enjoyable environment. The outlining of a building or roof with lighting is prohibited. Exterior Light sources must be concealed where possible and all light shall be in shades of white. Colored lights are

prohibited. No spillover of light can occur on neighboring properties and lighting must be shielded to prevent glare. Tree-up lighting shall be concealed underground or in shrub masses. Garden lights or walkway bollards should direct the light downward with a concealed light source and shall be incorporated into landscape beds.

Parking lot light fixtures shall not exceed 25 feet in height and lighting located in pedestrian areas shall not exceed 15 feet. No "cobra" head style fixtures are permitted. Light fixtures should either be designed as an integral design element that complements the design of the project through style and material or blend into the landscape by the use of muted colors and simple designs. Exterior light fixtures are encouraged to be either wrought iron or cast aluminum. Mill finish metal is allowed. Building mounted security and service area lighting fixtures must not project above the fascia or roofline of the building and must be shielded. Such fixture and shields must be a harmonious color with the building. Security fixtures may not be substituted for parking lot or walkway lighting and are restricted to loading, storage, service and other similar locations.

POLICY XX 8.6: No wall, screen, or fence of any kind may be constructed unless they are architecturally compatible with those of the building and the landscaping. The design of these elements shall appear seamless with the building and/or landscaping.

POLICY XX 8.7: The projects within this land use category will provide to the inhabitants and guest an area of last refuge should anyone not heed the warnings of an impending storm. This area is not to be advertised as a hurricane shelter, but as a place of last resort.

OBJECTIVE XX 9: SERVICE AREA AND EQUIPMENT. The intent of this section is to ensure that service and function areas are planned and designed to have the least amount of impact on the general public and adjacent neighbors. This can be accomplished by providing adequate space and incorporating these elements into the project at an early stage.

POLICY XX 9.1 No materials, supplies, or equipment shall be stored in an area on a site except inside a closed building or behind a suitable barrier so as not to be visible to the general public or to an adjoining site. Loading doors and service areas shall be screened, and/or buffered by landscaping, so as not to be visible from any street or from any adjoining residential site. Adequate area shall be provided on site for all loading and maneuvering of trucks and other vehicles in order that such operations will not be carried out in the street.

POLICY XX 9.2: Screening devices must be of a height at least equal to that of the material or equipment being screened. The design, material, textures, and colors of

screening devices shall be architecturally compatible with those of the building and with the landscaping. The design of these elements shall appear seamless with the building and/or landscaping. Frequently, planting material can provide an effective screen offering the same opaqueness of a wall. Plantings should be considered to soften the “hardness” of man-made screens.

OBJECTIVE XX.10: ARCHITECTURAL STANDARDS. The architectural theme for the development exhibits characteristics of early Florida building traditions. A common architectural theme based on the local region, along with local interpretations of these styles, is required for all buildings within the development including ancillary buildings. All buildings should complement their surroundings. The horizontal landforms, local climate, and native vegetation, should dictate the dwelling location and form. The architectural details and definition shall consider all sides of the building and include, but not be limited to, banding, accent materials, roof character, and window treatments. The policies have been set to help create a visually attractive community. These standards are to be above and beyond the counties design standards in the LDC.

POLICY XX 10.1: Large blank unadorned walls will not be permitted. All equipment shall be screened and be placed out of view. Natural materials and paint colors shall be in warm earth tones for the exterior of buildings and structures.

POLICY XX 10.2: Special attention should be given to scale and proportion to the building site as it is of major importance to the development. The scale relationship of each building component shall relate to the overall massing for the project. The introduction of characteristics such as steep roofs, detailed eaves, balconies, and other building ornamentation is encouraged to customize the mass and design of an individual building or large structures. Retaining walls, planter walls, and privacy walls should be used to break up the elevations of a building and help relate the structure to the ground.

POLICY XX 10.3: Architectural details and design (such as changes in plane, height, texturing, banding, etc.) shall be considered in each elevation to give large surfaces and structures interest where appropriate. Equal attention to detail and architectural definition must be given to all sides of the structure, including, but not limited to, the foundations, banding, accent materials, roof character, and window treatment.

POLICY XX 10.4: The following architectural details shall be considered in the design of each building:

- Varying roof heights
- Mix of hip, gable for roofs, flat and varying slopes

- Detailed windows and/or doors
- Decorative shutters
- Recessed windows
- Railings and associated details
- Cantilevered balconies
- Verandas and courtyards
- The appearance of “thick” walls
- Decorative chimneys, tower or other roof apparatus
- Exposed rafter tails
- Planters, pergolas, and trellises
- Clap board siding or Textured “hand-toweled” wall finish or smooth stucco with banding
- Metal or flat tile roofs
- Exterior stairs

POLICY XX 10.5: Colors and materials are an intricate part of the Architecture and landscape for this development. Warm and rich colors that are evocative of the coastal region shall be considered when selecting colors for this project. An example of inappropriate color is a bright color used for large areas of wall and roof surfaces.

POLICY XX 10.6: Materials expression within the architecture includes massive wood beams, supported rooflines, cantilevered balconies and other decorative elements. Beams should be made of redwood, cedar or cypress with a finish that is rough-cut. Walls should be made of clap board or textured stucco or simulated limestone that adds richness to the wall surface. Decorative metals for gates, railings, and other decorative details should be finished black, dark bronze, galvanized or copper. Stone and simulated stone should be rough or smooth and laid in a fashion appropriate to the style of architecture. Materials like coral rock, limestone, granite, pre-cast concrete, or architectural foam should be used as decorative detailing at windows, doors, for wall material, or other decorative areas on the building. Vinyl or wood siding is discouraged.

POLICY XX 10.7: Preferred building materials are:

- Fiber-Cement lap siding.
- Painted stucco in natural earth tones; anodized or paint finish is required on all metal surfaces including windows, flashing, drips, and caps, in colors complimenting or matching the approved colors.
- Fascias must be constructed of cedar or redwood or other similar material and painted to match the trim color. Soffits must be of wood or stucco. Metal or vinyl soffits are prohibited.
- Foam products used on the exterior of buildings shall be installed to meet

industry standards to ensure quality construction and be detailed away from areas that are in high traffic areas.

POLICY XX 10.8: All buildings shall have pitched roofs or simulated pitched rooflines. The minimum roof pitch allowed in the Development is 4 in 12. Overhangs may vary as necessitated by architectural design and these design guidelines. The typical roof overhangs are very wide to protect from the sun & rain and to provide passive energy conservation. Flat roofs are not allowed unless accompanied with a full parapet. Parapets may be appropriate in certain situations above walkways and in conjunction with a coordinated signage design or as a decorative element. Roofs shall have a minimum overhang of 2 feet on the eaves and 1 foot on gable ends or as noted otherwise in these standards. Fascias must be a minimum of 10 inches. No metal fascias are allowed.

POLICY XX 10.9: All rooftop equipment must match roofing colors and be placed as inconspicuously as possible, preferably located near the rear elevation. Exposed flashing, gutters, and downspouts must be painted to match the fascia and/or walls of the structure or be made of copper and left to weather to natural patina. Preferred roof materials: flat roof and or Standing seam metal roofs

POLICY XX 10.10: Buildings must have a minimum overhang of 24 inches with a 10inch fascia (gable ends may utilize a one foot overhang with a 10 inch fascia), or a minimum of 14-inch overhang and a 10" fascia when associated with a cornice, banding, or corbels (minimum height of 8 inches).

POLICY XX 10.11: Windows and doors are often dominant elements in the design of buildings. The trim around these openings thus becomes an important feature to link the openings to the buildings. Windows should utilize clear glass or a tinted glass of bronze, gray, green, or smoked colors. No reflective glass or tinting may be used. Aluminum window frames in white or with warm, earth tone finishes such as bronze, sepia, ochre, and terra cotta are permitted. Mill finished aluminum is prohibited. Windows within stucco walls on all facades shall provide architectural detailing or be banded. Window openings should follow classic geometry that includes both square and rectangular windows. Radius or arched top shapes are encouraged in accent areas.

POLICY XX 10.12: Awnings shall be designed as an integral part of the project or building and should be associated with an opening. Awnings shall be made of canvas and shall not be backlit. Awnings shall not be connected to another elevation or be used above the roofline of a building.

POLICY XX 10.13: Shutters are encouraged as an integral part of the building design when appropriate. Shutters should be designed and sized according to the opening it is associated with.

POLICY XX 10.14: Doors constructed of wood are encouraged. Heavy, rustic plank doors are a signature element of buildings and entrances. Recessed doorways, giving the appearance of thick walls, are encouraged. Ornamental iron or aluminum gates used as part of the entry sequence are encouraged. Service and emergency exit doors shall be painted the same color as adjacent walls

POLICY XX 10.15: Covered walkways/loggias are required on the front of all buildings and shall be constructed of a material that is consistent with the overall look and design for the building/project.

POLICY XX 10.16: Accessory buildings shall be consistent with the style of the main buildings. An accessory building must be of the same color, material, and architectural style as the main building or of color, material, and style that is generally recognized as complimentary to that of the main structure. Any utilities servicing accessory buildings shall be installed underground. Freestanding metal utility sheds or storage sheds are not permitted.

POLICY XX 10.17: Parking Garage and Structures

Intent: to hide the function / storage of the cars in an aesthetically pleasing manner. All garage structures shall be design with punched openings and closed corners. The following are acceptable means of masking commercial garages:

- Liner Buildings can be placed in front of garage structure to disguise the function. Liner buildings are structures placed in front of the garage structure and can be functional or non functional. Liner building shall be designed with multiple facades.
- Landscaping
- Combination of liner buildings and landscaping

POLICY XX 10.18: Boardwalk Areas

Intent: to provide guidelines for the development of a boardwalk along the commercial waterfront property that promotes a multitude of activities that are waterfront related and open to the general public. Multiple access routes to the boardwalk shall be provided.

The area between the boardwalk and the main buildings shall be provided with both active and passive spaces for the enjoyment of guests. Board walks through preserves are intended for passive activities only.

Commercial area Boardwalk-Minimum width shall be 6'0" or greater and shall have a large portion of the water front at 12 feet or greater for the majority of the water. The boardwalk will be made with Materials or a combination of materials that are durable and ADA compliant.

Preserve area Boardwalks shall be in a width of 5'-0" -7'-0 "and or ADA compliant. Materials shall be built with sustainable "green" Materials. Only one preserve boardwalk, defined mangrove area is allowed. Only one shaded structure with a maximum of two benches is allowed in the preserve area.

Kiosks -These are encouraged along the Commercial boardwalk at appropriate intervals and in various sizes. They may provide commercial services or information. Kiosks shall be designed to be architecturally compatible with the main building. Kiosks may be fixed or mobile.

POLICY XX10.19 Landscape Standards

DESIGN INTENT

It is intended that nature be an integral design component with the building and site plan for this project. The landscape should be carefully designed and detailed to heighten one's sense of nature as well as to promote health of the plant species within the community. A landscape design that incorporates Xeriscape principles to conserve water is required. Indigenous plant preservation/enhancement and buffering shall be provided in accordance with the zoning regulations of Lee County.

Views from the roadways, and adjacent properties toward a landscaped area should complement the appearance of the building. All front, side and rear building setback areas must be landscaped and should contain primarily native plants. A minimum of 70% native plants must be used in the landscape design. Corners of the building shall be landscaped with trees and under plantings to soften the buildings edges. All shade trees must be planted at a minimum height of 14'-0" and a 3.5 caliper. Palms should be planted in cluster of three or more and shall be a minimum height of 16' feet at planting and a minimum clear trunk of ten feet. Specimen palms may be used similar to shade tree placements in the landscape design of the project.

Ornamental plantings should be used close to the building. Existing native plants that are preserved may be credited for these requirements. A listing of approved and disapproved planting material has been provided in the index for your review.

Shrub masses can be used to channel winds, buffer intruding noises and views, and screen private areas. All shrub plantings should be massed in groupings of three or more plants. Linear hedges or box-clipped shrubs are not allowed within the buffers. Larger shrubs and plantings may be required at large wall and fencing areas.

To prevent the further infestation and choking of native plants, all species on lee counties list of exotics shall be removed including but not limited to:

Australian Pine - Casuarina equisetfolia

Punk Tree or Cajeput - Melaleuca leucandendra

Brazilian Pepper - Schinus terebinthifolius

Downy Rose Myrtle - Rhodomytus tomentosa

Air Potato – Dioscorea bulbifera

Lather Leaf – Colubrina asiatica

Climbing Fern – Lygodium spp.

Java Plum – Syzygium cumini

Catclaw Mimosa – Mimosa pigra

Earleaf Acacia - Acacia auriculiformis

Women's tongue – Albizia lebbeck

Laurel Fig – ficus microcarpa

PARKING AREAS AND ISLANDS

Parking areas shall provide a hedge type buffer at the perimeter of the parking area. A landscape buffer shall be provided between the building and the drive or parking area for all public areas. A landscaped parking island shall be provided per beyond county code. Landscaping shall be provided at each island with a minimum of 1 shade tree (or 3 palms) and 8 (three gallon) shrubs.

POLICY XX10.20 Xeriscape Landscape Standards Project shall incorporate the use of Xeriscape landscaping techniques such as described in the SFWMD xeriscaping principals.

OBJECTIVE XX.11: WATER QUALITY, QUANTITY, AND SURFACE WATER RESOURCES. Destination Resort Mixed Use Water Dependant Facilities must be located, designed and operated in such a way that they will not degrade the ambient surface or groundwater quality. These facilities must be located, designed and operated in such a way that they will not adversely impact the surrounding existing water. The location, design and operation of Mixed Use Water Dependant Facilities must maintain or improve the storage and distribution of surface water resources.

POLICY XX.11.1: Any Destination Resort Mixed Use Water Dependant Facilities proposed within the land use category must cooperate with Lee County and SFWMD in implementing an overall surface water management plan as outlined in Objective 60.2 and 117.1. Compliance with these Policies must be demonstrated during Development Order approval.

OBJECTIVE XX.12: WILDLIFE. The location, design and operation of Destination Resort Facilities will incorporate preservation and/or management activities that restrict the-loss of wildlife habitat or impact on protected species, species of special concern, threatened or endangered species.

POLICY XX.12.1: The development will not have an impact on any existing, viable on-site occupied wildlife habitat for protected species, species of special concern, threatened or endangered species.

POLICY XX.12.2: Through the development review process, Private Recreation Facilities will be designed and operated to conserve critical habitat of protected species. This will be accomplished through regulation, incentives and public acquisition.

POLICY XX.12.3: The development will meet the requirements of the Lee County Manatee Protection Plan at time of Development Order

OBJECTIVE XX.13: NATURAL RESOURCES. Destination Resort Facilities must be located, designed and operated to minimize environmental impacts, and where appropriate, protect, enhance and manage natural resources such as, waterways, wetlands, natural water bodies, and indigenous uplands.

POLICY XX.13.1: All retained onsite natural areas, must be perpetually managed by the

owner(s), or their assignees, with accepted Best Management Practices. The type of management techniques will be determined by the specific plant community. A natural area land management plan must be submitted to the Lee County Division of planning prior to the approval of a final local development order. This policy does not preclude areas that have been compromised in the past to be designed in such a way as to be assessable to the public for environmental and educational purposes. Management techniques addressed in the plan must include, but not be limited to the following:

- Exotic pest plant control;
- Removal of any trash and debris;
- Restoration of appropriate hydrology;
- Native plant restoration, where appropriate;
- Discussion of flora and fauna;
- Retention of dead trees and snags.

POLICY XX.13.2: The development will minimize adverse effects on wetlands and riparian areas.

POLICY XX.13.3: Destination Resort Mixed Use Water Dependant Facilities must be designed to preserve a minimum of 20% of on-site, indigenous native upland habitat.

POLICY XX.13.4: The development will incorporate energy and resource conservation devices, such as green building technologies

POLICY XX.13.5 Mangroves areas and islands located in this district shall be considered for inclusion into conservation land category in the proposed FLUM or as a conservation easement

OBJECTIVE XX.14: INTERGOVERNMENTAL COORDINATION WITH THE TOWN of Fort Myers BEACH. Due to the unique location and proximity to the town of Fort Myers Beach the development will commit to working with the town to propose and resolve concerns.

POLICY XX.14.1: The developer will set up and coordinate a dialogue with the town to review parking and access issue during the Development order process.

POLICY XX.14.2: The developer will provide a liaison to any harbor planning

committee to coordinate activities in and around the Harbor

OBJECTIVE XX.15: Marina Design and Conservation

POLICY XX.15.1: Marina design must incorporate natural wetland vegetative buffers near the docking areas and in ingress/egress areas for erosion and sediment control, runoff purification and habitat purposes and protect environmentally sensitive areas

B. BACKGROUND INFORMATION

1. EXISTING CONDITIONS:

SIZE OF PROPERTY: 36.06± acres; total Uplands: 28.97± acres; total Wetlands: 7.09±. Additionally, the applicant also claims the ownership of 38.04± acres of submerged land.

PROPERTY LOCATION: The subject property is located on San Carlos Island on both sides of Main Street, and is bordered by Hurricane Bay to the north and Matanzas Pass to the south. To the east and west it abuts mobile home park and marina uses.

EXISTING USE OF LAND: The site currently contains a recreational vehicle park, a marina , and a restaurant.

CURRENT ZONING: The property is currently zoned Mobile Home Residential (MH-2), Marine Commercial (CM), Marine Industrial (IM), Light Industrial (IL), and Agricultural (AG-2).

CURRENT FUTURE LAND USE CATEGORY: The site contains several Future Land Use categories: Suburban, Urban Community, Industrial Development, and Wetlands.

2. INFRASTRUCTURE AND SERVICES

WATER & SEWER: The subject property is located in the Lee County Utilities franchise area for potable water and sanitary sewer service.

FIRE: The property is located in the Fort Myers Beach Fire District.

TRANSPORTATION: Access to the property is through Main Street, which intersects with San Carlos Boulevard on the west side and dead-end on the east side of the island. All traffic to and from this site must take Mains Street and San Carlos Boulevard.

SOLID WASTE FRANCHISE: San Carlos Island is located within the South Fort Myers Service Area. ONYX Waste Services.

C. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Planning staff recommends that the Board of County Commissioners **transmit** the proposed amendment to the Lee Plan, as modified by staff. This recommendation includes the creation of a new Land Use category called "Destination Resort Mixed-Use Water-Dependent;" a new Goal, Objectives and subsequent Policies guiding the development in this area; revision to Map 1 of the Future Land Use Map series to change the Future Land Use designation of the herein described 28.97 upland acres from "Urban Community," "Suburban" and "Industrial Development" to "Destination Resort Mixed-Use Water-Dependent" and to change 7.09 acres from "Wetlands" to "Conservation Lands;" and, and, the addition of the new category and the addition of 28.97 acres in Table 1 (b). The site is located within the coastal high hazard area of the County. For this reason staff recommends transmittal at a lower density and height than that requested by the applicant. Staff recommends transmittal with a maximum density of 10 dwelling units per acre and a height of no more than 135 feet, with a maximum of 185 feet to accommodate multiple layers of parking garage under the building.

STAFF'S RECOMMENDED LANGUAGE:

~~Strike thru~~ : Recommended for deletion from the transmittal by staff

Underline : Proposed language by the applicant

Double Underline : Revisions and additions by staff

POLICY 1.2 10: DESTINATION RESORT MIXED USE WATER DEPENDANT
are upland areas with existing antiquated zoning and out-dated uses that will through redevelopment provide a mechanism to create an attractive, functioning mixed use destinations resort through well planned redevelopment that include commercial and residential uses in the same project or same building. The following uses are permitted: dwelling units; hotel; commercial; office space; and, marina, including wet and dry storage spaces. Residential density ranges from 6 dwelling units per acre to a maximum of 10 dwelling units per acre.

GOAL XX: DESTINATION RESORT MIXED USE WATER DEPENDANT LANDUSE (DRMUWDE). To ~~create~~ establish a land-use category that considers the history, the uniqueness of the water dependant land, while ~~correcting that are present~~ with existing antiquated zoning and out-dated uses, while providing that will provide a mechanism to create the future for the area an attractive, functioning mixed use destinations resort through well planned redevelopment.

OBJECTIVE XX.1: To ensure that Destination Resort Mixed Use Water Dependant Land-use categories are located in the most appropriate areas within the future land use category.

POLICY XX.1.1 2: ~~This~~ These areas can best be characterized by their proximity to the water and need for redevelopment due to changes in the market and outdated development patterns. By virtue of their proximity to navigable water and availability of public services, these location are suited to accommodate a mixture of uses that range between residential, resort, commercial and industrial type activities that all benefit from access to the water front. As Lee county moves toward being a larger metropolitan area and a world class destination these types of developments can offer a diverse living, working and vacationing experience that benefits the entire area while being environmentally friendly and economically viable. The standard density ranges from 9-6 dwelling units per acre to 17 10 dwelling units per acre. The maximum number of dwelling units is 17 per acre. Residential densities in developments that include commercial and residential uses in the same project or same building do not have to exclude commercial or other use lands from density calculations may be developed as provided for under the Glossary terms: "Mixed Use," "Mixed Use Building," and "Density."

POLICY XX.1.2: Destination Resort Mixed Use Water Dependent location criteria

1. Located in areas characterized by predominantly outdated RV type living facilities meant for temporary habitation without individual type land ownership and depressed/underutilized water dependent waterfronts.
2. Located in areas characterized as predominantly impacted by a declining water dependant industry like commercial fishing or other and with a minimum of 8 acres of contiguous lands under unified control.
3. Located within costal wind zone areas depicted as 100 Year Flood Plains, as illustrated on Map 9 of the Lee Plan.
4. Located in areas with direct access to existing roadways and navigable bodies of water.
5. Located in an area with multiple zoning districts that may not be compatible with each other.

POLICY XX.1.3: Destination Resort Mixed Use Water Dependant land use category will only be allowed, subject to the other requirements of these Goals, and in the areas as defined by the location criteria.

OBJECTIVE XX.2: GROWTH MANAGEMENT. Development of Mixed Use Water Dependant Facilities areas must be consistent with the growth management principles and practices as provided in the following policies.

POLICY XX.2.1: Developments in this land use category ~~will use~~ must be rezoned to the Mixed Use Planned development zoning category

POLICY XX.2.2: Destination Resort Mixed Use Water Dependant land Use location must have adequate fire protection, transportation facilities, wastewater treatment and water supply, and provided that they have no adverse effects such as noise, lighting, or odor on surrounding land uses and natural resources.

POLICY XX.2.4: Adjacent contiguous properties may be added to the category with an update to the future land use map and amendment to the overall existing master plan. All existing and/or new developments shall be under unified control for common areas

POLICY XX.2.5: Applications for Destination Resort Mixed Use Water Dependant Facilities development will be reviewed and evaluated as to their impacts on, and will not negatively affect, any adjacent, existing residential, commercial or conservation activities.

POLICY XX.2.6: Destination Resort Mixed Use Water Dependant land use will be included in the Lee County Zoning Regulations Land Development Code and may be the subject of deviation requests during the "planned development" rezoning process. This provision is intended to encourage joint use of parking, access easements, and storm-water retention facilities where such joint use does not negate the essential purpose of the district.

POLICY XX.2.6: The maximum height for buildings is 135 feet. Buildings that utilize multiple stories of enclosed parking under the residential or hotel use may add up to an additional 50 feet of building height, up to a maximum of 185 feet.

OBJECTIVE XX 3: COMMERCIAL LAND USES. ~~This amendment~~ To recognize the unique conditions and preferences of Destination Resort Mixed Use Water Dependant lands and ~~is being developed~~ to ensure that new development areas create a unified and pleasing aesthetic/visual quality through landscaping, architecture, lighting and signage, while providing additional employment opportunities, and eliminating uses that are not compatible with the adjacent uses. Existing and future county regulations, land use interpretations, policies, zoning approvals, and administrative actions should be undertaken in an effort to promote the goal of redevelopment for the areas with increased mixed use opportunities to service the needs of the community and surrounding areas. County regulations should attempt to ensure that commercial areas maintain a unified and pleasing aesthetic/visual quality in landscaping, architecture, lighting and signage. Commercial land uses must be designed to be compatible Old Florida or other Florida Vernacular styles of architecture and the historic identity of the area.

POLICY XX.3.1: The property owners of lands designated DRMUWDF ~~shall~~ will utilize innovative open space design, mixed use concept that integrate well designed pedestrian/bicycle connections to commercial and, locations on or a walk-able distance to mass transit service.

POLICY XX.3.2: The cost for the provision and expansion of facilities for potable water and sanitary sewer that benefits development in the Amendment area will be borne by those who benefit. Such funding may include (but is not limited too), impact fees, special taxing or benefit districts, or Uniform Community Development Districts.

POLICY XX.3.3: The cost for the provision and expansion of facilities ~~necessary to comply with the recommendations of the amendment~~ that benefits development will be

borne by those who benefit. Such funding may include (but is not limited to) impact fees, special taxing or benefit districts, or Uniform Community Development Districts

POLICY XX.3.4: The DRMUWDF is an area which provides the associated support development and synergism to create a viable mixed use destination type development with water dependant uses as part of the mix. This land use allows a mixture of land uses related to and justified by the development. Predominant land uses within this area are expected to be residential, commercial, transitory lodging, office, public, recreation, and development all with a water related uses. The following is a list of water dependant uses that will be allowed within the development.

Water related Permitted Uses

- Aids to navigation
- Bait and tackle shops
- Boat launch and or moorage facilities, Marina, and boat charter services
- Communication facilities essential to service water dependant uses.
- Facilities for refueling and providing other services for boats, ships and related marine equipment
- Laboratory research on marine/estuarine products and resources and physical and biological characteristics of the estuary.
- Marine related specialty shop
- Office in conjunction with a permitted or conditionally permitted use
- Public waterfront access
- Research and education observation
- Storage of Marine equipment
- Stores for sale and rental of marine supplies and equipment
- Utilities
- Wholesale and retail markets for marine estuarine products
- Grocery store/ships store
- Restaurants
- Processing of seafood in conjunction with retail sales operation
- Boat repair and building
- Boat terminal facilities
- Uses not listed as permitted but shown to be water dependent or water related by the applicant and approve by the director of Community Development.

POLICY XX 3.5: The following uses are prohibited within the DRMUWDF:

- Drive thru facilitates
- Big box retailers and single free standing retail facilities greater than 20,000 square feet.

POLICY XX.3.6: This amendment mandates Ccommercial developments within the boundaries must provide interconnection opportunities with adjacent uses in order to minimize access points onto primary road corridors; and residential developments to provide interconnect opportunities with commercial areas, including but not limited to bike paths and pedestrian access ways.

OBJECTIVE XX.4: RESIDENTIAL USES. This land use category will enhance the character of the area by evaluating adjacent uses, natural resources, access and recreational or open space, and requiring compliance with enhanced buffering requirements.

POLICY XX.4.1: This land use will provide opportunities for public access to the water and shall include provisions for bicyclists/pedestrians. At a minimum one public access easement shall be provided to the waterfront per development.

POLICY XX.4.2: Road capacity improvements needed within the property to serve demands generated outside the community will be designed to minimize the impacts on the community

OBJECTIVE XX 5: COMMUNITY CHARACTER. This land use category will propose To enact regulations, policies and actions affecting the character and aesthetic appearance of the development to help create a visually attractive community while maintain the rich heritage of the area.

POLICY XX.5.1: In order to maintain a Marine identity for the community, commercial developments are shall will use vernacular Florida architectural styles for all buildings. (See design standards) The use of Mediterranean styles of architecture is discouraged.

POLICY XX.5.2: Maximum height allowed for this category is 230'-0". Front set backs are set at a minimum of 25'-0", Rear setback are set at a minimum of 20'-0" and side setbacks are Set at 40'-0". Marina type uses located on open water will have a minimum set back of 15'-0". Open space will be increase for this category by 10%

POLICY XX.5.3: In order to preserve/enhance/restore the heritage and natural beauty of the area. This land use category will provide an educational component with the

objective of educating the public on its unique quality and rich history and how to protect the area. This will be done with descriptive display, multimedia presentations and other proven means to educate and inform.

OBJECTIVE XX.6: COORDINATION OF MASS TRANSIT. The developer(s) will establish coordination coordinate with Lee County to ensure consistency with the TDP (Transit Development Plan)

POLICY XX.6.1: Mixed-use developments, as defined in the Lee Land Development Code as containing both commercial and residential uses within the same development shall will provide for an interconnection of commercial with residential uses with pedestrian linkages., mixed-use developments will be limited to an overall density of 17 10 dwelling units per acre at these locations. A minimum of 4 units per acre of this density can only be used for timeshare development. Mixed use Developments that use commercial and residential within the same development shall be allowed to use the entire site for density calculation may be developed as provided for under the Glossary terms: "Mixed Use," "Mixed Use Building," and "Density."

POLICY XX.6.2: Bicycle & Pedestrian facilities will be provided throughout the development. Connections between all uses are required to facilitate these alternative modes of transportation. When possible, connections to adjacent developments shall be provided.

POLICY XX.6.3: Vehicular connections between residential and non-residential uses will be provided to facilitate the internal capture of trips. When possible, vehicular connections to adjacent developments will be made to provide alternative access to the non-residential and mixed use components of the development. this development other than the Main Street.

POLICY XX.6.4: Water access Each development shall provide at a minimum one designated public access easement point to the water.

OBJECTIVE XX.7: INCORPORATION AND UTILIZATION OF MULTIMODAL AND ALTERNATIVE MODES OF TRANSIT. The development will establish a comprehensive approach to multimodal and alternative modes of transportation for its residents and guests. These will include, but not be limited to mass transits stops (minimum of one), or shuttle service to a stop, bicycle rental, integrated network of sidewalks and board walks, Airport shuttle services and water-taxi transportation facilities.

POLICY XX.7.1: Each development will establish a water taxi /shuttle service to and from the property. The shuttle will be open to guest, residents and outsiders wanting an alternative access to the water. Hours of operation will be determined based on market conditions but will at a minimum provide three (3) round trips daily.

POLICY XX.7.2: Each development will establish an airport shuttle service to and from the Southwest Florida International Airport and the development. The shuttle services hours of operation will be determined based on market conditions and can either be a fixed route shuttle or a point of demand service type or combination thereof.

POLICY XX.7.3: Where Projects are intersected by public roadways for developments greater than 20 acres and with a split greater than 15%, some sort of grade separation may should be provided for safe pedestrian and bicycle access between the properties. The purpose of this is to safely move pedestrian and bicycles across the road. Examples of this would involve taking the bicycle/pedestrian facilities up and over the road or involve in-taking the road over the pedestrian/bicycles paths. Any such improvements would be considered site-related.

POLICY XX.7.4.: As part of any rezoning action, the existing roadways that are adjacent to or run through the project, particularly Main Street, will be evaluated with a cross-sectional analysis to identify needed upgrades of driver and bicycle/pedestrian safety and bus access to and from this property. At a minimum one bus stop will be provided along Main Street to Lee Tran standards or better. Where bicycle/pedestrian upgrades or additions are determined by Lee County to be desirable along Main Street or other area streets, any such improvements on behalf of this property and outside the boundaries of this property will be eligible for road impact fee credits in accordance with the Lee County Land Development Code.

OBJECTIVE XX8: GENERAL SITE DEVELOPMENT STANDARDS. The site design for projects within this Land use category will consider the individual characteristics of their site, along with the overall context of the development. This will be done by careful consideration of the site design with respect to the local climate, existing structures and adjacent vegetation, transportation access and the impact (both positive and negative) that the building or structure may have on adjacent areas.

POLICY XX.8.1: DRMUWDF shall seek solutions that minimize the impact of grading with respect to the removal of natural vegetation and the major alterations of existing grades. Impacts on mangroves other than a noted in this document are prohibited.

POLICY XX 8.2: The orientation of the building(s) should take into account any existing native vegetation, parcel configuration, solar orientation, access, adjacent structures and views.

POLICY XX 8.3: The impact and intensity of the paving, minimizing of clearing limits, and aesthetics are important factors to be considered in the design of the project entries, parking areas and roads. Landscape, circulation signage, lighting, striping and changes in paving materials should be coordinated to enhance circulation. Parking areas shall be designed to avoid long rows of parking spaces without adequate landscaping. All parking areas and driveways shall be paved using pervious materials when applicable. At a minimum fifty (50) percent of all parking and driveway areas shall be constructed using pervious materials. Landscaping in these areas shall be designed above the county minimum standards. Parking lot shade trees or cluster shall be increased by a minimum of 15%. Trees used in the parking area shall be a minimum of 14' in height and a 3.5 inch caliper.

POLICY XX 8.4: Attention shall be given to the locations of pedestals and transformers as they relate to aesthetics. All utilities shall be installed underground. Any utility items, which must protrude above ground for service, access, safety, or code, must be screened with a wall, fence, and/or landscape elements.

POLICY XX 8.5: Lighting shall be used to accent key architectural elements, to emphasize landscape features, and to provide a safe and enjoyable environment. The outlining of a building or roof with lighting is prohibited. Exterior Light sources must be concealed where possible and all light shall be in shades of white. Colored lights are prohibited. No spillover of light can occur on neighboring properties and lighting must be shielded to prevent glare. Tree-up lighting shall be concealed underground or in shrub masses. Garden lights or walkway bollards should direct the light downward with a concealed light source and shall be incorporated into landscape beds.

Parking lot light fixtures shall not exceed 25 feet in height and lighting located in pedestrian areas shall not exceed 15 feet. No "cobra" head style fixtures are permitted. Light fixtures should either be designed as an integral design element that complements the design of the project through style and material or blend into the landscape by the use of muted colors and simple designs. Exterior light fixtures are encouraged to be either wrought iron or cast aluminum. Mill finish metal is allowed. Building mounted security and service area lighting fixtures must not project above the fascia or roofline of the building and must be shielded. Such fixture and shields must be a harmonious color with the building. Security fixtures may not be substituted for parking lot or walkway lighting and are restricted to loading, storage, service and other similar locations.

POLICY XX 8.6: No wall, screen, or fence of any kind may be constructed unless they are architecturally compatible with those of the building and the landscaping. The design of these elements shall appear seamless with the building and/or landscaping.

POLICY XX 8.7: The projects within this land use category will provide to the inhabitants and guest an area of last refuge should anyone not heed the warnings of an impending storm. This area is not to be advertised as a hurricane shelter, but as a place of last resort.

OBJECTIVE XX 9: SERVICE AREA AND EQUIPMENT. The intent of this section is to ensure that service and function areas are planned and designed to have the least amount of impact on the general public and adjacent neighbors. This can be accomplished by providing adequate space and incorporating these elements into the project at an early stage.

POLICY XX 9.1 No materials, supplies, or equipment shall be stored in an area on a site except inside a closed building or behind a suitable barrier so as not to be visible to the general public or to an adjoining site. Loading doors and service areas shall be screened, and/or buffered by landscaping, so as not to be visible from any street or from any adjoining residential site. Adequate area shall be provided on site for all loading and maneuvering of trucks and other vehicles in order that such operations will not be carried out in the street.

POLICY XX 9.2: Screening devices must be of a height at least equal to that of the material or equipment being screened. The design, material, textures, and colors of screening devices shall be architecturally compatible with those of the building and with the landscaping. The design of these elements shall appear seamless with the building and/or landscaping. Frequently, planting material can provide an effective screen offering the same opaqueness of a wall. Plantings should be considered to soften the "hardness" of man-made screens.

OBJECTIVE XX.10: ARCHITECTURAL STANDARDS. The architectural theme for the development exhibits characteristics of early Florida building traditions. A common architectural theme based on the local region, along with local interpretations of these styles, is required for all buildings within the development including ancillary buildings. All buildings should complement their surroundings. The horizontal landforms, local climate, and native vegetation, should dictate the dwelling location and form. The architectural details and definition shall consider all sides of the building and include, but not be limited to, banding, accent materials, roof character, and window treatments.

The policies have been set to help create a visually attractive community. These standards are to be above and beyond the counties design standards in the LDC.

POLICY XX 10.1: Large blank unadorned walls will not be permitted. All equipment shall be screened and be placed out of view. Natural materials and paint colors shall be in warm earth tones for the exterior of buildings and structures.

POLICY XX 10.2: Special attention should be given to scale and proportion to the building site as it is of major importance to the development. The scale relationship of each building component shall relate to the overall massing for the project. The introduction of characteristics such as steep roofs, detailed eaves, balconies, and other building ornamentation is encouraged to customize the mass and design of an individual building or large structures. Retaining walls, planter walls, and privacy walls should be used to break up the elevations of a building and help relate the structure to the ground.

POLICY XX 10.3: Architectural details and design (such as changes in plane, height, texturing, banding, etc.) shall be considered in each elevation to give large surfaces and structures interest where appropriate. Equal attention to detail and architectural definition must be given to all sides of the structure, including, but not limited to, the foundations, banding, accent materials

POLICY XX 10.4: The following architectural details shall be considered in the design of each building:

- Varying roof heights, roof character, and window treatment.
- Mix of hip, gable for roofs, flat and varying slopes
- Detailed windows and/or doors
- Decorative shutters
- Recessed windows
- Railings and associated details
- Cantilevered balconies
- Verandas and courtyards
- The appearance of "thick" walls
- Decorative chimneys, tower or other roof apparatus
- Exposed rafter tails
- Planters, pergolas, and trellises
- Clap board siding or Textured "hand-toweled" wall finish or smooth stucco with banding
- Metal of flat tile roofs
- Exterior stairs

POLICY XX 10.5: Colors and materials are an intricate part of the Architecture and landscape for this development. Warm and rich colors that are evocative of the coastal region shall be considered when selecting colors for this project. An example of inappropriate color is a bright color used for large areas of wall and roof surfaces.

POLICY XX 10.6: Materials expression within the architecture includes massive wood beams, supported rooflines, cantilevered balconies and other decorative elements. Beams should be made of redwood, cedar or cypress with a finish that is rough-cut. Walls should be made of clap board or textured stucco or simulated limestone that adds richness to the wall surface. Decorative metals for gates, railings, and other decorative details should be finished black, dark bronze, galvanized or copper. Stone and simulated stone should be rough or smooth and laid in a fashion appropriate to the style of architecture. Materials like coral rock, limestone, granite, pre-cast concrete, or architectural foam should be used as decorative detailing at windows, doors, for wall material, or other decorative areas on the building. Vinyl or wood is siding is discouraged.

POLICY XX 10.7: Preferred building materials are:

- Fiber-Cement lap siding.
- Painted stucco in natural earth tones; anodized or paint finish is required on all metal surfaces including windows, flashing, drips, and caps, in colors complimenting or matching the approved colors.
- Fascias must be constructed of cedar or redwood or other similar material and painted to match the trim color. Soffits must be of wood or stucco. Metal or vinyl soffits are prohibited.
- Foam products used on the exterior of buildings shall be installed to meet industry standards to ensure quality construction and be detailed away from areas that are in high traffic areas.

POLICY XX 10.8: All buildings shall have pitched roofs or simulated pitched rooflines. The minimum roof pitch allowed in the Development is 4 in 12. Overhangs may vary as necessitated by architectural design and these design guidelines. The typical roof overhangs are very wide to protect from the sun & rain and to provide passive energy conservation. Flat roofs are not allowed unless accompanied with a full parapet. Parapets may be appropriate in certain situations above walkways and in conjunction with a coordinated signage design or as a decorative element. Roofs shall have a

minimum overhang of 2 feet on the eaves and 1 foot on gable ends or as noted otherwise in these standards. Fascias must be a minimum of 10 inches. No metal fascias are allowed.

POLICY XX 10.9: All rooftop equipment must match roofing colors and be placed as inconspicuously as possible, preferably located near the rear elevation. Exposed flashing, gutters, and downspouts must be painted to match the fascia and/or walls of the structure or be made of copper and left to weather to natural patina. Preferred roof materials: flat roof and or Standing seam metal roofs

POLICY XX 10.10: Buildings must have a minimum overhang of 24 inches with a 10inch fascia (gable ends may utilize a one foot overhang with a 10 inch fascia), or a minimum of 14-inch overhang and a 10" fascia when associated with a cornice, banding, or corbels (minimum height of 8 inches).

POLICY XX 10.11: Windows and doors are often dominant elements in the design of buildings. The trim around these openings thus becomes an important feature to link the openings to the buildings. Windows should utilize clear glass or a tinted glass of bronze, gray, green, or smoked colors. No reflective glass or tinting may be used. Aluminum window frames in white or with warm, earth tone finishes such as bronze, sepia, ochre, and terra cotta are permitted. Mill finished aluminum is prohibited. Windows within stucco walls on all facades shall provide architectural detailing or be banded. Window openings should follow classic geometry that includes both square and rectangular windows. Radius or arched top shapes are encouraged in accent areas.

POLICY XX 10.12: Awnings shall be designed as an integral part of the project or building and should be associated with an opening. Awnings shall be made of canvas and shall not be backlit. Awnings shall not be connected to another elevation or be used above the roofline of a building.

POLICY XX 10.13: Shutters are encouraged as an integral part of the building design when appropriate. Shutters should be designed and sized according to the opening it is associated with.

POLICY XX 10.14: Doors constructed of wood are encouraged. Heavy, rustic plank doors are a signature element of buildings and entrances. Recessed doorways, giving the appearance of thick walls, are encouraged. Ornamental iron or aluminum gates used as part of the entry sequence are encouraged. Service and emergency exit doors shall be painted the same color as adjacent walls

POLICY XX 10.15: Covered walkways/loggias are required on the front of all buildings and shall be constructed of a material that is consistent with the overall look and design for the building/project.

POLICY XX 10.16: Accessory buildings shall be consistent with the style of the main buildings. An accessory building must be of the same color, material, and architectural style as the main building or of color, material, and style that is generally recognized as complimentary to that of the main structure. Any utilities servicing accessory buildings shall be installed underground. Freestanding metal utility sheds or storage sheds are not permitted.

POLICY XX 10.17: Parking Garage and Structures

Intent: to hide the function / storage of the cars in an aesthetically pleasing manner. All garage structures shall be design with punched openings and closed corners. The following are acceptable means of masking commercial garages:

- Liner Buildings can be placed in front of garage structure to disguise the function. Liner buildings are structures placed in front of the garage structure and can be functional or non functional. Liner building shall be designed with multiple facades.
- Landscaping
- Combination of liner buildings and landscaping

POLICY XX 10.18: Boardwalk Areas

Intent: to provide guidelines for the development of a boardwalk along the commercial waterfront property that promotes a multitude of activities that are waterfront related and open to the general public. Multiple access routes to the boardwalk shall be provided. The area between the boardwalk and the main buildings shall be provided with both active and passive spaces for the enjoyment of guests. Board walks through preserves are intended for passive activities only.

Commercial area Boardwalk-Minimum width shall be 6'0" or greater and shall have a large portion of the water front at 12 feet or greater for the majority of the water. The boardwalk will be made with Materials or a combination of materials that are durable and ADA compliant.

Preserve area Boardwalks shall be in a width of 5'-0" -7'-0" and or ADA compliant. Materials shall be built with sustainable "green" Materials. Only one preserve boardwalk in the a defined mangrove area is allowed. Only one shaded structure with a maximum of two benches is allowed in the preserve area.

Kiosks -These are encouraged along the Commercial boardwalk at appropriate intervals and in various sizes. They may provide commercial services or information. Kiosks shall be designed to be architecturally compatible with the main building. Kiosks may be fixed or mobile.

POLICY XX10.19 Landscape Standards

DESIGN INTENT

It is intended that nature be an integral design component with the building and site plan for this project. The landscape should be carefully designed and detailed to heighten one's sense of nature as well as to promote health of the plant species within the community. A landscape design that incorporates Xeriscape principles to conserve water is required. Indigenous plant preservation/enhancement and buffering shall be provided in accordance with the zoning regulations of Lee County.

Views from the roadways, and adjacent properties toward a landscaped area should complement the appearance of the building. All front, side and rear building setback areas must be landscaped and should contain primarily native plants. A minimum of 70% native plants must be used in the landscape design. Corners of the building shall be landscaped with trees and under plantings to soften the buildings edges. All shade trees must be planted at a minimum height of 14'-0" and a 3.5 caliper. Palms should be planted in cluster of three or more and shall be a minimum height of 16' feet at planting and a minimum clear trunk of ten feet. Specimen palms may be used similar to shade tree placements in the landscape design of the project.

Ornamental plantings should be used close to the building. Existing native plants that are preserved may be credited for these requirements. A listing of approved and disapproved planting material has been provided in the index for your review.

Shrub masses can be used to channel winds, buffer intruding noises and views, and screen private areas. All shrub plantings should be massed in groupings of three or more plants. Linear hedges or box-clipped shrubs are not allowed within the buffers. Larger shrubs and plantings may be required at large wall and fencing areas.

To prevent the further infestation and choking of native plants, all species on lee

counties list of exotics shall be removed including but not limited to:

Australian Pine - Casuarina equisetifolia

Punk Tree or Cajeput - Melaleuca leucandendra

Brazilian Pepper - Schinus terebinthifolius

Downy Rose Myrtle - Rhodomytus tomentosa

Air Potato - Dioscorea bulbifera

Lather Leaf - Colubrina asiatica

Climbing Fern - Lygodium spp.

Java Plum - Syzygium cumini

Catchlaw Mimosa - Mimosa pigra

Earleaf Acacia - Acacia auriculiformis

Women's tongue - Albizia lebbeck

Laurel Fig - ficus microcarpa

PARKING AREAS AND ISLANDS-

Parking areas shall provide a hedge type buffer at the perimeter of the parking area. A landscape buffer shall be provided between the building and the drive or parking area for all public areas. A landscaped parking island shall be provided per beyond county code. Landscaping shall be provided at each island with a minimum of 1 shade tree (or 3 palms) and 8 (three gallon) shrubs.

POLICY XX10.20 Xeriscape Landscape Standards Project shall incorporate the use of Xeriscape landscaping techniques such as described in the SFWMD xeriscaping principals.

OBJECTIVE XX.11: WATER QUALITY, QUANTITY, AND SURFACE WATER RESOURCES. Destination Resort Mixed Use Water Dependant Facilities must be located, designed and operated in such a way that they will not degrade the ambient surface or groundwater quality. These facilities must be located, designed and operated in such a way that they will not adversely impact the surrounding existing water. The

location, design and operation of Mixed Use Water Dependant Facilities must maintain or improve the storage and distribution of surface water resources.

POLICY XX.11.1: Any Destination Resort Mixed Use Water Dependant Facilities proposed within the land use category must cooperate with Lee County and SFWMD in implementing an overall surface water management plan as outlined in Objective 60.2 and 117.1. Compliance with these Policies must be demonstrated during Development Order approval.

OBJECTIVE XX.12: WILDLIFE. The location, design and operation of Destination Resort Facilities will incorporate preservation and/or management activities that restrict the loss of wildlife habitat or impact on protected species, species of special concern, threatened or endangered species.

POLICY XX.12.1: The development will not have an impact on any existing, viable on-site occupied wildlife habitat for protected species, species of special concern, threatened or endangered species.

POLICY XX.12.2: Through the development review process, Private Recreation Facilities will be designed and operated to conserve critical habitat of protected species. This will be accomplished through regulation, incentives and public acquisition.

POLICY XX.12.3: The development will meet the requirements of the Lee County Manatee Protection Plan at time of Development Order

OBJECTIVE XX.13: NATURAL RESOURCES. Destination Resort Facilities must be located, designed and operated to minimize environmental impacts, and where appropriate, protect, enhance and manage natural resources such as, waterways, wetlands, natural water bodies, and indigenous uplands.

POLICY XX.13.1: All retained onsite natural areas, must be perpetually managed by the owner(s), or their assignees, with accepted Best Management Practices. The type of management techniques will be determined by the specific plant community. A natural area land management plan must be submitted to the Lee County Division of planning prior to the approval of a final local development order. This policy does not preclude areas that have been compromised in the past to be designed in such a way as to be assessable to the public for environmental and educational purposes. Management techniques addressed in the plan must include, but not be limited to the following:

- Exotic pest plant control;

- Removal of any trash and debris;
- Restoration of appropriate hydrology;
- Native plant restoration, where appropriate;
- Discussion of flora and fauna;
- Retention of dead trees and snags;

POLICY XX.13.2: The development will minimize adverse effects on wetlands and riparian areas;

POLICY XX.13.3: Destination Resort Mixed Use Water Dependant Facilities must be designed to preserve a minimum of 20% of on-site, indigenous native upland habitat;

POLICY XX.13.4: The development will incorporate energy and resource conservation devices, such as green building technologies

POLICY XX.13.5 Mangroves areas and islands located in this district shall be considered for inclusion into conservation land category in the proposed FLUM or as a conservation easement

OBJECTIVE XX.14: INTERGOVERNMENTAL COORDINATION WITH THE TOWN OF FORT MYERS BEACH. Due to the unique location and proximity to the town of Fort Myers Beach the development will commit to working with the town to propose and resolve concerns.

POLICY XX.14.1: The developer will set up and coordinate a dialogue with the town to review parking and access issue during the Development order process.

POLICY XX.14.2: The developer will provide a liaison to any harbor planning committee to coordinate activities in and around the Harbor

OBJECTIVE XX.15: Marina Design and Conservation

POLICY XX.15.1: Marina design must incorporate natural wetland vegetative buffers near the docking areas and in ingress/egress areas for erosion and sediment control, runoff purification and habitat purposes and protect environmentally sensitive areas

OBJECTIVE XX 16: Development and Redevelopment in the Coastal High Hazard Areas:

POLICY XX 16.1: Project must construct on site shelter to withstand Category 5 hurricane force winds and storm surge to accommodate residents and hotel guests in compliance with the following requirements:

- I. On-site shelters and all required equipment and supplies for these facilities must comply with the following standards:
 - (a) Elevation to the anticipated storm surge from a land falling Category 5 storm.
 - (b) Construction to withstand winds of 200 mph in accordance with the Florida Building Code.
 - (c) Construction with minimum exterior glass with all glazed openings provided with impact protection in accordance with the Florida Building Code.
 - (d) Equipped with emergency power and potable water supplies to last up to five days.
 - (e) Protected with adequate ventilation, sanitary facilities, and first aid medical equipment.
- II. Developer/operator must conduct annual training of the on-site shelter managers. The training is to be conducted by the Red Cross and approved by Lee County Emergency Management.
- III. Developer/operator must submit a post storm recovery plan including post storm evacuation plan for review and approval by Lee County Emergency Management.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The property currently contains four different Future Land Use designations: Suburban, Urban Community, Industrial Development, and Wetlands.
- Waterfront areas of the County can be a major tourist attraction and provide the economic lift the area needs.
- Some waterfront areas were developed forty or more years ago and are in need of

improvements.

- Tourism and resort development may be a substitute for the declining shrimping industry.
- Replacing old mobile homes with stronger conventional buildings in the flood high hazard areas will provide better protection for people's lives and properties.
- The site is located within the Coastal High Hazard area. The requested density of 17 du/a is not appropriate; however, a density cap of 10 du/a would be appropriate because it closely matches the existing density on the property.
- Density higher than the recommended density may cause traffic and evacuation issues. However, staff recommended density will have no net increase from what is existing today.
- The requested height of 230 feet will be out of character with the low and mid rise buildings in the area. For this reason staff recommends transmittal with a height limitation of 135 feet, increased to a maximum of 185 feet with multi-layered parking structures under buildings.
- Central Water and sanitary sewer service is available to the site with adequate capacity to serve the proposed development.
- Fire District, EMS, and Sheriff Department have reviewed and have no objection to the redevelopment of the site, as proposed.
- During the winter tourist season, the roads in the area, especially San Carlos Boulevard, at times, does not function at an acceptable Level of service.

D. BACKGROUND DISCUSSION:

The applicant, Mc Harris Planning and Design, initially submitted this amendment on September 28/ 2008. The applicant is requesting to create a new Future Land Use district called "Destination Resort Mixed-Use Water-Dependent." The applicant is also requesting to change the Future Land Use designation of the subject property to this new Land Use category.

The applicant is proposing to redevelop the site with up to 376 residential units, 115 units time share, a 350 room hotel with accessory uses, a marina with a 500 boat storage capacity, 98,000 square feet of general commercial and allow for up to 110 live-aboard units.

Current Suburban Land Use designation of the area which encompasses the majority of the land allows up to six dwelling units per acre. The proposed Future Land Use category, as requested, will allow up to 17 dwelling units per acres. Furthermore, this Future Land Use district will allow residential density calculation over the entire development area for mixed use projects.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

INTRODUCTION

The proposed amendment is the result of a desire by the owners to redevelop and expand the existing uses and replace some of the uses with new uses such as residential, commercial-retail, hotel and office uses by creating a new future land use category called "Destination Resort Mixed-Use Water-Dependent". The new future land use category would facilitate the redevelopment of the existing uses as well as new uses while enhancing the waterfront and public uses thereof.

COMPREHENSIVE PLAN BACKGROUND

The subject property was designated "Urban Community" and "Industrial Development" by the original Lee County Future Land Use Map, adopted in 1984.

In 1990 the northern portion of the property was designated "Suburban" and Wetlands, while the southern portion kept its designation of "Urban Community" and "Industrial Development."

More than fifty percent of the site's current Future Land Use designation is "Suburban". Lee Plan defines Suburban as:

POLICY 1.1.5: *The Suburban areas are or will be predominantly residential areas that are either on the fringe of the Central Urban or Urban Community areas or in areas where it is appropriate to protect existing or emerging residential neighborhoods. These areas provide housing near the more urban areas but do not provide the full mix of land uses typical of urban areas. The standard residential densities are the same as*

the Urban Community category. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. Bonus densities are not allowed. (Amended by Ordinance No. 94-30)

The remainder of the property is designated as "Urban Community", "Industrial Development" and "Wetland". Lee Plan defines those categories as:

POLICY 1.1.4: *The Urban Community areas are areas outside of Fort Myers and Cape Coral that are characterized by a mixture of relatively intense commercial and residential uses. Included among them, for example, are parts of Lehigh Acres, San Carlos Park, Fort Myers Beach, South Fort Myers, the city of Bonita Springs, Pine Island, and Gasparilla Island. Although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities. As the vacant portions of these communities are urbanized, they will need to maintain their existing bases of urban services and expand and strengthen them accordingly. As in the Central Urban area, predominant land uses in the Urban Communities will be residential, commercial, public and quasi-public, and limited light industry (see Policy 7.1.6). Standard density ranges from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum of ten dwelling units per acre (10 du/acre). (Amended by Ordinance No. 94-30, 02-02)*

POLICY 1.1.7: *The Industrial Development areas play an important role in strengthening the county's economic base and will become increasingly important as the county grows in size and urban complexity. To a great extent these are the areas to which Lee County must look for expanded job opportunities, investments and production opportunities, and a balanced and sufficient tax base. These areas have special locational requirements that are more stringent than those for residential areas, including transportation needs (e.g., air, rail, highway); industrial levels of water, sewer, fire protection, and other urban services; and locations that are convenient for employees to reach. Whereas the other Future Urban Areas will include a broad combination of residential, commercial, public, and limited industrial land uses, the Industrial Development area is to be reserved mainly for industrial activities per se, as well as for selective land use mixtures such as the combined uses of industrial, manufacturing, research, properly buffered recreational uses (except where precluded by airport hazard zone regulations), and office complexes (if specifically related to adjoining industrial uses) that constitute a growing part of Florida's economic development sector. New natural resource extraction (mining) activities and fill dirt operations must be approved through the Industrial Planned Development rezoning*

process. Retail or wholesale of products manufactured or processed upon the premises may be allowed at a ratio of 1 square foot of commercial uses to 10 square feet of industrial use in association with a Planned Development. Ancillary minor retail commercial uses intended to support the surrounding industrial land uses may not exceed 30,000 square feet per development; and, at buildout, may not exceed more than ten percent (10%) of the total acreage of the lands designated as Industrial Development areas in each community outlined in Map 16. Residential uses, other than bona fide caretaker residences, are not permitted in this category except to the extent provided in Chapter XIII of the Plan. (Amended by Ordinance No. 94-30, 98-09, 99-15, 02-02)

OBJECTIVE 1.5: WETLANDS. *Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended in F.S. 373.4211. (Amended by Ordinance No. 94-30)*

POLICY 1.5.1: *Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 114 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan. (Amended by Ordinance No. 94-30)*

POLICY 1.5.2: *When the exact location of Wetlands boundaries is in question, Chapter XIII of this plan provides an administrative process, including a field check, to precisely define the boundary. (Amended by Ordinance No. 94-30)*

POLICY 1.5.3: *Wetlands that are conservation lands will be subject to the provisions of Policy 1.4.6 as well as the provisions of Objective 1.5. The most stringent provisions of either category will apply. Conservation wetlands will be identified on the FLUM to distinguish them from non-conservation wetlands. (Added by Ordinance No. 98-09)*

POLICY 1.4.6: *The Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. Upland and wetland conservation lands will be shown as separate categories on the FLUM. Upland conservation lands will be subject to the provisions of this policy. Wetland conservation lands will be subject to the provisions of both the Wetlands category described in Objective 1.5 and the Conservation Lands category described in this policy. The most stringent provisions of either category will apply to wetland conservation lands. Conservation lands will include all public lands required to be used for conservation purposes by some type of*

legal mechanism such as statutory requirements, funding and/or grant conditions, and mitigation preserve areas required for land development approvals. Conservation Lands may include such uses as wildlife preserves; wetland and upland mitigation areas and banks; natural resource based parks; ancillary uses for environmental research and education, historic and cultural preservation, and natural resource based parks (such as signage, parking facilities, caretaker quarters, interpretive kiosks, research centers, and quarters and other associated support services); and water conservation lands such as aquifer recharge areas, flowways, flood prone areas, and well fields. 2020 lands designated as conservation are also subject to more stringent use provisions of the 2020 Program or the 2020 ordinances. (Added by Ordinance No. 98-09, Amended by Ordinance No. 02-02)

The applicant's request is to create a new land use category, "Destination Resort Mixed-Use Water-Dependent" to replace all Land Use categories of the property in question. The proposed category would facilitate the redevelopment of the travel trailer park and commercial and industrial areas with residential multi-family development as well as a large hotel with all ancillary uses, commercial uses and marina and water dependant uses. The redevelopment will occur on 28.97 acres. The site is currently developed with a recreational vehicle park, a marina, a restaurant and some accessory and ancillary uses.

WATER-DEPENDANT OVERLAY

Map 2 of the Lee Plan indicates the southern portion of the property, south of Main Street, in the in the San Carlos Island Water-Dependent Overlay. This Overlay was Adopted on January 3, 1998.

GOAL 12: SAN CARLOS ISLAND. *All development approvals on San Carlos Island must be consistent with following objective and policy in addition to other provisions of this plan. (Added by Ordinance No. 94-30)*

OBJECTIVE 12.1: SAN CARLOS ISLAND WATER-DEPENDENT OVERLAY ZONE. *To protect marine-orientated land uses on San Carlos Island from incompatible or pre-emptive land uses all development must be consistent with the following policies in addition to other provisions of this plan. (Added by Ordinance No. 99-15)*

POLICY 12.1.1: *New development and substantial redevelopment within the Industrial Development land use category on San Carlos Island will be permitted*

only in accordance with the following criteria. (See glossary for definitions and Map 2 for map boundaries.) However, in no event will Lee County permit new or expanded petroleum facilities which would serve uses other than marine-related uses.

- 1. At the foot of the Matanzas Pass Bridge - Within the water-dependent overlay zone which is defined as land within 150 feet of the shoreline: water-dependent marine industrial uses and water-dependent functions of recreational marinas.*
 - Landward of the overlay zone (150-foot line): marine industrial uses, in addition to water-related accessory uses which may be permitted to occupy up to 50% of that portion of a parcel lying landward of the 150-foot line.*
- 2. North of Main Street - Within the water-dependent overlay zone, which is defined as land within 150 feet of the shoreline: water-dependent marine industrial uses and recreational marinas.*
 - Landward of the overlay zone (150-foot line): marine industrial uses, in addition to commercial or marine industrial uses which support the major industrial activities and recreational marinas.*
- 3. South of Main Street - Within the water-dependent overlay zone which is defined as land within 300 feet of the shoreline: water-dependent marine industrial uses only.*
 - Landward of the overlay zone (300-foot line): marine industrial uses; in addition, dry-storage recreational marinas may also be permitted through the "planned development" rezoning process, provided the following is clearly demonstrated:*
 - Water access can be provided with only minimal interference to the waterfront industrial uses; and*
 - Adequate road access is provided for the waterfront industrial uses; and*
 - Any other commercial uses (such as food service or retail space) must be clearly ancillary to the recreational marina or industrial uses and comprise no more than five percent (5%) of the site.*

4. *Water-Dependent Overlay Zones in General - The water-dependent overlay zones will be included in the Lee County Zoning Regulations and may be the subject of deviation requests during the "planned development" rezoning process. This provision is particularly intended to encourage joint use of parking, access easements, and stormwater retention facilities where such joint use does not negate the essential purpose of the overlay zones. (This also applies to the water-dependent overlay zones elsewhere on San Carlos Island as described in Policy 12.1.1.)*
5. *Ancillary Commercial Uses - Wherever water-dependent, marine industrial uses are permitted, water-related ancillary commercial uses may also be permitted, provided they are clearly subordinate to the parcel's principal use and their total development area (building, parking, required buffers, water retention, etc.) does not exceed fifteen (15) percent of the parcel's total area. However, at the foot of the Matanzas Pass Bridge, this percentage may be increased to twenty-five (25) percent so long as the resulting commercial use of land lying in the Industrial Development land use category does not exceed fifty (50) percent of all land in that category that is under unified ownership or control as of March 1, 1988. (Amended by Ordinance No. 94-30, 99-15, 00-22)*

POLICY 12.1.2: *New development and substantial redevelopment within a portion of the Urban Community land use category on San Carlos Island will be subject to the additional requirement that within a water-dependent overlay zone, wet or dry storage recreational marinas and other water-dependent uses only will be permitted. This water-dependent overlay zone affects two separate areas, both lying south of Main Street and east of San Carlos Boulevard, as depicted on Map 2 and described as follows:*

- *land within 150 feet of the shoreline along the inlet (between other lands designated as Industrial Development but exempting the Gulf Cove Trailer Park); and*
- *land within 300 feet of the shoreline and lying east of, and within 930 feet of, the main Industrial Development area. (Relocated by Ordinance No. 99-15, Amended by Ordinance No. 00-22)*

OBJECTIVE 12.2: *To manage growth, development, and redevelopment on San Carlos Island. To maintain and enhance the area's quality of life and public and private infrastructure. (Added by Ordinance No. 98-09)*

POLICY 12.2.1: *As part of the transit design process, the county will consider ways to establish pull-overs and turn-offs for the pick-up and discharge of passengers from all trolley and mass transit vehicles and requiring that such pick-up and discharge be done only at specified transit stops. (Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)*

POLICY 12.2.2: *Prior to the expenditure of public funds for the construction of new parking facilities within San Carlos Island, an analysis of the relationship of the facility to the level-of-service on constrained and backlogged roads will be undertaken, in order to determine if the location, size and function of the facility is appropriate and consistent with the adopted CRA plan and the Transportation Element of the Lee Plan. (Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)*

POLICY 12.2.3: *Recreation areas must have a minimum of impervious surfaces. (Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)*

POLICY 12.2.4: *Sidewalks, bike paths and mass transit routes must be designed to provide convenient and safe access to all recreational facilities in the area. (Relocated by Ordinance No. 98-09, Amended by Ordinance No. 00-22)*

SURROUNDING ZONING, LAND USES AND FUTURE LAND USE DESIGNATION

North: Hurricane Bay and Port Carlos Cove Mobile Home Pak, zoned MHPD
Suburban Future Land Use category

South: Matanzas Pass

East: Port Carlos Cove Mobile Home Park, zoned MHPD
Suburban Future Land Use category

West: Oyster Bay Mobile Home Park, zoned MHPD, vacant parcel , zoned Port, and industrial uses (Balgas), zoned IL
Suburban Future Land Use category

PUBLIC SAFETY ISSUES:

Emergency Management - Hurricane Evacuation/Shelter Impacts

As proposed by the applicant, the approval of this plan amendment would increase density in the coastal high hazard area. The Lee County Division of Public safety has expressed concerns with the request as originally submitted by the applicant for this reason. (See Attachment# 2). However, Public Safety supports the staff recommendation of transmittal at the reduced density and height. This will maintain the existing population of the property but allow for the development of safer structures in accordance with current building code standards. In addition Public Safety is requesting inclusion of a requirement that on site hurricane sheltering be provided for any redevelopment of the site.

SCHOOL IMPACTS

Staff of the School District of Lee County have reviewed the proposal. They have noted no capacity issues as a result of this request (See Attachment # 3).

POPULATION ACCOMMODATION CAPACITY DISCUSSION

The request is to create a new Future Land Use category called Destination Resort Mixed-Use Water-Dependent, and to change the Future Land Use Map (FLUM) category of approximately 28.97 acres from Suburban, Urban Community and Industrial Development to the proposed Destination Resort Mixed-Use Water-Dependent category. Suburban and Urban Community categories Standard density permits 6 du/ acre. Industrial Development category has no allowance for residential dwellings. The site currently contains 17.13 acres of Suburban and 5.12 acres of Urban community designated lands, for a total of 22.25 acres. Under the current Future Land Use designation this site may accommodate up to 133 dwelling units. However, the site was developed prior to the adoption of the Lee Plan with 271 RV units.

The applicant's request would allow for up to 17 dwelling units per acre for a maximum of 492 dwelling units. Staff recommends transmitting the proposed plan amendment at a maximum of 10 dwelling units per acre Staff's recommendation would cap density at 289 dwelling units, which is comparable to the existing 271 units on site today.

SOILS:

The 1984 U.S. Department of Agriculture Soil Survey of Lee County classified four soil types present on the subject parcel - 59 Urban sand, 69 Matlacha

gravelly fine sand, 28 Immokalee Sand, and 23 Wulfert Muck.

The Immokalee Sand is a nearly level, poorly drained soil on flatwoods with smooth slopes ranging from 0 to 2 percent.

The Matlacha Gravelly Fine sand is a nearly level, somewhat poorly drained soil formed by filling and earthmoving with smooth to slightly convex slopes ranging from 0 to 2 percent.

The Urban Sand is a nearly level, very poorly drained soil in depressions with concave slopes ranging from 0 to 2 percent.

The Wulfert Muck is a hydric soil flooded by moving water from stream overflow, run off or high tides.

MASS TRANSIT

Lee Tran has reviewed the request and provided written comments dated September 11, 2008 (See Attachment 4). In response to Lee Trans concerns about the frequency of the water taxi service to and from Fort Myers Beach, the applicant has revised its proposal to provide round trip service "as needed" with no less than 3 round trips daily.

UTILITIES

Staff from the Lee County Division of Utilities have provided written comments to planning staff, dated September 19/ 2008 (See Attachment # 5), which states that the project is located within the Lee County's service area for water and wastewater. The memorandum from the Division of Utilities indicates that the potable water will be provided from the Green Meadows water treatment plant. There is adequate capacity to provide this service. Furthermore, The Lee County Utilities is planning to increase the capacity of this plant to 16.0 million gallons per day. This project is included in Lee County Utilities' CIP and is planned to be completed by 2010.

Sanitary sewer service will also be provided by the Lee County Utilities. Fort Myers Beach Water Treatment Plant does have excess capacity to serve the net increase in flows projected by the applicant.

"Regarding the wastewater collection system capacity, the general area covered by the amendment is currently provided with wastewater service and wasterwater infrastructure is in place, however, the applicant should be aware that during the development process the developer will be responsible

for performing hydraulic calculations to identify the extent of required on-site and off-site improvements to the wastewater collection system to support the projected increase in flow . ”

“Regarding water distribution system capacity, the general area covered by the amendment is currently provided with potable water service and potable infrastructure is in place, however, the applicant should be aware that during the development process the developer will be responsible for performing hydraulic calculations to identify the extent of required on-site and off-site improvements to the water distribution system to support the projected increase in demand ”

COASTAL ISSUES

The subject property is located in the "Coastal Planning Area" as defined by the Lee Plan. The Federal Emergency Management Agency's Flood Insurance Rate Map shows the subject parcel in an "AE" flood zone. The required base elevations to the first habitable floor is 10 feet depending on the specific parcels location. The 1991 "Hurricane Storm Tide Atlas for Lee County," prepared by the Southwest Florida Regional Planning Council (SWFRPC), shows that the subject property is located within the Category "Tropical Storm" storm surge zone. Additionally, the property is located in the SWFRPC Category "Tropical Storm" evacuation zone. Lee Plan Map #5 shows this site in the "Coastal High Hazard Area" of the County. Furthermore, Map #9 locates the site within the 100-Year Floodplains. Due to the location of this property within the Coastal High Hazard and 100-Year Floodplains, the following Policies of the Lee Plan are applicable to the site, and staff in formulating a recommendation reviewed this request for compliance with these policies:

POLICY 5.1.2: *Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.*

POLICY 105.1.4: *Through the Lee Plan amendment process, future land use designations of undeveloped areas within coastal high hazard areas will be considered for reduced density categories in order to limit the future population exposed to coastal flooding. (Amended by Ordinance No. 92-35, 94-30, 00-22,*

05-19)

POLICY 109.1.1: *The county will assess the impact of all new residential development upon the projected hurricane evacuation network and upon projected hurricane evacuation times, and will require mitigation either through structural (on-site, off-site shelter) provisions or through non-structural methods or techniques. (Amended by Ordinance No. 00-22)*

POLICY 110.1.3: *By 1995, all new residential development of more than 50 units will be required to provide continuing information to residents concerning hurricane evacuation and shelters, through the establishment of a homeowners' or residents' association. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 110.1.4: *By 1995, all new residential development of more than 100 units will be required to formulate an emergency hurricane preparedness plan; this plan is subject to the approval of the Lee County Division of Public Safety. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 113.1.2: *All development within the coastal planning area must be compatible with protection of natural systems. (Amended by Ordinance No. 94-30, 00-22)*

The applicant's proposed density would result in increase density in the Coastal High Hazard Area. Staff's recommendation for transmittal at 10 dwelling units per acre will have no net increase in the population of the island. In addition, redevelopment will allow for the elimination of structures that do not comply with the elevation standards of FEMA and will allow for the construction of development that complies with current construction and elevation requirements.

TRANSPORTATION/TRAFFIC CIRCULATION IMPACTS

Staff has received a memorandum from the County Department of Transportation dated September 9, 2008 (Attachment # 6). LCDOT staff expressed concerns about the level of service problems on Estero Boulevard, and the resultant back-ups on San Carlos Boulevard. They have also expressed concerns about the ability of the narrow, curvy, two-lane configuration of Main Street to handle the additional traffic that would be generated by the applicant's proposed density of 17 dwelling units per acre. Staff's alternative

recommendation of a density cap of 10 dwelling units per acre would result in essentially no net increase in the traffic generated from the existing residential development on site today. However, the traffic generated by the proposed hotel and increased commercial intensity will increase the traffic volume in the area.

ENVIRONMENTAL CONSIDERATIONS

Staff has received a memorandum from the Division of Environmental Sciences dated September 15, 2008 (See Attachment # 7). The memorandum indicates that the applicant has agreed with their recommendation and has modified the proposed language to satisfy their concerns. Environmental staff has not indicated any concerns and did not propose any further changes in the proposed language by the applicant.

PARKS, RECREATION AND OPEN SPACE

The applicant provided an analysis in Attachment #1 regarding Parks, Recreation and Open Space. The subject property is located within the South Fort Myers Community Park Benefit District. The proposed development will create a demand for .77 acres of community park as well as 6.5 acres of Regional Park acreage in the South Fort Myers district. According to the 2007 Concurrency Inventory, the projected minimum level of service in the South Fort Myers District in 2010 is approximately 86 acres, while 154 acres of developed parks currently exist. This mixed use development contemplated by the amendment application will not adversely impact parks, recreation and open space.

POLICE

The subject property is located within the service area of the Lee County Sheriff's Department.

FIRE

The subject property is located within the Fort Myers Beach Fire Prevention District. Staff has received a memorandum from Fort Myers Beach Fire Prevention District dated September 5/ 2008 (See Attachment # 10) stating no objection with the proposed Comprehensive Plan Amendment.

EMERGENCY MEDICAL SERVICES (EMS)

Lee County Emergency Medical Services (LCEMS) provides services for this area. Lee County EMS has no objection to this request.

SOLID WASTE

The Lee County Solid Waste Division staff has reviewed the request and provided written comments dated January 18, 2008 (Attachment # 9). This letter states that the Lee County Solid Waste Division is capable of providing solid waste collection service for this development. Further, the Solid waste Ordinance and the LDC, Chapter 10, Section 10-261 have requirements for providing on-site space for placement and servicing of commercial solid waste containers.

FLORIDA STATE COMPREHENSIVE PLAN

The application provides a discussion concerning consistency of the proposal with the Florida State Comprehensive Plan as contained in F.S. 187.201. The discussion highlights various areas in which the plan amendment furthers and advances the State Comprehensive Plan. Staff concurs that the proposal is consistent with the State Comprehensive Plan.

AFFECT ON ADJACENT LOCAL GOVERNMENTS

The application provides that the proposed amendment "will not affect adjacent local governments and their comprehensive plans. Staff believes that the amendment may have some impact on adjacent local government. Staff forwarded a copy of this application to the Town of Fort Myers Beach, and their comments are included in this staff report. Staff has received a letter from the Town of Fort Myers Beach dated September 4, 2008 (Attachment #8). The letter expresses concern about the height, density, and increased traffic that may result from the requested amendment as originally proposed by the applicant. They have not commented on staff's alternative proposed recommendation.

B. CONCLUSIONS

The proposed amendment provides sound planning for a new Future Land Use category. The proposed amendment will help with the redevelopment of the area in an orderly manner. Due to the property's location in the Coastal High Hazard area, staff recommends transmittal at a maximum density of 10 units per acre. This will allow for redevelopment of the Island without measurably increasing density in the coastal high hazard area.

REDEVELOPMENT

Redevelopment of an ageing or antiquated land use is an important part of maintaining a healthy and vibrant community. While there has been some

redevelopment in Lee County in the past, we are entering a phase where redevelopment will be needed more and more. How we plan, oversee, regulate, and promote this redevelopment is an emerging issue that needs policy direction from the Board of County Commissioners.

The proposed redevelopment plan for Old San Carlos Island offer some important challenges and opportunities that need to be addressed. The single biggest issue for these proposals is the challenge of the changing of the existing urban form. Urban form includes density, intensity, and building mass.

Redevelopment will be very limited if it is restricted to the demolition of existing uses that can only be rebuilt to their current density and intensity. This is why redevelopment proposals will almost always include an increase in density, more commercial intensity, or increases in building mass, or any combination of the three. These increases form the incentives that make the redevelopment project economically viable.

Old San Carlos Island redevelopment proposal is asking for increased entitlements and also increased building height. Staff has evaluated the proposals and is recommending partial density and intensity for the Old San Carlos Island Redevelopment Plan. Staff is recommending an increase in the maximum allowable height. The recommendation restricts the increase in height to 135 feet if the parking is not integrated into the structure. If multiple layers of enclosed parking are placed under the multifamily or hotel use, staff is recommending increasing the height by an additional 50 feet for a maximum height of 185 feet.

This recommendation is based on attaining the desired urban form that will allow the redevelopment to create an at grade pedestrian friendly space where the retail, the water and the people can interact. This concept is further discussed in the section of this report on Building Height.

BUILDING HEIGHT

Building height has become a critical component of the San Carlos Island Redevelopment proposal. The mixed use pedestrian friendly objective requires an urban form unlike the single use or separated use development patterns typically found here in Lee County. Mid rise multifamily or hotel developments

of 9 or 10 story require a large amount of surface parking which makes the site very pedestrian unfriendly. Allowing up to 4 or 5 levels of enclosed parking structure under the residential or hotel units frees up large amounts of the site area to be utilize as the mixed use pedestrian friendly urban space. Locating the parking under the residential or hotel use allows the development to create an at grade atmosphere where the retail, the water and the people can intermingle. This type of site development also allows for additional green areas and enhanced landscaping.

In response to this, staff is recommending restricting the height to 135 feet if the parking is not integrated into the structure. If multiple layers of enclosed parking are placed under the multifamily or hotel use, staff is recommending increasing the height by up to an additional 50 feet for the parking for a maximum height of 185 feet.

C. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners transmit the proposed plan amendment with the conditions and modifications. These conditions have been included in the staff's proposed language. This recommendation includes: the creation of a new Land Use category called "Destination Resort Mixed-Use Water-Dependent;" a new Goal, Objectives and subsequent Policies guiding the development in this area; revision to Map 1 of the Future Land Use Map series to change the Future Land Use designation of the herein described 28.97 upland acres from "Urban Community," "Suburban" and "Industrial Development" to "Destination Resort Mixed-Use Water-Dependent;" change 7.09 acres from "Wetlands" to "Conservation Lands;" and, the addition of the new category and the addition of 28.97 acres in Table 1 (b).

ATTACHMENTS:

- 1- Application packet**
- 2- Memorandum from Lee County Division of Public Safety**
- 3- Memorandum from Lee County School District**
- 4- Memorandum from Lee County Transit**
- 5- Memorandum from Lee County Division of Utilities**
- 6- Memorandum from Lee County Department of Transportation**
- 7- Memorandum from Lee County Division of Environmental Sciences**
- 8- Correspondence from the Town of Fort Myers Beach Consultant**
- 9- Memorandum from Lee County Division of Solid Waste**
- 10- Fort Myers Beach Fire/ Rescue District**

**PART III - LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION**

PUBLIC HEARING DATE: SEPTEMBER 29/ 2008

A. LOCAL PLANNING AGENCY REVIEW

**B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF
FACT SUMMARY**

1. RECOMMENDATION: _____

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

CARLETON RYFFEL _____
(Chair)

LES COCHRAN _____
(Vice-Chair)

NOEL ANDRESS _____

RONALD INGE _____

RAE ANN WESSEL _____

LELAND M. TAYLOR _____

JACQUE RIPPE _____

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING:

A. BOARD REVIEW: _____

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION: _____

2. BASIS AND RECOMMENDED FINDINGS OF FACT;

C. VOTE:

A. BRIAN BIGELOW _____

TAMMARA HALL _____

ROBERT P. JANES _____

RAY JUDAH _____

FRANKLIN B. MANN _____

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS
OBJECTIONS, RECOMMENDATIONS AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: _____

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

A1: CPA 2007-00051: San Carlos Island

B. STAFF RESPONSE:

C. STAFF RECOMMENDATION:

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: _____

A. BOARD REVIEW: _____

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

A. BRIAN BIGELOW _____

TAMMARA HALL _____

ROBERT P. JANES _____

RAY JUDAH _____

FRANKLIN B. MANN _____

Badamtchian, Chahram

From: Wilson, John
Sent: Monday, August 25, 2008 4:29 PM
To: Badamtchian, Chahram
Subject: RE: CPA2007-0005 San Carlos Island Comp Plan Amendment

Thanks.

I had a meeting with the planning folks and County Attorney's office and voiced my concerns about increasing the density in the Coastal High Hazard Area. What else do I have to do?

John D. Wilson, Director
 Lee County Public Safety
 (239) 533-3911, Fax: (239) 482-2605
 Cell: (239) 229-1117
wilsonjd@leegov.com

Mission: To provide help to those needing it, and the means by which to communicate that need.

NOTE: New Telephone and Fax Number

From: Badamtchian, Chahram
Sent: Monday, August 25, 2008 4:28 PM
To: Wilson, John
Subject: RE: CPA2007-0005 San Carlos Island Comp Plan Amendment

Yes Sir this is the one. They are proposing to increase the height and density.

Chahram Badamtchian, AICP
 Senior Planner
 Lee County DCD/Zoning
 Phone: 239. 533. 8372
 Fax: 239. 485. 8300
Cbadamtchian@leegov.com

From: Wilson, John
Sent: Monday, August 25, 2008 4:25 PM
To: Badamtchian, Chahram
Subject: RE: CPA2007-0005 San Carlos Island Comp Plan Amendment

Is this the one that's looking to increase density in the coastal high hazard area on San Carlos Island?

John D. Wilson, Director
 Lee County Public Safety
 (239) 533-3911, Fax: (239) 482-2605
 Cell: (239) 229-1117
wilsonjd@leegov.com

Mission: To provide help to those needing it, and the means by which to communicate that need.

NOTE: New Telephone and Fax Number

From: Badamtchian, Chahram

ATTACHMENT 2

9/8/2008

Sent: Wednesday, August 20, 2008 2:06 PM

To: Boutelle, Stephen J.; Campbell, Gerald G.; Collins, David M.; Collins, Donna Marie ; Cranford, Richard M.; Daltrey, Wayne E.; Eckenrode, Peter J.; farrell, Kevin; Gordon, Dawn; Griffith, Douglas; Horner, Bill; Horsting, Michael S.; Houck, Pamela E.; Lavender, James H.; Lehnert, Dawn; Loveland, David M.; Meurer, Douglas L.; Murphy, Jerry; Newman, William T.; Ottolini, Roland E.; Pavese, Michael P.; Roberts, Rickey G.; Sampson, Lindsey J.; Moore, James; Sweigert, Rebecca H.; Wilson, John; Zettel, Mary S.

Subject: CPA2007-0005 San Carlos Island Comp Plan Amendment

CPA 2007-0005 San Carlos Island Comprehensive Plan Amendment is deemed sufficient. The LPA hearing date is set for Sept 22, 2008. Could you please send your substantive comments to me? I am starting to draft my staff report and need your comments ASAP.

Thanks,

CB

Chahram Badamtchian, AICP

Senior Planner

Lee County DCD/Zoning

Phone: 239. 533. 8372

Fax: 239. 485. 8300

Cbadamtchian@leegov.com

9/8/2008



THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966-1012 ♦ (239) 334-1102 ♦ WWW.LEESCHOOLS.NET

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SEP 17 2008

September 12, 2008

COMMUNITY DEVELOPMENT

JEANNE S. DOZIER
CHAIRMAN, DISTRICT 2
JANE E. KUCKEL, PH.D.
VICE CHAIRMAN, DISTRICT 3
ROBERT D. CHILMONIK
DISTRICT 1
STEVEN K. TEUBER, J.D.
DISTRICT 4
ELINOR C. SCRICCA, PH.D.
DISTRICT 5
JAMES W. BROWDER, Ed.D.
SUPERINTENDENT
KEITH B. MARTIN, Esq.
BOARD ATTORNEY

Mr. Chahram Badamtchian
Lee County Development Services Division
P.O. Box 398
Fort Myers, FL 33902-0398

RE: Cypress Villages CPD
Case # DCI2008-00003

Dear Mr. Badamtchian:

This letter is in response to your request dated September 9, 2008 for the proposed Cypress Villages CPD for substantive comments with regard to educational impact. This proposed structure is located in the South Choice Zone, Sub Zone S1.

After reviewing the re-submittal, the School Districts comments remain the same which is the project should have no impact on classroom needs based on the applicant's indication that this is a commercial project only and will not have any residential units.

Thank you for your attention to this issue. If I may be of further assistance, please call me at (239) 479-5661.

Sincerely,

Dawn Gordon, Community Development Planner
Planning Department

ATTACHMENT 3

Badamtchian, Chahram

From: Horsting, Michael S.
Sent: Thursday, September 11, 2008 4:20 PM
To: Badamtchian, Chahram
Subject: RE: CPA2007-0005 San Carlos Island Comp Plan Amendment

Policy XX.7.1 - Establishing water taxi service from the development to Estero Island. The developer proposes to establish a minimum of two round trips per day with the water taxi in an effort to mitigate traffic concerns on San Carlos Blvd and on Main Street on San Carlos Island. Two round trips will not be convenient enough service to attract choice riders out of the cars and on the water taxi service. The minimum service level should set specific headways along with a minimum span of hours for service per day. (example: 20 minute headways between the hours of 9:00 AM and 9:00 PM)

Policy XX.7.2 - Establishing an airport shuttle. Will the airport shuttle service be exclusive to this development or will it be open to other Estero Island resorts and hotels? Shuttle service to one development will have very little impact on traffic concerns. Also, be aware this is somewhat a duplication of existing services provided by the County in that there is direct local bus service from Summerlin Square to the International Airport seven days per week. Granted, an airport shuttle could provide quicker trips to and from.

Policy XX.7.3 - Provision of bus stop locations. None of the County's long or short range transit plans include the addition of transit service on Main Street east of San Carlos Boulevard. The construction of a bus stop on the development may never get serviced by public transportation without a safe way for transit vehicles to return to southbound San Carlos Boulevard with the assistance of a controlled intersection. The best way to accommodate for access to transit with this development is to make provisions for safe pedestrian access to and across San Carlos Boulevard which is an existing transit corridor.

Mike Horsting, AICP
 Principal Planner - Lee County Transit
 239-533-0333 tel

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and Officials regarding County business are public records available to the public and media upon request. Your e-mail communication may be subject to public disclosure.

From: Badamtchian, Chahram
Sent: Thursday, September 04, 2008 3:01 PM
To: Boutelle, Stephen J.; Campbell, Gerald G.; Collins, David M.; Collins, Donna Marie ; Cranford, Richard M.; Daltry, Wayne E.; Eckenrode, Peter J.; farrell, Kevin; Gordon, Dawn; Griffith, Douglas; Horner, Bill; Horsting, Michael S.; Houck, Pamela E.; Lavender, James H.; Lehnert, Dawn; Loveland, David M.; Meurer, Douglas L.; Murphy, Jerry; Newman, William T.; Ottolini, Roland E.; Pavese, Michael P.; Roberts, Rickey G.; Sampson, Lindsey J.; Moore, James; Sweigert, Rebecca H.; Wilson, John; Zettel, Mary S.
Cc: Noble, Matthew A.
Subject: RE: CPA2007-0005 San Carlos Island Comp Plan Amendment
Importance: High

To those of you who have not sent me your substantive comments:

If by **Monday September 8th 5:00 PM** I don't receive your substantive comments, I will assume you have no substantive comments, and my staff report will state that you had no

ATTACHMENT 4

9/16/2008

concerns or comments. My staff report is almost done and I am waiting for your comments to complete it.

Sincerely,

Chahram Badamtchian, AICP

Senior Planner

Lee County DCD/Zoning

Phone: 239. 533. 8372

Fax: 239. 485. 8300

Cbadamtchian@leegov.com

From: Badamtchian, Chahram

Sent: Wednesday, August 20, 2008 2:06 PM

To: Boutelle, Stephen J.; Campbell, Gerald G.; 'Collins, David M.'; Collins, Donna Marie ; Cranford, Richard M.; Daltrey, Wayne E.; Eckenrode, Peter J.; 'farrell, Kevin'; 'Gordon, Dawn'; Griffith, Douglas; 'Horner, Bill'; Horsting, Michael S.; Houck, Pamela E.; Lavender, James H.; Lehnert, Dawn; Loveland, David M.; Meurer, Douglas L.; 'Murphy, Jerry'; Newman, William T.; Ottolini, Roland E.; Pavese, Michael P.; Roberts, Rickey G.; Sampson, Lindsey J.; 'Smith, Regina Y.'; Sweigert, Rebecca H.; Wilson, John; Zettel, Mary S.

Subject: CPA2007-0005 San Carlos Island Comp Plan Amendment

CPA 2007-0005 San Carlos Island Comprehensive Plan Amendment is deemed sufficient. The LPA hearing date is set for Sept 22, 2008. Could you please send your substantive comments to me? I am starting to draft my staff report and need your comments ASAP.

Thanks,

CB

Chahram Badamtchian, AICP

Senior Planner

Lee County DCD/Zoning

Phone: 239. 533. 8372

Fax: 239. 485. 8300

Cbadamtchian@leegov.com

9/16/2008



**INTEROFFICE MEMORANDUM
FROM
PUBLIC WORKS
UTILITIES**

Date: September 19, 2008

TO: Chahram Badamchian
Senior Planner
DCD / Zoning

From: Howard Wegis
Staff Engineer
Utilities

SUBJECT: CPA2007-00051 San Carlos Island Comp Plan Amendment

I have reviewed the above referenced revised application submitted for comments in your e-mail to Doug Meurer dated June 11, 2008 and would like to provide the following comments.

Sanitary Sewer Service:

As the applicant states, the property is located within Lee County Utilities (LCU) wastewater service area. Regarding treatment capacity, the Fort Myers Beach Wastewater Treatment Plant does have the excess capacity to serve the net increase in flows projected by the applicant.

Regarding wastewater collection system capacity the general area covered by this amendment is currently provided with wastewater service and wastewater infrastructure is in place, however, the applicant should be aware that during the development process the developer will be responsible for performing hydraulic calculations to identify the extent of required on-site and off-site improvements to the wastewater collection system to support the projected increase in flow. The applicant should be aware that the developer will bear the cost of these improvements. In addition, prior to connection to the central sewer system the applicant will be responsible for ensuring compliance with pretreatment standards established in Lee County Ordinance 05-26.

Potable Water Service:

As the applicant states, water service will be provided by Lee County Utilities. The subject property is within LCU's potable water service area. Regarding treatment capacity, the applicant correctly states that the Green Meadows treatment plant will provide service. In addition to the applicant's analysis of available capacity at the Green Meadows plant it should be noted that LCU is planning an expansion of the Green Meadows facility to increase its capacity to 16.0 million gallons per day. This project is included in LCU's CIP and is planned to be completed by 2010. This expansion will provide ample excess treatment capacity to serve the increase in demand proposed by the applicant.

Regarding water distribution system capacity, the general area covered by this amendment is currently provided with potable water service and potable infrastructure is in place, however, the applicant should be aware that during the development process the developer will be responsible for performing hydraulic calculations to identify the extent of required on-site and off-site improvements to the water distribution system to support the projected increase in demand. The applicant should be aware that the developer will bear the cost of these improvements.

June 19, 2008
Chahram Badamtchian
Page Two

Reclaimed Water Service:

Regarding Policy 54.1.6, the applicant should be aware that LCU does have capacity in the Fort Myers Beach WWTP reclaimed water system. However, LCU does not have reclaimed water infrastructure available in the area covered by the proposed amendment. The closest point of connection to the reclaimed water system is approximately three miles from the subject area.

cc: Douglas Meurer, Director, DLCU
Thom Osterhout, DLCU
Tom Hill, DLCU

Memo

To: Paul O'Connor, Planning Director

From: David Loveland, Manager, Transportation Planning *DWL*

Date: September 9, 2008

Subject: CPA 2007-51 (San Carlos Island)

The Department of Transportation had previously commented on the above-referenced privately-initiated future land use map and text plan amendment, in a memo dated March 4, 2008. Our understanding of the request at that time was to change the land use designation of approximately 76.25 acres at the east end of Main Street on San Carlos Island from a combination of Industrial Development/Suburban/Urban Community/Wetlands land use categories to a newly-created category called "Resort Mixed Use Water Dependent (DRMUWD)". The concerns we had related to the existing and projected level of service problems on Estero Boulevard, and the resultant back-ups experienced regularly during season by southbound traffic on San Carlos Boulevard. With this proposed project significantly increasing traffic on Main Street and that traffic feeding directly on to San Carlos Boulevard, and no practical improvements identified in the long range plan to really address the Estero Boulevard situation and the resultant back-ups on San Carlos Boulevard, DOT staff was concerned about approving this amendment request and exacerbating the traffic problem in this area. DOT staff also had concerns about the ability of the narrow, curvy, two-lane configuration of Main Street to handle additional traffic, and felt some improvement to that facility should ultimately be required of the developer if this plan amendment is approved and this project moves forward.

I understand Planning staff is recommending a downscaling the density associated with the new land use category, but even at a lower development level the concerns about traffic conditions on Estero Boulevard, San Carlos Boulevard and Main Street remain. To address the DOT concerns highlighted in March, the applicant has been developing objectives and policies that emphasize alternative modes of transportation for the area, a critical effort when considering intensifying uses in already-congested areas. The latest version of the applicant's proposed policies related to alternative transportation are included below, with some strike-through underline changes proposed by DOT staff:

OBJECTIVE XX.6: COORDINATION OF MASS TRANSIT. The developer(s) will ~~establish coordination~~ coordinate with Lee County to ensure consistency with the TDP (Transit Development Plan).

ATTACHMENT 6

POLICY XX.6.1: Mixed-use developments, as defined in the Lee Land Development Code as containing both commercial and residential uses within the same development, shall provide for an interconnection of commercial with residential uses ~~with~~ through pedestrian linkages. Mixed-use developments will be limited to an overall density of 15 dwelling units per acre at these locations. A minimum of 10% of this density must be allocated to timeshare development. Mixed-use developments that use commercial and residential within the same development shall be allowed to use the entire site for density calculation.

POLICY XX.6.2: Bicycle and pedestrian facilities will be provided throughout the development. Connections between all uses are required to facilitate these alternative modes of transportation. When possible, connection to adjacent developments shall be provided.

POLICY XX.6.3: Vehicular connections between residential and non-residential uses will be provided to facilitate the internal capture of trips. When possible, vehicular connections to adjacent developments will be made to provide alternative access to the non-residential components of ~~this~~ mixed-use developments ~~other than the Main Street.~~

POLICY XX.6.4: ~~Water access~~—Each development shall provide at a minimum one designated public access easement point to the water.

OBJECTIVE XX.7: INCORPORATION AND UTILIZATION OF MULTIMODAL AND ALTERNATIVE MODES OF TRANSIT. The development will establish a comprehensive approach to multimodal and alternative modes of transportation for its residents and guests. These will include, but not be limited to mass transit stops (minimum of one), or shuttle service to a stop, bicycle rental, integrated network of sidewalks and board walks, Airport shuttle services and water-taxi transportation facilities.

POLICY XX.7.1: Each development will establish a water taxi/shuttle service to and from the property. The shuttle will be open to guests, residents and outsiders wanting an alternative access to the water. Hours of operation will be determined based on market conditions but will at a minimum provide three (3) round trips daily.

POLICY XX.7.2: Each development will establish an airport shuttle service to and from the Southwest Florida International Airport and the development. The shuttle services hours of operation will be determined based on market conditions and can either be a fixed route shuttle or a point of demand service type or combination thereof.

POLICY XX.7.3: Where projects developments greater than 20 acres are intersected bisected by public roadways for developments greater than 20 acres and with a split ~~greater~~ and more than 15% of the development is on the other side of the road, some sort of grade separation may be provided for safe pedestrian and bicycle access between the properties. ~~The purpose of this is to safely move pedestrian and bicycles across the road.~~ Examples of this would involve taking the bicycle/pedestrian facilities up and over the

road or ~~involve~~ taking the road over the pedestrian/bicycles paths. Any such improvements would be considered site-related.

POLICY XX.7.4: As part of this amendment the existing roadways that are adjacent to or run through the project, particularly Main Street, will be evaluated with a cross-sectional analysis to identify needed upgrades for driver and bicycle/pedestrian safety and bus access to and from this property. At a minimum one bus stop will be provided along Main Street to Lee Tran standards or better. Where bicycle/pedestrian upgrades or additions are determined by Lee County to be desirable along Main Street or other area streets, any such improvements on behalf of this property and outside the boundaries of this property will be eligible for road impact fee credits in accordance with the Lee County Land Development Code.

As an initial point, DOT staff would note that the policy language as it has evolved is a confusing mix of general references as befitting a larger land use category and site-specific references that only apply in one location. Some additional editorial work is probably necessary to make the references consistent one way or the other. Beyond that, DOT's proposed revisions to most of the policies are simply editorial clean-ups, to improve how they read. DOT staff added one additional clarification to proposed policy XX.7.3 to indicate that grade separations to create safer bicycle/pedestrian connections between two halves of a development in this category will be a site-related improvement and developer expense, whether it is the bicycle/pedestrian facility going up and over the road or the road going up and over the bicycle/pedestrian facility. The other major revision by DOT is actually adding back in a policy that was part of previous negotiations, and supposedly incorporated into the latest version of the policies according to the applicant, but which was in fact missing. This policy (which is admittedly site-specific) calls for upgrading Main Street to accommodate buses, bicycles and pedestrians in addition to cars.

Again, there is a general concern about intensifying development in an area where significant traffic congestion already exists. However, the above-noted policies, as revised by DOT staff, help off-set the intensification impacts and help make this part of the County more accommodating for alternative modes of transportation. DOT staff recommends that the policies as revised above be included with this amendment if it is ultimately recommended for approval.


Please let me know if you need any additional information.

cc: Donna Marie Collins
Chahram Badamtchian

**STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES**

Date: September 15, 2008

To: Chahram Badamtchian, Planner

From: Doug Griffith, Environmental Planner 
Phone: (239) 533- 8323
e-mail: dgriffith@leegov.com

Project: San Carlos Island
Case: CPA2007-00051
STRAP: 19-46-24-00-00022.0010

The Division of Environmental Sciences (ES) staff has reviewed the proposed San Carlos Island Comprehensive Plan Amendment and offer the following analysis:

PROJECT SITE:

The project is located on the eastern side of San Carlos Island, north and south of Main Street and presently consists of a seasonal RV Park, light industrial, commercial and marina uses. The applicant is proposing to create a new land use category through a text and map amendment. The applicant's request is to change the future land use from Urban Community, Suburban and Industrial to Destination Resort Mixed Use Water Dependent Landuse (DRMUWDL) in the San Carlos Island Water Dependent Overlay Zone to allow for the revitalization of an area with declining uses. The ± 76.25 acres consist of 32.18 acres of uplands and 44.07 acres of submerged lands.

A Vegetative Community Assessment was performed by Passarella and Associates Inc. (PAI) in August of 2007 on property and field verified by ES Staff (Doug Griffith) on November 27, 2007. The assessment and a Florida Land Use, Cover and Classification System (FLUCCS) map was submitted by the applicant.

The Uplands consist of: 14.45 \pm acre RV Park (FLUCCS 130), a disturbed 2.55 \pm acre cleared area (FLUCCS 740), Main Street consisting of 0.53 \pm acres (FLUCCS 814), Brazilian pepper consisting of 0.04 \pm acres (FLUCCS 422), Boat Docks and Marina containing 16.18 \pm acres (FLUCCS 180/184). The wetlands consist of: Mangroves (FLUCCS 612) This 7.93 \pm acres wetland community is located in the east central portion of the property. Canopy, sub-canopy and ground cover consist of a mixture of red mangrove (*Rhizophora mangle*), white mangrove (*Laguncularia racemosa*) and black mangrove (*Avicennia germinans*) with scattered Brazilian pepper (*Shinus terebinthifolius*), Estuaries consist of 34.39 \pm acres (FLUCCS 540) including the northern and southern portions of the project area. The northern portion includes open water and

submerged bottom lands of Oyster Bay and Hurricane Bay. The southern portion includes the northern edge of Matanzas Pass.

PROPERTY DESCRIPTION:

PAI performed an environmental assessment in August of 2007 on the 76.25± acre property. ES Staff conducted a site inspection on November, 2007 and confirmed the results. During the site inspection, ES Staff (Doug Griffith) observed the following:

- The disturbed land was dominated by grasses that were frequently mowed.
- The mangroves located adjacent to the RV Park was 90% free of exotics however trash and debris was located through out the area.
- The mangroves and mangrove islands located in Hurricane Bay are within the subject property and are potential homes to nesting and foraging wading birds and other listed species.

Policy 1.4.6: Conservation Lands land use category was created to accurately depict the use of lands for conservation purposes. Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. The Conservation Lands FLUM category is for lands that are primarily used to conserve important natural resources, environmentally sensitive areas, significant archeological or historical resources, or other conservation uses. Conservation Lands typically include such uses as wildlife preserves; large wetland and upland mitigation areas; natural resource based parks; and water conservation lands such as aquifer recharge areas, flow-ways, flood prone areas and well fields.

The Conservation Lands objective is to put into the public domain private lands that provide the following public benefits:

- Sustain native plant and animal populations;
- Protect people and property from flooding;
- Replenish our underground drinking water supply;
- To improve or sustain the water quality of our coastal bays, inlets;
- Provide ecotourism opportunities, and
- Provide local environmentally oriented recreational and educational opportunities.

The applicant is proposing an "Eco-park" to provide education to visitors and residence on wetlands and other habitats in the area. ES Staff encourages the use of passive recreational and educational uses in natural surroundings. The Eco-Park will be part of the community learning center. The park will be a passive, informative, boardwalk experience with a variety of tour type's available. Tour types will be non-invasive and educational in nature, a single boardwalk traversing centrally through the mangrove area with one shaded structure for resting will be used in the tours. ES Staff finds this consistent with **Objective 86.1: *the county will provide information and educational programs regarding its cultural history and the environment at appropriate facilities.***

The Board of County Commissioners has provided policy guidance to staff to maintain wildlife habitats and green space connections to ensure the preservation of indigenous plant and animal habitat throughout the County.

Utilizing the conservation lands use category would serve to protect the indigenous habitat while providing foraging and nesting opportunities for listed species and species of special concern.

The following Comprehensive Plan Goals, Objectives and Policies further support ES Staff's recommendation for the conservation land use category for this project:

- **Standard 11.4: Environmental Review Factors.** *In any case where there exists or there is the probability of environmentally sensitive areas the developer must propose means to protect, conserve, or preserve the environmental and natural resources.*

The Board of County Commissioner's policy guidance to staff is for the preservation of mangroves and wetlands for potential use by foraging and nesting wading birds. ES Staff recommends the use of conservation lands category to preserve this environmentally sensitive habitat.

- **GOAL 114: WETLANDS.**

Objective 114.1 *The natural function of wetlands and wetland systems will be protected and conserved through the enforcement of the County's wetland protection regulations.*

Placing the mangroves and mangrove islands in the conservation lands, land use category will protect the natural function of the system.

- **Objective 107.4: Endangered and Threatened Species in General:** *Lee County will continue to protect habitats of threatened and endangered species and species of special concern in order to maintain or enhance existing population numbers and distribution of listed species.*

Placing the mangroves and mangrove islands in the conservation land use category will protect potential foraging and nesting areas for wading birds and other listed species.

- **GOAL 104: Coastal Resource Protection:** *To protect the natural resources of the coastal planning area from damage caused by inappropriate development.*

Placing the mangroves and mangrove islands in the conservation land use category will protect them from development.

WATER QUALITY AND STORM WATER MANAGEMENT

Currently there is no storm water management being utilized on the property. Storm water runoff from the marina and RV park flow directly into Hurricane Bay or Matanzas Pass without any water quality treatment. The applicant is proposing to provide storm water treatment for a 25-year, 3-day storm event. ES Staff recommends using storm water management to mimic natural systems incorporating Green Infrastructure into the surface water management plan for increased water quality and improved infiltration.

The following Comprehensive Plan Goals, Objectives and Policies support ES Staff's recommendations.

- **Objective 60.5:** *Incorporation of Green Infrastructure into the Surface Water Management Plan. The long-term benefits of green infrastructure as part of the surface water management system includes improved water quality, improved infiltration, wild life habitat and recreational opportunities.*
- **Policy 61.2.2** *Where no natural features of flow or ponding exist on a site the County will require that water management structures be designed and constructed in such a manner as to mimic the functions or a natural system.*

LANDSCAPING AND GREEN INFRASTRUCTURE:

In order to preserve and enhance the natural beauty of the island, the applicant is proposing the following policies for the DRMUWDL land use category. This includes:

- **Policy XX 3.1** *Innovative landscaping design for parking areas and perimeter plantings utilizing 70% native plants.*

ES Staff finds this consistent with **Lee Plan Objective 77.3:** *New developments must use innovative open space design to preserve existing vegetation, provide visual relief and buffer adjacent uses.*

The project does not have existing native vegetation however proposes to utilize 70% native plants.

- **Policy XX 5.3** *Providing an educational component to the project with the objective of educating the public on its unique quality and rich heritage and means to protect the area.*

ES Staff finds this consistent with **Goal 86: Environmental and Historic Programs.** *To provide programs and information to promote knowledge and understanding of Lee county's unique environmental and cultural heritage.*

The applicant is proposing to educate the public on the unique quality and rich heritage of San Carlos Island.

- **Policy XX 10.18. Landscape Standards** *The landscaping will incorporate Xeriscape principles to conserve water and will be designed to incorporate a sense of nature as well as promote health of plant species within the community.*

ES Staff finds this consistent with **Objective 117.2: Xeriscape Landscape.** *The county will continue to promote Xeriscape landscaping techniques.*

The applicant is proposing Xeriscape landscaping that will promote native, drought tolerant, plant species for aesthetic value and water conservation.

- **Proposed Objective XX.12: Wildlife.** *The location, design and operation of Destination Resort Facilities will incorporate preservation and/or management activities that restrict the unnecessary loss of habitat or impact on protected species, species of special concern, threatened or endangered species.*
- **Proposed Policy XX.12.1:** *The development will not have an adverse impact on any existing, viable onsite occupied wildlife habitat for protected species, species of special concern, threatened or endangered species.*

The applicant has revised the policy language for **Objective XX.12 and Policy XX.12.1** deleting the word unnecessary from Objective XX.12 and the word adverse from Policy XX.12.1

ES Staff finds the objective and policy consistent with **Objective 107.4: Endangered and Threatened Species in General.** *Lee County will continue to protect habitats of endangered and threatened species and species of special concern in order to maintain or enhance existing population numbers.*

- **Objective XX.13: Natural Resources.** *Destination Resort facilities must be located, designed and operated to minimize environmental impacts, and where appropriate, enhance and manage natural resources such as, waterways, wetlands, natural water bodies, and indigenous uplands.*

ES Staff finds the objective consistent with **Goal 107: Natural Resources.** *To manage the county's wetland and upland ecosystems so as to maintain and enhance native habitats, flora and fauna species diversity, water quality and natural surface water characteristics.*

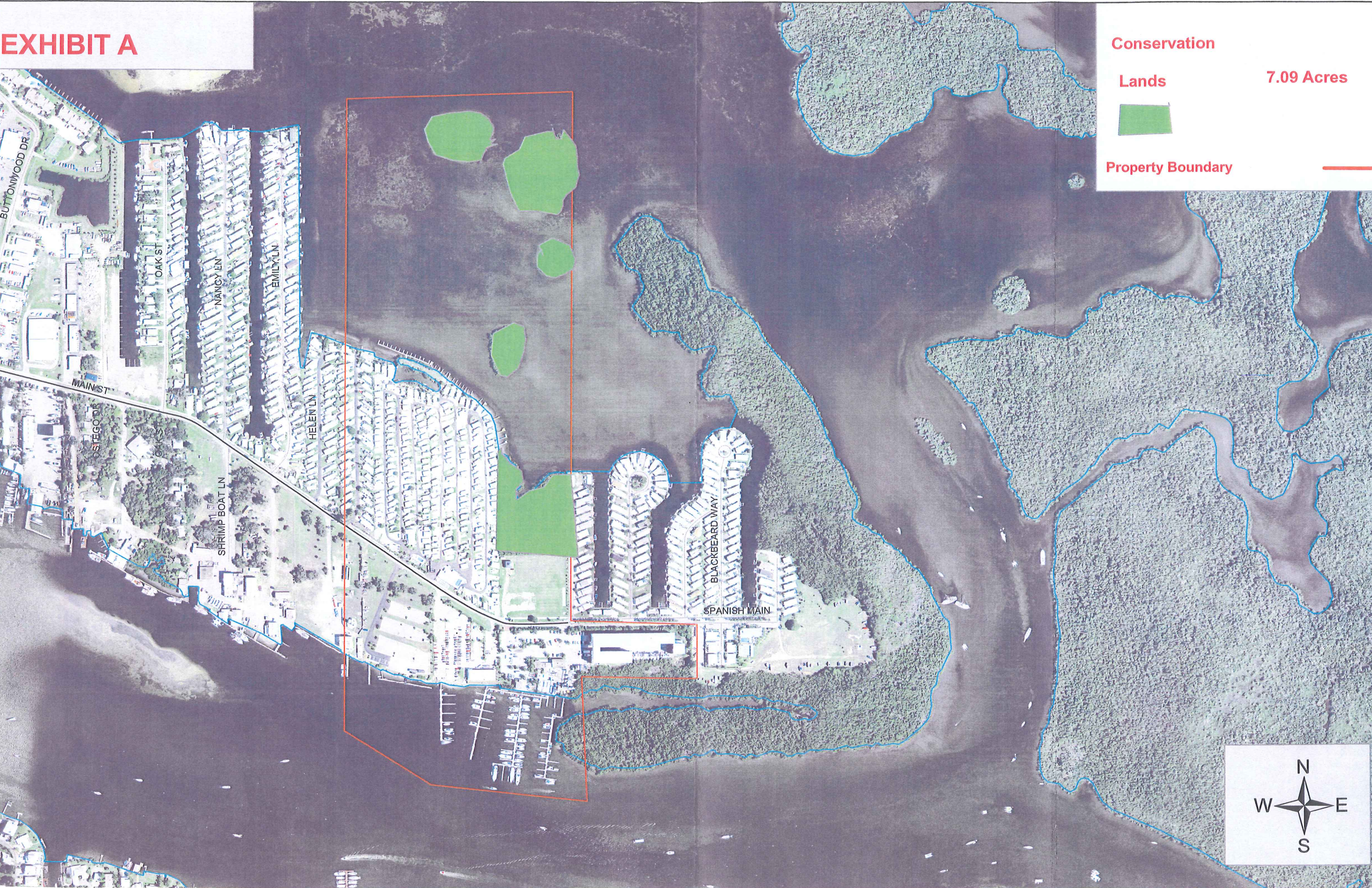
- **Policy XX.15.1 Marina Design and Conservation.** *The Marina design will incorporate natural wetland vegetative buffers near the docking areas and in ingress/egress areas for erosion and sediment control, runoff purification and habitat purposes and protect environmentally sensitive area.*

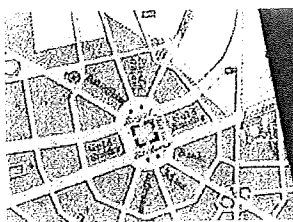
ES Staff finds the policy consistent with **Policy 128.6.8:** *Marina design must incorporate natural wetland vegetative buffers near the docking area and in ingress/egress areas for erosion and sediment control, runoff purification and habitat purposes.*

CONCLUSION:

The applicant has agreed to place the mangroves in conservation lands (see attached) and incorporate natural wetland vegetative buffers near the docking areas to assist in water quality including: erosion and sediment control, runoff purification and protect environmentally sensitive area. This will assist in long term protection of these ecosystems.

EXHIBIT A





SPIKOWSKI PLANNING ASSOCIATES

September 4, 2008

Chahram Badamtchian, AICP
Lee County Community Development Department, Zoning Division
P.O. Box 398
Fort Myers, Florida 33902-0398

RE: Proposed Lee Plan amendments on San Carlos Island (CPA-2007-00051)

Dear Mr. Badamtchian:

On behalf of the Town of Fort Myers Beach, I have reviewed the pending Lee County comprehensive plan amendments for property on San Carlos Island. These comments identify the town's concerns at this point and may be supplemented by additional comments from the town in the near future. These comments are not based on a complete review of this proposal but they shed light on the nature of the request and some of its potential impacts on San Carlos and Estero Islands.

SUMMARY

The proposal is to create a new category on Lee County's Future Land Use Map to accommodate a major destination resort. The resort would have 600 dwelling units, a 300-room hotel, a freestanding parking garage, and related facilities. Building heights could be up to 22 stories over parking.

The property in question includes about 27 acres of high ground along both sides of Main Street. On the north side of Main Street are the existing Ebb Tide and Oyster Bay senior-only RV parks (about 15 acres); together these parks accommodate about 271 spaces, a density of just over 18 spaces per acres. On the south side of Main Street there is dry boat storage, a restaurant, and other commercial/industrial support facilities (about 12 acres). The combined properties also include about 7 acres of mangrove swamp and 39 acres of submerged land in Hurricane Pass and Matanzas Pass.

The scale and height of the proposed resort would be completely different from nearby conditions on both San Carlos and Estero Islands. The applicant argues that Lee County's current development rules for San Carlos Island make re-use of these properties impractical given the state of the shrimping industry and the declining market for RV sites. The applicant asserts that this proposal will have no significant impacts on traffic or utilities.

Lee County's vision for San Carlos Island is stated simply in the Lee Plan: "The San Carlos Island area, which is nearly built out today, will continue to develop its infill areas while maintaining its marine oriented nature." The marine-oriented restrictions apply most strictly on land within 300 feet of Matanzas Pass, but also apply between that zone and Main Street. These restrictions have been in place for nearly 20 years in an attempt to reserve land along the deep channel for commercial fishing and related marine industrial uses.

Lee County does not have a pre-disaster buildback policy like the town of Fort Myers Beach, thus the redevelopment potential for RV and mobile home parks is limited to what would be allowed on vacant property, 6 dwelling units per acre (about 86 units here).

The applicant may be correct in asserting that Lee County's regulations for San Carlos Island are in need of review and updating, given changes over the past 20 years. The fishing industry has continued to decline, and RVs and mobile homes are increasingly obsolete and prone to flood damage. Redevelopment would allow a modern surface water management system and would elevate all buildings above expected flood levels.

However, the current proposal would be a dramatic departure not only from existing conditions but from general county policy restricting high-density development in coastal areas and along overcrowded roads. It would also begin reversing the county's longstanding efforts to reserve suitable land for marine industrial uses.

TRAFFIC

The most obvious planning issue is traffic. The applicant's traffic engineer concludes that no nearby roads would operate below adopted levels of service. Although it is possible to reach this conclusion on a purely technical basis, it is an absurdity in the real world given the unmistakable traffic congestion that already exists in the immediate area.

The traffic engineer's conclusion is explicitly based on Lee County building a new bridge from San Carlos Island to Estero Island near Bay Oaks. This second bridge is in Lee County's financially feasible road plan for 2030 (copy attached). As an ironic note, the bridge would likely run from Main Street right through this property; building the proposed high-rise hotel would probably make the new bridge infeasible.

The traffic engineer's conclusion ignores several real facts about traffic congestion and levels of service. Florida DOT has already widened San Carlos Boulevard to five lanes even though its congestion is caused by conditions on Estero Island, not by a lack of lanes on San Carlos Island or the mainland. While it is true that further widening of San Carlos Boulevard is not needed to continue meeting its "adopted levels of service," stating that fact as if it is relevant conveniently sidesteps any assessment of this project's actual impact on traffic congestion.

It is also narrowly true that this project would not cause Estero Boulevard to fall below its "adopted level of service." That is true only because after limiting development and redevelopment to the lowest possible levels, the town of Fort Myers Beach consciously chose a poor level of service for Estero Boulevard that acknowledges existing congestion. Without this acknowledgment, redevelopment efforts within the town would have been completely stymied. In this case, analyzing the effect a major increase in density and intensity simply as to its effect on the "adopted level of service" completely ignores this project's likely impact on traffic congestion.

Lee County has formally acknowledged past over-development in coastal areas and has placed relevant policies in the Lee Plan:

POLICY 105.1.2: Rezoning to allow higher densities will not be permitted on barrier and coastal islands if the capacity of critical evacuation routes would thereby be exceeded (see Objective 109.1). (Amended by Ordinance No. 92-35, 00-22)

POLICY 105.1.5: Zoning requests located in the coastal high hazard area will be considered for reduced or minimum density assignments, in accordance with their future land use category density range. This evaluation should be done in concert with an evaluation of other individual characteristics such as compatibility with existing uses, desired urban form, and availability of urban services. (Added by Ordinance No. 05-19)

The applicant argues that these policies are not applicable because evacuation routes are satisfactory and that this is a comprehensive plan request, not a zoning request (even though a zoning change would be needed to carry out the proposed comprehensive plan amendment).

SUMMARY

Overall, the applicant has put forth several valid points about the current development restrictions on San Carlos Island. However, the current proposal is excessive in both height and density given its coastal location. Without a new bridge, the traffic impacts of this proposal would be completely unacceptable, yet the proposed hotel would foreclose the option of building this very bridge. The proposed water taxi, while valuable, would have only minor mitigating effects given the size of the proposed development, current road conditions, and the site's location beyond walking distance from most of the amenities that visitors would be seeking.

The Town of Fort Myers Beach has faced similar concerns about future redevelopment of the Red Coconut and Gulfview Colony parks on Estero Boulevard. The solution set forth in the Fort Myers Beach Comprehensive Plan should be considered by Lee County for San Carlos Island as well — allowing redevelopment of those parks at densities similar to the existing parks but in a traditional neighborhood format that eliminates flood-prone structures and improves drainage conditions, all without resorting to high-rise or high-density development.

Sincerely,

Bill Spikowski, AICP

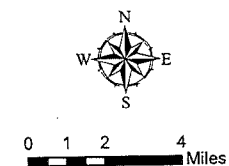
ATTACHMENTS:

Lee County 2030 Financially Feasible Highway Plan
Discussion of additional bridges from January 2007 Evaluation/Appraisal Report (pp. 39–41)

- INTERSTATE
- EXPRESSWAY
- ONE-WAY
- 2 LANES
- 3 LANES
- 4 LANES
- 6 LANES
- 8 LANES
- 10 LANES
- EXISTING
- CONSTRUCTION PROGRAMMED
- 2030 FINANCIALLY FEASIBLE PLAN
- INTERCHANGE IMPROVEMENTS
- INTERCHANGES
- TYPE
- 2030 FINANCIALLY FEASIBLE PLAN
- CONSTRUCTION PROGRAMMED
- EXISTING
- TYPE
- PROPOSED BRIDGE OR OVERPASS
- CONSTRUCTION PROGRAMMED

MAP 3A
LEE COUNTY 2030 FINANCIALLY
FEASIBLE HIGHWAY PLAN
AS ADOPTED DECEMBER 7, 2005
AND AMENDED JANUARY 20 AND
MARCH 17, 2006

THE LINES ON THIS PLAN REPRESENT ONLY THE GENERAL ROUTES. SPECIFIC ALIGNMENTS WILL BE DETERMINED THROUGH CORRIDOR AND DESIGN STUDIES.



MAP 3A
PAGE 1 OF 1
(ADDED BY ORDINANCE # 07-11)
Prepared by Rob Lovell, Lee County DOT, July 18, 2006

None of the street alternatives just discussed affect conditions beyond Crescent Street. It is readily apparent during congested periods that the conditions causing the congestion continue beyond Crescent Street and even beyond the end of the “Pedestrian Commercial” district (which extends to Diamondhead Resort).

The town’s ongoing efforts to improve the blocks between Crescent Street and Old San Carlos Boulevard are critical both to the character of the downtown area and to traffic congestion. However, congestion on these blocks (and northward across the Sky Bridge) will still result from the inability of traffic to flow smoothly beyond Crescent Street. The level of this congestion is difficult to predict using traffic simulation software, but will undoubtedly still be very substantial.

Two larger congestion relief issues deserve attention. Additional congestion will continue to be caused by growth elsewhere in Lee County and the state because area residents enjoy visiting the beaches. The town has no regulatory authority over such growth, but comfortable and efficient public transit, whether on trolleys or trams, can provide mobility to island visitors (as well as residents) without adding more vehicles to the lines of traffic waiting to enter and leave the island. Public transit is discussed further on pages 47 and 52.

Another type of relief could be provided by building another bridge to Fort Myers Beach. Four “new bridge” alternatives as illustrated in Figure 9 were discussed in the original comprehensive plan on pages 7-A-48 through 52. The Lee County Metropolitan Planning Agency (MPO) has recently evaluated two of these alternatives, a southerly bridge to Coconut Road and a northerly bridge to the end of Main Street on San Carlos Island. The MPO conducted this evaluation to determine whether any of these improvements would provide enough relief for congestion on Estero Boulevard to justify inclusion on the MPO’s new transportation plan for the year 2030, which identifies needed road improvements throughout Lee County.

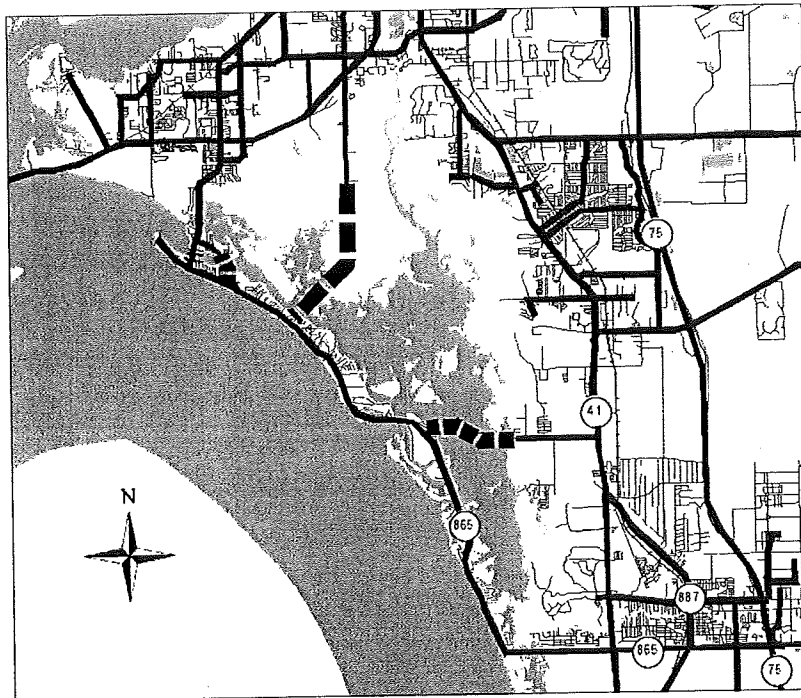


Figure 9, potential routes for an additional bridge
(was Figure 28 in Transportation Appendix A)

The highway portion of the 2030 plan begins with a “highway needs assessment,” which is a map and list of road improvements that are needed throughout Lee County by the year 2030 (without considering affordability). The map summarizing the results of this assessment is shown in Figure 10. Here is the MPO staff summary of the two “new bridge” alternatives for Fort Myers Beach during the early stages of this assessment:

Additional bridges to the beach communities At the outset of the plan development process, staff submitted the three new bridge alternatives listed in the Fort Myers Beach comprehensive plan for environmental screening through FDOT’s ETDM process [*Efficient Transportation Decision Making, a preliminary impact review by state and federal agencies*]. For two of the alternatives, the Coconut Road extension to Lovers Key and the Winkler Road extension to mid-Estero Island, the reviewing agencies reported a total of seven issues on which they had such serious concerns that dispute resolution would be required if the project could ever be permitted. For the third alternative, connecting Main Street near the southeast end of San Carlos Island with Estero Boulevard in the general area of the town hall, such serious concerns were raised for only three issues.

The Coconut Road to Lovers Key alternative was tested in the first 2030 needs alternative network (combined with a Coconut Road interchange with I 75). The model predicted that it would reduce peak season daily traffic using the Bonita Beach Road bridge in 2030 by about 9,900, but relieve the Matanzas Pass Bridge of only 3,500 daily trips — not enough for a significant improvement in the level of service. The San Carlos Island to Fort Myers Beach alternative was tested in the second alternative needs network. The model predicted it that 11,200 daily trips would choose to use the new bridge, leaving only 17,500 daily trips using the existing Matanzas Pass Bridge, and improve levels of service to D or better throughout Fort Myers Beach and San Carlos Island and on the bridges and San Carlos Boulevard south of Summerlin Road. This alternative performed so well that the TAC and CAC decided to dispense with testing the Winkler extension alternative, and kept the San Carlos Island route for the remaining network alternative and recommended it be included in the 2030 highway needs assessment [see improvement #111 on Figure 10].

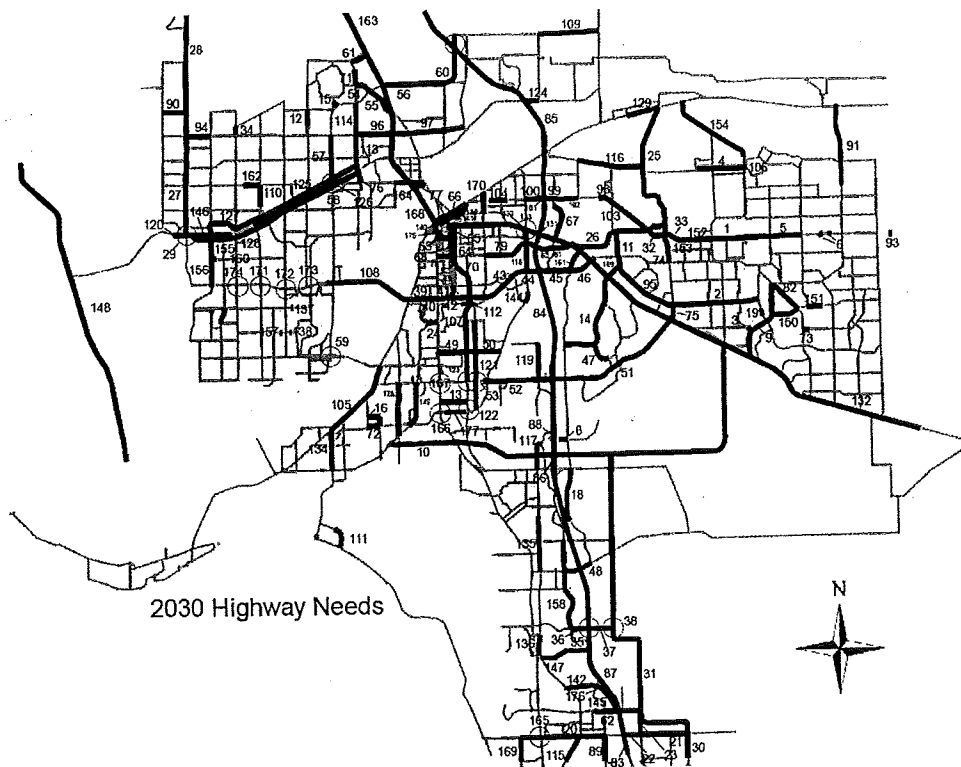


Figure 10 (new roads for 2030 indicated by heavy black lines)

Once the needs assessment is completed, the least valuable road projects from this needs assessment are eliminated until a final list includes only roads that could be built by the year 2030 with available funding sources. The final list and map are called the "2030 financially feasible plan."

The entire 2030 plan was adopted by the MPO in December 2005. The new bridge shown as #111 on Figure 10 was made part of the 2030 financially feasible plan, based on the following preliminary assumptions:

- Construction responsibility: Lee County
- Length of new road segment: 0.86 miles
- Completion assumed: 2015
- Cost assumed: \$49,113,799
- Funding: Tolls on both new and existing bridges

It is unfortunate that whatever kind of relief can be provided to traffic congestion will be continually eroded by additional growth in the surrounding area. It will also be eroded by motorists who may have avoided Fort Myers Beach in the past, or reached it with public transit, if they take advantage of reduced congestion and begin driving to Fort Myers Beach during peak periods.

D. Recommendations on Times Square Area

The recommendations described in the previous section of this report are now under evaluation by town officials. None of the alternatives described would require any amendments to the comprehensive plan, although there is considerable urgency facing the town due to the impending redevelopment described on page 23.

The only related change to the comprehensive plan that have been identified would be to delete Policy 7-H-3 regarding left-turns on Estero Boulevard as northbound traffic passes Times Square, as discussed on page 23.

Badamtchian, Chahram

From: Newman, William T.
Sent: Thursday, August 21, 2008 5:33 PM
To: Badamtchian, Chahram
Cc: Sampson, Lindsey J.; Pavese, Michael P.
Subject: RE: CPA2007-0005 San Carlos Island Comp Plan Amendment

Chahram:

Thanks for sending me the latest San Carlos Island Comp Plan Amendment Text. I have reviewed the document and the Solid Waste Division does not have any comments or objections at this time.

Bill Newman
Operations Manager
Solid Waste Division
(239) 533-8000

From: Badamtchian, Chahram
Sent: Wednesday, August 20, 2008 2:06 PM
To: Boutelle, Stephen J.; Campbell, Gerald G.; Collins, David M.; Collins, Donna Marie ; Cranford, Richard M.; Daltry, Wayne E.; Eckenrode, Peter J.; farrell, Kevin; Gordon, Dawn; Griffith, Douglas; Horner, Bill; Horsting, Michael S.; Houck, Pamela E.; Lavender, James H.; Lehnert, Dawn; Loveland, David M.; Meurer, Douglas L.; Murphy, Jerry; Newman, William T.; Ottolini, Roland E.; Pavese, Michael P.; Roberts, Rickey G.; Sampson, Lindsey J.; Moore, James; Sweigert, Rebecca H.; Wilson, John; Zettel, Mary S.
Subject: CPA2007-0005 San Carlos Island Comp Plan Amendment

CPA 2007-0005 San Carlos Island Comprehensive Plan Amendment is deemed sufficient. The LPA hearing date is set for Sept 22, 2008. Could you please send your substantive comments to me? I am starting to draft my staff report and need your comments ASAP.

Thanks,

CB

Chahram Badamtchian, AICP
Senior Planner
Lee County DCD/Zoning
Phone: 239. 533. 8372
Fax: 239. 485. 8300
Cbadamtchian@leegov.com

ATTACHMENT 9

9/8/2008

Badamtchian, Chahram

From: Collins David M. [collins@fmbfire.org]
Sent: Friday, September 05, 2008 9:58 AM
To: Badamtchian, Chahram
Subject: RE: CPA2007-0005 San Carlos Island Comp Plan Amendment

The Ft. Myers Beach Fire Prevention Bureau sees no problem with this development as long as all NFPA fire codes are followed.
David M. Collins,
Fire Marshal.

-----Original Message-----

From: Badamtchian, Chahram [mailto:CBADAMTCHIAN@leegov.com]
Sent: Thursday, September 04, 2008 3:01 PM
To: Boutelle, Stephen J.; Campbell, Gerald G.; Collins David M.; Collins, Donna Marie ; Cranford, Richard M.; Daltry, Wayne E.; Eckenrode, Peter J.; farrell, Kevin; Gordon, Dawn; Griffith, Douglas; Horner, Bill; Horsting, Michael S.; Houck, Pamela E.; Lavender, James H.; Lehnert, Dawn; Loveland, David M.; Meurer, Douglas L.; Murphy, Jerry; Newman, William T.; Ottolini, Roland E.; Pavese, Michael P.; Roberts, Rickey G.; Sampson, Lindsey J.; Smith, Regina Y.; Sweigert, Rebecca H.; Wilson, John; Zettel, Mary S.
Cc: Noble, Matthew A.
Subject: RE: CPA2007-0005 San Carlos Island Comp Plan Amendment

To those of you who have not sent me your substantive comments:

If by **Monday September 8th 5:00 PM** I don't receive your substantive comments, I will assume you have no substantive comments, and my staff report will state that you had no concerns or comments. My staff report is almost done and I am waiting for your comments to complete it.

Sincerely,

Chahram Badamtchian, AICP
Senior Planner
Lee County DCD/Zoning
Phone: 239. 533. 8372
Fax: 239. 485. 8300
Cbadamtchian@leegov.com

From: Badamtchian, Chahram
Sent: Wednesday, August 20, 2008 2:06 PM
To: Boutelle, Stephen J.; Campbell, Gerald G.; 'Collins, David M.'; Collins, Donna Marie ; Cranford, Richard M.; Daltry, Wayne E.; Eckenrode, Peter J.; 'farrell, Kevin'; 'Gordon, Dawn'; Griffith, Douglas; 'Horner, Bill'; Horsting, Michael S.; Houck, Pamela E.; Lavender, James H.; Lehnert, Dawn; Loveland, David M.; Meurer, Douglas L.; 'Murphy, Jerry'; Newman, William T.; Ottolini, Roland E.; Pavese, Michael P.; Roberts, Rickey G.; Sampson, Lindsey J.; 'Smith, Regina Y.'; Sweigert, Rebecca H.; Wilson, John; Zettel, Mary S.
Subject: CPA2007-0005 San Carlos Island Comp Plan Amendment

CPA 2007-0005 San Carlos Island Comprehensive Plan Amendment is deemed sufficient. The LPA hearing date is set for Sept 22, 2008. Could you please send your

substantive comments to me? I am starting to draft my staff report and need your comments ASAP.

Thanks,

CB

Chahram Badamtchian, AICP

Senior Planner

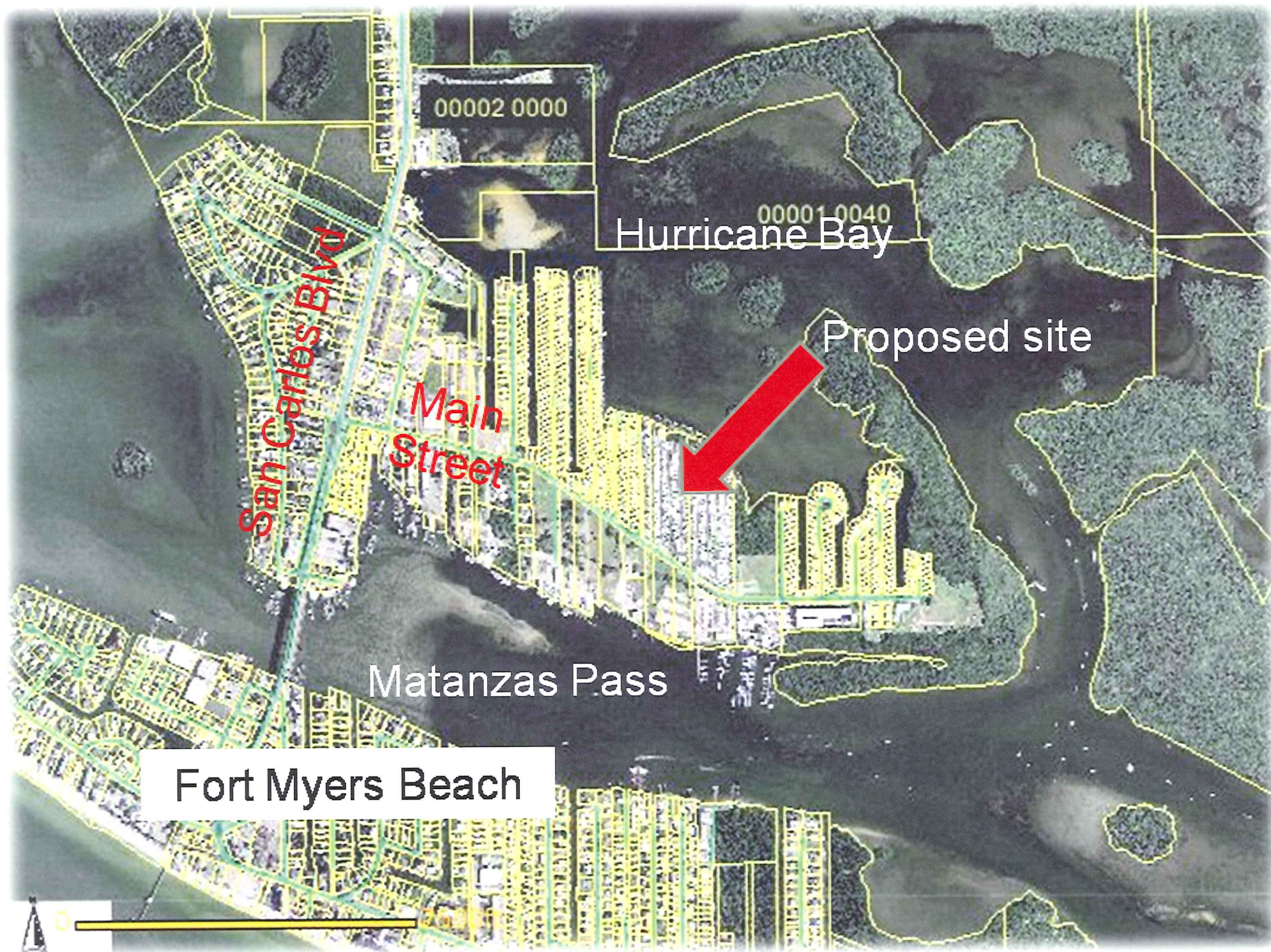
Lee County DCD/Zoning

Phone: 239. 533. 8372

Fax: 239. 485. 8300

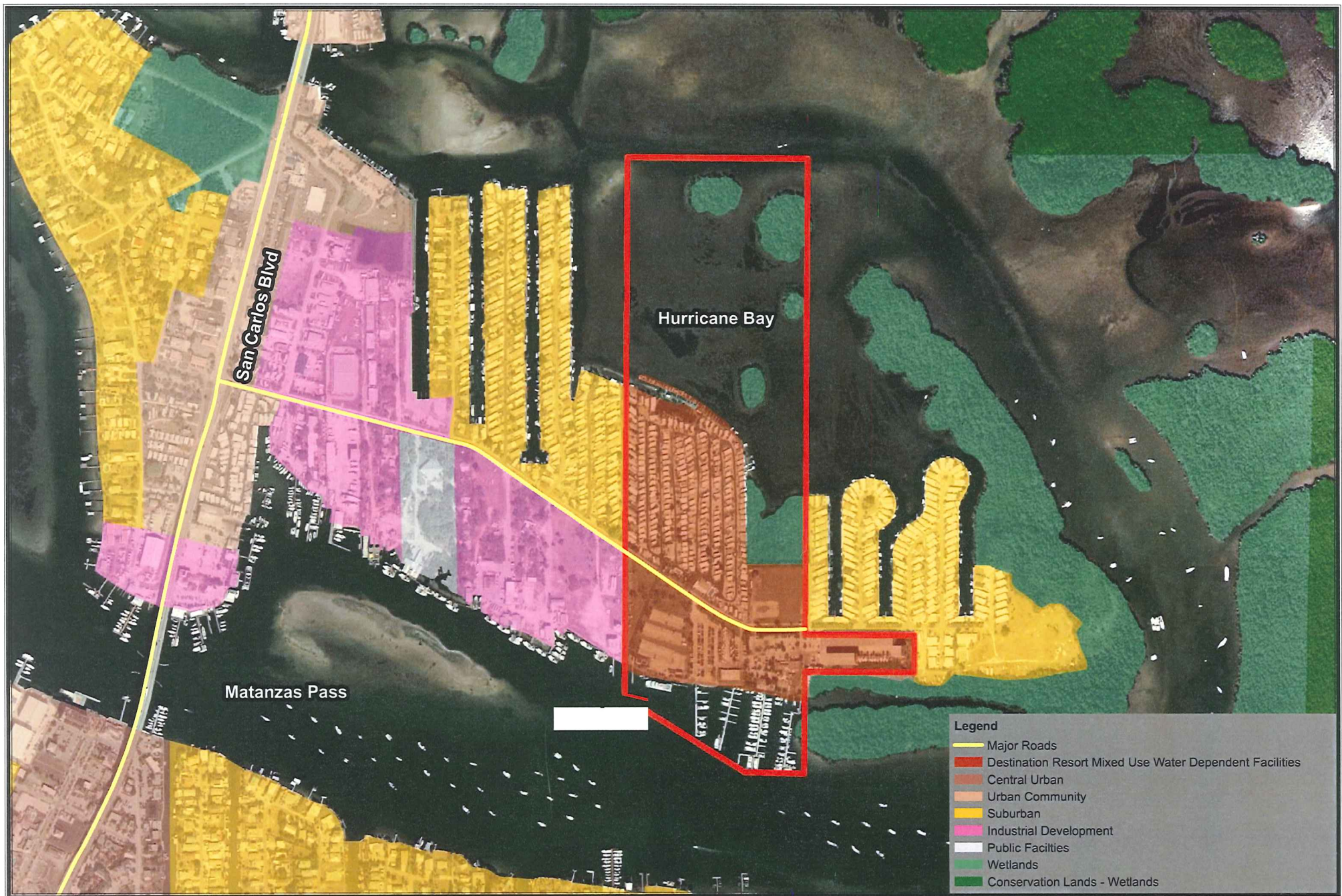
Cbadamtchian@leegov.com











PROPOSED FUTURE LAND USE MAP

EBBTIDE

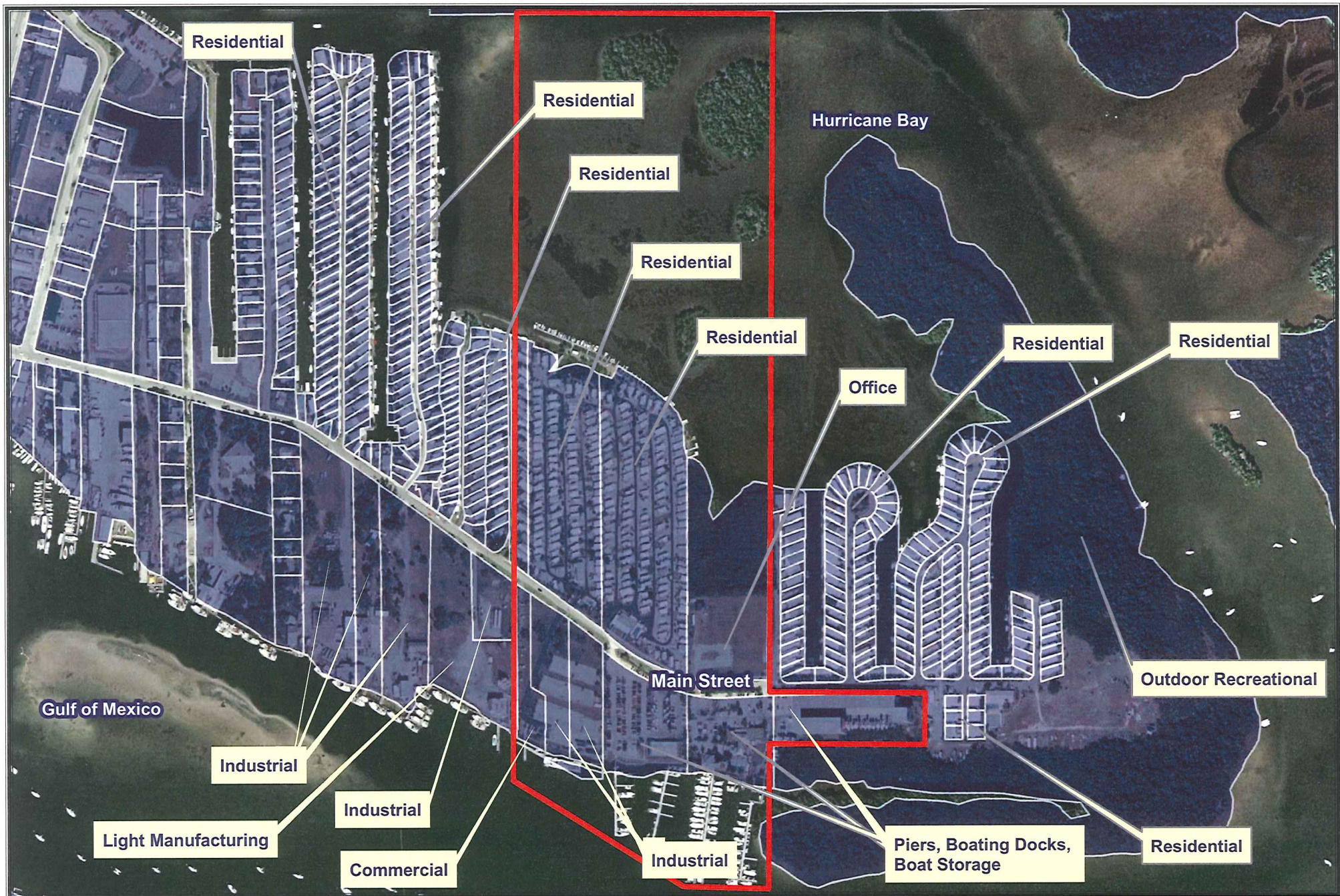
GENERAL NOTE:
THIS MAP IS FOR REFERENCE ONLY. DATA PROVIDED ARE DERIVED FROM MULTIPLE SOURCES WITH VARYING LEVELS OF ACCURACY.

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DE LISI FITZGERALD, INC.
Planning - Engineering - Project Management

1500 Royal Palm Square Blvd., Suite 101
Fort Myers, FL 33919
239-418-0691 • 239-418-0692 fax



EXISTING LAND USE

EBBTIDE

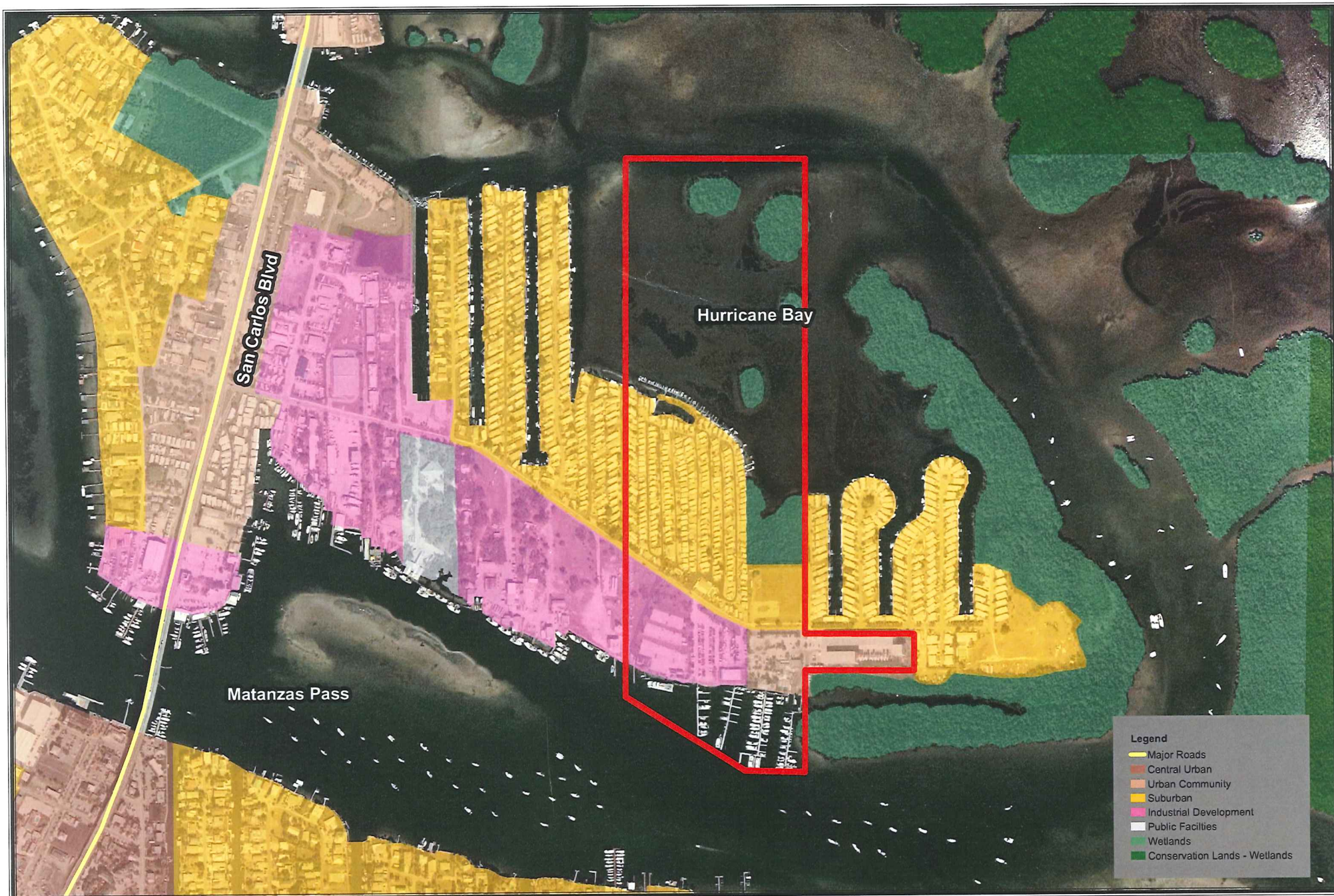
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Meters



DELISI FITZGERALD, INC.
Planning - Engineering - Project Management

1500 Royal Palm Square Blvd., Suite 101
Fort Myers, FL 33919
239-418-0691 • 239-418-0692 fax



FUTURE LAND USE

EBBTIDE

GENERAL NOTE:
THIS MAP IS FOR REFERENCE ONLY. DATA PROVIDED ARE DERIVED FROM MULTIPLE SOURCES WITH VARYING LEVELS OF ACCURACY.

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Miles



DELISI FITZGERALD, INC.
Planning - Engineering - Project Management

1500 Royal Palm Square Blvd., Suite 101
Fort Myers, FL 33919
239-418-0691 • 239-418-0692 fax

Memo

To: Paul O'Connor, Planning Director

From: David Loveland, Manager, Transportation Planning *DL*

Date: March 4, 2008

Subject: **CPA 2007-51 (San Carlos Island)**

The Department of Transportation has reviewed the above-referenced privately-initiated future land use map and text plan amendment, to change the land use designation of approximately 76.25 acres at the east end of Main Street on San Carlos Island from a combination of Industrial Development/Suburban/Urban Community/Wetlands land use categories to a newly-created category called "Resort Mixed Use Water Dependent (DRMUWD)". The applicant indicates that the proposed change would allow approximately 600 dwelling units, 20,000 square feet of marine industrial uses, and 300 hotel rooms on the site. The property is within Traffic Analysis Zone (TAZ) 1695, which currently includes only 81 single-family dwelling units, 849 multi-family dwelling units, 22 hotel rooms and a total of 441 employees in the Lee County MPO's 2030 Financially Feasible Plan FSUTMS travel demand model. The applicant added 466 multi-family dwelling units (the property has 134 existing residential units) and 300 hotel rooms in the zonal data forecasts for TAZ 1695 (ZDATA1) and reran the 2030 Financially Feasible Plan model. It is worth noting that the existing 2030 Financially Feasible Plan network includes a second bridge from Fort Myers Beach to San Carlos Island, tying into Main Street, an improvement which is highly unlikely.

In examining the three-mile radius around the project, and utilizing the County's generalized service volumes (except for the link-specific service volume calculated for Estero Boulevard), and the primary level of service problem in 2030 with and without the project is on Estero Boulevard in the Town of Fort Myers Beach. This is no surprise, since this road segment is also at level of service "F" today. Lee County DOT staff also reran the model without the proposed second bridge tying into Main Street, and Estero Boulevard was also at level of service "F" in that scenario.

The net effect of this condition is that traffic backs up dramatically southbound on San Carlos Boulevard approaching Fort Myers Beach. Although the 2030 model, which reports daily traffic conditions, indicates volumes that imply an acceptable level of service condition on San Carlos Boulevard, anyone who has attempted to go to Fort Myers Beach during season has surely experienced the southbound stop-and-start traffic throughout most of the day. The only real difference from day-to-day and hour-to-hour is how far north on San Carlos Boulevard the back-ups start. With this proposed project significantly increasing traffic on Main Street and that traffic feeding directly on to San Carlos Boulevard, and no practical improvements identified in

the long range plan to really address the Estero Boulevard situation and the resultant back-ups on San Carlos Boulevard, DOT staff is concerned about approving this amendment request and exacerbating the traffic problem in this area. DOT staff also has concerns about the ability of the narrow, curvy, two-lane configuration of Main Street to handle additional traffic, and feels some improvement to that facility should ultimately be required of the developer if this plan amendment is approved and this project moves forward.

Please let me know if you need any additional information.

cc: Donna Marie Collins
Matt Noble

LARRY & GAYLE BELL

October 17, 2008

RECEIVED
OCT 20 2008

COMMUNITY DEVELOPMENT

Lee County Development Services
Att: Mr. Matt Nobel
1500 Monroe Street
Fort Myers, FL 33901

REF: **San Carlos Island Redevelopment Project**
CPA2007-51 - Proposal to Amend Future Land Use Maps
BOCC Hearing Date: October 22, 2008

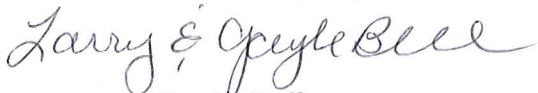
Dear Mr. Nobel,

We support the proposal to Amend the Future Land Use Maps for San Carlos Island and the project as proposed by Mr. Darrell Hanson and Mr. Ramon Alvarez. We feel it compliments the current comp plan as a mixed use and entertainment district.

This project is very exciting and has the potential of forever changing San Carlos Island. It could provide a badly needed stimulus to our local economy. It will create jobs, not only for the construction process, but for employees needed to staff the hotel and other buildings. Increased Revenue will benefit all of Lee County, Fort Myers Beach and San Carlos island.

We urge your support of this project.

Respectfully,



Larry & Gayle Bell

PLANNING DIVISION

M E M O R A N D U M



LEE COUNTY

SOUTHWEST FLORIDA

to: Lee County Board of County Commissioners
from: Paul O'Connor, AICP, Director of Planning
subject San Carlos Island Comp Plan Amendment (CPA2007-51)
date: February 24, 2009

There are 3 specific changes that staff recommends that the Board incorporate into the proposed Goals, Objectives, and Policies (GOPs) for CPA2007-51. The first is concerning proposed Objective XX.10 and Policy XX.10.1. Staff recommends deletion of this proposed Objective and Policy. This requirement is already addressed, almost verbatim, by existing Lee Plan Policy 128.6.8. Adoption of the proposed language would simply be redundant.

~~OBJECTIVE XX.10: Marina Design and Conservation~~

~~POLICY XX.10.1: Marina design must incorporate natural wetland vegetative buffers near the docking areas and in ingress/egress areas for erosion and sediment control, runoff purification and habitat purposes and protect environmentally sensitive areas~~

The second change, shown in bold double underlining, is to proposed Policy XX.3.4, as several words were inadvertently left out of the second sentence.

POLICY XX.3.4: The DRMUWD is an area which provides the associated support development and synergism to create a viable mixed use destination type development with water dependant uses as part of the mix. This land use **category** allows a mixture of land uses related to and justified by the development of a destination resort. [Remainder of the policy is unchanged]

The third change, shown in bold strikethrough and double underlining, is to proposed Policy XX.3.7. to correct a typo concerning the maximum number of wet and dry boat slips. The applicant originally requested 850 boat slips. Staff notes that a large portion of the slips already exist on the plan amendment site. The revised number will allow the marina use to expand by about 215 boat slips. The Division of Natural Resources have stated that the site and number of proposed slips are consistent with the Manatee Protection Plan, as this site is actually designated as a preferred site.

POLICY XX.3.7: The site must be developed with a mix of uses not to exceed:

- Residential (Maximum of 271 dwelling units)
- Lodging (Maximum of 450 hotel rooms)
- Office (Maximum of 10,000 square feet)
- Retail (Maximum of 98,000 square feet)
- Marina (Maximum of ~~500~~ **850** wet or dry boat slips)
- Civic (Maximum of 10,000 square feet)

RALF BROOKES, ATTORNEY

Board Certified in City, County and Local Government Law

November 14, 2008

Department of Community Affairs
Charles Gauthier, AICP
Division of Community Planning
2555 Shumard Oaks Boulevard,
Tallahassee, Florida
32399-2100
Fax: (850) 488-3309
mike.mcdaniel@dca.state.fl.us
brenda.winningham@dca.state.fl.us
tom.pelham@dca.state.fl.us

RECEIVED
FEB 13 2009

COMMUNITY DEVELOPMENT

Lee County
c/o Board of County Commissioners
Box 398, Ft. Myers, Florida 33902-0398

Re: Objections to Lee County CPA2007-00051 - San Carlos Island/Destination Resort

Dear Department of Community Affairs and Lee County:

On behalf of Mary Ellen Ruddick & Roger Ruddick who are citizens of Lee County who own and reside in their home located at 33 Emily Lane, San Carlos Island Florida 33931-2933 near the proposed development, please find this objection letter to the proposed transmitted Comprehensive Plan Amendment for San Carlos Island/Destination Resort -

changing the Future Land Use Classification from Urban Community, Suburban, and Industrial Development to the proposed Destination Resort Mixed Use Water-Dependent Land Use Future Land Use Classification; Amending the Future Land Use Element of the Lee Plan to incorporate a new Goal, including Dependent Land Use category. The site is located to the north and south of Main Street near the east end of San Carlos Island.

Please find the above referenced plan amendment "not in compliance" with 9J-5 F.A.C. and internally inconsistent with duly adopted plan policies contained in the Comprehensive Plan.

As grounds for our objection, we adopt the expert planning opinion of Planner Bill Spikowski, attached to this letter. While Bill Spikowski's client, the Town of Ft Myers Beach, has decided "not to take a position" with regard to this proposal, the opinion of Bill Spikowski remains his personal, professional opinion as an expert planner. The "comments are his and no longer the position of the town." Please ensure that the expert planners at DCA closely review Bill Spikowski's expert planning opinion in detail.

In addition, San Carlos Island is part of DCA's Florida Waterfronts Program area and is a working waterfront, which supplies and houses most of Southwest Florida's Shrimping Industry.

It is important to ensure that the commercial fishing/shrimping industry survives in this location and is not replaced by tourist destination resorts. The proposed plan amendment is not consistent with this vision for San Carlos Island as shrimp boats and processing is replaced by condo-resorts and pleasure craft. San Carlos Island is among the only and last remaining locations for the commercial shrimping industry including an active fleet of shrimp boats and shrimp/fish processing houses.

Conversion of the shrimping and commercial fishing industry to large scale destination resort may bring more money to an individual developer in the short term but will have long term devastating impacts to other aspects of Florida's economy. Planner Bill Spikowski also argues that the plan amendment would be inconsistent and not in compliance with both Coastal High Hazard Area issues and Traffic constraints on what is locally known as one of, if not the longest, bumper to bumper traffic jams during season in Lee County as cars wait to get on and off of Ft Myers Beach.

As expert planner Bill Spikowski opined:

"The scale and height of the proposed resort would be completely different from nearby conditions on both San Carlos and Estero Islands. The applicant argues that Lee County's current development rules for San Carlos Island make re-use of these properties impractical given the state of the shrimping industry and the declining market for RV sites. The applicant asserts that this proposal will have no significant impacts on traffic or utilities. Lee County's vision for San Carlos Island is stated simply in the Lee Plan: "The San Carlos Island area, which is nearly built out today, will continue to develop its infill areas while maintaining its marine oriented nature." The marine-oriented restrictions apply most strictly on land within 300 feet of Matanzas Pass, but also apply between that zone and Main Street. These restrictions have been in place for nearly 20 years in an attempt to reserve land along the deep channel for commercial fishing and related marine industrial uses.... The current proposal would be a dramatic departure not only from existing conditions but from general county policy restricting high-density development in coastal areas and along overcrowded roads. It would also begin reversing the county's longstanding efforts to reserve suitable land for marine industrial uses.

Planner Bill Spikowski also opined that the plan amendment would be inconsistent and not in compliance with both Coastal High Hazard Area issues and Traffic Issues.

These issues should be addressed at Comp Plan Amendment stage and should not be deferred to a Planned Development rezoning that evades DCA review would be governed by the proposed plan amendment itself.

With regard to **Coastal High Hazard Area** issues:

“Lee County has formally acknowledged past over-development in coastal areas and has placed relevant policies in the Lee Plan:

POLICY 105.1.2: Rezoning to allow higher densities will not be permitted on barrier and coastal islands if the capacity of critical evacuation routes would thereby be exceeded (see Objective 109.1)..

POLICY 105.1.5: Zoning requests located in the coastal high hazard area will be considered for reduced or minimum density assignments, in accordance with their future land use category density range. This evaluation should be done in concert with an evaluation of other individual characteristics such as compatibility with existing uses, desired urban form, and availability of urban services.”

With regard to **Traffic** issues on what is locally known as one of, if not the longest, bumper to bumper traffic jams during season in Lee County as cars wait to get on and off of Ft Myers Beach:

The traffic engineer’s conclusion is explicitly based on Lee County building a new bridge from San Carlos Island to Estero Island near Bay Oaks. This second bridge is in Lee County’s financially feasible road plan for 2030 (copy attached). As an ironic note, the bridge would likely run from Main Street right through this property; building the proposed high-rise hotel would probably make the new bridge infeasible.”

“The traffic engineer’s conclusion ignores several real facts about traffic congestion and levels of service. Florida DOT has already widened San Carlos Boulevard to five lanes even though its congestion is caused by conditions on Estero Island, not by a lack of lanes on San Carlos Island or the mainland. While it is true that further widening of San Carlos Boulevard is not needed to continue meeting its “adopted levels of service,” stating that fact as if it is relevant conveniently sidesteps any assessment of this project’s actual impact on traffic congestion.”

“It is also narrowly true that this project would not cause Estero Boulevard to fall below its “adopted level of service.” That is true only because after limiting development and redevelopment to the lowest possible levels, the town of Fort Myers Beach consciously chose a poor level of service for Estero Boulevard that acknowledges existing congestion. Without this acknowledgment, redevelopment efforts within the town would have been completely stymied. In this case, analyzing the effect a major increase in density and intensity simply as to its effect on the “adopted level of service” completely ignores this project’s likely impact on traffic congestion.”

Bill Spikowski notes that:

“The proposal is to create a new category on Lee County’s Future Land Use Map to accommodate a major destination resort. The resort would have 600 dwelling units, a 300-room hotel, a freestanding parking garage, and related facilities. Building heights could be up to 22 stories over parking.

The property in question includes about 27 acres of high ground along both sides of Main Street. On the north side of Main Street are the **existing** Ebb Tide and Oyster Bay senior-only RV parks (about 15 acres); together these parks accommodate about 271 spaces, a density of just over 18 spaces per acres. On the south side of Main Street there is **[existing]** dry boat storage, a restaurant, and other commercial/industrial support facilities (about 12 acres). The combined properties also include about 7 acres of mangrove swamp and 39 acres of submerged land in Hurricane Pass and Matanzas Pass.

The scale and height of the proposed resort would be completely different from nearby conditions on both San Carlos and Estero Islands. The applicant argues that Lee County’s current development rules for San Carlos Island make re-use of these properties impractical given the state of the shrimping industry and the declining market for RV sites. The applicant asserts that this proposal will have no significant impacts on traffic or utilities.

Lee County’s vision for San Carlos Island is stated simply in the Lee Plan: “*The San Carlos Island area, which is nearly built out today, will continue to develop its infill areas while maintaining its marine oriented nature.*” The marine-oriented restrictions apply most strictly on land within 300 feet of Matanzas Pass, but also apply between that zone and Main Street. **These restrictions have been in place for nearly 20 years in an attempt to reserve land along the deep channel for commercial fishing and related marine industrial uses.”**

We argue that without protection in Comprehensive Plans for commercial fishing and shrimping, this essential aspect of Florida’s working waterfronts will cease to exist. We must continue to plan and provide support for such uses. Short term gains to a relative few should not be allowed to sacrifice planning for sustainable, long-term commercial fisheries in a time of “overbuilding” and condo-gluts. We must plan and site for both.

Condos remain unsold from Miami to Ft Myers, where 22 story condominiums on the Caloosahatchee that are still largely unsold as we enter a new economic conditions and shortage of commercial and residential lending.

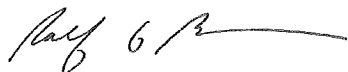
A convention center would be more appropriately sited in another location apart from this marine working waterfront. A redeveloped convention center is needed according to expert Planner Andres Duany to enhance downtown Ft Myers. Existing condominiums exist there that are vacant and can "serve" the convention center, if the premise that residential condominium units are needed to serve a convention center. There are also hotels in need of redevelopment in downtown Ft Myers. There are also many existing (100-300 unit) hotels on Ft Myers Beach that can accommodate conventions, including Diamondhead, the recently redeveloped Pink Shell, and at Coconut Pointe in nearby in Estero.

There is no need to site a convention hotel and condominium project on San Carlos Island which constitutes Lee County's last true remaining commercial fisheries' working waterfront.

From Appalachicola, to San Carlos Island to the Florida Keys, this is an issue of statewide importance. Siting residential condominiums that are already overbuilt on working waterfronts is not appropriate or desirable planning.

Please "hold the line" on one of our last remaining vestiges of Lee County's commercial fishing/shrimping industry and one of Florida's last remaining working waterfronts.

Sincerely,



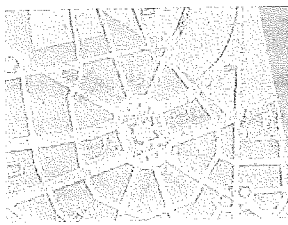
Ralf Brookes Attorney

Attorney for Mary Ellen Ruddick & Roger Ruddick: 33 Emily Lane, San Carlos Island Ft Myers Beach Florida 33931-2933



1217 East Cape Coral Parkway 107, Cape Coral, Florida 33904
phone (239) 910-5464 ~ (866) 341-6086 fax

email Ralf@RalfBrookesAttorney.com



SPIKOWSKI PLANNING ASSOCIATES

September 4, 2008

Chahram Badamtchian, AICP
Lee County Community Development Department, Zoning Division
P.O. Box 398
Fort Myers, Florida 33902-0398

RE: Proposed Lee Plan amendments on San Carlos Island (CPA-2007-00051)

Dear Mr. Badamtchian:

On behalf of the Town of Fort Myers Beach, I have reviewed the pending Lee County comprehensive plan amendments for property on San Carlos Island. These comments identify the town's concerns at this point and may be supplemented by additional comments from the town in the near future. These comments are not based on a complete review of this proposal but they shed light on the nature of the request and some of its potential impacts on San Carlos and Estero Islands.

SUMMARY

The proposal is to create a new category on Lee County's Future Land Use Map to accommodate a major destination resort. The resort would have 600 dwelling units, a 300-room hotel, a freestanding parking garage, and related facilities. Building heights could be up to 22 stories over parking.

The property in question includes about 27 acres of high ground along both sides of Main Street. On the north side of Main Street are the existing Ebb Tide and Oyster Bay senior-only RV parks (about 15 acres); together these parks accommodate about 271 spaces, a density of just over 18 spaces per acres. On the south side of Main Street there is dry boat storage, a restaurant, and other commercial/industrial support facilities (about 12 acres). The combined properties also include about 7 acres of mangrove swamp and 39 acres of submerged land in Hurricane Pass and Matanzas Pass.

The scale and height of the proposed resort would be completely different from nearby conditions on both San Carlos and Estero Islands. The applicant argues that Lee County's current development rules for San Carlos Island make re-use of these properties impractical given the state of the shrimping industry and the declining market for RV sites. The applicant asserts that this proposal will have no significant impacts on traffic or utilities.

Lee County's vision for San Carlos Island is stated simply in the Lee Plan: "The San Carlos Island area, which is nearly built out today, will continue to develop its infill areas while maintaining its marine oriented nature." The marine-oriented restrictions apply most strictly on land within 300 feet of Matanzas Pass, but also apply between that zone and Main Street. These restrictions have been in place for nearly 20 years in an attempt to reserve land along the deep channel for commercial fishing and related marine industrial uses.

Lee County does not have a pre-disaster buildback policy like the town of Fort Myers Beach, thus the redevelopment potential for RV and mobile home parks is limited to what would be allowed on vacant property, 6 dwelling units per acre (about 86 units here).

The applicant may be correct in asserting that Lee County's regulations for San Carlos Island are in need of review and updating, given changes over the past 20 years. The fishing industry has continued to decline, and RVs and mobile homes are increasingly obsolete and prone to flood damage. Redevelopment would allow a modern surface water management system and would elevate all buildings above expected flood levels.

However, the current proposal would be a dramatic departure not only from existing conditions but from general county policy restricting high-density development in coastal areas and along overcrowded roads. It would also begin reversing the county's longstanding efforts to reserve suitable land for marine industrial uses.

TRAFFIC

The most obvious planning issue is traffic. The applicant's traffic engineer concludes that no nearby roads would operate below adopted levels of service. Although it is possible to reach this conclusion on a purely technical basis, it is an absurdity in the real world given the unmistakable traffic congestion that already exists in the immediate area.

The traffic engineer's conclusion is explicitly based on Lee County building a new bridge from San Carlos Island to Estero Island near Bay Oaks. This second bridge is in Lee County's financially feasible road plan for 2030 (copy attached). As an ironic note, the bridge would likely run from Main Street right through this property; building the proposed high-rise hotel would probably make the new bridge infeasible.

The traffic engineer's conclusion ignores several real facts about traffic congestion and levels of service. Florida DOT has already widened San Carlos Boulevard to five lanes even though its congestion is caused by conditions on Estero Island, not by a lack of lanes on San Carlos Island or the mainland. While it is true that further widening of San Carlos Boulevard is not needed to continue meeting its "adopted levels of service," stating that fact as if it is relevant conveniently sidesteps any assessment of this project's actual impact on traffic congestion.

It is also narrowly true that this project would not cause Estero Boulevard to fall below its "adopted level of service." That is true only because after limiting development and redevelopment to the lowest possible levels, the town of Fort Myers Beach consciously chose a poor level of service for Estero Boulevard that acknowledges existing congestion. Without this acknowledgment, redevelopment efforts within the town would have been completely stymied. In this case, analyzing the effect a major increase in density and intensity simply as to its effect on the "adopted level of service" completely ignores this project's likely impact on traffic congestion.

Mr. Chahram Badamtchian
September 4, 2008
Page 3 of 3

Lee County has formally acknowledged past over-development in coastal areas and has placed relevant policies in the Lee Plan:

POLICY 105.1.2: Rezoning to allow higher densities will not be permitted on barrier and coastal islands if the capacity of critical evacuation routes would thereby be exceeded (see Objective 109.1). (Amended by Ordinance No. 92-35, 00-22)

POLICY 105.1.5: Zoning requests located in the coastal high hazard area will be considered for reduced or minimum density assignments, in accordance with their future land use category density range. This evaluation should be done in concert with an evaluation of other individual characteristics such as compatibility with existing uses, desired urban form, and availability of urban services. (Added by Ordinance No. 05-19)

The applicant argues that these policies are not applicable because evacuation routes are satisfactory and that this is a comprehensive plan request, not a zoning request (even though a zoning change would be needed to carry out the proposed comprehensive plan amendment).

SUMMARY

Overall, the applicant has put forth several valid points about the current development restrictions on San Carlos Island. However, the current proposal is excessive in both height and density given its coastal location. Without a new bridge, the traffic impacts of this proposal would be completely unacceptable, yet the proposed hotel would foreclose the option of building this very bridge. The proposed water taxi, while valuable, would have only minor mitigating effects given the size of the proposed development, current road conditions, and the site's location beyond walking distance from most of the amenities that visitors would be seeking.

The Town of Fort Myers Beach has faced similar concerns about future redevelopment of the Red Coconut and Gulfview Colony parks on Estero Boulevard. The solution set forth in the Fort Myers Beach Comprehensive Plan should be considered by Lee County for San Carlos Island as well — allowing redevelopment of those parks at densities similar to the existing parks but in a traditional neighborhood format that eliminates flood-prone structures and improves drainage conditions, all without resorting to high-rise or high-density development.

Sincerely,

Bill Spikowski, AICP

ATTACHMENTS:

Lee County 2030 Financially Feasible Highway Plan
Discussion of additional bridges from January 2007 Evaluation/Appraisal Report (pp. 39-41)

- INTERSTATE**
EXPRESSWAY
 ONE-WAY
 2 LANES
 3 LANES
 4 LANES
 6 LANES
 8 LANES
 10 LANES
 EXISTING
 CONSTRUCTION PROGRAMMED
 2030 FINANCIALLY FEASIBLE PLAN
 * INTERCHANGE IMPROVEMENTS
INTERCHANGES
 TYPE
 2030 FINANCIALLY FEASIBLE PLAN
 CONSTRUCTION PROGRAMMED
 EXISTING
 TYPE
 PROPOSED BRIDGE OR OVERPASS
 CONSTRUCTION PROGRAMMED

THE LINES ON THIS PLAN REPRESENT ONLY THE GENERAL ROUTES. SPECIFIC ALIGNMENTS WILL BE DETERMINED THROUGH CORRIDOR AND DESIGN STUDIES.

MAP 3A
 LEE COUNTY 2030 FINANCIALLY
 FEASIBLE HIGHWAY PLAN
 AS ADOPTED DECEMBER 7, 2005
 AND AMENDED JANUARY 20 AND
 MARCH 17, 2006



0 1 2 4 Miles

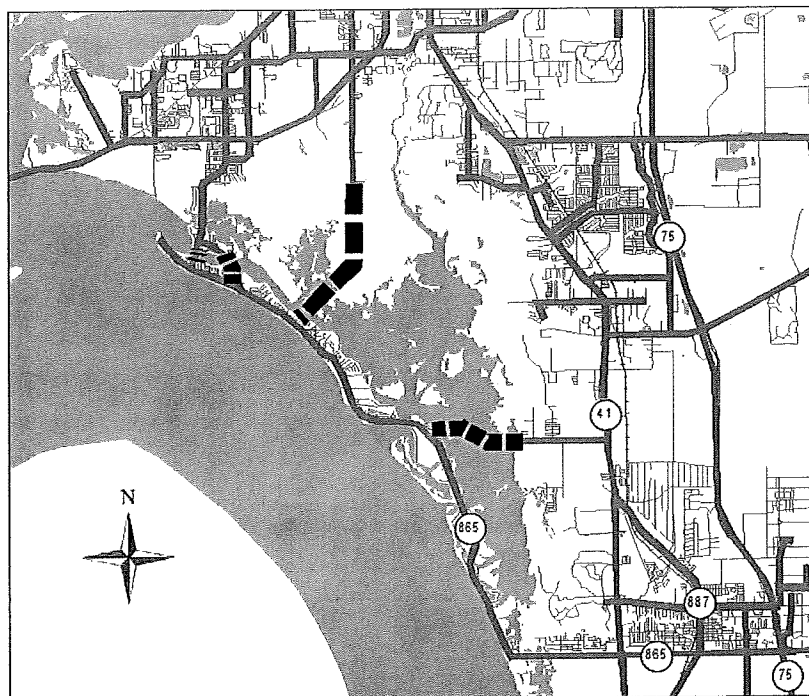
MAP 3A
 PAGE 1 OF 1
 (ADDED BY ORDINANCE # 07-11)
 Prepared by Rob Lovell, Lee County DOT, July 18, 2006

None of the street alternatives just discussed affect conditions beyond Crescent Street. It is readily apparent during congested periods that the conditions causing the congestion continue beyond Crescent Street and even beyond the end of the “Pedestrian Commercial” district (which extends to Diamondhead Resort).

The town’s ongoing efforts to improve the blocks between Crescent Street and Old San Carlos Boulevard are critical both to the character of the downtown area and to traffic congestion. However, congestion on these blocks (and northward across the Sky Bridge) will still result from the inability of traffic to flow smoothly beyond Crescent Street. The level of this congestion is difficult to predict using traffic simulation software, but will undoubtedly still be very substantial.

Two larger congestion relief issues deserve attention. Additional congestion will continue to be caused by growth elsewhere in Lee County and the state because area residents enjoy visiting the beaches. The town has no regulatory authority over such growth, but comfortable and efficient public transit, whether on trolleys or trams, can provide mobility to island visitors (as well as residents) without adding more vehicles to the lines of traffic waiting to enter and leave the island. Public transit is discussed further on pages 47 and 52.

Another type of relief could be provided by building another bridge to Fort Myers Beach. Four “new bridge” alternatives as illustrated in Figure 9 were discussed in the original comprehensive plan on pages 7-A-48 through 52. The Lee County Metropolitan Planning Agency (MPO) has recently evaluated two of these alternatives, a southerly bridge to Coconut Road and a northerly bridge to the end of Main Street on San Carlos Island. The MPO conducted this evaluation to determine whether any of these improvements would provide enough relief for congestion on Estero Boulevard to justify inclusion on the MPO’s new transportation plan for the year 2030, which identifies needed road improvements throughout Lee County.



*Figure 9, potential routes for an additional bridge
(was Figure 28 in Transportation Appendix A)*

The highway portion of the 2030 plan begins with a “highway needs assessment,” which is a map and list of road improvements that are needed throughout Lee County by the year 2030 (without considering affordability). The map summarizing the results of this assessment is shown in Figure 10. Here is the MPO staff summary of the two “new bridge” alternatives for Fort Myers Beach during the early stages of this assessment:

Additional bridges to the beach communities At the outset of the plan development process, staff submitted the three new bridge alternatives listed in the Fort Myers Beach comprehensive plan for environmental screening through FDOT’s ETDM process [*Efficient Transportation Decision Making, a preliminary impact review by state and federal agencies*]. For two of the alternatives, the Coconut Road extension to Lovers Key and the Winkler Road extension to mid-Estero Island, the reviewing agencies reported a total of seven issues on which they had such serious concerns that dispute resolution would be required if the project could ever be permitted. For the third alternative, connecting Main Street near the southeast end of San Carlos Island with Estero Boulevard in the general area of the town hall, such serious concerns were raised for only three issues.

The Coconut Road to Lovers Key alternative was tested in the first 2030 needs alternative network (combined with a Coconut Road interchange with I 75). The model predicted that it would reduce peak season daily traffic using the Bonita Beach Road bridge in 2030 by about 9,900, but relieve the Matanzas Pass Bridge of only 3,500 daily trips — not enough for a significant improvement in the level of service. The San Carlos Island to Fort Myers Beach alternative was tested in the second alternative needs network. The model predicted it that 11,200 daily trips would choose to use the new bridge, leaving only 17,500 daily trips using the existing Matanzas Pass Bridge, and improve levels of service to D or better throughout Fort Myers Beach and San Carlos Island and on the bridges and San Carlos Boulevard south of Summerlin Road. This alternative performed so well that the TAC and CAC decided to dispense with testing the Winkler extension alternative, and kept the San Carlos Island route for the remaining network alternative and recommended it be included in the 2030 highway needs assessment [see improvement #111 on Figure 10].

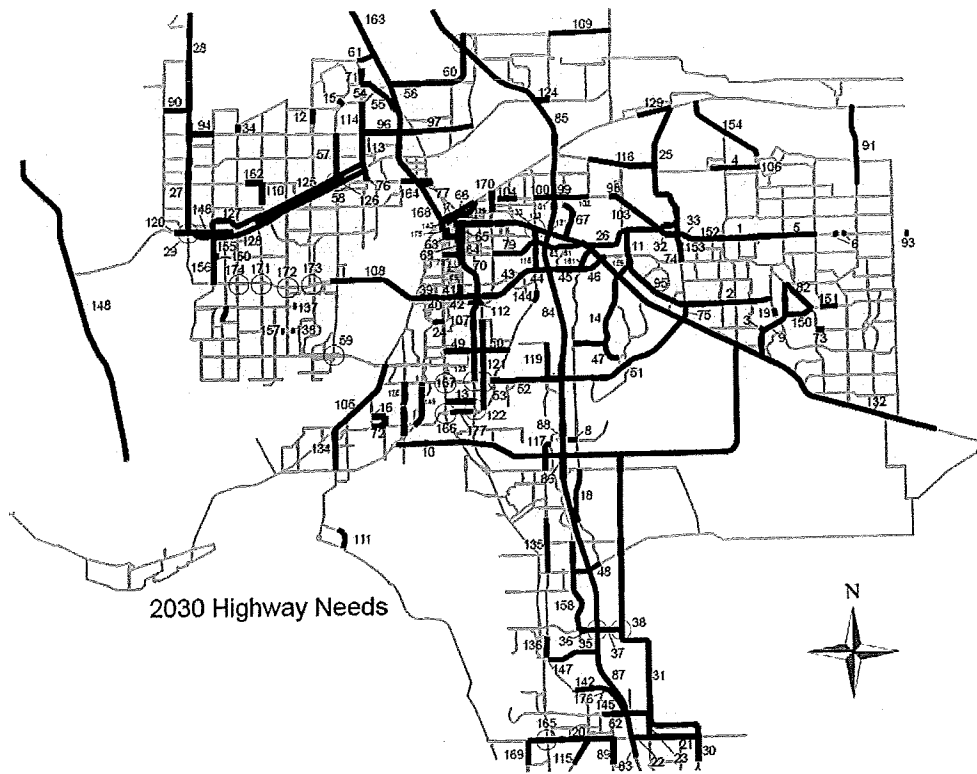


Figure 10 (new roads for 2030 indicated by heavy black lines)

Once the needs assessment is completed, the least valuable road projects from this needs assessment are eliminated until a final list includes only roads that could be built by the year 2030 with available funding sources. The final list and map are called the "2030 financially feasible plan."

The entire 2030 plan was adopted by the MPO in December 2005. The new bridge shown as #111 on Figure 10 was made part of the 2030 financially feasible plan, based on the following preliminary assumptions:

- Construction responsibility: Lee County
- Length of new road segment: 0.86 miles
- Completion assumed: 2015
- Cost assumed: \$49,113,799
- Funding: Tolls on both new and existing bridges

It is unfortunate that whatever kind of relief can be provided to traffic congestion will be continually eroded by additional growth in the surrounding area. It will also be eroded by motorists who may have avoided Fort Myers Beach in the past, or reached it with public transit, if they take advantage of reduced congestion and begin driving to Fort Myers Beach during peak periods.

D. Recommendations on Times Square Area

The recommendations described in the previous section of this report are now under evaluation by town officials. None of the alternatives described would require any amendments to the comprehensive plan, although there is considerable urgency facing the town due to the impending redevelopment described on page 23.

The only related change to the comprehensive plan that have been identified would be to delete Policy 7-H-3 regarding left-turns on Estero Boulevard as northbound traffic passes Times Square, as discussed on page 23.



INTEROFFICE MEMORANDUM
FROM
PUBLIC WORKS
UTILITIES

RECEIVED
JUN 23 2008

COMMUNITY DEVELOPMENT

Date: June 23, 2008

TO: Chahram Badamtchian
Senior Planner
DCD / Zoning

From: Howard Wegis
Staff Engineer
Utilities

HSW

SUBJECT: CPA2007-00051 San Carlos Island Comp Plan Amendment

I have reviewed the above referenced revised application submitted for comments in your e-mail to Doug Meurer dated June 11, 2008 and would like to provide the following comments.

Sanitary Sewer Service:

As the applicant states, the property is located within Lee County Utilities' (LCU) wastewater service area. Regarding treatment capacity, the Fort Myers Beach Wastewater Treatment Plant does have the excess capacity to serve the net increase in flows projected by the applicant.

Regarding wastewater collection system capacity, the general area covered by this amendment is currently provided with wastewater service and wastewater infrastructure is in place, however, the applicant should be aware that during the development process the developer will be responsible for performing hydraulic calculations to identify the extent of required on-site and off-site improvements to the wastewater collection system to support the projected increase in flow. The applicant should be aware that the developer will bear the cost of these improvements. In addition, prior to connection to the central sewer system the applicant will be responsible for ensuring compliance with pre-treatment standards established in Lee County Ordinance 05-26.

Potable Water Service:

As the applicant states, water service will be provided by Lee County Utilities. The subject property is within LCU's potable water service area. Regarding treatment capacity, the applicant correctly states that the Green Meadows treatment plant will provide service. In addition to the applicants analysis of available capacity at the Green Meadows plant it should be noted that LCU is planning an expansion of the Green Meadows facility to increase its capacity to 16.0 million gallons per day. This project is included in LCU's CIP and is planned to be completed by 2010. This expansion will provide ample excess treatment capacity to serve the increase in demand proposed by the applicant.

Regarding water distribution system capacity, the general area covered by this amendment is currently provided with potable water service and potable infrastructure is in place, however, the applicant should be aware that during the development process the developer will be responsible for performing hydraulic calculations to identify the extent of required on-site and off-site improvements to the water distribution system to support the projected increase in demand. The applicant should be aware that the developer will bear the cost of these improvements.

June 19, 2008
Chahram Badamchian
Page Two

Reclaimed Water Service:

Regarding Policy 54.1.6, the applicant should be aware that LCU does have capacity in the Fort Myers Beach WWTP reclaimed water system, However, LCU does not have reclaimed water infrastructure available in the area covered by the proposed amendment. The closest point of connection to the reclaimed water system is approximately three miles from the subject area.

cc: Douglas Meurer, Director, DLCU
Thom Osterhout, DLCU
Tom Hill, DLCU



THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966-1012 ♦ (239) 334-1102 ♦ WWW.LEESCHOOLS.NET

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SEP - 8 2008
COMMUNITY DEVELOPMENT

JEANNE S. DOZIER
CHAIRMAN, DISTRICT 2
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DISTRICT 1
STEVEN K. TEUBER, J.D.
DISTRICT 4
ELINOR C. SCRICCA, PH.D.
DISTRICT 5
JAMES W. BROWDER, ED.D.
SUPERINTENDENT
KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

September 5, 2008

Chahram Badamtchian, AICP
Lee County Division of Planning
P.O. Box 398
Fort Myers, FL 33902-0398

RE: San Carlos Island Comp Plan Amendment
Case #: CPA2007-00051

Dear Mr. Badamtchian:

This letter is in response to your request dated September 4, 2008 for the San Carlos Island Comp Plan Amendment for substantive comments with regard to educational impact. This proposed structure is located in the South Choice Zone, Sub Zone S-4.

This Developers request states that there are 134 multi-family dwelling units which currently exist and is proposing to add an additional 466 multi-family. Utilizing the generation rate for multi-family at .125 per unit this development would generate 58 additional school-aged children.

Thank you for your attention to this issue. If I may be of further assistance, please call me at (239) 479-5661.

Sincerely,

Dawn Gordon, Community Development Planner
Planning Department

Memo

To: Paul O'Connor, Planning Director

From: David Loveland, Manager, Transportation Planning

Date: March 4, 2008

Subject: **CPA 2007-51 (San Carlos Island)**

The Department of Transportation has reviewed the above-referenced privately-initiated future land use map and text plan amendment, to change the land use designation of approximately 76.25 acres at the east end of Main Street on San Carlos Island from a combination of Industrial Development/Suburban/Urban Community/Wetlands land use categories to a newly-created category called "Resort Mixed Use Water Dependent (DRMUWD)". The applicant indicates that the proposed change would allow approximately 600 dwelling units, 20,000 square feet of marine industrial uses, and 300 hotel rooms on the site. The property is within Traffic Analysis Zone (TAZ) 1695, which currently includes only 81 single-family dwelling units, 849 multi-family dwelling units, 22 hotel rooms and a total of 441 employees in the Lee County MPO's 2030 Financially Feasible Plan FSUTMS travel demand model. The applicant added 466 multi-family dwelling units (the property has 134 existing residential units) and 300 hotel rooms in the zonal data forecasts for TAZ 1695 (ZDATA1) and reran the 2030 Financially Feasible Plan model. It is worth noting that the existing 2030 Financially Feasible Plan network includes a second bridge from Fort Myers Beach to San Carlos Island, tying into Main Street, an improvement which is highly unlikely.

In examining the three-mile radius around the project, and utilizing the County's generalized service volumes (except for the link-specific service volume calculated for Estero Boulevard), and the primary level of service problem in 2030 with and without the project is on Estero Boulevard in the Town of Fort Myers Beach. This is no surprise, since this road segment is also at level of service "F" today. Lee County DOT staff also reran the model without the proposed second bridge tying into Main Street, and Estero Boulevard was also at level of service "F" in that scenario.

The net effect of this condition is that traffic backs up dramatically southbound on San Carlos Boulevard approaching Fort Myers Beach. Although the 2030 model, which reports daily traffic conditions, indicates volumes that imply an acceptable level of service condition on San Carlos Boulevard, anyone who has attempted to go to Fort Myers Beach during season has surely experienced the southbound stop-and-start traffic throughout most of the day. The only real difference from day-to-day and hour-to-hour is how far north on San Carlos Boulevard the back-ups start. With this proposed project significantly increasing traffic on Main Street and that traffic feeding directly on to San Carlos Boulevard, and no practical improvements identified in

the long range plan to really address the Estero Boulevard situation and the resultant back-ups on San Carlos Boulevard, DOT staff is concerned about approving this amendment request and exacerbating the traffic problem in this area. DOT staff also has concerns about the ability of the narrow, curvy, two-lane configuration of Main Street to handle additional traffic, and feels some improvement to that facility should ultimately be required of the developer if this plan amendment is approved and this project moves forward.

Please let me know if you need any additional information.

cc: Donna Marie Collins
Matt Noble



THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966-1012 ♦ (239) 334-1102 ♦ WWW.LEESCHOOLS.NET



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SUPERINTENDENT
KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

June 16, 2008

Chahram Badamtchian, AICP
Lee County Division of Planning
P.O. Box 398
Fort Myers, FL 33902-0398

RE: San Carlos Island Comp Plan Amendment
Case #: CPA2007-00051

Dear Mr. Badamtchian:

This letter is in response to your request dated June 11, 2008 for the San Carlos Island Comp Plan Amendment with regard to educational impact. This proposed structure is located in the South Choice Zone, Sub Zone S-4.

This Developers request states that there are 134 multi-family dwelling units which currently exist and is proposing to add an additional 466 multi-family. Utilizing the generation rate for multi-family at .125 per unit this development would generate 58 additional school-aged children.

Thank you for your attention to this issue. If I may be of further assistance, please call me at (239) 479-5661.

Sincerely,

Dawn Gordon, Community Development Planner
Planning Department

**MEMORANDUM
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES**

Date: June 26, 2008
To: Chahram Badamtchian, Planner
From: Doug Griffith, Environmental Planner
Phone: 239-533-8323
E-mail: dgriffith@leegov.com
Project: San Carlos Island
Case: CPA2007-00051
Strap: 19-46-24-00-00022.0010

SECOND INSUFFICIENCY COMMENTS

LEE PLAN POLICY 1.4.6: Conservation Lands.

Es Staff recommended placing the mangroves and islands into Conservation Lands, land use category. The response from the applicant was to provide a conservation easement at the time of SFWMD review.

Staff's reply to applicant's response:

ES Staff is not asking for a conservation easement at this time. Staff is recommending placing the mangrove area, including the islands, in the future land use category (FLUM) Conservation Lands. Please delineate Conservation Lands, as a future land use category on all mangrove areas including islands.

Upon approval of ERP permit ES Staff recommends obtaining a conservation easement through the use of SFWMD's Form 1194 Deed of Conservation Easement dedicating the conservation easement to Lee County with SFWMD as third party.

Please demonstrate compliance of policy 107.2.10 and 107.2.12: Has sufficient protection of mangroves been given on this project?

Policy 107.2.10 requires development adjacent to aquatic and other nature preserves, wildlife refuges and recreation areas to protect the natural character and public benefit of these areas including, but not limited to, scenic values for the benefit of future generations.

ES Staff encourages the use of passive recreational and educational uses in natural surroundings. However staff is concerned with the amount of impact on the mangroves within the area depicted as Eco Park. Applicant has indicated passive recreation only for the mangrove area. A central platform with a total of three boardwalks and a dock with

boardwalk is intrusive for passive recreation. The amount of boardwalk within the preserve should be reduced to one central boardwalk within the preserve.

Please specify the impacts proposed to the mangrove area by the proposed Eco Park. Indicate the uses of the docks, and depict the purpose of the platform in the central portion of the mangroves.

Please demonstrate compliance with Lee Plan Policy 128.6.8:

Marina design must incorporate natural wetland vegetative buffers near the docking areas and in ingress/egress areas for erosion and sediment control, runoff purification and habitat purposes.

Please provide policy language for marinas that protect water quality and environmentally sensitive areas.

Please address the language in the following policies proposed for Destination Resort Mixed Use Water dependent Facilities (DRMUWDF):

Policy XX.5.2:

In order to create open space, storm-water management system, walking paths, etc. the existing height limitations will be need to be changed to allow for “these”. The new height limit will be 22 stories over parking.

All developments are required to provide open space and storm-water management. What incentives are being proposed to off set the additional height? Please provide incentives in enhanced open space and creative storm water management to off set the impact of 22 stories.

It appears that Objective XX.7 is utilized twice and one should be Objective XX.8 Please revise accordingly. See pages 68-69.

Policy XX.7.1

DRMUWDF shall seek solutions that minimize the impact of grading with respect to the removal of natural vegetation and the major alterations of existing grade.

Please provide policy that prohibits impacting the mangroves.

Policy XX .7.3:

(The second one) the impact and intensity of the paving, minimizing of clearing limits, and aesthetics are important factors to be considered in the design of the project. Landscape, circulation signage, lighting, and changes in paving materials should be coordinated to enhance circulation. Parking areas shall be designed to avoid long rows of parking spaces without adequate landscaping. All parking areas and driveways should be paved using pervious materials when applicable.

ES Staff recommends revising above policy language to incorporate more specificity in design in order to promote enhanced landscaping to exceed Land Development Code requirements. Please revise proposed policy language to depict detailed enhanced landscaping, exceeding the requirements of the Land Development Code.

Objective XX.10
Architectural Standards

In response to ES Staff language revision to the “old Florida look” Staff recommended native plants to enhance the “old Florida look”. Applicant’s response indicated native plants. Please revise to state native “PLANTS”.

Policy XX.10.17:

Boardwalk Area:

Boardwalk minimum width shall be 6 feet and shall have a large portion of the water front at 12 feet or greater for the majority of the water. The boardwalk will be made with materials or a combination of materials that are durable and ADA compliant.

ES Staff recommends revising proposed policy language to replace 6 feet with 5 feet for width of boardwalk. ES staff would like clarification of the above language “shall have a large portion of the water at 12 feet or greater for the majority of the water” Please clarify boardwalk 12 feet wide at water front, 12 feet above waterline, 12 feet from shore, etc.

Policy XX.10.18
Landscape Standards

When indicating palm height, please depict height of clear trunk of palm and not total height. The Lee County Land Development Code recommends palms to be planted with a minimum or ten foot of clear trunk.

Lee Plan Objective 117.2: Xeriscape Landscaping
The County will continue to promote Xeriscape landscaping techniques.

Please provide policy language to incorporate the use of Xeriscape landscaping techniques such as referencing SFWMD xeriscaping principals.

Objective XX 13 Natural Resources

DRMUWDF must be located, designed and operated to minimize environmental impacts, and where appropriate, protect enhance and manage natural resources.

While ES Staff encourages the education of environmentally sensitive areas, staff has concerns that the proposed Eco Park will be too intrusive to the mangrove area. Please clarify how boardwalks will be constructed, the kiosk and the central platform. According to the site plan provided the mangroves appear to have been altered, please indicate if the proposed work for the Eco Park will alter the mangroves.

Policy XX 13.3

DRMUWDF must be designed to preserve a minimum of 20% native upland habitat.

Upon reviewing the FLUCCS provided by Passarella and Associates ES Staff did not observe an indigenous native upland habitat consisting of 20% of the project. Please clarify where the property contains 20% native upland vegetated habitat.



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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August 04, 2008

AL QUATTRONE, P.E.
QUATTRONE AND ASSOCIATES, INC
4301 VERONICA SHOEMAKER BLVD
FORT MYERS, FL 33916

RE: DANIELS RACE TRAC CPD
DCI2007-00079 - PDS Application (Minor PD)

Dear MR. AL QUATTRONE, P.E. :

The Zoning Division has reviewed your request for an extension of the response time allowed by the Lee County Land Development Code for the above referenced project. Staff recognizes that you are actively pursuing additional information necessary for the resubmittal of the request and will allow a 60 day extension expiring on October 03, 2008. This project could be deemed withdrawn after the extension date if you do not respond prior to this date.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Chahram Badamchian
Senior Planner

cc: Pam Houck, Director Zoning Division
John Fredyma, CAO
Tina Boone, Legal Administrative Secretary
Lili Wu, TIS Reviewer
Becky Penfield, Development Services
Paul O'Connor, Planning Division
Susie Derheimer, Environmental Sciences
Sam Lee, Natural Resources
Jamie Prinsing, DCD Admin
Billie Jacoby
Zoning File

SPIKOWSKI
PLANNING
ASSOCIATES

September 4, 2008

Chahram Badamtchian, AICP
Lee County Community Development Department, Zoning Division
P.O. Box 398
Fort Myers, Florida 33902-0398

RE: Proposed Lee Plan amendments on San Carlos Island (CPA-2007-00051)

Dear Mr. Badamtchian:

On behalf of the Town of Fort Myers Beach, I have reviewed the pending Lee County comprehensive plan amendments for property on San Carlos Island. These comments identify the town's concerns at this point and may be supplemented by additional comments from the town in the near future. These comments are not based on a complete review of this proposal but they shed light on the nature of the request and some of its potential impacts on San Carlos and Estero Islands.

SUMMARY

The proposal is to create a new category on Lee County's Future Land Use Map to accommodate a major destination resort. The resort would have 600 dwelling units, a 300-room hotel, a freestanding parking garage, and related facilities. Building heights could be up to 22 stories over parking.

The property in question includes about 27 acres of high ground along both sides of Main Street. On the north side of Main Street are the existing Ebb Tide and Oyster Bay senior-only RV parks (about 15 acres); together these parks accommodate about 271 spaces, a density of just over 18 spaces per acres. On the south side of Main Street there is dry boat storage, a restaurant, and other commercial/industrial support facilities (about 12 acres). The combined properties also include about 7 acres of mangrove swamp and 39 acres of submerged land in Hurricane Pass and Matanzas Pass.

The scale and height of the proposed resort would be completely different from nearby conditions on both San Carlos and Estero Islands. The applicant argues that Lee County's current development rules for San Carlos Island make re-use of these properties impractical given the state of the shrimping industry and the declining market for RV sites. The applicant asserts that this proposal will have no significant impacts on traffic or utilities.

Lee County's vision for San Carlos Island is stated simply in the Lee Plan: "The San Carlos Island area, which is nearly built out today, will continue to develop its infill areas while maintaining its marine oriented nature." The marine-oriented restrictions apply most strictly on land within 300 feet of Matanzas Pass, but also apply between that zone and Main Street. These restrictions have been in place for nearly 20 years in an attempt to reserve land along the deep channel for commercial fishing and related marine industrial uses.

Lee County does not have a pre-disaster buildback policy like the town of Fort Myers Beach, thus the redevelopment potential for RV and mobile home parks is limited to what would be allowed on vacant property, 6 dwelling units per acre (about 86 units here).

The applicant may be correct in asserting that Lee County's regulations for San Carlos Island are in need of review and updating, given changes over the past 20 years. The fishing industry has continued to decline, and RVs and mobile homes are increasingly obsolete and prone to flood damage. Redevelopment would allow a modern surface water management system and would elevate all buildings above expected flood levels.

However, the current proposal would be a dramatic departure not only from existing conditions but from general county policy restricting high-density development in coastal areas and along overcrowded roads. It would also begin reversing the county's longstanding efforts to reserve suitable land for marine industrial uses.

TRAFFIC

The most obvious planning issue is traffic. The applicant's traffic engineer concludes that no nearby roads would operate below adopted levels of service. Although it is possible to reach this conclusion on a purely technical basis, it is an absurdity in the real world given the unmistakable traffic congestion that already exists in the immediate area.

The traffic engineer's conclusion is explicitly based on Lee County building a new bridge from San Carlos Island to Estero Island near Bay Oaks. This second bridge is in Lee County's financially feasible road plan for 2030 (copy attached). As an ironic note, the bridge would likely run from Main Street right through this property; building the proposed high-rise hotel would probably make the new bridge infeasible.

The traffic engineer's conclusion ignores several real facts about traffic congestion and levels of service. Florida DOT has already widened San Carlos Boulevard to five lanes even though its congestion is caused by conditions on Estero Island, not by a lack of lanes on San Carlos Island or the mainland. While it is true that further widening of San Carlos Boulevard is not needed to continue meeting its "adopted levels of service," stating that fact as if it is relevant conveniently sidesteps any assessment of this project's actual impact on traffic congestion.

It is also narrowly true that this project would not cause Estero Boulevard to fall below its "adopted level of service." That is true only because after limiting development and redevelopment to the lowest possible levels, the town of Fort Myers Beach consciously chose a poor level of service for Estero Boulevard that acknowledges existing congestion. Without this acknowledgment, redevelopment efforts within the town would have been completely stymied. In this case, analyzing the effect a major increase in density and intensity simply as to its effect on the "adopted level of service" completely ignores this project's likely impact on traffic congestion.

Lee County has formally acknowledged past over-development in coastal areas and has placed relevant policies in the Lee Plan:

POLICY 105.1.2: Rezoning to allow higher densities will not be permitted on barrier and coastal islands if the capacity of critical evacuation routes would thereby be exceeded (see Objective 109.1). (Amended by Ordinance No. 92-35, 00-22)

POLICY 105.1.5: Zoning requests located in the coastal high hazard area will be considered for reduced or minimum density assignments, in accordance with their future land use category density range. This evaluation should be done in concert with an evaluation of other individual characteristics such as compatibility with existing uses, desired urban form, and availability of urban services. (Added by Ordinance No. 05-19)

The applicant argues that these policies are not applicable because evacuation routes are satisfactory and that this is a comprehensive plan request, not a zoning request (even though a zoning change would be needed to carry out the proposed comprehensive plan amendment).

SUMMARY

Overall, the applicant has put forth several valid points about the current development restrictions on San Carlos Island. However, the current proposal is excessive in both height and density given its coastal location. Without a new bridge, the traffic impacts of this proposal would be completely unacceptable, yet the proposed hotel would foreclose the option of building this very bridge. The proposed water taxi, while valuable, would have only minor mitigating effects given the size of the proposed development, current road conditions, and the site's location beyond walking distance from most of the amenities that visitors would be seeking.

The Town of Fort Myers Beach has faced similar concerns about future redevelopment of the Red Coconut and Gulfview Colony parks on Estero Boulevard. The solution set forth in the Fort Myers Beach Comprehensive Plan should be considered by Lee County for San Carlos Island as well — allowing redevelopment of those parks at densities similar to the existing parks but in a traditional neighborhood format that eliminates flood-prone structures and improves drainage conditions, all without resorting to high-rise or high-density development.

Sincerely,

Bill Spikowski, AICP

ATTACHMENTS:

Lee County 2030 Financially Feasible Highway Plan
Discussion of additional bridges from January 2007 Evaluation/Appraisal Report (pp. 39–41)



11338 Bonita Beach Road, Suite 103

Bonita Spring, FL

239-948-6688

Project: San Carlos Island CPA

Case: CPA2007-00051

Strap: 19-46-24-00-00022.0010

Dear Public Works

Please find below your comments in *italic* and our response in **bold**. Where we have made changes to the document we have provided you with a strike-thru version and colored additions to the text.

Comments: Public Works staff has reviewed the above referenced Comprehensive Plan Amendment application and finds it insufficient for review. The applicant has failed to provide existing and future conditions analysis for Parks, Recreation, and Open Space as required by Section IV.B.2 of the application. As noted in the aforementioned section, this analysis must include the following information:

- *Franchise Area, Basin, or District in which the property is located;*
- *Current LOS, and LOS standard of facilities serving the site;*
- *Projected 2020 LOS under existing designation;*
- *Projected 2020 LOS under proposed designation;*
- *Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and*
- *Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).*

Response: please see response from Delisi/Fitzgerald



11338 Bonita Beach Road, Suite 103

Bonita Spring, Fl

239-948-6688

Project: San Carlos Island
Case: CPA2007-00051
Strap: 19-46-24-00-00022.0010
Re: FDOT comments

Dear Matt and David

Thank you for your time and attention to this matter. We are pleased to amend and clarify issues and/or comments that you had.

We have reviewed your response and find that there are two major issues with the Traffic from a practical standpoint. The first being the south bound traffic onto the island and the existing conditions of Main Street on the Island. To help with the concerns expressed in your letter we have amended our Plan to better define solutions for these areas of concern. Please find below the objective and policies as proposed in the revised document.

OBJECTIVE XX.7: INCORPORATION and UTILIZATION OF MULTIMODAL AND ALTERNAIVE MODES OF TRANSIT. The development will establish a comprehensive approach to multimodal and alternative modes of transportation for its residents and guests. These will include, but not be limited to mass transits stops, bicycle rental, integrated network of sidewalks and board walks, Airport shuttle services and water-taxi transportation facilities

POLICY XX.7.1: The project will establish a water taxi /shuttle service to and from the property to Fort Myers beach. The shuttle will be open to guest, residents and outsiders wanting an alternative access to the island. Hours of operation will be determined based on market conditions but will at a minimum provide two trips daily to and from the islands each day of the week.

POLICY XX.7.2: The project will establish an airport shuttle service to and from the Southwest Florida International Airport. The shuttle services hours of operation will be determined based on market

conditions and can either be a fixed route shuttle or a point of demand service type or combination thereof.

POLICY XX7.3

As part of this amendment the existing roadways that are adjacent to the project will be evaluated with cross-sectional analysis to identify needed upgrades for safety and bus access to and from this property. At a minimum one bus stop will be provided to Lee Tran standards or better. Sidewalk upgrades offsite will be provided where none are provided for. Side walk improvements will be eligible for road impact fee credits.

POLICY XX7.4

Where Projects are intersected by public roadways for developments greater than 30 acres and with a split greater than 15%, some sort of grade separation will be provided for safe pedestrian and bicycle access between the properties.

POLICY XX7.5

Where Projects are located in a high hazard area the applicant will establish a helicopter landing pad for emergencies.

Should you have any questions or comments please contact our office

With regards

Joseph M. McHarris



11338 Bonita Beach Road, Suite 103

Bonita Spring, FL

239-948-6688

Project: San Carlos Island
Case: CPA2007-00051
Strap: 19-46-24-00-00022.0010
Re: SWFRPC

Dear Wayne and Matt

Thank you for your time and attention to this matter. We are please to amend and clarify issues and/or comments that you had. Please find below your comments in *italic* and our response in **bold**. Should you have any additional comments or questions please contact our office.

1) Water dependent overlay zone.

The property as it is developed today does not have commercial fishing businesses except for charter boats. The properties were last engaged in commercial fishing over ten years ago. This ended with the closing of the packing plant which was located within the properties. The property as they exist today has been allowed to develop by the county in a manner that is geared more like our Resort Mixed Use Water Dependent land use rather than industrial water front.

The proposal as written provides for Boating and marine support facilities with a mixed use menu of other water dependent uses such as charter boats, commercial docks for wholesale and retail seafood, water taxies, hotel, restaurants, cruise ships and terminals to name a few. This amendment will also promote and create additional opportunities for boating and marine support facilities on the island. An example of this would be the increase in larger boats including cruise and recreational type ships needing marine support that does not exist here today along with additional markets for commercial fishermen products.

Your comment stating that the island “ is as a whole being identified as suitable for staging Oil Exploration and development in the gulf “is irrelevant to this project because oil drilling is illegal off the coast of Florida. It is also inconsistent with the Lee Plan Policy 12.1.1 which states that “in no event will Lee County permit new or expanded petroleum facilities which would serve uses other than marine-related uses. Decision regarding this study as it relates to speculative future zoning for this property would also be unlawful and therefore shall have no bearing on this amendment.

Your comment that this amendment would preclude other areas on the island from industrial waterfront is incorrect as this amendment is only for a portion of the island, not the whole island. This amendment will not limit the other properties on the island from maintaining and or growing marine industrial and marine support services, but will allow them with additional opportunities that are not there today. This amendment will create opportunities to expand the industrial uses all the while opening up the water front with public access.

We believe that by approving this amendment you will be creating new opportunities that will ensure the preservation and future development of a working waterfront while incorporating a mixture of uses that will support area. Many of the uses that exist on the island today like the RV parks do not support or promote a working waterfront. The mixture of use that we are proposing will support a working waterfront and can be seen in places like “fishermen’s Warf in San Francisco and the working/tourist waterfront s in Newport R. I. and Boston. These places have and are working with this kind of development for many years

2) Hurricane High Hazard Area

Your comment that the property is currently in a High Hazard Area is correct. Your comment that increasing densities is not promoted is not entirely correct, especially when we are looking at properties in question. The title of goal 105 is the “protection of life and property in Coastal High Hazard Areas. Nowhere in this goal is it statement “You can’t increase density in the coastal High Hazard Area” This amendment will take almost three Hundred RV residential units out of the Coastal High Hazard area by replacing them with code compliant structures to protect human life and property from natural disasters. This is very consistent with the Goal. This project is also consistent with Goal110 (HAZARD MITIGATION) of the Lee Plan which states “To provide through county plans, programs, and regulations means to minimize future property losses from natural disasters such as flooding, tropical storms and hurricanes”, It is through this Comprehensive plan amendment that we will achieve the above stated goal. Policy 110.1.2 states “The County will not permit new or expanded mobile home or recreational vehicle development on barrier islands or in V-Zones as defined by the Federal Emergency Management Agency”. The only thing better than not permitting new or expanded facilities, is to remove them from the coastal area.

Objective 105.1 talks about development in the coastal High hazard areas and mentions coastal high hazard areas that are not developed will be considered for reduction of density. This project is located in a Coastal High Hazard but is already developed. We are not an undeveloped island

or piece of property. We are looking to redevelop and already developed piece of property there for we should not be considered for reduction of density.

POLICY 105.1.2: Talks about requirements for re-zonings to allow higher densities in Coastal High Hazard areas. It does not say higher densities will not be allowed. It specifically states that higher densities will not be allowed when evacuation routes would be exceeded. We do not believe we exceed the evacuation routes. With that said the mitigation for impacts to shelters and evacuation times is required by Lee Plan Policies 109.1.1 and 109.2.2. These Lee Plan provisions are implemented in Chapter 2, Article XI of the LDC.

POLICY 105.1.4: States that Through the Lee Plan amendment process, future land use designations of undeveloped areas within coastal high hazard areas will be considered for reduced density categories in order to limit the future population exposed to coastal flooding. First of all we are not an undeveloped area so we are not to be considered for a density reduction under this section. Second the redevelopment of this area will limit the future population for exposure to coast flooding by removing 271 units from a below flood situation, which is a stated goal for this policy. Also any additional density that may be requested for with this project would and could be offset by the properties that have been acquired by the state or the County. Below is a list of properties that have been acquired within close proximity to the project. We have also provide the calculations showing how many units are available based on the percent of uplands in each parcel

Parcel number and area

1. 11-46-23-00-00011.0000--a 17 acre parcel abutting Outlying Suburban land that is, according to GIS, approximately 20 percent in the Upland Conservation FLUM category.
2. 08-46-24-00-00004.0000--a 160 acre parcel abutting Outlying Suburban that is 34 percent in Upland Conservation.
3. 17-46-24-00-00001.0000--a 445 acre parcel that would be Outlying Suburban; 17 percent of it is in Upland Conservation.

Density Calculations

1. $(17 \times .2) \times 3 \text{ units per acre} = 10 \text{ units}$
2. $(160 \times .34) \times 3 \text{ units per acre} = 159 \text{ units}$
3. $(445 \times .17) \times 3 \text{ units per acre} = 228 \text{ units}$

Total units **397**

POLICY 105.1.5: Does speak of Zoning requests located in the coastal high hazard area will be considered for reduced or minimum density assignments, in accordance with their

future land use category density range, but also state that this evaluation should be done in concert with an evaluation of other individual characteristics such as compatibility with existing uses, desired urban form, and availability of urban services. This project should not be considered for the minimum density requirements because of many individual characteristics that this area has such as available urban services, an existing urban form of higher density design, not only for this property but for the whole northern portion of the island. The potential for as it exist today with a do nothing mode is a recipe for loss of life and property (please refer back to the goal statement for 105)

GOAL and objective 106: LIMITATION OF PUBLIC EXPENDITURES IN COASTAL HIGH HAZARD AREAS. This section of the Lee Plan looks to limit public expenditures in areas particularly subject to repeated destruction by hurricanes, except to maintain required service levels, to protect existing residents, and to provide for recreation and open space uses. This project could decrease public expenditures by ridding the area of potential repeated destruction to the area by building to the latest's codes and flood requirements. The new amendment will provide open space uses where none exist today as part of the overall development, along with access to the waterfront for recreation.

POLICY 106.1.1: states that all further public expenditures made for new facilities on undeveloped barrier islands or within V zones will require a finding by the county commission that such expenditures are necessary to maintain required service levels, to protect existing residents, or to provide for recreation and open space needs. We are not an undeveloped island.

3) Liveaboards

The reality in your statement that the liveaboards are mobile is limited because hurricanes happen in the off season and many of the residents that use this facility, will not be there during an impending storm. Your statement regarding the disposability of the Liveaboards units is a scary thought especially concerning water quality and cleanup after a hurricane. The Lee Plan does allow for mitigation these kinds of circumstances

4) Recreation Vehicles

You are correct in your statement that the Mobile units are fixed to the site and do stay year round. This has been the practice for some 30-40 years and many of the unit's owners stay or visit year round to the property. While some of the RVs are not used, as a practical matter, during hurricane season, there is no legal impediment to doing so. Furthermore, most of them are park models, and are consequently immobile as discussed above. As a result, significant property damage will occur in a hurricane regardless of the number of people who are at risk. The 271 RVs are, therefore, an offset against the density permitted by the amendment. Your assertion that the transfer of these units to units that are built to "current construction standards and flood regulations" will somehow increase risk to property and lives seems contrary to conventional thinking. The potential for 271 year round "mobile" structures to be destroyed and distributed into the bay during a hurricane is a scary thought versus modern hurricane and flood resistant housing that provide open space, landscaping, drainage, and water treatment were there is none today. Allowing 271 mobile units

into the bay does not sound like good planning. Proper planning would dictate that correcting an impending problem instead of ignoring it would be prudent. This is why the Lee plan provides language for mitigating such circumstances. See Goal 110 Hazard Mitigation.

5) Sea level Rise

Again, ignoring the fact that you do have 271 residential type facilities below flood level with a rising sea level makes no sense. Instead one should be looking at how we mitigate this problem to a win, win situation. Again, the Comprehensive plan provides language and opportunities to mitigate the problem away like we are proposing to do which would remove and replace these units with flood and hurricane resistant structures that are up to or better than current codes.

6) Final comments

A master plan for the entire island is not a realistic endeavor as you have too many individual owners and interest conflicts that make this impossible. Your comment that something needs to be done on the island is correct and this is the plan that will get the ball rolling and in the right direction. Our clients have tried several times to implement something for the whole island with no success. They are very active with the island and attend almost all if not all meeting related to the island. The Comprehensive plan your comment that we have not considered the adjacent properties is incorrect as we have provided language in this amendment to include adjacent properties into the plan. Your assumption that we have not considered an appropriate mixture of uses and human scale principle is incorrect as we have developed design standards that include building design, landscape design, buffers and set back requirements and building massing design that takes into account the island, adjacent properties along with sound planning and design principle that work. This plan has been develop first as a vision, then as a conceptual plan and them as a written document that takes into account the individual nature of the island the adjacent properties and the properties. The amendment will also create a number of public benefits that should be weighed against any increased evacuation times, including vastly improved surface water management, aesthetics, and public access to the waterfront.

To your response that this is one persons attempt We would like to say that this is not one person's attempt, but a culmination of ten plus years of work between the county staff and island residents to create a future vision for the island.

Our first attempt to provide a future vision for the island was as board members on the San Carlos Island CRA. During those years we tried to get all the property owners on San Carlos Island to participate but, only some of the land owners would come an participatemost did not care.....and the few that did were able to get the County to adopt the San Carlos Island Overlay as a quick Band Aid approach to the problems on the island then and are still plaguing us today. The only real development that has been done over the last ten years has been through the CRA.

Now with the disbandment of the CRA by the county, we have been left in the same boat we were in years ago, with all the same problems and many many more.

Most of the major landowners have worked hard for and with the overlay in an attempt to provide the island with some relief from the county regulations that are outdated and causing blight in the area. Most of the water front properties are sitting here today empty and/or underutilized while paying some of the highest taxes in the County for water front property that is artificially restricted.

After the County disbanded the CRA some of the Residents and Land Owners got together and formed what is now a Non Profit Group called the San Carlos Redevelopment Group so as to be able to continue to try and work with the County as a private group of concerned stakeholders on San Carlos Island. We have met many times over the past years and have always had and open invite to everyone on the island to come to all of our meetings, most never come. While many of us have devoted endless hours over the past several years towards this cause working with the county staff, it again has not provided any mechanisms to create new needed opportunities to this once vibrant and diverse island with a new vision or plan for the islands future.

San Carlos Island has changed due to economic conditions beyond anyone's control over the last 15 years and in the last few years even more so. Now most of this area is more Resort, Ferry Boat, Cruise Ships, Recreational, Residential type land uses and activities that were allowed under the CRA and is not and has not had any Industrial activities on the subject properties for over a decade.

Recently two of the property owners presented separate plans for both their properties as a Site Development Plan (SDP) in an attempt to provide a plan and add to the economic base that has happened to the island under the old CRA. Both were denied and were told that they would need a Comprehensive Plan Amendment in order to allow the properties to develop in a different manner than what is allowed today. Those both owners have banded together to provide a unified vision to some 35+ acres.

This CPA is not by any means a first attempt or one persons attempt to provide a plan. It is through the past decade of experience as, property owners, business, owners and residents that this plan has been developed. It is not the first, but it may be their last as the high taxes, economic downturn and the limited land use for these properties is causing distress and additional blight in the area. This CPA is being initiated by two of the largest land owners on the island in an attempt to put forth a plan that provides a vision and provides a process that allows the county and the private sector to work together in an expedient process to help the island evolve in a manner that is beneficial to all.



11338 Bonita Beach Road, Suite 103

Bonita Spring, FL

239-948-6688

Project: San Carlos Island
Case: CPA2007-00051
Strap: 19-46-24-00-00022.0010
Re: Solid waste comments

Dear Matt and Bill

Thank you for your time and attention to this matter. We are please to amend and clarify issues and/or comments that you had. Please find below your comments in *italic* and our response in **bold**. Should you have any additional comments or questions please contact our office.

Comment: *The Lee County Solid Waste Division has sufficient disposal capacity to handle all solid waste generated by the San Carlos Resort project; however we are interested in a description of how and where garbage and recyclable materials will be stored prior to collection. Additionally, information must be provided as to the collection methods that are proposed for the dwelling units, live aboard units and commercial establishments.*

Response: All components of the development will be provided with storage areas that will provide sufficient access for solid waste collection vehicles. The residential/resort towers will be designed with dumpster chutes accessible from each floor, one for refuse and one for recycling, that will convey to common dumpster collection areas accessible to collection vehicles. The commercial components will be provided with common solid waste collection areas in accordance with the Lee County Land Development Code. The liveaboards will be provided convenient collection areas, or services provided by the marina staff, that will be transported to common collection areas for disposal. Disposal methods for the liveaboards will meet or exceed State and Local regulations for disposal of waste.

Should you have any additional questions or comments please contact my office

With regards

Joe McHarris



11338 Bonita Beach Road, Suite 103

Bonita Spring, Fl

239-948-6688

Project: San Carlos Island
Case: CPA2007-00051
Strap: 19-46-24-00-00022.0010
Re: Lee Tran comments

Dear Matt and Lee Tran

Thank you for your time and attention to this matter. We are please to amend and clarify issues and or comments that you had. Please find below your comments in *italic* and our response in **bold**. Should you have any additional comments or questions please contact our office.

Comment:

I think we need to take a close look at the proposed text changes to the Comp Plan, specifically the text changes related to the Mass Transit section. (Page 4 of attachment A-1 in the application) The County already has a "Mass Transit Plan" known as the Transit Development Plan, or TDP. I would suggest any proposed text changes as part of this application refer to coordination with the County's TDP as well as with County Transit staff and staff with the Town of Fort Myers Beach, rather the development of a transit plan.

Response:

Text changes have been made to Objective XX.6 per you request to clarify our willingness to work with the County, Town, and both staffs to coordinate mass transit as it relates to this amendment. Below is the text change.

OBJECTIVE XX.6: COORDINATION OF MASS TRANSIT. The development will establish dialogue to coordinate a mass transit plan with the development, Lee Tran, and the Town of Fort Myers Beach with the county's TDP (Transit Development Plan) as well as county transit staff and the staff of the town of Fort Myers Beach.

Comment:

Internal Consistency with the Lee Plan (page 4 of attachment E-2) should go beyond stating that the design will "accommodate LeeTran", to include state how mass transit will be accessible. Examples are how transit services would safely have access to and from Main Street on to San Carlos in both directions (north and south), and/or how pedestrians would safely access transit stop locations if the access to the transit system would take place on San Carlos Boulevard.

Response:

A text addition has been added to the document to provide at a minimum one Transit stop that meets the needs and requirements of Lee Tran and that works with the development. This stop will be provided with safe interconnection or sidewalks to and from the property from or be on Main Street. The stop will be located in such a way that all residents and visitors of the island will have access to the stop. Please be advised also that this project as part of its design will have either a grade separated road or grade separated pedestrian walkway.

Access for San Carlos Blvd is beyond the limits of this development. We do not control any land along this roadway.

Thanks again for your review and should you have any questions or comments regarding our responses please contact my office or email me.

With regards

Joe McHarris



11338 Bonita Beach Road, Suite 103

Bonita Spring, Fl

239-948-6688

Project: San Carlos Island
Case: CPA2007-00051
Strap: 19-46-24-00-00022.0010

Re: Public safety comments

Dear John and Matt

I appreciate your comments regarding this amendment. In your response you stated your reason for objection was based on an increase in density in the coastal High hazard area. We respectfully disagree with your statement as this is an area that we studied to ensure consistency with the Lee plan. I have taken the time to go through section 105 and 106 in detail to point out my contention of where and why we are consistent with the plan.

The title of goal 105 is the “protection of life and property in Coastal High Hazard Areas. Nowhere in this goal is it statement “You can’t build or redevelop in the coastal High Hazard Area” This amendment will take almost three Hundred RV residential units out of the Coastal High Hazard area by replacing them with code compliant structures to protect human life and property from natural disasters, which is very consistent with the Goal

Objective 105.1 talks about development in the coastal High hazard areas and mentions coastal high hazard areas that are not developed will be considered for reduction of density. This project is located in a Coastal High Hazard but is already developed. We are not an undeveloped island or piece of property. We are looking to redevelop and already developed piece of property.

POLICY 105.1.2: Talks about requirements for re-zonings to allow higher densities in Coastal High Hazard areas. It does not say higher densities will not be allowed. It specifically states that higher densities will not be allowed when evacuation routes would be exceeded. We do not exceed the evacuation routes.

POLICY 105.1.4: States that Through the Lee Plan amendment process, future land use designations of undeveloped areas within coastal high hazard areas will be considered for reduced density categories in order to limit the future population exposed to coastal flooding. First of all we are not an undeveloped area so we are not to be considered for a density reduction under this section. Second the redevelopment of this area will limit the future population for exposure to coast flooding by removing 271 units from a below flood situation, which is a stated goal for this policy. Also any additional density that may be requested for with this project would and could be offset by the properties that have been acquired by the state or the County. Below is a list of properties that have been acquired within close proximity to the project. We have also provide the calculations showing how many units are available based on the percent of uplands in each parcel

Parcel number and area

1. 11-46-23-00-00011.0000--a 17 acre parcel abutting Outlying Suburban land that is, according to GIS, approximately 20 percent in the Upland Conservation FLUM category.
2. 08-46-24-00-00004.0000--a 160 acre parcel abutting Outlying Suburban that is 34 percent in Upland Conservation.
3. 17-46-24-00-00001.0000--a 445 acre parcel that would be Outlying Suburban; 17 percent of it is in Upland Conservation.

Density Calculations

1. $(17 \times .2) \times 3 \text{ units per acre} = 10 \text{ units}$
2. $(160 \times .34) \times 3 \text{ units per acre} = 159 \text{ units}$
3. $(445 \times .17) \times 3 \text{ units per acre} = 228 \text{ units}$

Total units **397**

POLICY 105.1.5: Does speak of Zoning requests located in the coastal high hazard area will be considered for reduced or minimum density assignments, in accordance with their future land use category density range, but also state that this evaluation should be done in concert with an evaluation of other individual characteristics such as compatibility with existing uses, desired urban form, and availability of urban services. This project should not be considered for the minimum density requirements because of many individual characteristics that this area has such

as available urban services, an existing urban form of higher density design, not only for this property but for the whole northern portion of the island. The potential for as it exist today with a do nothing mode is a recipe for loss of life and property (please refer back to the goal statement for 105)

GOAL and objective 106: LIMITATION OF PUBLIC EXPENDITURES IN COASTAL HIGH HAZARD AREAS. This section of the Lee Plan looks to limit public expenditures in areas particularly subject to repeated destruction by hurricanes, except to maintain required service levels, to protect existing residents, and to provide for recreation and open space uses. This project could decrease public expenditures by ridding the area of potential repeated destruction to the area by building to the latest's codes and flood requirements. The new amendment will provide open space uses where none exist today as part of the overall development, along with access to the waterfront for recreation.

POLICY 106.1.1: states that all further public expenditures made for new facilities on undeveloped barrier islands or within V zones will require a finding by the county commission that such expenditures are necessary to maintain required service levels, to protect existing residents, or to provide for recreation and open space needs. We are not an undeveloped island.

The above Goals, Objectives, and Policies do not state that higher densities are not allowed in the Coastal High Hazard areas, but prescribe when and where they may be allowed.

Thank you for your response and if you have any question or comments, please contact me at my office

With regards

Joe McHarris



11338 Bonita Beach Road, Suite 103

Bonita Spring, Fl

239-948-6688

Project: San Carlos Island
Case: CPA2007-00051
Strap: 19-46-24-00-00022.0010
Re: Environmental comments

Dear Doug and Matt

Please find below your comments in *italic* and our response in **bold**. Where we have made changes to the document we have provided you with a strike-thru version and colored additions to the text.

Objective XX.10: Architectural Standards. *The architectural theme for the development is proposed to be "Old Florida".* Please revise this objective to include the use of native plants to help naturalize the "Old Florida" look and landscaping design standards be incorporated into the architectural standards.

Response: The objective has been revised to include the use of native plans to help naturalize the old Florida look. We have revised the language to incorporate landscape standards and it is under XX10.18 Landscape Standards.

Policy XX.12.1: WILDLIFE. *The location, design, and operation of Destination Resort Facilities will incorporate preservation and / or management activities that restrict the unnecessary loss of wildlife habitat or impact on protected species, species of special concern, threatened or endangered species.* Please revise policy text to omit the word *unnecessary*.

Response: Policy has been revised to omit the word "unnecessary".

Policy XX.12.1: *The development will not have an ~~adverse~~ impact on any existing, viable on-site occupied wildlife habitat for protected species, species of special concern or threatened or endangered species.* Please revise policy language to omit the word *adverse*.

Response: Policy has been revised to omit the word “adverse”.

Please describe in detail how the Eco-park will benefit the wetlands onsite. Please indicate where the Eco-Park will be located on this project. Please provide more information on uses proposed within the Eco-Park.

The Eco Park will benefit the wetlands on site by providing education for visitors and residents about the wetlands and other habitats of the area. The Eco Park is located on the north-west side of Main Street and can be seen on the conceptual site plan provided.

The Eco Park will be part of the Community learning center. The Park itself will be passive, information; boardwalk experience with a variety of tours type’s available. Tour types will be noninvasive and educational in nature.

Please provide a protected species survey for all vegetated areas; including all islands. Are any of these Islands known rookeries or wading bird nests?

Response: Please see the enclosed Lee County Protected Species Survey (PSS) prepared by Passarella and Associates, Inc. (PAI). None of the islands have been identified as known rookeries according to the Florida Fish and Wildlife Conservation Commission’s Florida Atlas of Breeding Sites for Herons and Their Allies (FFWCC, 1991). This information is also consistent with PAI’s report which found no nest sites on the islands.

Please demonstrate compliance of policy 107.2.12: Will sufficient protection of mangroves be given on this project?

Response: As part of the project’s development review process, all undeveloped wetland areas, including the mangroves, will be placed under a recorded conservation easement per the South Florida Water Management District’s Environmental Resource Permit conditions, This will provide sufficient protection to demonstrate compliance with policy 107.2.12 of The Lee Plan.

Please provide Conservative Lands Category wetlands on all mangrove areas.

Response: The undeveloped mangrove areas will be designated Conservation Lands pursuant to review and approval of the project by the SFWMD and U.S. Army Corps of Engineers, if applicable.

Mike Scott
Office of the Sheriff



State of Florida
County of Lee

October 31, 2007

Joseph McHarris
McHarris Planning and Design
11338 Bonita Beach Rd
Suite 103
Bonita Springs, Fl 33135

Reference to Project: San Carlos Island Comprehensive Plan

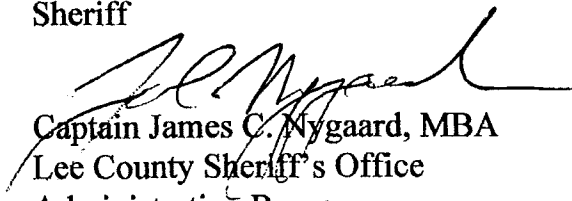
Dear Mr. McHarris

The Lee Plan ammendment identified by you as San Carlos (Island) Comp Plan would not affect the Lee County Sheriff's Office ability to provide core services at this time.

When you make application for a Development Order for this property, please provide the Lee County Sheriff's Office with set of plans and uses for each building in this project. A Crime Prevention Through Environmental Design (CPTED) survey and report will be done at that time with recommendations to you and the county staff.

Please contact Kevin Farrell, Coordinator of the Crime Prevention Unit at 477-2821 with copies of your plans.

Mike Scott
Sheriff



Captain James C. Nygaard, MBA
Lee County Sheriff's Office
Administration Bureau
14750 Six Mile Cypress Pkwy
Fort Myers, Fl 33912
239-477-1424 (Office)





BOARD OF COMMISSIONERS

John Scanlon - Chairman

Theodore A. (Ted) Reckwerdt -
Vice-Chairman

Betty Goodacre - Sec./Treas.

Carol Morris - Fire Commissioner

Joseph Schmid - Fire Commissioner

FIRE CHIEF

Mike Becker

Fort Myers Beach Fire Control District

100 Voorhis Street • Fort Myers Beach, Florida 33931

Mailing Address: PO Box 2880 • Fort Myers Beach, Florida 33932

March 12, 2008

Mr. Joseph M. McHarris
McHarris Planning and Design
11338 Bonita Beach Rd. Suite 103
Bonita Springs, Fl. 33135

Re: San Carlos Island-Letter of Availability

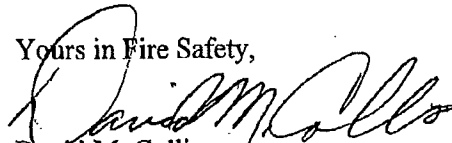
Dear Mr. McHarris:

I am writing this letter to inform you that the Ft. Myers Beach Fire Control District has adequate Fire and EMS. Services to cover your proposed project.

May I suggest that consideration be given to fully sprinkle all buildings considered in this project.

If I can be of further assistance to you please feel free to contact me at 239-463-6163 ext. 226

Yours in Fire Safety,


David M. Collins,
Fire Marshall.

"Providing Tomorrows Quality Service Today"

Phone (239) 463-6163 • FAX (239) 463-6761



SPIKOWSKI PLANNING ASSOCIATES

September 4, 2008

Chahram Badamtchian, AICP
Lee County Community Development Department, Zoning Division
P.O. Box 398
Fort Myers, Florida 33902-0398

RE: Proposed Lee Plan amendments on San Carlos Island (CPA-2007-00051)

Dear Mr. Badamtchian:

On behalf of the Town of Fort Myers Beach, I have reviewed the pending Lee County comprehensive plan amendments for property on San Carlos Island. These comments identify the town's concerns at this point and may be supplemented by additional comments from the town in the near future. These comments are not based on a complete review of this proposal but they shed light on the nature of the request and some of its potential impacts on San Carlos and Estero Islands.

SUMMARY

The proposal is to create a new category on Lee County's Future Land Use Map to accommodate a major destination resort. The resort would have 600 dwelling units, a 300-room hotel, a freestanding parking garage, and related facilities. Building heights could be up to 22 stories over parking.

The property in question includes about 27 acres of high ground along both sides of Main Street. On the north side of Main Street are the existing Ebb Tide and Oyster Bay senior-only RV parks (about 15 acres); together these parks accommodate about 271 spaces, a density of just over 18 spaces per acres. On the south side of Main Street there is dry boat storage, a restaurant, and other commercial/industrial support facilities (about 12 acres). The combined properties also include about 7 acres of mangrove swamp and 39 acres of submerged land in Hurricane Pass and Matanzas Pass.

The scale and height of the proposed resort would be completely different from nearby conditions on both San Carlos and Estero Islands. The applicant argues that Lee County's current development rules for San Carlos Island make re-use of these properties impractical given the state of the shrimping industry and the declining market for RV sites. The applicant asserts that this proposal will have no significant impacts on traffic or utilities.

Lee County's vision for San Carlos Island is stated simply in the Lee Plan: "The San Carlos Island area, which is nearly built out today, will continue to develop its infill areas while maintaining its marine oriented nature." The marine-oriented restrictions apply most strictly on land within 300 feet of Matanzas Pass, but also apply between that zone and Main Street. These restrictions have been in place for nearly 20 years in an attempt to reserve land along the deep channel for commercial fishing and related marine industrial uses.

Lee County does not have a pre-disaster buildback policy like the town of Fort Myers Beach, thus the redevelopment potential for RV and mobile home parks is limited to what would be allowed on vacant property, 6 dwelling units per acre (about 86 units here).

The applicant may be correct in asserting that Lee County's regulations for San Carlos Island are in need of review and updating, given changes over the past 20 years. The fishing industry has continued to decline, and RVs and mobile homes are increasingly obsolete and prone to flood damage. Redevelopment would allow a modern surface water management system and would elevate all buildings above expected flood levels.

However, the current proposal would be a dramatic departure not only from existing conditions but from general county policy restricting high-density development in coastal areas and along overcrowded roads. It would also begin reversing the county's longstanding efforts to reserve suitable land for marine industrial uses.

TRAFFIC

The most obvious planning issue is traffic. The applicant's traffic engineer concludes that no nearby roads would operate below adopted levels of service. Although it is possible to reach this conclusion on a purely technical basis, it is an absurdity in the real world given the unmistakable traffic congestion that already exists in the immediate area.

The traffic engineer's conclusion is explicitly based on Lee County building a new bridge from San Carlos Island to Estero Island near Bay Oaks. This second bridge is in Lee County's financially feasible road plan for 2030 (copy attached). As an ironic note, the bridge would likely run from Main Street right through this property; building the proposed high-rise hotel would probably make the new bridge infeasible.

The traffic engineer's conclusion ignores several real facts about traffic congestion and levels of service. Florida DOT has already widened San Carlos Boulevard to five lanes even though its congestion is caused by conditions on Estero Island, not by a lack of lanes on San Carlos Island or the mainland. While it is true that further widening of San Carlos Boulevard is not needed to continue meeting its "adopted levels of service," stating that fact as if it is relevant conveniently sidesteps any assessment of this project's actual impact on traffic congestion.

It is also narrowly true that this project would not cause Estero Boulevard to fall below its "adopted level of service." That is true only because after limiting development and redevelopment to the lowest possible levels, the town of Fort Myers Beach consciously chose a poor level of service for Estero Boulevard that acknowledges existing congestion. Without this acknowledgment, redevelopment efforts within the town would have been completely stymied. In this case, analyzing the effect a major increase in density and intensity simply as to its effect on the "adopted level of service" completely ignores this project's likely impact on traffic congestion.

Mr. Chahram Badamhtchian
September 4, 2008
Page 3 of 3

Lee County has formally acknowledged past over-development in coastal areas and has placed relevant policies in the Lee Plan:

POLICY 105.1.2: Rezoning to allow higher densities will not be permitted on barrier and coastal islands if the capacity of critical evacuation routes would thereby be exceeded (see Objective 109.1). (Amended by Ordinance No. 92-35, 00-22)

POLICY 105.1.5: Zoning requests located in the coastal high hazard area will be considered for reduced or minimum density assignments, in accordance with their future land use category density range. This evaluation should be done in concert with an evaluation of other individual characteristics such as compatibility with existing uses, desired urban form, and availability of urban services. (Added by Ordinance No. 05-19)

The applicant argues that these policies are not applicable because evacuation routes are satisfactory and that this is a comprehensive plan request, not a zoning request (even though a zoning change would be needed to carry out the proposed comprehensive plan amendment).

SUMMARY

Overall, the applicant has put forth several valid points about the current development restrictions on San Carlos Island. However, the current proposal is excessive in both height and density given its coastal location. Without a new bridge, the traffic impacts of this proposal would be completely unacceptable, yet the proposed hotel would foreclose the option of building this very bridge. The proposed water taxi, while valuable, would have only minor mitigating effects given the size of the proposed development, current road conditions, and the site's location beyond walking distance from most of the amenities that visitors would be seeking.

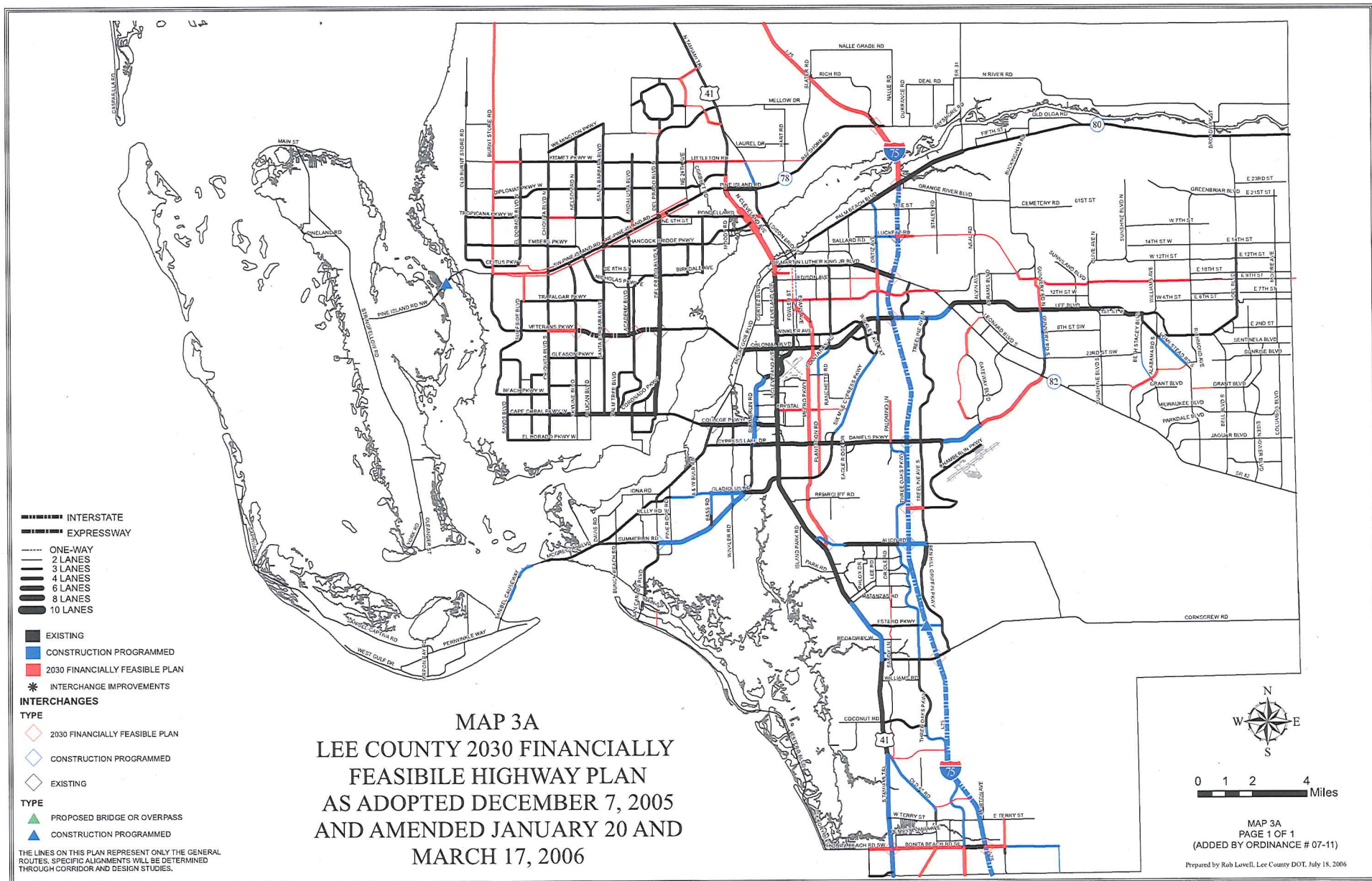
The Town of Fort Myers Beach has faced similar concerns about future redevelopment of the Red Coconut and Gulfview Colony parks on Estero Boulevard. The solution set forth in the Fort Myers Beach Comprehensive Plan should be considered by Lee County for San Carlos Island as well — allowing redevelopment of those parks at densities similar to the existing parks but in a traditional neighborhood format that eliminates flood-prone structures and improves drainage conditions, all without resorting to high-rise or high-density development.

Sincerely,

Bill Spikowski, AICP

ATTACHMENTS:

Lee County 2030 Financially Feasible Highway Plan
Discussion of additional bridges from January 2007 Evaluation/Appraisal Report (pp. 39-41)



None of the street alternatives just discussed affect conditions beyond Crescent Street. It is readily apparent during congested periods that the conditions causing the congestion continue beyond Crescent Street and even beyond the end of the “Pedestrian Commercial” district (which extends to Diamondhead Resort).

The town’s ongoing efforts to improve the blocks between Crescent Street and Old San Carlos Boulevard are critical both to the character of the downtown area and to traffic congestion. However, congestion on these blocks (and northward across the Sky Bridge) will still result from the inability of traffic to flow smoothly beyond Crescent Street. The level of this congestion is difficult to predict using traffic simulation software, but will undoubtedly still be very substantial.

Two larger congestion relief issues deserve attention. Additional congestion will continue to be caused by growth elsewhere in Lee County and the state because area residents enjoy visiting the beaches. The town has no regulatory authority over such growth, but comfortable and efficient public transit, whether on trolleys or trams, can provide mobility to island visitors (as well as residents) without adding more vehicles to the lines of traffic waiting to enter and leave the island. Public transit is discussed further on pages 47 and 52.

Another type of relief could be provided by building another bridge to Fort Myers Beach. Four “new bridge” alternatives as illustrated in Figure 9 were discussed in the original comprehensive plan on pages 7-A-48 through 52. The Lee County Metropolitan Planning Agency (MPO) has recently evaluated two of these alternatives, a southerly bridge to Coconut Road and a northerly bridge to the end of Main Street on San Carlos Island. The MPO conducted this evaluation to determine whether any of these improvements would provide enough relief for congestion on Estero Boulevard to justify inclusion on the MPO’s new transportation plan for the year 2030, which identifies needed road improvements throughout Lee County.

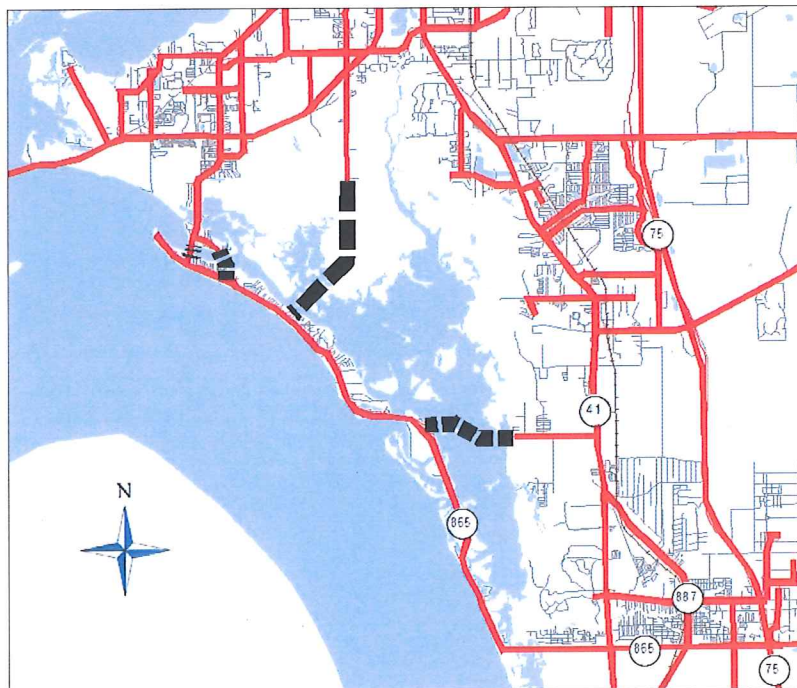


Figure 9, potential routes for an additional bridge
(was Figure 28 in Transportation Appendix A)

The highway portion of the 2030 plan begins with a “highway needs assessment,” which is a map and list of road improvements that are needed throughout Lee County by the year 2030 (without considering affordability). The map summarizing the results of this assessment is shown in Figure 10. Here is the MPO staff summary of the two “new bridge” alternatives for Fort Myers Beach during the early stages of this assessment:

Additional bridges to the beach communities At the outset of the plan development process, staff submitted the three new bridge alternatives listed in the Fort Myers Beach comprehensive plan for environmental screening through FDOT’s ETDM process [*Efficient Transportation Decision Making, a preliminary impact review by state and federal agencies*]. For two of the alternatives, the Coconut Road extension to Lovers Key and the Winkler Road extension to mid-Estero Island, the reviewing agencies reported a total of seven issues on which they had such serious concerns that dispute resolution would be required if the project could ever be permitted. For the third alternative, connecting Main Street near the southeast end of San Carlos Island with Estero Boulevard in the general area of the town hall, such serious concerns were raised for only three issues.

The Coconut Road to Lovers Key alternative was tested in the first 2030 needs alternative network (combined with a Coconut Road interchange with I 75). The model predicted that it would reduce peak season daily traffic using the Bonita Beach Road bridge in 2030 by about 9,900, but relieve the Matanzas Pass Bridge of only 3,500 daily trips — not enough for a significant improvement in the level of service. The San Carlos Island to Fort Myers Beach alternative was tested in the second alternative needs network. The model predicted it that 11,200 daily trips would choose to use the new bridge, leaving only 17,500 daily trips using the existing Matanzas Pass Bridge, and improve levels of service to D or better throughout Fort Myers Beach and San Carlos Island and on the bridges and San Carlos Boulevard south of Summerlin Road. This alternative performed so well that the TAC and CAC decided to dispense with testing the Winkler extension alternative, and kept the San Carlos Island route for the remaining network alternative and recommended it be included in the 2030 highway needs assessment [see improvement #111 on Figure 10].

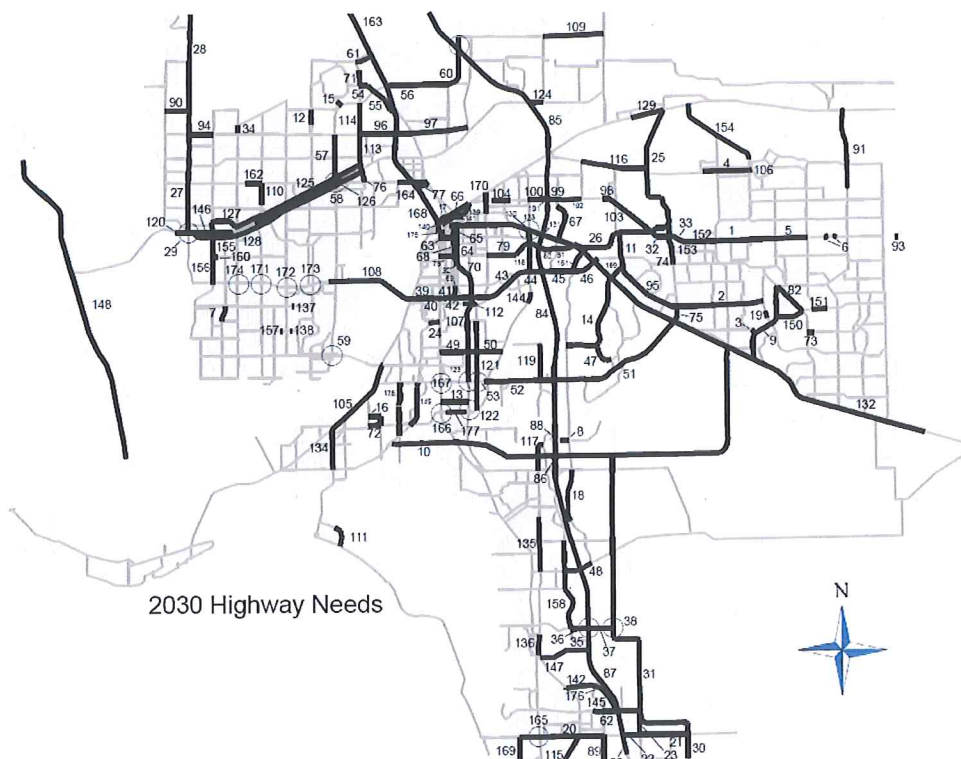


Figure 10 (new roads for 2030 indicated by heavy black lines)

Once the needs assessment is completed, the least valuable road projects from this needs assessment are eliminated until a final list includes only roads that could be built by the year 2030 with available funding sources. The final list and map are called the “2030 financially feasible plan.”

The entire 2030 plan was adopted by the MPO in December 2005. The new bridge shown as #111 on Figure 10 was made part of the 2030 financially feasible plan, based on the following preliminary assumptions:

- Construction responsibility: Lee County
- Length of new road segment: 0.86 miles
- Completion assumed: 2015
- Cost assumed: \$49,113,799
- Funding: Tolls on both new and existing bridges

It is unfortunate that whatever kind of relief can be provided to traffic congestion will be continually eroded by additional growth in the surrounding area. It will also be eroded by motorists who may have avoided Fort Myers Beach in the past, or reached it with public transit, if they take advantage of reduced congestion and begin driving to Fort Myers Beach during peak periods.

D. Recommendations on Times Square Area


The recommendations described in the previous section of this report are now under evaluation by town officials. None of the alternatives described would require any amendments to the comprehensive plan, although there is considerable urgency facing the town due to the impending redevelopment described on page 23.

The only related change to the comprehensive plan that have been identified would be to delete Policy 7-H-3 regarding left-turns on Estero Boulevard as northbound traffic passes Times Square, as discussed on page 23.

**STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES**

Date: September 15, 2008

To: Chahram Badamtchian, Planner

From: Doug Griffith, Environmental Planner 
Phone: (239) 533- 8323
e-mail: dgriffith@leegov.com

Project: San Carlos Island
Case: CPA2007-00051
STRAP: 19-46-24-00-00022.0010

The Division of Environmental Sciences (ES) staff has reviewed the proposed San Carlos Island Comprehensive Plan Amendment and offer the following analysis:

PROJECT SITE:

The project is located on the eastern side of San Carlos Island, north and south of Main Street and presently consists of a seasonal RV Park, light industrial, commercial and marina uses. The applicant is proposing to create a new land use category through a text and map amendment. The applicant's request is to change the future land use from Urban Community, Suburban and Industrial to Destination Resort Mixed Use Water Dependent Landuse (DRMUWDL) in the San Carlos Island Water Dependent Overlay Zone to allow for the revitalization of an area with declining uses. The ± 76.25 acres consist of 32.18 acres of uplands and 44.07 acres of submerged lands.

A Vegetative Community Assessment was performed by Passarella and Associates Inc. (PAI) in August of 2007 on property and field verified by ES Staff (Doug Griffith) on November 27, 2007. The assessment and a Florida Land Use, Cover and Classification System (FLUCCS) map was submitted by the applicant.

The Uplands consist of: 14.45 \pm acre RV Park (FLUCCS 130), a disturbed 2.55 \pm acre cleared area (FLUCCS 740), Main Street consisting of 0.53 \pm acres (FLUCCS 814), Brazilian pepper consisting of 0.04 \pm acres (FLUCCS 422), Boat Docks and Marina containing 16.18 \pm acres (FLUCCS 180/184). The wetlands consist of: Mangroves (FLUCCS 612) This 7.93 \pm acres wetland community is located in the east central portion of the property. Canopy, sub-canopy and ground cover consist of a mixture of red mangrove (*Rhizophora mangle*), white mangrove (*Laguncularia racemosa*) and black mangrove (*Avicennia germinans*) with scattered Brazilian pepper (*Shinus terebinthifolius*). Estuaries consist of 34.39 \pm acres (FLUCCS 540) including the northern and southern portions of the project area. The northern portion includes open water and

submerged bottom lands of Oyster Bay and Hurricane Bay. The southern portion includes the northern edge of Matanzas Pass.

PROPERTY DESCRIPTION:

PAI performed an environmental assessment in August of 2007 on the 76.25± acre property. ES Staff conducted a site inspection on November, 2007 and confirmed the results. During the site inspection, ES Staff (Doug Griffith) observed the following:

- The disturbed land was dominated by grasses that were frequently mowed.
- The mangroves located adjacent to the RV Park was 90% free of exotics however trash and debris was located through out the area.
- The mangroves and mangrove islands located in Hurricane Bay are within the subject property and are potential homes to nesting and foraging wading birds and other listed species.

Policy 1.4.6: Conservation Lands land use category was created to accurately depict the use of lands for conservation purposes. Conservation Lands include uplands and wetlands that are owned and used for long range conservation purposes. The Conservation Lands FLUM category is for lands that are primarily used to conserve important natural resources, environmentally sensitive areas, significant archeological or historical resources, or other conservation uses. Conservation Lands typically include such uses as wildlife preserves; large wetland and upland mitigation areas; natural resource based parks; and water conservation lands such as aquifer recharge areas, flow-ways, flood prone areas and well fields.

The Conservation Lands objective is to put into the public domain private lands that provide the following public benefits:

- Sustain native plant and animal populations;
- Protect people and property from flooding;
- Replenish our underground drinking water supply;
- To improve or sustain the water quality of our coastal bays, inlets;
- Provide ecotourism opportunities, and
- Provide local environmentally oriented recreational and educational opportunities.

The applicant is proposing an "Eco-park" to provide education to visitors and residence on wetlands and other habitats in the area. ES Staff encourages the use of passive recreational and educational uses in natural surroundings. The Eco-Park will be part of the community learning center. The park will be a passive, informative, boardwalk experience with a variety of tour type's available. Tour types will be non-invasive and educational in nature, a single boardwalk traversing centrally through the mangrove area with one shaded structure for resting will be used in the tours. ES Staff finds this consistent with **Objective 86.1: *the county will provide information and educational programs regarding its cultural history and the environment at appropriate facilities.***

The Board of County Commissioners has provided policy guidance to staff to maintain wildlife habitats and green space connections to ensure the preservation of indigenous plant and animal habitat throughout the County.

Utilizing the conservation lands use category would serve to protect the indigenous habitat while providing foraging and nesting opportunities for listed species and species of special concern.

The following Comprehensive Plan Goals, Objectives and Policies further support ES Staff's recommendation for the conservation land use category for this project:

- **Standard 11.4: Environmental Review Factors.** *In any case where there exists or there is the probability of environmentally sensitive areas the developer must propose means to protect, conserve, or preserve the environmental and natural resources.*

The Board of County Commissioner's policy guidance to staff is for the preservation of mangroves and wetlands for potential use by foraging and nesting wading birds. ES Staff recommends the use of conservation lands category to preserve this environmentally sensitive habitat.

- **GOAL 114: WETLANDS.**

Objective 114.1 *The natural function of wetlands and wetland systems will be protected and conserved through the enforcement of the County's wetland protection regulations.*

Placing the mangroves and mangrove islands in the conservation lands, land use category will protect the natural function of the system.

- **Objective 107.4: Endangered and Threatened Species in General:** *Lee County will continue to protect habitats of threatened and endangered species and species of special concern in order to maintain or enhance existing population numbers and distribution of listed species.*

Placing the mangroves and mangrove islands in the conservation land use category will protect potential foraging and nesting areas for wading birds and other listed species.

- **GOAL 104: Coastal Resource Protection:** *To protect the natural resources of the coastal planning area from damage caused by inappropriate development.*

Placing the mangroves and mangrove islands in the conservation land use category will protect them from development.

WATER QUALITY AND STORM WATER MANAGEMENT

Currently there is no storm water management being utilized on the property. Storm water runoff from the marina and RV park flow directly into Hurricane Bay or Matanzas Pass without any water quality treatment. The applicant is proposing to provide storm water treatment for a 25-year, 3-day storm event. ES Staff recommends using storm water management to mimic natural systems incorporating Green Infrastructure into the surface water management plan for increased water quality and improved infiltration.

The following Comprehensive Plan Goals, Objectives and Policies support ES Staff's recommendations.

- **Objective 60.5:** *Incorporation of Green Infrastructure into the Surface Water Management Plan. The long-term benefits of green infrastructure as part of the surface water management system includes improved water quality, improved infiltration, wild life habitat and recreational opportunities.*
- **Policy 61.2.2** *Where no natural features of flow or ponding exist on a site the County will require that water management structures be designed and constructed in such a manner as to mimic the functions or a natural system.*

LANDSCAPING AND GREEN INFRASTRUCTURE:

In order to preserve and enhance the natural beauty of the island, the applicant is proposing the following policies for the DRMUWDL land use category. This includes:

- **Policy XX 3.1** *Innovative landscaping design for parking areas and perimeter plantings utilizing 70% native plants.*

ES Staff finds this consistent with **Lee Plan Objective 77.3:** *New developments must use innovative open space design to preserve existing vegetation, provide visual relief and buffer adjacent uses.*

The project does not have existing native vegetation however proposes to utilize 70% native plants.

- **Policy XX 5.3** *Providing an educational component to the project with the objective of educating the public on its unique quality and rich heritage and means to protect the area.*

ES Staff finds this consistent with **Goal 86: Environmental and Historic Programs.** *To provide programs and information to promote knowledge and understanding of Lee county's unique environmental and cultural heritage.*

The applicant is proposing to educate the public on the unique quality and rich heritage of San Carlos Island.

- **Policy XX 10.18. Landscape Standards** *The landscaping will incorporate Xeriscape principles to conserve water and will be designed to incorporate a sense of nature as well as promote health of plant species within the community.*

ES Staff finds this consistent with **Objective 117.2: Xeriscape Landscape.** *The county will continue to promote Xeriscape landscaping techniques.*

The applicant is proposing Xeriscape landscaping that will promote native, drought tolerant, plant species for aesthetic value and water conservation.

- **Proposed Objective XX.12: Wildlife.** *The location, design and operation of Destination Resort Facilities will incorporate preservation and/or management activities that restrict the unnecessary loss of habitat or impact on protected species, species of special concern, threatened or endangered species.*
- **Proposed Policy XX.12.1:** *The development will not have an adverse impact on any existing, viable onsite occupied wildlife habitat for protected species, species of special concern, threatened or endangered species.*

The applicant has revised the policy language for **Objective XX.12 and Policy XX.12.1** deleting the word unnecessary from Objective XX.12 and the word adverse from Policy XX.12.1

ES Staff finds the objective and policy consistent with **Objective 107.4: Endangered and Threatened Species in General.** *Lee County will continue to protect habitats of endangered and threatened species and species of special concern in order to maintain or enhance existing population numbers.*

- **Objective XX.13: Natural Resources.** *Destination Resort facilities must be located, designed and operated to minimize environmental impacts, and where appropriate, enhance and manage natural resources such as, waterways, wetlands, natural water bodies, and indigenous uplands.*

ES Staff finds the objective consistent with **Goal 107: Natural Resources.** *To manage the county's wetland and upland ecosystems so as to maintain and enhance native habitats, flora and fauna species diversity, water quality and natural surface water characteristics.*

- **Policy XX.15.1 Marina Design and Conservation.** *The Marina design will incorporate natural wetland vegetative buffers near the docking areas and in ingress/egress areas for erosion and sediment control, runoff purification and habitat purposes and protect environmentally sensitive area.*

ES Staff finds the policy consistent with **Policy 128.6.8:** *Marina design must incorporate natural wetland vegetative buffers near the docking area and in ingress/egress areas for erosion and sediment control, runoff purification and habitat purposes.*

CONCLUSION:

The applicant has agreed to place the mangroves in conservation lands (see attached) and incorporate natural wetland vegetative buffers near the docking areas to assist in water quality including: erosion and sediment control, runoff purification and protect environmentally sensitive area. This will assist in long term protection of these ecosystems.

Memo

To: Paul O'Connor, Planning Director

From: David Loveland, Manager, Transportation Planning *DM*

Date: September 9, 2008

Subject: **CPA 2007-51 (San Carlos Island)**

The Department of Transportation had previously commented on the above-referenced privately-initiated future land use map and text plan amendment, in a memo dated March 4, 2008. Our understanding of the request at that time was to change the land use designation of approximately 76.25 acres at the east end of Main Street on San Carlos Island from a combination of Industrial Development/Suburban/Urban Community/Wetlands land use categories to a newly-created category called "Resort Mixed Use Water Dependent (DRMUWD)". The concerns we had related to the existing and projected level of service problems on Estero Boulevard, and the resultant back-ups experienced regularly during season by southbound traffic on San Carlos Boulevard. With this proposed project significantly increasing traffic on Main Street and that traffic feeding directly on to San Carlos Boulevard, and no practical improvements identified in the long range plan to really address the Estero Boulevard situation and the resultant back-ups on San Carlos Boulevard, DOT staff was concerned about approving this amendment request and exacerbating the traffic problem in this area. DOT staff also had concerns about the ability of the narrow, curvy, two-lane configuration of Main Street to handle additional traffic, and felt some improvement to that facility should ultimately be required of the developer if this plan amendment is approved and this project moves forward.

I understand Planning staff is recommending a downscaling the density associated with the new land use category, but even at a lower development level the concerns about traffic conditions on Estero Boulevard, San Carlos Boulevard and Main Street remain. To address the DOT concerns highlighted in March, the applicant has been developing objectives and policies that emphasize alternative modes of transportation for the area, a critical effort when considering intensifying uses in already-congested areas. The latest version of the applicant's proposed policies related to alternative transportation are included below, with some strike-through underline changes proposed by DOT staff:

OBJECTIVE XX.6: COORDINATION OF MASS TRANSIT. The developer(s) will ~~establish-coordination~~ coordinate with Lee County to ensure consistency with the TDP (Transit Development Plan).

ATTACHMENT 6

POLICY XX.6.1: Mixed-use developments, as defined in the Lee Land Development Code as containing both commercial and residential uses within the same development, shall provide for an interconnection of commercial with residential uses ~~with~~ through pedestrian linkages. Mixed-use developments will be limited to an overall density of 15 dwelling units per acre at these locations. A minimum of 10% of this density must be allocated to timeshare development. Mixed-use developments that use commercial and residential within the same development shall be allowed to use the entire site for density calculation.

POLICY XX.6.2: Bicycle and pedestrian facilities will be provided throughout the development. Connections between all uses are required to facilitate these alternative modes of transportation. When possible, connection to adjacent developments shall be provided.

POLICY XX.6.3: Vehicular connections between residential and non-residential uses will be provided to facilitate the internal capture of trips. When possible, vehicular connections to adjacent developments will be made to provide alternative access to the non-residential components of this mixed-use developments ~~other than the Main Street.~~

POLICY XX.6.4: ~~Water access~~—Each development shall provide at a minimum one designated public access easement point to the water.

OBJECTIVE XX.7: INCORPORATION AND UTILIZATION OF MULTIMODAL AND ALTERNATIVE MODES OF TRANSIT. The development will establish a comprehensive approach to multimodal and alternative modes of transportation for its residents and guests. These will include, but not be limited to mass transit stops (minimum of one), or shuttle service to a stop, bicycle rental, integrated network of sidewalks and board walks, Airport shuttle services and water-taxi transportation facilities.

POLICY XX.7.1: Each development will establish a water taxi/shuttle service to and from the property. The shuttle will be open to guests, residents and outsiders wanting an alternative access to the water. Hours of operation will be determined based on market conditions but will at a minimum provide three (3) round trips daily.

POLICY XX.7.2: Each development will establish an airport shuttle service to and from the Southwest Florida International Airport and the development. The shuttle services hours of operation will be determined based on market conditions and can either be a fixed route shuttle or a point of demand service type or combination thereof.

POLICY XX.7.3: Where projects developments greater than 20 acres are ~~interseected~~ bisected by public roadways ~~for developments greater than 20 acres and with a split~~ greater and more than 15% of the development is on the other side of the road, some sort of grade separation may be provided for safe pedestrian and bicycle access between the properties. ~~The purpose of this is to safely move pedestrian and bicycles across the road.~~ Examples of this would involve taking the bicycle/pedestrian facilities up and over the

road or ~~involve~~ taking the road over the pedestrian/bicycles paths. Any such improvements would be considered site-related.

POLICY XX.7.4: As part of this amendment the existing roadways that are adjacent to or run through the project, particularly Main Street, will be evaluated with a cross-sectional analysis to identify needed upgrades for driver and bicycle/pedestrian safety and bus access to and from this property. At a minimum one bus stop will be provided along Main Street to Lee Tran standards or better. Where bicycle/pedestrian upgrades or additions are determined by Lee County to be desirable along Main Street or other area streets, any such improvements on behalf of this property and outside the boundaries of this property will be eligible for road impact fee credits in accordance with the Lee County Land Development Code.

As an initial point, DOT staff would note that the policy language as it has evolved is a confusing mix of general references as befitting a larger land use category and site-specific references that only apply in one location. Some additional editorial work is probably necessary to make the references consistent one way or the other. Beyond that, DOT's proposed revisions to most of the policies are simply editorial clean-ups, to improve how they read. DOT staff added one additional clarification to proposed policy XX.7.3 to indicate that grade separations to create safer bicycle/pedestrian connections between two halves of a development in this category will be a site-related improvement and developer expense, whether it is the bicycle/pedestrian facility going up and over the road or the road going up and over the bicycle/pedestrian facility. The other major revision by DOT is actually adding back in a policy that was part of previous negotiations, and supposedly incorporated into the latest version of the policies according to the applicant, but which was in fact missing. This policy (which is admittedly site-specific) calls for upgrading Main Street to accommodate buses, bicycles and pedestrians in addition to cars.

Again, there is a general concern about intensifying development in an area where significant traffic congestion already exists. However, the above-noted policies, as revised by DOT staff, help off-set the intensification impacts and help make this part of the County more accommodating for alternative modes of transportation. DOT staff recommends that the policies as revised above be included with this amendment if it is ultimately recommended for approval.

Please let me know if you need any additional information.

cc: Donna Marie Collins
Chahram Badamtchian



**INTEROFFICE MEMORANDUM
FROM
PUBLIC WORKS
UTILITIES**

Date: September 19, 2008

TO: Chahram Badamtchian
Senior Planner
DCD / Zoning

From: Howard Wegis
Staff Engineer
Utilities

SUBJECT: CPA2007-00051 San Carlos Island Comp Plan Amendment

I have reviewed the above referenced revised application submitted for comments in your e-mail to Doug Meurer dated June 11, 2008 and would like to provide the following comments.

Sanitary Sewer Service:

As the applicant states, the property is located within Lee County Utilities (LCU) wastewater service area. Regarding treatment capacity, the Fort Myers Beach Wastewater Treatment Plant does have the excess capacity to serve the net increase in flows projected by the applicant.

Regarding wastewater collection system capacity the general area covered by this amendment is currently provided with wastewater service and wastewater infrastructure is in place, however, the applicant should be aware that during the development process the developer will be responsible for performing hydraulic calculations to identify the extent of required on-site and off-site improvements to the wastewater collection system to support the projected increase in flow. The applicant should be aware that the developer will bear the cost of these improvements. In addition, prior to connection to the central sewer system the applicant will be responsible for ensuring compliance with pretreatment standards established in Lee County Ordinance 05-26.

Potable Water Service:

As the applicant states, water service will be provided by Lee County Utilities. The subject property is within LCU's potable water service area. Regarding treatment capacity, the applicant correctly states that the Green Meadows treatment plant will provide service. In addition to the applicant's analysis of available capacity at the Green Meadows plant it should be noted that LCU is planning an expansion of the Green Meadows facility to increase its capacity to 16.0 million gallons per day. This project is included in LCU's CIP and is planned to be completed by 2010. This expansion will provide ample excess treatment capacity to serve the increase in demand proposed by the applicant.

Regarding water distribution system capacity, the general area covered by this amendment is currently provided with potable water service and potable infrastructure is in place, however, the applicant should be aware that during the development process the developer will be responsible for performing hydraulic calculations to identify the extent of required on-site and off-site improvements to the water distribution system to support the projected increase in demand. The applicant should be aware that the developer will bear the cost of these improvements.

June 19, 2008
Chahram Badamtchian
Page Two

Reclaimed Water Service:

Regarding Policy 54.1.6, the applicant should be aware that LCU does have capacity in the Fort Myers Beach WWTP reclaimed water system, However, LCU does not have reclaimed water infrastructure available in the area covered by the proposed amendment. The closest point of connection to the reclaimed water system is approximately three miles from the subject area.

cc: Douglas Meurer, Director, DLCU
Thom Osterhout, DLCU
Tom Hill, DLCU

RALF BROOKES, ATTORNEY

Board Certified in City, County and Local Government Law

November 14, 2008

Department of Community Affairs
Charles Gauthier, AICP
Division of Community Planning
2555 Shumard Oaks Boulevard,
Tallahassee, Florida
32399-2100
Fax: (850) 488-3309
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COMMUNITY DEVELOPMENT

Lee County
c/o Board of County Commissioners
Box 398, Ft. Myers, Florida 33902-0398

Re: Objections to Lee County CPA2007-00051 - San Carlos Island/Destination Resort

Dear Department of Community Affairs and Lee County:

On behalf of Mary Ellen Ruddick & Roger Ruddick who are citizens of Lee County who own and reside in their home located at 33 Emily Lane, San Carlos Island Florida 33931-2933 near the proposed development, please find this objection letter to the proposed transmitted Comprehensive Plan Amendment for San Carlos Island/Destination Resort - *changing the Future Land Use Classification from Urban Community, Suburban, and Industrial Development to the proposed Destination Resort Mixed Use Water-Dependent Land Use Future Land Use Classification; Amending the Future Land Use Element of the Lee Plan to incorporate a new Goal, including Dependent Land Use category. The site is located to the north and south of Main Street near the east end of San Carlos Island.*

Please find the above referenced plan amendment "not in compliance" with 9J-5 F.A.C. and internally inconsistent with duly adopted plan policies contained in the Comprehensive Plan.

As grounds for our objection, we adopt the expert planning opinion of Planner Bill Spikowski, attached to this letter. While Bill Spikowski's client, the Town of Ft Myers Beach, has decided "not to take a position" with regard to this proposal, the opinion of Bill Spikowski remains his personal, professional opinion as an expert planner. The "comments are his and no longer the position of the town." Please ensure that the expert planners at DCA closely review Bill Spikowski's expert planning opinion in detail.

In addition, San Carlos Island is part of DCA's Florida Waterfronts Program area and is a working waterfront, which supplies and houses most of Southwest Florida's Shrimping Industry.

It is important to ensure that the commercial fishing/shrimping industry survives in this location and is not replaced by tourist destination resorts. The proposed plan amendment is not consistent with this vision for San Carlos Island as shrimp boats and processing is replaced by condo-resorts and pleasure craft. San Carlos Island is among the only and last remaining locations for the commercial shrimping industry including an active fleet of shrimp boats and shrimp/fish processing houses.

Conversion of the shrimping and commercial fishing industry to large scale destination resort may bring more money to an individual developer in the short term but will have long term devastating impacts to other aspects of Florida's economy. Planner Bill Spikowski also argues that the plan amendment would be inconsistent and not in compliance with both Coastal High Hazard Area issues and Traffic constraints on what is locally known as one of, if not the longest, bumper to bumper traffic jams during season in Lee County as cars wait to get on and off of Ft Myers Beach.

As expert planner Bill Spikowski opined:

"The scale and height of the proposed resort would be completely different from nearby conditions on both San Carlos and Estero Islands. The applicant argues that Lee County's current development rules for San Carlos Island make re-use of these properties impractical given the state of the shrimping industry and the declining market for RV sites. The applicant asserts that this proposal will have no significant impacts on traffic or utilities. Lee County's vision for San Carlos Island is stated simply in the Lee Plan: "The San Carlos Island area, which is nearly built out today, will continue to develop its infill areas while maintaining its marine oriented nature." The marine-oriented restrictions apply most strictly on land within 300 feet of Matanzas Pass, but also apply between that zone and Main Street. These restrictions have been in place for nearly 20 years in an attempt to reserve land along the deep channel for commercial fishing and related marine industrial uses.... The current proposal would be a dramatic departure not only from existing conditions but from general county policy restricting high-density development in coastal areas and along overcrowded roads. It would also begin reversing the county's longstanding efforts to reserve suitable land for marine industrial uses.

Planner Bill Spikowski also opined that the plan amendment would be inconsistent and not in compliance with both Coastal High Hazard Area issues and Traffic Issues.

These issues should be addressed at Comp Plan Amendment stage and should not be deferred to a Planned Development rezoning that evades DCA review would be governed by the proposed plan amendment itself.

With regard to **Coastal High Hazard Area** issues:

“Lee County has formally acknowledged past over-development in coastal areas and has placed relevant policies in the Lee Plan:

POLICY 105.1.2: Rezoning to allow higher densities will not be permitted on barrier and coastal islands if the capacity of critical evacuation routes would thereby be exceeded (see Objective 109.1)..

POLICY 105.1.5: Zoning requests located in the coastal high hazard area will be considered for reduced or minimum density assignments, in accordance with their future land use category density range. This evaluation should be done in concert with an evaluation of other individual characteristics such as compatibility with existing uses, desired urban form, and availability of urban services.”

With regard to **Traffic** issues on what is locally known as one of, if not the longest, bumper to bumper traffic jams during season in Lee County as cars wait to get on and off of Ft Myers Beach:

The traffic engineer’s conclusion is explicitly based on Lee County building a new bridge from San Carlos Island to Estero Island near Bay Oaks. This second bridge is in Lee County’s financially feasible road plan for 2030 (copy attached). As an ironic note, the bridge would likely run from Main Street right through this property; building the proposed high-rise hotel would probably make the new bridge infeasible.”

“The traffic engineer’s conclusion ignores several real facts about traffic congestion and levels of service. Florida DOT has already widened San Carlos Boulevard to five lanes even though its congestion is caused by conditions on Estero Island, not by a lack of lanes on San Carlos Island or the mainland. While it is true that further widening of San Carlos Boulevard is not needed to continue meeting its “adopted levels of service,” stating that fact as if it is relevant conveniently sidesteps any assessment of this project’s actual impact on traffic congestion.”

"It is also narrowly true that this project would not cause Estero Boulevard to fall below its "adopted level of service." That is true only because after limiting development and redevelopment to the lowest possible levels, the town of Fort Myers Beach consciously chose a poor level of service for Estero Boulevard that acknowledges existing congestion. Without this acknowledgment, redevelopment efforts within the town would have been completely stymied. In this case, analyzing the effect a major increase in density and intensity simply as to its effect on the "adopted level of service" completely ignores this project's likely impact on traffic congestion."

Bill Spikowski notes that:

"The proposal is to create a new category on Lee County's Future Land Use Map to accommodate a major destination resort. The resort would have 600 dwelling units, a 300-room hotel, a freestanding parking garage, and related facilities. Building heights could be up to 22 stories over parking.

The property in question includes about 27 acres of high ground along both sides of Main Street. On the north side of Main Street are the **existing** Ebb Tide and Oyster Bay senior-only RV parks (about 15 acres); together these parks accommodate about 271 spaces, a density of just over 18 spaces per acres. On the south side of Main Street there is **[existing]** dry boat storage, a restaurant, and other commercial/industrial support facilities (about 12 acres). The combined properties also include about 7 acres of mangrove swamp and 39 acres of submerged land in Hurricane Pass and Matanzas Pass.

The scale and height of the proposed resort would be completely different from nearby conditions on both San Carlos and Estero Islands. The applicant argues that Lee County's current development rules for San Carlos Island make re-use of these properties impractical given the state of the shrimping industry and the declining market for RV sites. The applicant asserts that this proposal will have no significant impacts on traffic or utilities.

Lee County's vision for San Carlos Island is stated simply in the Lee Plan: "*The San Carlos Island area, which is nearly built out today, will continue to develop its infill areas while maintaining its marine oriented nature.*" The marine-oriented restrictions apply most strictly on land within 300 feet of Matanzas Pass, but also apply between that zone and Main Street. **These restrictions have been in place for nearly 20 years in an attempt to reserve land along the deep channel for commercial fishing and related marine industrial uses.**"

We argue that without protection in Comprehensive Plans for commercial fishing and shrimping, this essential aspect of Florida's working waterfronts will cease to exist. We must continue to plan and provide support for such uses. Short term gains to a relative few should not be allowed to sacrifice planning for sustainable, long-term commercial fisheries in a time of "overbuilding" and condo-gluts. We must plan and site for both.

Condos remain unsold from Miami to Ft Myers, where 22 story condominiums on the Caloosahatchee that are still largely unsold as we enter a new economic conditions and shortage of commercial and residential lending.

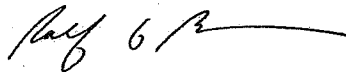
A convention center would be more appropriately sited in another location apart from this marine working waterfront. A redeveloped convention center is needed according to expert Planner Andres Duany to enhance downtown Ft Myers. Existing condominiums exist there that are vacant and can "serve" the convention center, if the premise that residential condominium units are needed to serve a convention center. There are also hotels in need of redevelopment in downtown Ft Myers. There are also many existing (100-300 unit) hotels on Ft Myers Beach that can accommodate conventions, including Diamondhead, the recently redeveloped Pink Shell, and at Coconut Pointe in nearby in Estero.

There is no need to site a convention hotel and condominium project on San Carlos Island which constitutes Lee County's last true remaining commercial fisheries' working waterfront.

From Appalachicola, to San Carlos Island to the Florida Keys, this is an issue of statewide importance. Siting residential condominiums that are already overbuilt on working waterfronts is not appropriate or desirable planning.

Please "hold the line" on one of our last remaining vestiges of Lee County's commercial fishing/shrimping industry and one of Florida's last remaining working waterfronts.

Sincerely,

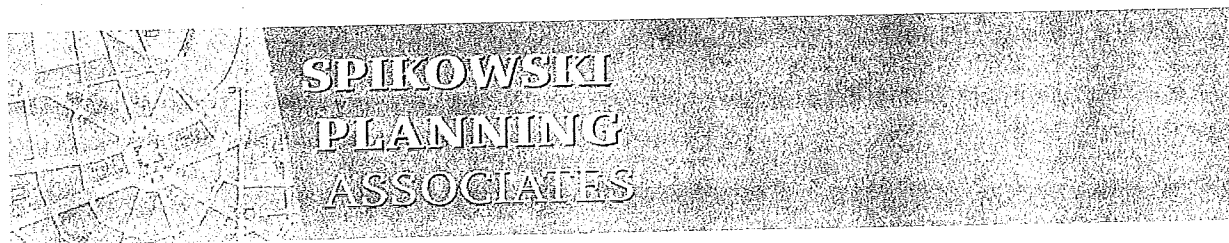


Ralf Brookes Attorney
Attorney for Mary Ellen Ruddick & Roger Ruddick: 33 Emily Lane, San Carlos Island Ft
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1217 East Cape Coral Parkway 107, Cape Coral, Florida 33904
phone (239) 910-5464 ~ (866) 341-6086 fax

email Ralf@RalfBrookesAttorney.com



September 4, 2008

Chahram Badamtchian, AICP
Lee County Community Development Department, Zoning Division
P.O. Box 398
Fort Myers, Florida 33902-0398

RE: Proposed Lee Plan amendments on San Carlos Island (CPA-2007-00051)

Dear Mr. Badamtchian:

On behalf of the Town of Fort Myers Beach, I have reviewed the pending Lee County comprehensive plan amendments for property on San Carlos Island. These comments identify the town's concerns at this point and may be supplemented by additional comments from the town in the near future. These comments are not based on a complete review of this proposal but they shed light on the nature of the request and some of its potential impacts on San Carlos and Estero Islands.

SUMMARY

The proposal is to create a new category on Lee County's Future Land Use Map to accommodate a major destination resort. The resort would have 600 dwelling units, a 300-room hotel, a freestanding parking garage, and related facilities. Building heights could be up to 22 stories over parking.

The property in question includes about 27 acres of high ground along both sides of Main Street. On the north side of Main Street are the existing Ebb Tide and Oyster Bay senior-only RV parks (about 15 acres); together these parks accommodate about 271 spaces, a density of just over 18 spaces per acres. On the south side of Main Street there is dry boat storage, a restaurant, and other commercial/industrial support facilities (about 12 acres). The combined properties also include about 7 acres of mangrove swamp and 39 acres of submerged land in Hurricane Pass and Matanzas Pass.

The scale and height of the proposed resort would be completely different from nearby conditions on both San Carlos and Estero Islands. The applicant argues that Lee County's current development rules for San Carlos Island make re-use of these properties impractical given the state of the shrimping industry and the declining market for RV sites. The applicant asserts that this proposal will have no significant impacts on traffic or utilities.

Lee County's vision for San Carlos Island is stated simply in the Lee Plan: "The San Carlos Island area, which is nearly built out today, will continue to develop its infill areas while maintaining its marine oriented nature." The marine-oriented restrictions apply most strictly on land within 300 feet of Matanzas Pass, but also apply between that zone and Main Street. These restrictions have been in place for nearly 20 years in an attempt to reserve land along the deep channel for commercial fishing and related marine industrial uses.

Lee County does not have a pre-disaster buildback policy like the town of Fort Myers Beach, thus the redevelopment potential for RV and mobile home parks is limited to what would be allowed on vacant property, 6 dwelling units per acre (about 86 units here).

The applicant may be correct in asserting that Lee County's regulations for San Carlos Island are in need of review and updating, given changes over the past 20 years. The fishing industry has continued to decline, and RVs and mobile homes are increasingly obsolete and prone to flood damage. Redevelopment would allow a modern surface water management system and would elevate all buildings above expected flood levels.

However, the current proposal would be a dramatic departure not only from existing conditions but from general county policy restricting high-density development in coastal areas and along overcrowded roads. It would also begin reversing the county's longstanding efforts to reserve suitable land for marine industrial uses.

TRAFFIC

The most obvious planning issue is traffic. The applicant's traffic engineer concludes that no nearby roads would operate below adopted levels of service. Although it is possible to reach this conclusion on a purely technical basis, it is an absurdity in the real world given the unmistakable traffic congestion that already exists in the immediate area.

The traffic engineer's conclusion is explicitly based on Lee County building a new bridge from San Carlos Island to Estero Island near Bay Oaks. This second bridge is in Lee County's financially feasible road plan for 2030 (copy attached). As an ironic note, the bridge would likely run from Main Street right through this property; building the proposed high-rise hotel would probably make the new bridge infeasible.

The traffic engineer's conclusion ignores several real facts about traffic congestion and levels of service. Florida DOT has already widened San Carlos Boulevard to five lanes even though its congestion is caused by conditions on Estero Island, not by a lack of lanes on San Carlos Island or the mainland. While it is true that further widening of San Carlos Boulevard is not needed to continue meeting its "adopted levels of service," stating that fact as if it is relevant conveniently sidesteps any assessment of this project's actual impact on traffic congestion.

It is also narrowly true that this project would not cause Estero Boulevard to fall below its "adopted level of service." That is true only because after limiting development and redevelopment to the lowest possible levels, the town of Fort Myers Beach consciously chose a poor level of service for Estero Boulevard that acknowledges existing congestion. Without this acknowledgment, redevelopment efforts within the town would have been completely stymied. In this case, analyzing the effect a major increase in density and intensity simply as to its effect on the "adopted level of service" completely ignores this project's likely impact on traffic congestion.

Lee County has formally acknowledged past over-development in coastal areas and has placed relevant policies in the Lee Plan:

POLICY 105.1.2: Rezoning to allow higher densities will not be permitted on barrier and coastal islands if the capacity of critical evacuation routes would thereby be exceeded (see Objective 109.1). (Amended by Ordinance No. 92-35, 00-22)

POLICY 105.1.5: Zoning requests located in the coastal high hazard area will be considered for reduced or minimum density assignments, in accordance with their future land use category density range. This evaluation should be done in concert with an evaluation of other individual characteristics such as compatibility with existing uses, desired urban form, and availability of urban services. (Added by Ordinance No. 05-19)

The applicant argues that these policies are not applicable because evacuation routes are satisfactory and that this is a comprehensive plan request, not a zoning request (even though a zoning change would be needed to carry out the proposed comprehensive plan amendment).

SUMMARY

Overall, the applicant has put forth several valid points about the current development restrictions on San Carlos Island. However, the current proposal is excessive in both height and density given its coastal location. Without a new bridge, the traffic impacts of this proposal would be completely unacceptable, yet the proposed hotel would foreclose the option of building this very bridge. The proposed water taxi, while valuable, would have only minor mitigating effects given the size of the proposed development, current road conditions, and the site's location beyond walking distance from most of the amenities that visitors would be seeking.

The Town of Fort Myers Beach has faced similar concerns about future redevelopment of the Red Coconut and Gulfview Colony parks on Estero Boulevard. The solution set forth in the Fort Myers Beach Comprehensive Plan should be considered by Lee County for San Carlos Island as well — allowing redevelopment of those parks at densities similar to the existing parks but in a traditional neighborhood format that eliminates flood-prone structures and improves drainage conditions, all without resorting to high-rise or high-density development.

Sincerely,

Bill Spikowski, AICP

ATTACHMENTS:

Lee County 2030 Financially Feasible Highway Plan
Discussion of additional bridges from January 2007 Evaluation/Appraisal Report (pp. 39-41)

- INTERSTATE**
EXPRESSWAY
- ONE-WAY
 2 LANES
 3 LANES
 4 LANES
 6 LANES
 8 LANES
 10 LANES
- EXISTING
 CONSTRUCTION PROGRAMMED
 2030 FINANCIALLY FEASIBLE PLAN
- INTERCHANGE IMPROVEMENTS
- INTERCHANGES**
 TYPE
 2030 FINANCIALLY FEASIBLE PLAN
 CONSTRUCTION PROGRAMMED
 EXISTING
- TYPE**
 PROPOSED BRIDGE OR OVERPASS
 CONSTRUCTION PROGRAMMED

THE LINES ON THIS PLAN REPRESENT ONLY THE GENERAL ROUTES. SPECIFIC ALIGNMENTS WILL BE DETERMINED THROUGH CORRIDOR AND DESIGN STUDIES.

MAP 3A
 LEE COUNTY 2030 FINANCIALLY
 FEASIBLE HIGHWAY PLAN
 AS ADOPTED DECEMBER 7, 2005
 AND AMENDED JANUARY 20 AND
 MARCH 17, 2006



0 1 2 4 Miles

MAP 3A
 PAGE 1 OF 1
 (ADDED BY ORDINANCE # 07-11)

Prepared by Rob Lavell, Lee County DOT, July 18, 2006

None of the street alternatives just discussed affect conditions beyond Crescent Street. It is readily apparent during congested periods that the conditions causing the congestion continue beyond Crescent Street and even beyond the end of the "Pedestrian Commercial" district (which extends to Diamondhead Resort).

The town's ongoing efforts to improve the blocks between Crescent Street and Old San Carlos Boulevard are critical both to the character of the downtown area and to traffic congestion. However, congestion on these blocks (and northward across the Sky Bridge) will still result from the inability of traffic to flow smoothly beyond Crescent Street. The level of this congestion is difficult to predict using traffic simulation software, but will undoubtedly still be very substantial.

Two larger congestion relief issues deserve attention. Additional congestion will continue to be caused by growth elsewhere in Lee County and the state because area residents enjoy visiting the beaches. The town has no regulatory authority over such growth, but comfortable and efficient public transit, whether on trolleys or trams, can provide mobility to island visitors (as well as residents) without adding more vehicles to the lines of traffic waiting to enter and leave the island. Public transit is discussed further on pages 47 and 52.

Another type of relief could be provided by building another bridge to Fort Myers Beach. Four "new bridge" alternatives as illustrated in Figure 9 were discussed in the original comprehensive plan on pages 7-A-48 through 52. The Lee County Metropolitan Planning Agency (MPO) has recently evaluated two of these alternatives, a southerly bridge to Coconut Road and a northerly bridge to the end of Main Street on San Carlos Island. The MPO conducted this evaluation to determine whether any of these improvements would provide enough relief for congestion on Estero Boulevard to justify inclusion on the MPO's new transportation plan for the year 2030, which identifies needed road improvements throughout Lee County.

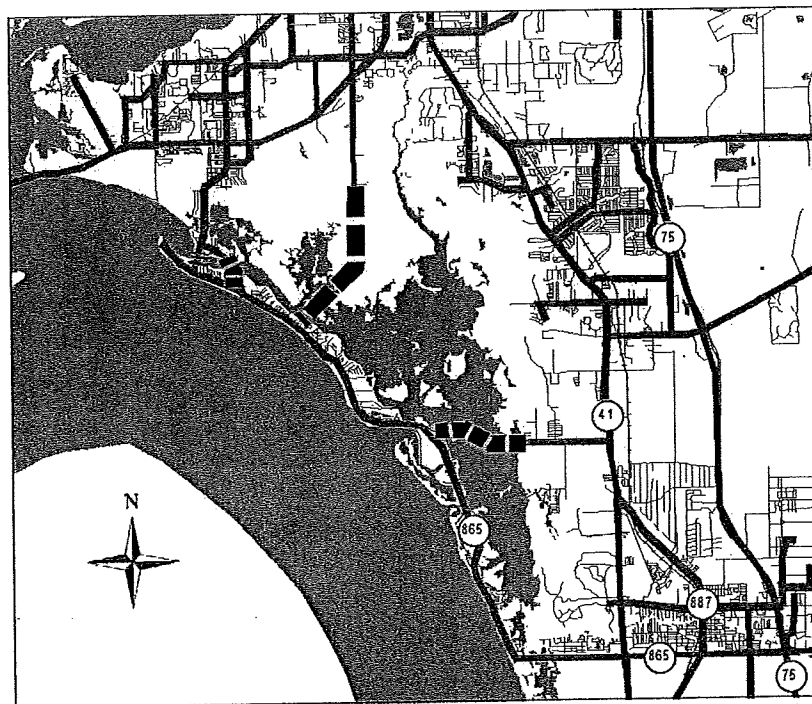


Figure 9, potential routes for an additional bridge
(was Figure 28 in Transportation Appendix A)

The highway portion of the 2030 plan begins with a “highway needs assessment,” which is a map and list of road improvements that are needed throughout Lee County by the year 2030 (without considering affordability). The map summarizing the results of this assessment is shown in Figure 10. Here is the MPO staff summary of the two “new bridge” alternatives for Fort Myers Beach during the early stages of this assessment:

Additional bridges to the beach communities At the outset of the plan development process, staff submitted the three new bridge alternatives listed in the Fort Myers Beach comprehensive plan for environmental screening through FDOT’s ETDM process [*Efficient Transportation Decision Making, a preliminary impact review by state and federal agencies*]. For two of the alternatives, the Coconut Road extension to Lovers Key and the Winkler Road extension to mid-Estero Island, the reviewing agencies reported a total of seven issues on which they had such serious concerns that dispute resolution would be required if the project could ever be permitted. For the third alternative, connecting Main Street near the southeast end of San Carlos Island with Estero Boulevard in the general area of the town hall, such serious concerns were raised for only three issues.

The Coconut Road to Lovers Key alternative was tested in the first 2030 needs alternative network (combined with a Coconut Road interchange with I 75). The model predicted that it would reduce peak season daily traffic using the Bonita Beach Road bridge in 2030 by about 9,900, but relieve the Matanzas Pass Bridge of only 3,500 daily trips — not enough for a significant improvement in the level of service. The San Carlos Island to Fort Myers Beach alternative was tested in the second alternative needs network. The model predicted it that 11,200 daily trips would choose to use the new bridge, leaving only 17,500 daily trips using the existing Matanzas Pass Bridge, and improve levels of service to D or better throughout Fort Myers Beach and San Carlos Island and on the bridges and San Carlos Boulevard south of Summerlin Road. This alternative performed so well that the TAC and CAC decided to dispense with testing the Winkler extension alternative, and kept the San Carlos Island route for the remaining network alternative and recommended it be included in the 2030 highway needs assessment [*see improvement #111 on Figure 10*].

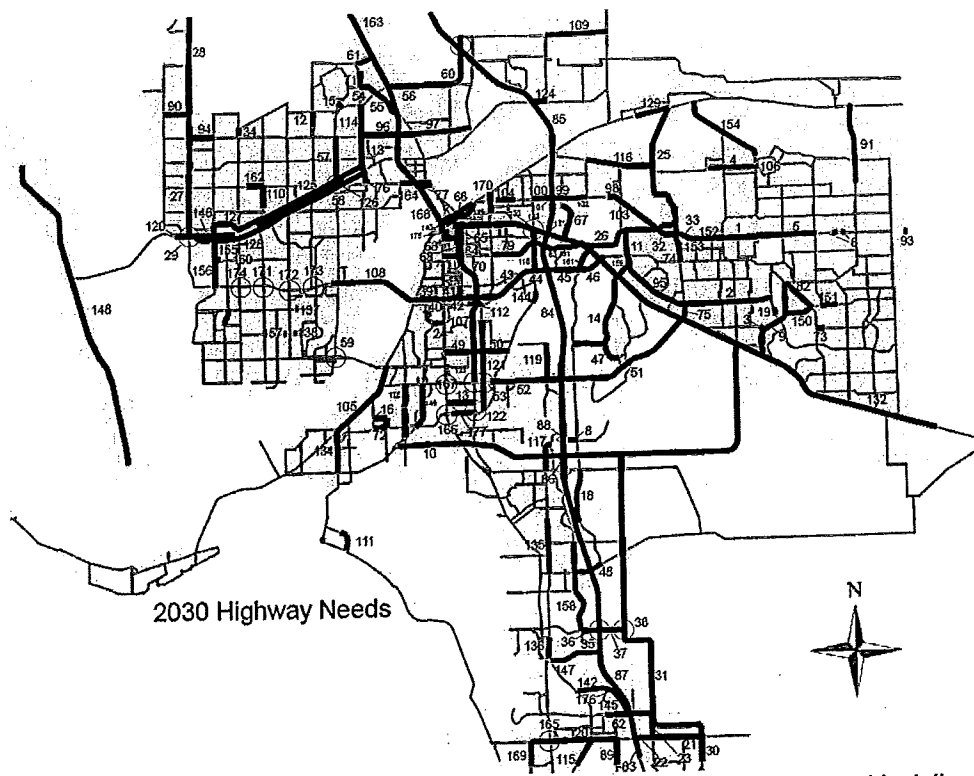


Figure 10 (new roads for 2030 indicated by heavy black lines)

Once the needs assessment is completed, the least valuable road projects from this needs assessment are eliminated until a final list includes only roads that could be built by the year 2030 with available funding sources. The final list and map are called the "2030 financially feasible plan."

The entire 2030 plan was adopted by the MPO in December 2005. The new bridge shown as #111 on Figure 10 was made part of the 2030 financially feasible plan, based on the following preliminary assumptions:

- Construction responsibility: Lee County
- Length of new road segment: 0.86 miles
- Completion assumed: 2015
- Cost assumed: \$49,113,799
- Funding: Tolls on both new and existing bridges

It is unfortunate that whatever kind of relief can be provided to traffic congestion will be continually eroded by additional growth in the surrounding area. It will also be eroded by motorists who may have avoided Fort Myers Beach in the past, or reached it with public transit, if they take advantage of reduced congestion and begin driving to Fort Myers Beach during peak periods.

D. Recommendations on Times Square Area

The recommendations described in the previous section of this report are now under evaluation by town officials. None of the alternatives described would require any amendments to the comprehensive plan, although there is considerable urgency facing the town due to the impending redevelopment described on page 23.

The only related change to the comprehensive plan that have been identified would be to delete Policy 7-H-3 regarding left-turns on Estero Boulevard as northbound traffic passes Times Square, as discussed on page 23.



THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966-1012 ♦ (239) 334-1102 ♦ WWW.LEESCHOOLS.NET

JEANNE S. DOZIER
CHAIRMAN, DISTRICT 2
JANE E. KUCKEL, PH.D.
VICE CHAIRMAN, DISTRICT 3
ROBERT D. CHILMONIK
DISTRICT 1
STEVEN K. TEUBER, J.D.
DISTRICT 4
ELINOR C. SCRICCA, PH.D.
DISTRICT 5
JAMES W. BROWDER, Ed.D.
SUPERINTENDENT
KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

RECEIVED
SEP 17 2008

COMMUNITY DEVELOPMENT

September 12, 2008

Mr. Chahram Badamtchian
Lee County Development Services Division
P.O. Box 398
Fort Myers, FL 33902-0398

RE: Cypress Villages CPD
Case # DCI2008-00003

Dear Mr. Badamtchian:

This letter is in response to your request dated September 9, 2008 for the proposed Cypress Villages CPD for substantive comments with regard to educational impact. This proposed structure is located in the South Choice Zone, Sub Zone S1.

After reviewing the re-submittal, the School Districts comments remain the same which is the project should have no impact on classroom needs based on the applicant's indication that this is a commercial project only and will not have any residential units.

Thank you for your attention to this issue. If I may be of further assistance, please call me at (239) 479-5661.

Sincerely,

Dawn Gordon, Community Development Planner
Planning Department

ATTACHMENT 3



THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966-1012 ♦ (239) 334-1102 ♦ WWW.LEESCHOOLS.NET

RECEIVED
FEB 13 2009
COMMUNITY DEVELOPMENT

JEANNE S. DOZIER
CHAIRMAN, DISTRICT 2
JANE E. KUCKEL, PH.D.
VICE CHAIRMAN, DISTRICT 3
ROBERT D. CHILMONIK
DISTRICT 1
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DISTRICT 4
ELINOR C. SCRICCA, PH.D.
DISTRICT 5
JAMES W. BROWDER, Ed.D.
SUPERINTENDENT
KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

September 11, 2009

Chahram Badamtchian, AICP
Lee County Division of Planning
P.O. Box 398
Fort Myers, FL 33902-0398

RE: San Carlos Island Comp Plan Amendment
Case #: CPA2007-00051

Dear Mr. Badamtchian:

This letter is in response to your request dated February 2, 2009 for the San Carlos Island Comp Plan Amendment for substantive comments with regard to educational impact. This proposed development is located in the South Choice Zone, Sub Zone S-4.

Current existing land use for the residential section is RV Park. The Comp Plan Amendment is requesting to remove the RV Park and the development will consist of multi-family units. The current allowed units are 271 and utilizing the generation rate of .68 for RV/Mobile home and this generates 18 school-aged children. For the request of Multi-family, utilizing a generation rate of .118 would generate 34 school-aged children. This creates an additional 16 seats and the School District has sufficient seats available to serve this need. **Please be advised that this is not a concurrency determination and such a determination will be required later in the development process.**

The School District is not currently building any new schools as the enrollment for the 2008/2009 school year has slightly decreased over the previous year's enrollment. However, there is sufficient capacity planned within the five year planning window to accommodate students that will be generated by this development.

Thank you for your attention to this issue. If I may be of further assistance, please call me at (239) 479-5661.

Sincerely,

Dawn Gordon, Community Development Planner
Planning Department

INTRODUCTION

Public schools are critical components to the well-being and future of a community. Because of the importance of the public school system and its impact on the future of Lee County, and because of a history of significant population growth, coordinated school planning among the School District, the County and the municipalities within the County is necessary to ensure that public school capacity is sufficient to meet the needs created by future growth. Because of the relationship between residential development and the provision of public schools, the Public School Facilities Element (PSFE) focuses on coordinated planning among the School District, County and local governments to accommodate future student growth needs in the public school system. Within Lee County, the local governments participating in school concurrency are Lee County, the City of Fort Myers, the City of Cape Coral, the City of Bonita Springs, the City of Sanibel and the Town of Fort Myers Beach. Once implemented, school concurrency will ensure that the public school facilities necessary to maintain the adopted level of service for schools are in place before or concurrent with the school impacts of new residential development.

BACKGROUND

In 2005, the Florida Legislature amended s. 163.3180, F.S., and mandated the implementation of public school concurrency. That legislation requires that each local government adopt a Public School Facilities Element (PSFE) as part of its Comprehensive Plan and amend its Capital Improvement Element and Intergovernmental Coordination Element. The PSFE must address school level of service; school utilization; school proximity and compatibility with residential development; availability of public infrastructure; co-location opportunities; and financial feasibility.

As mandated by Rule 9J-5.025 F.A.C., the PSFE must contain the following:

- Existing school facility enrollment and school facilities required to meet future needs;
- Projected enrollment for each school facility;
- Existing and projected school facility surpluses and deficiencies by Concurrency Service Area
- School level of service standards;
- A financially feasible five-year schedule of school-related capital improvements that ensures adequate school capacity is available to maintain the adopted level of service;
- Provisions to ensure that school facilities are located consistent with the existing and proposed residential areas they serve; that schools be used as community focal points, and that schools be co-located with other public facilities;
- Maps depicting existing school sites, areas of anticipated future school sites, ancillary facilities, and Concurrency Service Areas (CSAs); and
- Goals, objectives, and policies for planning and school concurrency.

EXISTING CONDITIONS

For school concurrency purposes, existing conditions relate not only to the number and location of public schools, but also to the County's population and overall level of residential development activity. Because the County's land use and demographic characteristics relate to the various components of the public school system, this section identifies past and projected County population figures, recent residential development activity, student enrollment data, and the existing conditions of Lee County's public school system.

County and Municipal Related Data

Past and Projected Population

Table PSFE 1 shows past population and projections for the future.

Table PFSE 1: Population Data, 2000 – 2007

	2000 (Actual)	2001 (Est.)	2002 (Est.)	2003 (Est.)	2004 (Est.)	2005 (Est.)	2006 (Est.)	2007 (Est.)
Lee County	440,888	458,782	474,585	490,785	513,013	542,480	570,089	590,564
Ft. Myers	48,208	52,752	53,496	54,838	56,993	58,325	60,481	64,258
Cape Coral	102,286	107,551	112,138	118,740	127,843	139,525	151,044	156,981
Bonita Springs	32,797	33,752	35,005	35,152	35,849	37,990	40,878	42,268
Sanibel	6,064	6,122	6,154	6,136	6,088	6,046	5,798	5,700
Ft. Myers Beach	6,561	6,669	6,763	6,851	6,765	6,804	6,543	6,474
Total	636,804	665,628	688,167	712,502	746,551	791,213	836,833	866,245

Source: US Census Bureau

Permit Activity/Projected Permit Activity

In Lee County, the increase in population has been accompanied by an increase in residential housing units. Table PSFE 2 details building permit activity for the unincorporated county for the period between 2003 and 2007. Table PSFE 3 identifies the increase in total residential units from the 2000 Census to 2006.

Table PSFE 2: Total Residential Permits Issued Per Year

Building Type	2003	2004	2005	2006	2007
Single Family Units	9,221	14,157	19,017	12,470	3,584
Multi-Family Units	1,037	1,652	1,926	1,322	494

Source: Lee County Statistical Digest, Economic Development Office of Lee County

Table PSFE 3: Lee County Total Residential Units

Residential Units	Census 2000	2006
Total Single Family Units	134,511	203,546
Total Multi-Family Units	70,952	100,111
Total Mobile Home Units	39,942	37,460
Total Housing Units	245,405	341,117

Source: U.S. Census Bureau

The data detailed in Table PSFE 3 indicates a steady increase in the number of single family residential building permits issued in Lee County between 2003 and 2005 with a decline in 2006 and 2007, however, a significant number of permits were still issued. These new units place additional demands on the school system's capacity because each new housing unit has the potential to generate new students. Table PSFE 4 shows the projected number of building permits to be issued annually through the year 2012.

Table PSFE 4: Projected Building Permits for Next 5 Years

	2008	2009	2010	2011	2012
Projected Annual Population Change					
Projected Permits					

Source:

Residential Development Activity

While building permit data provides an indication of future growth, development review activity also serves as a growth indicator. Consequently, development review information, including the number of new residential housing units under review by Lee County and municipal planning departments in Lee County, was collected. This information can assist the local governments and School District in anticipating the demand for public schools.

Figure PSFE 1 depicts the location and intensity of approved and potential new residential development. This information was obtained from the County and municipalities. For analysis, these data were incorporated into a GIS dataset. According to these data, approximately _____ housing units are under construction or in the development review process. Generally, it is expected that proposed new residential developments will create a demand for new school construction.

Figure PSFE 1: Approved and Potential New Residential Development

Student Generation Multiplier

A critical component of the school concurrency process is projecting the number of students that will be generated from new residential development. In order to calculate the number of students associated with new residential development, a student generation multiplier was adopted in 2008 as part of the Impact Fee Study. Because the number of students living in a housing unit varies depending on the type of residential housing, the student generation rate per residential unit is based on three housing types: single family, multi-family, and mobile home.

Consequently, the number of students associated with a development can be calculated by applying the multiplier to the development's proposed number and type of residential housing units. The projected number of students is the product of the development units multiplied by the student generation multiplier for the unit type.

Table PSFE 5: Student Generation Rates, Lee County, 2008

Housing Type	Student/Unit
Single Family Detached	0.299
Multi Family	0.118
Mobile Home	0.068
All housing types	0.201

Source: Duncan Associates School Impact Fee Update Study, Aug. 2008

To determine the student impact of a proposed residential development for school concurrency purposes, a proposed development's projected units by type of unit are converted into the number of projected students using the student generation rate for the unit type as identified in Table PSFE 5. As shown in Table PSFE 6, the approximately _____ new residential units in Lee County are estimated to yield a total of _____ students.

Table PSFE 6: New Residential Development

Lee County - New Residential Developments with Estimated Student Generation						
Development	Unit Type*	Number of SF Units	Number of MF Units	SF Students (0.316)	MF Students (0.125)	Total Students per Development
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
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44						

Table PFSE 6: New Residential Development (Continued)

Lee County - New Residential Developments with Estimated Student Generation						
Development	Unit Type*	Number of SF Units	Number of MF Units	SF Students (0.316)	MF Students (0.125)	Total Students per Development
45						
46						
47						
48						
49						
50						
51						
52						
53						
54						
55						
56						
57						
58						
59						
60						
61						
62						
63						
64						
65						
66						
67						
68						
69						
Total						

PUBLIC SCHOOL SYSTEM

As required by the Florida Department of Education, the School District must implement a financially feasible Five-Year Capital Facilities Work Plan that provides for school capacity improvements to accommodate projected student growth. Those improvements which are budgeted and programmed for construction within the first three years of the Plan are considered committed projects for concurrency purposes. Within the current Five-Year Capital Facilities Work Plan, the capital improvements that will provide capacity by 2012 consist of four new Elementary schools, two Middle schools, one Elementary school replacement (increasing elementary capacity by 308 student stations and reducing Middle school capacity by 221 student stations). More detail on the proposed capital facilities is found in Table PSFE 16. Residential development impacts students and school facilities because increases in new student enrollment can place demands on school capacity and cause overcrowding of facilities.

Enrollment and Capacity

The Lee County School District provides the facilities necessary to educate its students. Recently enacted state-mandated changes, such as early childhood education and class size limitations, have impacted the capacity needs of the School District. In 2003, voters passed Amendment 9 to the Florida Constitution which prescribes no more than 18 students per classroom in grades Pre-Kindergarten through grade 3; no more than 22 students in grades 4 through 8; and, no more than 25 students in grades 9 through 12. While Lee County exercises great control of student assignments through its controlled open-enrollment choice system, the mandates of class size make utilization of facilities inefficient. Accommodating one student more than the exact multiple of 18, 22 or 25 students in a classroom means the addition of one whole classroom and teacher. This is compounded by three zones, 9 sub-zones and 13 grade levels in a growing District. In 2003, voters also passed Amendment 8 to the Florida Constitution which provided free, relevant educational programs to four-year olds. While students are being accommodated in private, for profit and not-for-profit institutions, the District must make services available as a last resort. Much of this service can and has been provided in concentrated summer-time programs at District schools; however, growth in the program is being felt in District schools during the traditional school year. Accommodating these students in existing schools is a challenge given our commitment to limit the use of relocatable classrooms and the unpredictability of enrollment growth.

Currently, the School District operates 93 public schools, from pre-kindergarten to 12th grade. The School District operates forty-three elementary schools, seventeen middle schools, thirteen high schools, four K-8 schools, thirteen special centers and three High Tech Centers and Community Schools serving more than 79,000 students. Figure PSFE 2 shows the geographic locations of public schools operated by the School District. In Tables PSFE 10-13 a breakdown of the enrollment and school capacity for School Year 2008-09 and a projection for future enrollment is provided. The figures in Tables PSFE 10-13 exclude charter schools and Department of Juvenile Justice residential centers which are not operated by the School District. School capacity figures are determined by the Florida Department of Education (FDOE) and are based on the Florida Inventory of School Houses (FISH) capacity analysis. This inventory system can and usually does change annually with amendments to the State Requirements for School Facilities (SREF). A minor reduction of student stations attributable to a particular type of room (i.e., primary, intermediate, ESE or gymnasium) has a significant impact depending upon the number of such rooms in each school and the number of schools in the District. One way the District addresses capacity deficiencies and other program needs at individual schools is through the use of relocatables or portables. The District currently uses relocatables to accommodate 5,603 student stations. The District plans to phase out the use of relocatables over the next five years. A breakdown of current and projected use of relocatables is shown in Table PSFE 14. In order to serve the needs of the school population, the District also operates a number of ancillary facilities, which are listed in Table PSFE 15.

Enrollment Projections

Current enrollment and school capacity data provide a baseline that can be used to develop a financially feasible level of service standard. DOE projections are updated annually based on information derived from BEBR statistics and are used as a planning tool to determine facility needs in the public schools throughout the state. In Tables PSFE 8 and 9, the DOE Capital Outlay Full-Time Equivalent (COFTE) results are presented. COFTE represents the sum of unweighted FTE enrollment from the second (October) and third (February) FTE counts. Those counts include only the schools reported in the FISH report. These estimates do not include unique student categories (hospital-bound, home-bound, summer school students, etc.). Consequently, unique categories were not included in these estimates because they do not require additional student stations. Table PSFE 8 below summarizes the enrollment forecast.

Table PSFE 8: Grade Level Enrollment Forecast

	Actual 2007-2008	Forecast 2008-2009	Forecast 2012-2013	Forecast 2017-2018	Forecast 2027-2028
Elementary	34,325	35,467	39,768	51,275	84,734
Middle	15,554	16,248	16,306	17,825	36,979
High	20,755	20,833	18,537	19,314	44,750
Other				1,850	4,217
Total	70,634	72,548	74,612	90,264	170,680

Source: Lee County School District Work Plan, 2008-2009

The projected student enrollment data are used to determine the need for school facilities in light of the growing demands on public schools because of new residential development. To accommodate the projected future student growth, additional capacity projects are included in the School District's Capital Facilities Plan.

Table PSFE 9 shows the projected growth rate by grade level over the long-range planning horizon. Tables PSFE 10 through PSFE 13 detail the actual and projected student enrollment starting in 2008-09 and ending with year 2013-14 at the elementary, middle, and high school levels, detailed by Student Assignment Zones and Subzones. The initial Concurrency Service Areas (CSAs) will be coterminous with Student Assignment Zones, with a plan to move to Subzones in three years.

PSFE Figure 2 – Geographic Locations of Existing School Facilities

Table PSFE 9 - Student Growth Rates by Grade Level – Actual and Projected COFTE

Grade	Actual 2007-08	Forecast 2008-09	Forecast 2009-10	Forecast 2010-11	Forecast 2011-12	Forecast 2012-13	Forecast 2013-14	Forecast 2014-15
Pre-K	611	676	736	806	854	883	905	926
Grade K	5976	6162	6100	6770	7547	8183	8558	8843
Grade 1	5865	5955	5943	5890	6476	7243	7868	8293
Grade 2	5547	5883	5803	5785	5732	6289	7014	7656
Grade 3	5601	5915	6080	6014	5986	5953	6461	7212
Grade 4	5275	5408	5533	5676	5609	5596	5549	6029
Grade 5	5449	5467	5431	5544	5674	5621	5591	5555
Grade 6	5188	5590	5453	5418	5528	5683	5638	5633
Grade 7	5390	5332	5549	5414	5362	5474	5606	5578
Grade 8	4977	5327	5116	5311	5184	5149	5244	5387
Grade 9	5590	5273	5348	5257	5477	5495	5530	5710
Grade 10	5524	5133	4683	4651	4562	4711	4723	4752
Grade 11	5063	5474	4998	4505	4379	4258	4316	4297
Grade 12	4578	4953	5190	4701	4205	4073	3924	3963
Total	70634	72548	71963	71742	72575	74611	76927	79834

Source: 2008 Capital Outlay FTE Forecast, Department of Education

Table PSFE 10: Projected EAST Zone Broken Down By Subzones

School	2008/ 2009			2009/ 2010			2010/ 2011			2011/ 2012			2012/ 2013			2013/ 2014		
	Enroll	Cap	Util%	Enroll	Cap		Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%
E1																		
Bayshore Elementary	590	693	85%	581	693	84%	604	693	87%	570	639	89%	566	639	89%	630	639	99%
Edgewood Elementary	479	741	65%	622	741	84%	645	741	87%	636	713	89%	632	713	89%	703	713	99%
Manatee Elementary	765	1,042	73%	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Michigan Int. Elem.	366	442	83%	629	750	84%	653	750	87%	669	750	89%	665	750	89%	739	750	99%
Orange River Elem.	766	817	94%	685	817	84%	712	817	87%	682	765	89%	678	765	89%	754	765	99%
Tice Elementary	545	587	93%	492	587	84%	511	587	87%	481	539	89%	478	539	89%	531	539	99%
Elementary Total	3,511	4,322	81%	3,010	3,588	84%	3,125	3,588	87%	3,038	3,406	89%	3,019	3,406	89%	3,357	3,406	99%
Lee Middle	462	926	50%	769	926	83%	780	926	84%	796	917	87%	802	917	87%	658	917	72%
Michigan International Middle	118	221	53%	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Oak Hammock Middle	794	1,192	67%	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Middle School Total	1,374	2,339	59%	769	926	83%	780	926	84%	796	917	87%	802	917	87%	658	917	72%
Dunbar High	-----	-----	-----	867	1,242	70%	813	1,242	65%	638	983	65%	634	983	65%	631	983	64%
High School Total	0	0		867	1,242	70%	813	1,242	65%	638	983	65%	634	983	65%	631	983	64%
E2																		
Gateway Elementary	749	758	99%	636	758	84%	660	758	87%	607	680	89%	603	680	89%	670	680	99%
Harns Marsh Elementary	898	912	98%	765	912	84%	794	912	87%	778	872	89%	773	872	89%	859	872	99%
Manatee Elementary	-----	-----	-----	874	1,042	84%	908	1,042	87%	929	1,042	89%	924	1,042	89%	1,027	1,042	99%
River Hall Elementary	873	1,046	83%	876	1,046	84%	911	1,046	87%	910	1,020	89%	904	1,020	89%	1,005	1,020	99%
Sunshine Elementary	1,152	1,191	97%	999	1,191	84%	1,037	1,191	87%	988	1,108	89%	982	1,108	89%	1,092	1,108	99%
Treeline Elementary	850	1,034	82%	867	1,034	84%	901	1,034	87%	922	1,034	89%	916	1,034	89%	1,019	1,034	99%
Elementary "V"	-----	-----	-----	-----	-----	-----	-----	-----	-----	922	1,034	89%	916	1,034	89%	1,019	1,034	99%
Elementary "W"	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	916	1,034	89%	1,019	1,034	99%
Elementary Total	4,522	4,941	92%	5,018	5,983	84%	5,212	5,983	87%	6,056	6,790	89%	6,935	7,824	89%	7,711	7,824	99%
Oak Hammock Middle	-----	-----	-----	990	1,192	83%	1,005	1,192	84%	1,035	1,192	87%	1,043	1,192	87%	855	1,192	72%
Varsity Lakes	910	1,024	89%	851	1,024	83%	863	1,024	84%	864	995	87%	870	995	87%	713	995	72%
Middle "LL"	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	860	1,200	72%
Middle Total	910	1,024	89%	1,841	2,216	83%	1,868	2,216	84%	1,900	2,187	87%	1,913	2,187	87%	2,429	3,387	72%
Lehigh Senior	1,516	1,732	88%	1,208	1,732	70%	1,133	1,732	65%	1,112	1,713	65%	1,105	1,713	65%	1,100	1,713	64%
Riverdale High School	1,706	1,926	89%	1,343	1,926	70%	1,260	1,926	65%	1,251	1,926	65%	1,242	1,926	65%	1,237	1,926	64%

Public School Facilities

High Total	3,222	3,658	88%	2,551	3,658	70%	2,393	3,658	65%	2,363	3,639	65%	2,347	3,639	65%	2,337	3,639	64%
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Table PSFE 10: Projected EAST Zone Broken Down By Subzones (cont.)

School	2008/ 2009			2009/ 2010			2010/ 2011			2011/ 2012			2012/ 2013			2013/ 2014		
	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%
E3																		
Alva Elementary	412	391	105%	328	391	84%	341	391	87%	269	302	89%	268	302	89%	298	302	99%
Lehigh Elementary*	-----	-----	-----	867	1,034	84%	901	1,034	87%	922	1,034	89%	916	1,034	89%	1,019	1,034	99%
Mirror Lakes Elementary	1,027	1,061	97%	890	1,061	84%	924	1,061	87%	892	1,000	89%	886	1,000	89%	986	1,000	99%
Veterans Park Elementary	891	1,178	76%	988	1,178	84%	1,026	1,178	87%	963	1,080	89%	957	1,080	89%	1,064	1,080	99%
East Zone Staging **	792	758	104%	636	758	84%	660	758	87%	676	758	89%	672	758	89%	747	758	99%
Elementary Total	3,122	3,388	92%	3,710	4,422	84%	3,852	4,422	87%	3,723	4,174	89%	3,699	4,174	89%	4,114	4,174	99%
Alva Middle	560	513	109%	426	513	83%	432	513	84%	446	513	87%	449	513	87%	368	513	72%
Lehigh Acres Middle	1,025	1,057	97%	878	1,057	83%	891	1,057	84%	875	1,007	87%	881	1,007	87%	722	1,007	72%
Veterans Park Middle	600	589	102%	489	589	83%	496	589	84%	469	540	87%	472	540	87%	386	540	72%
Middle Total	2,185	2,159	101%	1,794	2,159	83%	1,820	2,159	84%	1,789	2,060	87%	1,802	2,060	87%	1,476	2,060	72%
East Lee County High	1,623	1,946	83%	1,357	1,946	70%	1,273	1,946	65%	1,263	1,946	65%	1,255	1,946	65%	1,250	1,946	64%
High Total	1,623	1,946	83%	1,357	1,946	70%	1,273	1,946	65%	1,263	1,946	65%	1,255	1,946	65%	1,250	1,946	64%
E1 Total	3,511	4,322	81%	3,010	3,588	84%	3,125	3,588	87%	3,038	3,406	89%	3,019	3,406	89%	3,357	3,406	99%
E2 Total	4,522	4,941	92%	5,018	5,983	84%	5,212	5,983	87%	6,056	6,790	89%	6,935	7,824	89%	7,711	7,824	99%
E3 Total	3,122	3,388	92%	3,710	4,422	84%	3,852	4,422	87%	3,723	4,174	89%	3,699	4,174	89%	4,114	4,174	99%
Elementary Total	11,155	12,651	88%	11,738	13,993	84%	12,189	13,993	87%	12,817	14,370	89%	13,653	15,404	89%	15,182	15,404	99%
E1 Total	1,374	2,339	59%	769	926	83%	780	926	84%	796	917	87%	802	917	87%	658	917	72%
E2 Total	910	1,024	89%	1,841	2,216	83%	1,868	2,216	84%	1,900	2,187	87%	1,913	2,187	87%	2,429	3,387	72%
E3 Total	2,185	2,159	101%	1,794	2,159	83%	1,820	2,159	84%	1,789	2,060	87%	1,802	2,060	87%	1,476	2,060	72%
Middle Total	4,469	5,522	76%	4,404	5,301	83%	4,468	5,301	84%	4,485	5,164	87%	4,517	5,164	87%	4,563	6,364	72%
E1 Total	0	0		867	1,242	70%	813	1,242	65%	638	983	65%	634	983	65%	631	983	64%
E2 Total	3,222	3,658	88%	2,551	3,658	70%	2,393	3,658	65%	2,363	3,639	65%	2,347	3,639	65%	2,337	3,639	64%
E3 Total	1,623	1,946	83%	1,357	1,946	70%	1,273	1,946	65%	1,263	1,946	65%	1,255	1,946	65%	1,250	1,946	64%
High Total	4,845	5,604	86%	4,775	6,846	70%	4,479	6,846	65%	4,264	6,568	65%	4,236	6,568	65%	4,218	6,568	64%

* Lehigh Elementary located in East Zone Staging School for 2008-2009 school year while existing campus is remodeled.

** East Zone Staging School will become Elementary "I" in 2009-2010 school year when converted to permanent campus.

Table PSFE 11: Projected WEST Zone Broken Down By Subzones

School	2008/ 2009			2009/ 2010			2010/ 2011			2011/ 2012			2012/ 2013			2013/ 2014		
	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%
W1																		
J. Colin English Elementary	422	601	70%	531	601	88%	553	601	92%	561	584	96%	568	584	97%	599	584	103%
Littleton Elementary	628	738	85%	652	738	88%	680	738	92%	624	649	96%	631	649	97%	666	649	103%
North Ft Myers Acad. Elem.	548	876	63%	774	876	88%	807	876	92%	820	853	96%	830	853	97%	875	853	103%
Elementary Total	1,598	2,215	72%	1,958	2,215	88%	2,040	2,215	92%	2,005	2,086	96%	2,029	2,086	97%	2,141	2,086	103%
North Ft Myers Acad. Midd.	438	438	100%	412	438	94%	349	438	80%	340	426	80%	344	426	81%	347	426	82%
Middle Total	438	438	100%	412	438	94%	349	438	80%	340	426	80%	344	426	81%	347	426	82%
Island Coast High	1,094	2,004	55%	1,881	2,004	94%	1,802	2,004	90%	1,772	2,004	88%	1,796	2,004	90%	1,790	2,004	89%
High Total	1,094	2,004	55%	1,881	2,004	94%	1,802	2,004	90%	1,772	2,004	88%	1,796	2,004	90%	1,790	2,004	89%
W2																		
Caloosa Elementary	993	1,075	92%	950	1,075	88%	990	1,075	92%	1,015	1,056	96%	1,027	1,056	97%	1,084	1,056	103%
Diplomat Elementary	944	1,086	87%	960	1,086	88%	1,000	1,086	92%	935	973	96%	946	973	97%	999	973	103%
Elementary "C"	-----	-----	-----	-----	-----	-----	-----	-----	-----	994	1,034	96%	1,006	1,034	97%	1,061	1,034	103%
Elementary "A"	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	1,006	1,034	97%	1,061	1,034	103%
Hancock Creek Elementary	874	1,044	84%	923	1,044	88%	961	1,044	92%	976	1,015	96%	987	1,015	97%	1,042	1,015	103%
Hector A. Cafferata, Jr. Elementary	732	883	83%	780	883	88%	813	883	92%	750	780	96%	759	780	97%	800	780	103%
Tropic Isles Elementary	880	1,051	84%	929	1,051	88%	968	1,051	92%	959	997	96%	970	997	97%	1,023	997	103%
Elementary Total	4,423	5,139	86%	4,542	5,139	88%	4,732	5,139	92%	5,628	5,855	96%	6,700	6,889	97%	7,070	6,889	103%
Caloosa Middle	892	1,005	89%	945	1,005	94%	801	1,005	80%	765	957	80%	772	957	81%	780	957	82%
Diplomat Middle	863	973	89%	914	973	94%	775	973	80%	773	967	80%	780	967	81%	788	967	82%
Mariner Middle	928	1,141	81%	1,072	1,141	94%	909	1,141	80%	903	1,130	80%	911	1,130	81%	921	1,130	82%
Middle "MM"	-----	-----	-----	-----	-----	-----	950	1,192	80%	953	1,192	80%	962	1,192	81%	972	1,192	82%
Middle Total	2,683	3,119	86%	2,931	3,119	94%	3,435	4,311	80%	3,393	4,246	80%	3,425	4,246	81%	3,461	4,246	82%
Mariner High	1,631	1,635	100%	1,535	1,635	94%	1,470	1,635	90%	1,445	1,635	88%	1,465	1,635	90%	1,460	1,635	89%
North Fort Myers High	1,748	1,763	99%	1,655	1,763	94%	1,585	1,763	90%	1,559	1,763	88%	1,580	1,763	90%	1,575	1,763	89%
High Total	3,379	3,398	99%	3,190	3,398	94%	3,055	3,398	90%	3,004	3,398	88%	3,045	3,398	90%	3,035	3,398	89%

Table PSFE 11: Projected WEST Zone Broken Down By Subzones (cont.)

School	2008/ 2009			2009/ 2010			2010/ 2011			2011/ 2012			2012/ 2013			2013/ 2014		
	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%
W3																		
Cape Elementary	751	898	84%	794	898	88%	827	898	92%	839	873	96%	849	873	97%	896	873	103%
Gulf Elementary	1,216	1,347	90%	1,190	1,347	88%	1,240	1,347	92%	1,244	1,294	96%	1,259	1,294	97%	1,328	1,294	103%
Patriot Elementary	769	1,046	74%	924	1,046	88%	963	1,046	92%	1,005	1,046	96%	1,017	1,046	97%	1,073	1,046	103%
Pelican Elementary	1,088	1,362	80%	1,204	1,362	88%	1,254	1,362	92%	1,244	1,294	96%	1,259	1,294	97%	1,328	1,294	103%
Skyline Elementary	1,017	1,380	74%	1,220	1,380	88%	1,271	1,380	92%	1,211	1,260	96%	1,226	1,260	97%	1,293	1,260	103%
Trafalgar Elementary	830	1,036	80%	915	1,036	88%	954	1,036	92%	996	1,036	96%	1,008	1,036	97%	1,063	1,036	103%
Elementary Total	5,671	7,069	80%	6,246	7,069	88%	6,509	7,069	92%	6,538	6,803	96%	6,617	6,803	97%	6,982	6,803	103%
Challenger Middle	1,046	1,230	85%	1,156	1,230	94%	980	1,230	80%	953	1,192	80%	962	1,192	81%	972	1,192	82%
Gulf Middle	874	943	93%	886	943	94%	751	943	80%	730	914	80%	737	914	81%	745	914	82%
Trafalgar Middle	956	1,034	92%	972	1,034	94%	824	1,034	80%	818	1,023	80%	825	1,023	81%	834	1,023	82%
Middle Total	2,876	3,207	90%	3,014	3,207	94%	2,556	3,207	80%	2,501	3,129	80%	2,524	3,129	81%	2,551	3,129	82%
Cape Coral High School	1,964	1,759	112%	1,651	1,759	94%	1,582	1,759	90%	1,555	1,759	88%	1,577	1,759	90%	1,571	1,759	89%
Ida Baker High School	1,920	1,940	99%	1,821	1,940	94%	1,744	1,940	90%	1,715	1,940	88%	1,740	1,940	90%	1,733	1,940	89%
High Total	3,884	3,699	105%	3,472	3,699	94%	3,326	3,699	90%	3,270	3,699	88%	3,316	3,699	90%	3,304	3,699	89%
Totals for West Zone																		
Elementary																		
W1 Total	1,598	2,215	72%	1,958	2,215	88%	2,040	2,215	92%	2,005	2,086	96%	2,029	2,086	97%	2,141	2,086	103%
W2 Total	4,423	5,139	86%	4,542	5,139	88%	4,732	5,139	92%	5,628	5,855	96%	6,700	6,889	97%	7,070	6,889	103%
W3 Total	5,671	7,069	80%	6,246	7,069	88%	6,509	7,069	92%	6,538	6,803	96%	6,617	6,803	97%	6,982	6,803	103%
West Elementary Total	11,692	14,423	81%	12,746	14,423	88%	13,281	14,423	92%	14,171	14,744	96%	15,346	15,778	97%	16,193	15,778	103%
W1 Total	438	438	100%	412	438	94%	349	438	80%	340	426	80%	344	426	81%	347	426	82%
W2 Total	2,683	3,119	86%	2,931	3,119	94%	3,435	4,311	80%	3,393	4,246	80%	3,425	4,246	81%	3,461	4,246	82%
W3 Total	2,876	3,207	90%	3,014	3,207	94%	2,556	3,207	80%	2,501	3,129	80%	2,524	3,129	81%	2,551	3,129	82%
West Middle Total	5,997	6,764	89%	6,357	6,764	94%	6,340	7,956	80%	6,234	7,801	80%	6,293	7,801	81%	6,359	7,801	82%
W1 Total	1,094	2,004	55%	1,881	2,004	94%	1,802	2,004	90%	1,772	2,004	88%	1,796	2,004	90%	1,790	2,004	89%
W2 Total	3,379	3,398	99%	3,190	3,398	94%	3,055	3,398	90%	3,004	3,398	88%	3,045	3,398	90%	3,035	3,398	89%
W3 Total	3,884	3,699	105%	3,472	3,699	94%	3,326	3,699	90%	3,270	3,699	88%	3,316	3,699	90%	3,304	3,699	89%
West High Total	8,357	9,101	92%	8,543	9,101	94%	8,183	9,101	90%	8,046	9,101	88%	8,157	9,101	90%	8,129	9,101	89%

Table PSFE 12: Projected SOUTH Zone Broken Down By Subzones

School	2008/ 2009			2009/ 2010			2010/ 2011			2011/ 2012			2012/ 2013			2013/ 2014		
	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%
S1																		
Allen Park Elementary	880	1,056	83%	890	1,056	84%	878	1,056	83%	860	1,010	85%	848	1,010	84%	895	1,010	89%
Colonial Elementary	684	965	71%	813	965	84%	802	965	83%	792	930	85%	781	930	84%	824	930	89%
Edison Park Elementary	385	449	86%	378	449	84%	373	449	83%	371	436	85%	366	436	84%	386	436	89%
Franklin Park Elementary	506	579	87%	488	579	84%	481	579	83%	485	570	85%	479	570	84%	505	570	89%
Heights Elementary	824	1,306	63%	1,101	1,306	84%	1,085	1,306	83%	1,112	1,306	85%	1,097	1,306	84%	1,158	1,306	89%
Orangewood Elementary	688	637	108%	537	637	84%	529	637	83%	468	549	85%	461	549	84%	487	549	89%
Ray V. Pottorf Elementary	604	912	66%	769	912	84%	758	912	83%	746	876	85%	736	876	84%	777	876	89%
Tanglewood Riverside Elementary	679	793	86%	668	793	84%	659	793	83%	636	747	85%	627	747	84%	662	747	89%
Villas Elementary	788	943	84%	795	943	84%	784	943	83%	730	857	85%	720	857	84%	760	857	89%
Elementary Total	6,038	7,640	79%	6,438	7,640	84%	6,350	7,640	83%	6,201	7,281	85%	6,116	7,281	84%	6,454	7,281	89%
Cypress Lake Middle	749	880	85%	747	880	85%	741	880	84%	736	860	86%	755	860	88%	763	860	89%
P.L. Dunbar Middle	907	1,013	90%	860	1,013	85%	853	1,013	84%	838	980	86%	860	980	88%	869	980	89%
Fort Myers Middle	694	858	81%	729	858	85%	723	858	84%	740	865	86%	759	865	88%	767	865	89%
Middle Total	2,350	2,751	85%	2,336	2,751	85%	2,318	2,751	84%	2,313	2,705	86%	2,374	2,705	88%	2,399	2,705	89%
Cypress Lake High School	1,348	1,727	78%	1,451	1,727	84%	1,341	1,727	78%	1,293	1,680	77%	1,248	1,680	74%	1,243	1,680	74%
Dunbar High School	1,002	1,242	81%	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Fort Myers High School	1,689	1,964	86%	1,650	1,964	84%	1,525	1,964	78%	1,497	1,945	77%	1,445	1,945	74%	1,439	1,945	74%
High Total	4,039	4,933	82%	3,101	3,691	84%	2,865	3,691	78%	2,791	3,625	77%	2,693	3,625	74%	2,683	3,625	74%
S2																		
Rayma C. Page Elementary	656	836	78%	704	836	84%	695	836	83%	731	858	85%	721	858	84%	761	858	89%
San Carlos Elementary	878	1,081	81%	911	1,081	84%	898	1,081	83%	851	999	85%	839	999	84%	886	999	89%
Three Oaks Elementary	738	738	100%	622	738	84%	613	738	83%	598	702	85%	590	702	84%	622	702	89%
Elementary Total	2,272	2,655	86%	2,237	2,655	84%	2,207	2,655	83%	2,180	2,559	85%	2,149	2,559	84%	2,268	2,559	89%
Lexington Middle	890	1,027	87%	872	1,027	85%	865	1,027	84%	873	1,021	86%	896	1,021	88%	905	1,021	89%
Three Oaks Middle	802	987	81%	838	987	85%	831	987	84%	844	987	86%	866	987	88%	875	987	89%
Middle Total	1,692	2,014	84%	1,710	2,014	85%	1,697	2,014	84%	1,717	2,008	86%	1,762	2,008	88%	1,781	2,008	89%
S Ft Myers High School	1,425	1,926	74%	1,618	1,926	84%	1,495	1,926	78%	1,447	1,879	77%	1,396	1,879	74%	1,391	1,879	74%
High Total	1,425	1,926	74%	1,618	1,926	84%	1,495	1,926	78%	1,447	1,879	77%	1,396	1,879	74%	1,391	1,879	74%

Table PSFE 12: Projected SOUTH Zone Broken Down By Subzones (cont.)

School	2008/ 2009			2009/ 2010			2010/ 2011			2011/ 2012			2012/ 2013			2013/ 2014		
S3	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%
Bonita Springs Elementary	441	389	113%	328	389	84%	323	389	83%	326	383	85%	322	383	84%	340	383	89%
Pinewoods Elementary	932	1,044	89%	880	1,044	84%	868	1,044	83%	882	1,035	85%	869	1,035	84%	918	1,035	89%
Spring Creek Elementary	711	753	94%	635	753	84%	625	753	83%	641	753	85%	632	753	84%	668	753	89%
Elementary Total	2,084	2,186	95%	1,842	2,186	84%	1,816	2,186	83%	1,849	2,171	85%	1,824	2,171	84%	1,925	2,171	89%
Bonita Springs Middle	647	876	74%	745	876	85%	737	876	84%	725	847	86%	744	847	88%	751	847	89%
Middle Total	647	876	74%	745	876	85%	737	876	84%	725	847	86%	744	847	88%	751	847	89%
Estero High School	1,427	1,695	84%	1,425	1,695	84%	1,316	1,695	78%	1,275	1,657	77%	1,231	1,657	74%	1,225	1,657	74%
High Total	1,427	1,695	84%	1,425	1,695	84%	1,316	1,695	78%	1,276	1,657	77%	1,232	1,657	74%	1,225	1,657	74%
Totals for South Zone																		
Elementary	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%
S1 Total	6,038	7,640	79%	6,438	7,640	84%	6,350	7,640	83%	6,201	7,281	85%	6,116	7,281	84%	6,454	7,281	89%
S2 Total	2,272	2,655	86%	2,237	2,655	84%	2,207	2,655	83%	2,180	2,559	85%	2,149	2,559	84%	2,268	2,559	89%
S3 Total	2,084	2,186	95%	1,842	2,186	84%	1,816	2,186	83%	1,849	2,171	85%	1,824	2,171	84%	1,925	2,171	89%
South Elementary Total	10,394	12,481	83%	10,517	12,481	84%	10,373	12,481	83%	10,230	12,011	85%	10,089	12,011	84%	10,647	12,011	89%
	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%
S1 Total	2,350	2,751	85%	2,336	2,751	85%	2,318	2,751	84%	2,313	2,705	86%	2,374	2,705	88%	2,399	2,705	89%
S2 Total	1,692	2,014	84%	1,710	2,014	85%	1,697	2,014	84%	1,717	2,008	86%	1,762	2,008	88%	1,781	2,008	89%
S3 Total	647	876	74%	745	876	85%	737	876	84%	725	847	86%	744	847	88%	751	847	89%
South Middle Total	4,689	5,641	83%	4,791	5,641	85%	4,752	5,641	84%	4,755	5,560	86%	4,880	5,560	88%	4,931	5,560	89%
	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%
S1 Total	4,039	4,933	82%	3,101	3,691	84%	2,865	3,691	78%	2,791	3,625	77%	2,693	3,625	74%	2,683	3,625	74%
S2 Total	1,425	1,926	74%	1,618	1,926	84%	1,495	1,926	78%	1,447	1,879	77%	1,396	1,879	74%	1,391	1,879	74%
S3 Total	1,427	1,695	84%	1,425	1,695	84%	1,316	1,695	78%	1,275	1,657	77%	1,232	1,657	74%	1,225	1,657	74%
South High Total	6,891	8,554	81%	6,144	7,312	84%	5,676	7,312	78%	5,513	7,161	77%	5,321	7,161	74%	5,299	7,161	74%

Table PSFE 13: Barrier Island and Special Centers

School	2008/ 2009			2009/ 2010			2010/ 2011			2011/ 2012			2012/ 2013			2013/ 2014		
	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%	Enroll	Cap	Util%
Barrier Island Schools																		
Fort Myers Beach Elem	153	200	77%	170	200	85%	170	200	85%	161	179	90%	161	179	90%	161	179	90%
Pine Island Elementary	301	391	77%	332	391	85%	332	391	85%	329	347	95%	329	347	95%	329	347	95%
The Sanibel School (Elem)	244	263	93%	224	263	85%	223	263	85%	231	241	96%	231	241	96%	231	241	96%
The Sanibel School (Mid)	126	132	95%	112	132	85%	112	132	85%	115	122	94%	115	122	94%	115	122	94%
	824	986	84%	838	986	85%	837	986	85%	836	889	94%	836	889	94%	836	889	94%
Special Facilities																		
Buckingham Exceptional Center	105	100	105%	110	100	110%	116	100	116%	122	100	122%	128	100	128%	134	100	134%
Dunbar Community School	0	260	0%	0	260	0%	0	260	0%	0	260	0%	0	260	0%	0	260	0%
New Directions	518	665	78%	544	665	82%	571	665	86%	599	640	94%	629	640	98%	661	640	103%
ALC West	76	265	29%	79	265	30%	83	265	31%	88	265	33%	92	265	35%	96	265	36%
Royal Palm Exceptional Center	181	230	79%	190	230	82%	199	230	87%	209	230	91%	220	230	95%	230	230	100%
High Tech Central	78	675	12%	82	675	12%	86	675	13%	90	675	13%	94	675	14%	99	675	15%
High Tech North	100	324	31%	105	324	32%	110	324	34%	115	324	36%	121	324	37%	127	324	39%

Table PSFE 14: Relocatable Student Stations – Number of students to be educated in relocatable units, by school.

Site	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013
Allen Park Elementary	5	0	0	0	0
Alva Elementary	108	108	108	0	0
Bayshore Elementary	18	0	0	0	0
Bonita Springs Elementary	62	0	0	0	0
Caloosa Elementary	18	0	0	0	0
Colonial Elementary	72	72	18	0	0
Edgewood Academy	36	0	0	0	0
Franklin Park Elementary	81	108	36	0	0
Gateway Elementary	44	36	36	0	0
Hancock Creek Elementary	18	18	0	0	0
Harns Marsh Elementary	0	36	36	36	0
J Colin English Elementary	54	54	0	0	0
Lehigh Elementary	256	0	0	0	0
Littleton Elementary	36	36	0	0	0
Michigan International	120	0	0	0	0
Mirror Lakes Elementary	108	108	0	0	0
N Ft Myers Acad of the Arts	116	0	0	0	0
Orange River Elementary	126	54	0	0	0
Orangewood Elementary	122	126	0	0	0
Pine Island Elementary	18	18	18	0	0
Pinewoods Elementary	36	0	0	0	0
Skyline Elementary	18	18	0	0	0
Spring Creek Elementary	144	144	36	0	0
Sunshine Elementary	98	36	0	0	0
The Sanibel School	15	15	15	0	0
Three Oaks Elementary	72	108	0	0	0
Tice Elementary	130	126	36	0	0
Tropic Isles Elementary	36	0	0	0	0
Villas Elementary	36	36	0	0	0
Alva Middle	132	264	132	0	0
Cypress Lake Middle	110	110	0	0	0
Gulf Middle	110	0	0	0	0
Lee Middle	88	0	0	0	0
Lehigh Acres Middle	176	176	88	0	0
Trafalgar Middle	264	308	132	0	0
Cape Coral Senior High	175	175	0	0	0
Estero Senior High	25	0	0	0	0
Fort Myers Senior High	50	50	0	0	0
Lehigh Senior High	150	150	0	0	0
Mariner Senior High	400	200	200	0	0
North Fort Myers Senior High	350	175	0	0	0
Riverdale High	225	0	0	0	0
ALC West	265	128	140	0	0
Buckingham Excep Stud Center	15	5	0	0	0
High Tech Central	351	210	105	0	0
West Zone Staging School	714	0	0	0	0
Totals					
Total students in relocatables by year.	5,603	3,208	1,136	36	0

Source: Lee County School District Work Plan, 2007-2008

Table PSFE 15: Ancillary Facilities	
Facility	Location
Lee County Public Education Center (Administration)	2855 Colonial Blvd., Fort Myers
Support Services Annex	3308 Canal Street, Fort Myers
Bus Garage	3234 Canal Street, Fort Myers
Safety Office	3925 Canal Street, Fort Myers
Leonard Transportation Facility	301 Leonard Blvd., Lehigh Acres
Six Mile Cypress Transportation	14701 Ben C. Pratt, Six Mile Cypress Parkway, Fort
Transportation South	9251 Williams Road, Estero
Transportation West	450 NW 14 th Avenue, Cape Coral
Transportation East	3291 Buckingham Road, Fort Myers
East Parent Information Center (Leased Facility)	9 Beth Stacy Blvd., Suite 207, Lehigh Acres

ANALYSIS

With the data collected from the School District, the County and the municipalities, an analysis was performed to determine the short-term and long-term future conditions that will impact public schools. As part of this analysis, the current inventory of public schools and planned school capital improvements was reviewed in light of the projected student growth and available revenue to finance the planned capital improvements. Generally, the analysis focuses on whether existing and planned school capacity can support residential development at the adopted level of service standard. Specific outputs from this analysis include school capacity figures, a financially feasible adopted level of service, and goals, objectives and policies for the school concurrency program.

Concurrency Service Area Boundaries

A fundamental requirement of school concurrency is the establishment of Concurrency Service Areas (CSAs) to which school concurrency is applied when reviewing the impact of new residential development on public schools. The CSAs are used to determine whether adequate capacity is available to accommodate new students generated from residential development. Since 1998, the Lee County School District has operated under a School Choice Program. As part of this Program, the School District has been divided into three Zones (West, South and East). Each Zone is divided into Sub-Zones as shown on Figure PSFE 2. Generally, students may be assigned to a school in their Sub-Zone or an adjacent Sub-Zone within the same Zone. (For example, a student that lives in E3 may attend a school in E3 or in E2). Prior to the beginning of the school year, parents select from a variety of schools close to where they live. Once the application period ends, each application is assigned a random number that determines the order in which the application is processed. Applications are sorted giving priority to siblings wanting to attend the same school, students living within proximate areas around each school, students whose first choice is a school within their sub-zone and students in full-time special education classes. The remaining applications are processed in order of their random numbers until there are no more applications. Initially, the CSAs will be consistent with the current School Choice Program Zone boundaries in order to be consistent with the School District's current programs. The Choice program provides assurance that once a child is enrolled in a school, they can remain in that school through the highest grade or until the parents decide to make a change, unless they move to a different zone or sub-zone for which that school is not an option. Since the School Choice Program began, the District has tried to balance program offerings in each zone so that children do not have to attend schools in another zone to access a particular program. By limiting the choices to adjacent sub-zones, transportation costs are reduced.

School Level of Service

Essentially, level of service (LOS) is the relationship between supply and demand. For schools, LOS is expressed as a ratio of enrollment and capacity, with capacity being the Permanent FISH capacity.

To establish an acceptable LOS, the school district and the local governments must project future demand, identify needed capacity, and determine the level of financial resources available to construct additional capacity. These factors are then used as a basis to establish a school LOS standard. The level of service standard controls the maximum utilization of schools.

Florida law requires that the public school facilities element of a local government comprehensive plan address how the level of service standards will be achieved and maintained. The ability to achieve and maintain the adopted level of service must be based on a financially feasible Five-Year Capital Facilities Work Plan. Also, the law requires that the public school level of service standards be adopted into local government capital improvement element, and must apply to all schools of the same type (elementary, middle, and high). Initial shortfalls in capacity over the five-year period following adoption may be addressed by adopting a tiered level of service standard along with a concurrency management system.

Prior to establishing a level of service standard, the School District must determine the maximum capacity of the schools administered by the District. To determine the capacity for each school, the School District uses Permanent FISH capacity. The FISH capacity is the number of students that may be housed in a facility (school) at any given time based on a utilization percentage of the number of existing satisfactory student stations. FISH capacity is a product of the number of classrooms at a school and the student stations assigned to each room type. No capacity is assigned to small instructional spaces and the specialized classrooms (labs), including art, music, etc. A student station is defined as the square footage required per student for an instructional program based on the particular course content.

Tables PSFE 10-13 identify the Permanent FISH capacity of all schools administered by the District and their enrollment and utilization through school year 2013/14. The majority of the schools are within the acceptable Level of Service. Any deficiencies that currently exist and may exist in the future will be addressed with the use of relocatable classrooms. Relocatable classrooms will be utilized to maintain the level of service on a temporary basis when construction to increase capacity is planned and is in process. The temporary capacity provided by relocatables may not exceed 20 percent of the permanent FISH capacity and may be used for a period not to exceed three years. Relocatables may also be used to accommodate special education programs as required by law and to provide temporary classrooms while a portion of an existing school is under renovation. Public school concurrency should ensure that the capacity of schools is sufficient to support current enrollment and the projected students from future residential development. Current enrollment and school capacity data provide a baseline for developing a financially feasible level of service standard for public schools.

As adopted, the public school level of service standard should maximize the efficiency of each school facility for educating students. Based on this, the preferred level of service standard in Lee County is 100% of Permanent FISH capacity.

Projected Additions to Capacity during the Five Year Planning Period

As detailed in PSFE 16, the District has planned construction of a number of facilities over the five year planning period to accommodate expected growth in the student population.

Elementary

Four additional elementary schools are proposed in the Five-Year Capital Facilities Plan; adding

approximately 4,000 additional elementary student stations. The replacement of Michigan International Academy will add approximately 308 elementary student stations and eliminate 221 middle school student stations.

Middle Schools

To accommodate the growth at the middle school level, two new middle schools will open in the next 5 years adding approximately 2,668 new middle school student stations.

High Schools

No new high schools are included in the Five-Year Capital Facilities Plan.

Real Property

The District currently owns sufficient property to build all schools planned to open through 2012, with a bank of properties for some of the schools planned to open after that date. Figure PSFE 3 identifies the locations of the planned school capacity projects. This figure shows approximate locations, and those locations subject to change

Projected Additions to Capacity during the Ten and Twenty Year Planning Periods

Ten Year Planning Period

In the Ten Year Planning Period, the District plans to add five schools in the East Zone consisting of two Elementary Schools, two middle schools and one high school. In the West Zone, two new elementary schools will be added. The South Zone will receive two elementary schools. The District has acquired a bank of land that will accommodate a number of these facilities, however, additional properties will need to be purchased in the East and West Zones. For each elementary school, the District will need a minimum of 13 acres, for each Middle School the District will need a minimum of 20 acres, and for each high school the District will need a minimum of 40 acres.

Twenty Year Planning Period

In the Twenty Year Planning Period, the District has planned seventeen new schools in the East Zone (nine elementary schools, six middle schools and two high schools), seventeen new schools in the West Zone (nine elementary schools, five middle schools and three high schools) and six new schools in the South Zone (three elementary schools, one middle school and two high schools).

Figure PSFE 3: Programmed District Owned School Locations

Lee County Programmed School Locations

School District Capital Funding Sources

To address the new construction and renovation needs of the School District's Five-Year Capital Facilities Plan, the School District relies on local and state funding. The primary local funding sources are property taxes, and impact fees. By Florida Statute, school districts may levy up to 1.75 mills to fund the district capital program. The School District of Lee County has levied 1.75 mills in its most recent budget. In 2008, Lee County adopted an impact fee of approximately \$4,116/unit for a single family home, \$1,624.00/unit for multi-family and \$936.00/unit for mobile home. Impact fees are collected for new housing to offset a portion of the cost of new student stations generated by new residential development. The School District may also sell bonds or offer certificates of participation (COPs). The District currently has \$574,230,000.00 in outstanding COPs. This COPs funding was used to construct 24,879 student stations.

The Florida Statutes place restrictions on the School District's portion of state funding for capital outlay to specific uses. Expansion projects for student stations may make use of state capital outlay funding sources derived from motor vehicle license tax revenue, known as Capital Outlay and Debt Service funds (CO&DS), and gross receipts tax revenue from utilities Public Education Capital Outlay funds (PECO).

Financial Feasibility

The School Board is required by Section 1013.35, Florida Statutes, to adopt a financially feasible five-year capital facilities plan. The Five-Year Capital Facilities Plan, which is annually updated and adopted each year, details the capital improvements needed and funding revenues available to construct additional capacity to meet demand for student stations and maintain the adopted level of service. This will ensure that no schools exceed their adopted level of service for the five year period. The School District's Plan identifies how each project meets school capacity needs and when that capacity will be available.

The Five-Year Capital Facilities Plan provides the foundation of an annual planning process that allows the School District to effectively address changing enrollment patterns, development and growth, and the facility requirements of high quality educational programs. The summary of capital improvements shown in Table PSFE 16 details the School District's planned expenditures over the five-year planning period. While this summary must be adopted into the Capital Improvements Element of the County's Comprehensive Plan, the school district's capital improvements program does not require county or city funding. PSFE 16 shows the estimated cost of projects to address future facility needs for the five-year planning period, and the long range planning period, in order to meet the adopted level of service standard.

The Five-Year Capital Facilities Plan Summary of Estimated Revenue, shown in Table PSFE 16, details the School District's projections for its revenue sources over the next five years. A comparison of PSFE 16 and PSFE 17 shows that the School District's capital plan is sufficient to fund necessary capital improvements and is financially feasible.

PSFE 16: School District's Capital Improvement Summary

School	Project	Added Capacity	Cost	Year Available
New Elementary (East)	Elem. V	1,000	\$23,477,713*	2009
New Elementary (West)	Elem. A	1,000	\$27,150,000	2011
New Elementary (East)	Elem. W	1,000	\$27,150,000	2011
New Elementary (South)		1,000	\$9,922,500*	
New Elementary (West)		1,000	\$9,450,000*	
New Elementary (East)		1,000	\$31,500,000	
New Elementary (West)		1,000	\$31,500,000	2012
Heights Elementary Repl			\$2,428,064*	2008
Michigan Elementary Repl		750	\$23,066,661	2009
Oak Hammock Middle	Middle KK	1,334	\$3,842,498*	2008
New Middle (East)	Middle LL	1,334	\$39,225,000	2009
New Middle (West)	Middle MM	1,334	\$34,497,580	2010
New ALC West		265	\$4,601,497	2010
		TOTAL	\$258,361,513	

PSFE 16 - Summary of Capital Improvements (Cont.)

Other Project Schedules

Major renovations, remodeling, and additions of capital outlay projects that do not add capacity to schools.

Project Description	Location	2008-2009 Actual Budget	2009-2010 Projected	2010-2011 Projected	2011-2012 Projected	2012-2013 Projected	Total	Funded
Lee County Public Education Center	New Administration Complex	\$1,353,021	\$0	\$0	\$0	\$0	\$1,353,021	Yes
East Transportation Facility at Leonard & Leonard	Transportation East Bus Facility	\$3,965,000	\$0	\$0	\$0	\$0	\$3,965,000	Yes
Balance Remaining within project/not closed	Hector A. Cafferata, Jr. Elementary School	\$59,753	\$0	\$0	\$0	\$0	\$59,753	Yes
Treeline Staging School	East Zone Staging School	\$478,623	\$0	\$0	\$0	\$0	\$478,623	Yes
Balance remaining within project/not closed	Patriot Elementary	\$10,505	\$0	\$0	\$0	\$0	\$10,505	Yes
Balance remaining within project/not closed	Challenger Middle	\$531,131	\$0	\$0	\$0	\$0	\$531,131	Yes
Balance remaining within project/not closed	Manatee Elementary	\$16,846	\$0	\$0	\$0	\$0	\$16,846	Yes

Project Description	Location	2007-2008 Actual Budget	2008-2009 Projected	2009-2010 Projected	2010-2011 Projected	2011-2012 Projected	Total	Funded
Balance remaining within project/not closed	East Lee County High School	\$747,464	\$0	\$0	\$0	\$0	\$747,464	Yes
Transportation Renovation	Mariner Senior High	\$805	\$0	\$0	\$0	\$0	\$805	Yes
West Zone Land Purchase NW 15 th Terrace	Location Not Specified	\$2,554,606	\$0	\$0	\$0	\$0	\$2,554,606	Yes
West Zone Land Purchase NW 21 st Terrace	Location Not Specified	\$2,767,273	\$0	\$0	\$0	\$0	\$2,767,273	Yes
West Zone Land Purchase 27 th Terrace	Location Not Specified	\$3,776,856	\$0	\$0	\$0	\$0	\$3,776,856	Yes
West Zone Land Purchase – Daybreak Property	Location Not Specified	\$6,988	\$0	\$0	\$0	\$0	\$6,988	Yes
Thieman Land Purchase additional costs	Location Not Specified	\$1,125	\$0	\$0	\$0	\$0	\$1,125	Yes
Renovation	Lee County High Tech Central	\$1,500,000	\$500,000	\$0	\$0	\$0	\$2,000,000	Yes
Lee County Public Safety Training Center	Location Not Specified	\$1,500,000	\$1,500,000	\$0	\$0	\$0	\$3,000,000	Yes
Repairs & Renovation	Cape Coral Senior High	\$10,000,000	\$0	\$0	\$0	\$0	\$10,000,000	Yes
Repairs & Renovation	Mariner Senior High	\$10,000,000	\$0	\$0	\$0	\$0	\$10,000,000	Yes
Balance remaining within project/not closed.	Island Coast High School	\$7,647,868	\$0	\$0	\$0	\$0	\$7,647,868	Yes
Major Renovations	Lehigh Elementary	\$18,972,501	\$0	\$0	\$0	\$0	\$18,972,501	Yes
West Zone Land Purchase / Buckingham	Location Not Specified	\$843,511	\$0	\$0	\$0	\$0	\$843,511	Yes
Balance remaining in project	Treeline Elementary	\$5,115,944	\$0	\$0	\$0	\$0	\$5,115,944	Yes

Total	\$74,849,820	\$2,000,000	\$0	\$0	\$0	\$73,849,820
					Total from Previous Table	\$258,361,513
					GRAND TOTAL	\$332,211,333

Source: Lee County School District Work Plan, 2008-2009

Table PSFE 17: School District's Revenue Summary

Summary of Estimated Revenue

Item Name	FY 2008 – 2009 Budget	FY 2009-2010 Projected	FY 2010-2011 Projected	FY 2011-2012 Projected	FY 2012-2013 Projected	Five Year Total
Local Two Mill Discretionary Capital Outlay Revenue	\$147,296,040	\$141,630,808	\$136,183,469	\$133,513,205	\$140,188,865	\$698,812,387
PECO and 2 Mill Maint and Other 2 Mill Expenditures	(\$367,110,689)	(\$248,503,334)	(\$219,173,383)	(\$225,568,282)	(\$209,324,672)	(\$1,269,680,360)
PECO Maintenance Revenue	\$2,891,818	\$3,472,847	\$4,647,908	\$4,396,618	\$4,381,272	\$19,790,463
	(\$219,814,649)	(\$106,872,526)	(\$82,989,914)	(\$92,055,077)	(\$69,135,807)	(\$570,867,973)
Item Name	FY 2008 – 2009 Budget	FY 2009-2010 Projected	FY 2010-2011 Projected	FY 2011-2012 Projected	FY 2012-2013 Projected	Five Year Total
CO & DS Revenue	\$1,011,549	\$1,011,549	\$1,011,549	\$1,011,549	\$1,011,549	\$5,057,745
PECO New Construction Revenue	\$6,081,424	\$0	\$1,370,343	\$4,189,361	\$1,674,646	\$13,315,774
Other/Additional Revenue*	\$351,753,036	\$184,958,692	\$121,767,780	\$105,754,167	\$120,472,112	\$884,705,787
Total Additional Revenue	\$358,846,009	\$185,970,241	\$124,149,672	\$110,955,077	\$123,158,307	\$903,079,306
Total Available Revenue	\$139,031,360	\$79,097,715	\$41,159,758	\$18,900,000	\$54,022,500	\$332,211,333

*Detailed on next page

Source: Lee County School District Work Plan, 2008-2009

Other/Additional Revenue Detail

Item	2008 – 2009 Actual Value	2009 – 2010 Projected	2010 – 2011 Projected	2011 – 2012 Projected	2012 – 2013 Projected	Total
Other Revenue for Other Capital projects	\$665,800	\$100,000	\$100,000	\$100,000	\$100,000	\$1,065,800
Impact fees received	\$5,000,000	\$3,000,000	\$4,000,000	\$4,000,000	\$7,000,000	\$23,000,000
Interest, Including Profit On Investment	\$9,981,000	\$6,490,192	\$5,195,531	\$4,879,795	\$5,250,135	\$31,796,653
Fund Balance Carried Forward	\$336,106,236	\$175,368,500	\$112,472,249	\$96,774,372	\$108,121,977	\$828,843,334
Subtotal	\$351,753,036	\$184,958,692	\$121,767,780	\$105,754,167	\$120,472,112	\$884,705,787

Source: Lee County School District Work Plan, 2008-2009

Table PSFE 18: Level of Service/Ten Year Utilization Rate

Grade Level Projections	FISH Student Stations	Actual 2007/2008 FISH Capacity	Actual 2007-2008 COFTE	Actual 2007/2008 Utilization	Actual 2008-2009 /2017-2018 Student Capacity to be added/removed	Projected 2017/2018 COFTE	Projected 2017/2018 Utilization
Elementary – District Totals	41,013	41,013	32,067.69	78.19%	12,000	51,275	96.72%
Middle – District Totals	19,168	17,252	13,981.35	81.04%	2,160	17,825	91.82%
High – District Totals	30,472	28,430	23,476.12	82.57%	0	19,314	67.94%
Other – ESE, etc.	7,566	3,010	1,108.42	36.81%	0	1,850	61.46%
	98,219	89,705	70,633.58	78.74%	14,160	90,264	86.91%

Source: Lee County School District Work Plan, 2008-2009

Table PSFE 19: Level of Service/Twenty Year Utilization Rate

Grade Level Projections	FISH Student Stations	Actual 2007/2008 FISH Capacity	Actual 2007-2008 COFTE	Actual 2007/2008 Utilization	Actual 2008-2009 /2027-2028 Student Capacity to be added/ removed	Projected 2027/2028 COFTE	Projected 2026/2027 Utilization
Elementary – District Totals	41,013	41,013	32,067.69	78.19%	44,662	84,734	98.9%
Middle – District Totals	19,168	17,252	13,981.35	81.04%	19,988	36,979	99.30%
High – District Totals	30,472	28,430	23,476.12	82.57%	25,296	44,750	83.29%
Other – ESE, etc.	7,566	3,010	1,108.42	36.81%	1,341	4,217	96.92%
	98,219	89,705	70,633.58	78.74%	91,287	170,680	94.30%

Source: Lee County School District Work Plan, 2008-2009

Proportionate Share Mitigation

In the event that there is not adequate school capacity available to accommodate a development's demand for student stations, the School Board may entertain proportionate share mitigation options and, if accepted, shall enter into an enforceable and binding agreement with the developer and the affected local government to mitigate the impact from the development through the creation of additional school capacity. A mitigation contribution provided by a developer to offset the impact of a residential development must be directed by the School Board toward a school capacity project identified in the School District's Five-Year Capital Facility Work Plan. Capacity projects identified within the first three years of the Five-Year Capital Facility Work Plan shall be considered as committed projects. If capacity projects are planned in years four or five of the School District's Five-Year Capital Facility Work Plan within the same Concurrency Service Area (CSA) as the proposed residential development, the developer may pay his proportionate share of the identified capacity project to accelerate the project's schedule and mitigate the proposed development. When the student impacts from a proposed development cause the adopted Level of Service to fail, a developer may enter into a 90 day negotiation period with the School District and the applicable local government to review potential mitigation projects. To be acceptable, a proportionate share project must create a sufficient number of additional student stations to maintain the established level of service with the addition of the development project's demand. Mitigation options may include, but are not limited to:

1. The donation of land or of funding of land acquisition or construction of a public school facility sufficient to offset the demand for public school facilities to be created by the proposed development and
2. Establishment of a Charter School with facilities constructed in accordance with the State Requirements for Educational Facilities (SREF) on a site that meets the minimum acreage provided in the Guidelines for SREF and subject to guarantees that the facility will be conveyed to the School Board at no cost to the Board if the Charter School ceases to operate.

The following standards apply to any mitigation accepted by the School District:

1. Proposed mitigation must be directed towards a permanent school capacity improvement identified in the School District's financially feasible work program, which satisfies the demands created by the proposed development; and
2. Relocatable classrooms will not be accepted as mitigation.

The amount of the required mitigation shall be determined using the following formula:

$$(\# \text{ of housing units by type}) \times (\text{student generation rate by type of unit}) \times (\text{student station cost adjusted to local costs}) = \text{Proportionate share mitigation amount}$$

The student station cost adjusted to local costs will be calculated utilizing the total cost per student station, established by the Florida Department of Education, plus a share of the land acquisition and infrastructure expenditures for school sites as determined and published annually in the School District's Five Year Capital Facilities Work Plan. The costs associated with the identified mitigation shall be based on the estimated cost of the improvement on the date that the improvement is programmed for construction. Future costs will be calculated using estimated values at the time the mitigation is anticipated to commence. The cost of the mitigation required by the developer shall be credited toward the payment of impact fees imposed by local ordinance for the same need. If the cost of the mitigation option agreed to is greater than the school impact fees for the development, the difference between the developer's mitigation costs and the impact fee credit is the responsibility of the developer. Any mitigation accepted by the School District and subsequently agreed to by the applicable local government entity shall result in a

legally binding agreement between the School District, the local government and the Developer.

School Planning and Shared Costs

By coordinating the planning of future schools with affected local governments, the school district can better identify the costs associated with site selection and the construction of new schools. Coordinated planning requires the School Board to submit proposed school sites to the County or municipalities for review and approval. This analysis permits the School Board and affected local governments to jointly determine the need for and timing of on-site and off-site improvements necessary to support each new school.

Because Lee County is undergoing significant infrastructure development, analyzing the infrastructure needs of planned school sites is necessary. With this process, shared funding for capital improvements for school sites can be determined according to the responsibility of each party for each specific school site. Necessary infrastructure improvements may include: potable water lines, sewer lines, drainage systems, roadways including turn lanes, traffic signalization and signage, site lighting, bus stops, and sidewalks. These improvements are assessed at the time of site plan preparation. Approval conditions can cover the timing and responsibility for construction, as well as the operation and maintenance of required on-site and off-site improvements. Any such improvements should be in keeping with the financially feasible capital plan adopted by the School Board.

Other cost-effective measures should be considered by local governments during the process of formulating neighborhood plans and programs and reviewing large residential projects. During those processes, the County and the cities can encourage developers or property owners to provide the School District with incentives to build schools in their neighborhoods. These incentives may include, but are not be limited to, donation and preparation of site(s), acceptance of stormwater run-off from future school facilities into development project stormwater management systems, reservation or sale of school sites at pre-development prices, construction of new school facilities or renovation of existing school facilities.

Coordination

The Florida Statutes require the School District and the local governments to consider co-locating public schools and public facilities. The co-location and shared-use of facilities provide important economic advantages to the County, School District and local governments. The School District and Lee County have recently shared the cost to construct two facilities on school campuses that serve the athletic facility needs of the school and serve as community recreation centers. One of the facilities is located next to a planned County park which will provide additional opportunities for shared use. The School District and Lee County have also engaged in agreements trading pieces of property which will result in construction of an EMS station on property that was part of the North Fort Myers Academy of the Arts campus and a public library on property that was part of the Mariner Middle School campus. The County has constructed several swimming pools and athletic fields on a number of school campuses that are used both by the school and by members of the general public. During the preparation of its Educational Plant Survey, the School District can identify future co-location and shared-used opportunities for new schools and public facilities. Likewise, co-location and shared use opportunities should be considered by the local governments when updating their comprehensive plan, schedule of capital improvements and when planning and designing new or renovating existing libraries, parks, recreation facilities, community centers, auditoriums, learning centers, museums, performing arts centers, and stadiums.

Old San Carlos Island-Comp Plan Amendment

Lee County Comprehensive Plan Amendment

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AUG 04 2008

COMMUNITY DEVELOPMENT

CPR 2007-00051

Old San Carlos Island-Comp Plan Amendment

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11338 Bonita Beach Road, Suite 103

Bonita Spring, Fl

239-948-6688

Project: San Carlos Island
Case: CPA2007-00051
Strap: 19-46-24-00-00022.0010
Re: SWFRPC

Dear Wayne and Matt

Thank you for your time and attention to this matter. We are please to answer and clarify issues and/or comments that you had but believe that most are substantive and not related to sufficiency issues. Please find below your comments in *italic* and our response in **bold**. Should you have any additional comments or questions please contact our office.

General statement about this project and your comments....

“The San Carlos Island area, which is nearly built out today, will continue to develop its infill areas while maintaining its marine oriented nature. Residents of this community will address current planning concerns in a comprehensive review of this area and future amendments to this plan will be made to address these concerns. This area is anticipated to grow from a current permanent population of 24,000 to 32,000 by 2020. The Iona/McGregor area is also expected to be home to an additional 14,000 seasonal residents by 2020” -lee plan exert for San Carlos Island Vision

This amendment is consistent with the above statement/vision for the San Carlos Island area/Lee Plan, which acknowledges the need for amendments to address current planning concerns. This amendment addresses the concerns of the current planning deficiencies by allowing development and redevelopment of an area that is and has been blighted by the decline in the shrimp and commercial fishing industry and the demise of the RV parks due to severe increases in the tax base of the land. This amendment will address future development for the this area that the current plan does not allow or never anticipated while maintaining its marine oriented nature.

This area has the infrastructure to handle the redevelopment without adding to sprawl and is in itself smart growth.

SWFRPC Comment

The issues of marine dependency and off shore oil exploration and support has been sufficiently in the news to underscore the value of having such a designated marine dependent overlay area.

Response:

This amendment does not preclude other areas on the island from providing such services. As to this specific location, we are providing marine dependent uses in the new district. As far as off shore oil exportation this is not consistent with the lee plan and the uses on site.

SWFRPC Comment

The high hazard issues and sea level rise have similarly been in the news, and are subject to recent state legislation with additional requirements for local planning in regard to evacuation times.

In summary, redevelopment is attractive but is counterbalanced with the increased potential of property loss.

Response:

This project will be developed above approved flood level, will meet evacuation times and will be built to today's building codes for a decrease in property loss compared to the conditions that exist on the ground today.

SWFRPC Comment

A reduction or increase in exposure to storms by residents depends upon an analysis of storm season occupancy rates.

Response:

No comment

SWFRPC Comment

Onshore support of offshore oil exploration may be relevant as the State reexamines its posture in regard to that activity.

Response:

Although this issue has been in the media, onshore support of offshore oil exploration is not allowed today. If it were allowable it is highly unlikely that this exact location would be considered because of the existing uses on site today. This amendment has no bearing on other locations on the island.

SWFRPC Comment

Storm exposure, property loss, and evacuation, and sea level rise issues as they relate to redevelopment proposals are not restricted to this site, but extend the breadth of the county waterfront.

Response:

No response as this is substantive, not sufficiency related.

SWFRPC Comment

The marine dependency issue, however, is relevant to this site and this part of the island.

Response:

We are providing opportunities for marine dependent uses and this amendment does not preclude other areas of the island from them.

We have revised the XX 3.4 policies to more clearly define water dependent uses being allowed at the site. See below

POLICY XX.3.4: The DRMUWDF is an area which provides the associated support development and synergism to create a viable mixed use destination type development with water dependant uses as part of the mix. This sub-category allows a mix of land uses related to and justified by the development. Predominant land uses within this area are expected to be residential, commercial, transitory lodging, office, public, recreation, and development all with a water related aspects. The following is a list of water dependant uses that will be allowed within the development.

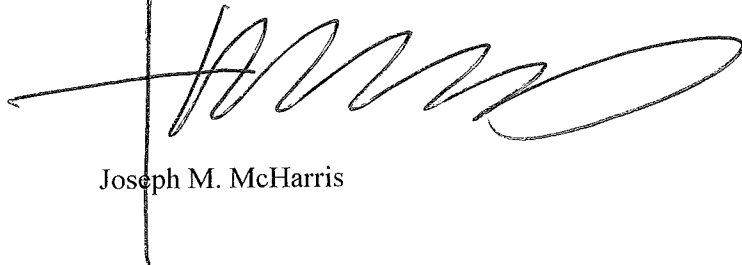
Water related Permitted Uses

1. Aids to navigation
2. Bait and tackle shops
3. Boat launch and or moorage facilities, Marina, and boat charter services
4. Communication facilities essential to service water dependant uses.
5. Facilities for refueling and providing other services for boats, ships and related marine equipment
6. Laboratory research on marine/estuarine products and resources and physical and biological characteristics of the estuary.
7. Marine related specialty shop
8. Office in conjunction with a permitted or conditionally permitted use

9. Public waterfront access
10. Research and education observation
11. Storage of Marine equipment
12. Stores for sale and rental of marine supplies and equipment
13. Utilities
14. Wholesale and retail markets for marine estuarine products
15. Grocery store/ships store
16. Restaurant
17. Processing of seafood in conjunction with retail sales operation
18. Boat repair and building
19. Boat terminal facilities
20. Uses not listed as permitted but shown to be water dependent or water related by the applicant.

Should you have any questions or comments please contact our office

With regards

A handwritten signature in black ink, appearing to read 'J. McHarris', is written over a vertical line that extends from the text 'With regards' above to the name 'Joseph M. McHarris' below.

Joseph M. McHarris



11338 Bonita Beach Road, Suite 103

Bonita Spring, Fl

239-948-6688

Project: San Carlos Island
Case: CPA2007-00051
Strap: 19-46-24-00-00022.0010
Re: Solid waste comments

Dear Matt and Howard

Thank you for your time and attention to this matter. W Please find below your comments in *italic* and our response in **bold**. Should you have any additional comments or questions please contact our office.

Comment:

Sanitary Sewer Service:

As the applicant states, the property is located within Lee County Utilities' (LCU) wastewater service area. Regarding treatment capacity, the Fort Myers Beach Wastewater Treatment Plant does have the excess capacity to serve the net increase in flows projected by the applicant.

Regarding wastewater collection system capacity, the general area covered by this amendment is currently provided with wastewater service and wastewater infrastructure is in place, however, the applicant should be aware that during the development process the developer will be responsible for performing hydraulic calculations to identify the extent of required on-site and off-site improvements to the wastewater collection system to support the projected increase in flow. The applicant should be aware that the developer will bear the cost of these improvements. In addition, prior to connection to the central sewer system the applicant will be responsible for ensuring compliance with pre-treatment standards established in Lee County Ordinance 05-26.

Response:

Acknowledged

Comment:

Potable Water Service:

As the applicant states, water service will be provided by Lee County Utilities. The subject property is within LCU's potable water service area. Regarding treatment capacity, the applicant correctly states that the Green Meadows treatment plant will provide service. In addition to the applicants analysis of available capacity at the Green Meadows plant it should be noted that LCU is planning an expansion of the Green Meadows facility to increase its capacity to 16.0 million gallons per day. This project is included in LCU's CIP and is planned to be completed by 2010. This expansion will provide ample excess treatment capacity to serve the increase in demand proposed by the applicant.

Regarding water distribution system capacity, the general area covered by this amendment is currently provided with potable water service and potable infrastructure is in place, however, the applicant should be aware that during the development process the developer will be responsible for performing hydraulic calculations to identify the extent of required on-site and off-site improvements to the water distribution system to support the projected increase in demand. The applicant should be aware that the developer will bear the cost of these improvements.

Response:

Acknowledged

Comment:

Reclaimed Water Service:

Regarding Policy 54.1.6, the applicant should be aware that LCU does have capacity in the Fort Myers Beach WWTP reclaimed water system, However, LCU does not have reclaimed water infrastructure available in the area covered by the proposed amendment. The closest point of connection to the reclaimed water system is approximately three miles from the subject area.

Response:

Acknowledged

Should you have any additional questions or comments please contact my office

With regards

Joe McHarris

A handwritten signature in black ink, appearing to read "Joe McHarris", is written over a vertical line that extends from the "With regards" text down to the signature line.



11338 Bonita Beach Road, Suite 103

Bonita Spring, Fl

239-948-6688

Project: San Carlos Island
Case: CPA2007-00051
Strap: 19-46-24-00-00022.0010
Re: Environmental comments

Dear Doug and Matt

Please find below your comments in *italic* and our response in **bold**. Where we have made changes to the document we have provided you with a strike-thru version and colored additions to the text.

County Comments

LEE PLAN POLICY 1.4.6: Conservation Lands.

Es Staff recommended placing the mangroves and islands into Conservation Lands, land use category. The response from the applicant was to provide a conservation easement at the time of SFWMD review.

ES Staff is not asking for a conservation easement at this time. Staff is recommending placing the mangrove area, including the islands, in the future land use category (FLUM) Conservation Lands. Please delineate Conservation Lands, as a future land use category on all mangrove areas including islands.

Upon approval of ERP permit ES Staff recommends obtaining a conservation easement through the use of SFWMD's Form 1194 Deed of Conservation Easement dedicating the conservation easement to Lee County with SFWMD as third party.

Response:

Mangrove area and island will be put into a conservation land category in the proposed Future land use map as requested. Upon approval of ERP permit we will obtain a conservation easement through the use of SFWMD's Form 1194 Deed of Conservation Easement dedicating the conservation easement to Lee County with SFWMD as third party. See new proposed FLUM for this project and Policy XX.13.5

County Comments

Please demonstrate compliance of policy 107.2.10 and 107.2.12: Has sufficient protection of mangroves been given on this project?

Policy 107.2.10 requires development adjacent to aquatic and other nature preserves, wildlife refuges and recreation areas to protect the natural character and public benefit of these areas including, but not limited to, scenic values for the benefit of future generations.

ES Staff encourages the use of passive recreational and educational uses in natural surroundings. However staff is concerned with the amount of impact on the mangroves within the area depicted as Eco Park. Applicant has indicated passive recreation only for the mangrove area. A central platform with a total of three boardwalks and a dock with boardwalk are intrusive for passive recreation. The amount of boardwalk within the preserve should be reduced to one central boardwalk within the preserve.

Please specify the impacts proposed to the mangrove area by the proposed Eco Park. Indicate the uses of the docks, and depict the purpose of the platform in the central portion of the mangroves.

Response:

We have defined the mangrove boardwalk in the document to be confined to one central path with one shaded structure for seating/resting. The Shaded structure shall not to exceed two benches. See revised section on boardwalks (XX 10.17: Boardwalk Areas).

County Comments

Please demonstrate compliance with Lee Plan Policy 128.6.8:

Marina design must incorporate natural wetland vegetative buffers near the docking areas and in ingress/egress areas for erosion and sediment control, runoff purification and habitat purposes.

Please provide policy language for marinas that protect water quality and environmentally sensitive areas.

Response:

Language has been provided for marinas that protect water quality and environmental sensitive areas. Please see new OBJECTIVE XX.15: Marina Design and Conservation.

County Comments

Please address the language in the following policies proposed for Destination Resort Mixed Use Water dependent Facilities (DRMUWDF):

Policy XX.5.2:

In order to create open space, storm-water management system, walking paths, etc. the existing height limitations will be need to be changed to allow for “these”. The new height limit will be 22 stories over parking.

All developments are required to provide open space and storm-water management. What incentives are being proposed to offset the additional height? Please provide incentives in enhanced open space and creative storm water management to offset the impact of 22 stories.

Response

Please see revised Policy that provides additional open space and storm-water management areas for the height. The heights have also been further refined.

County Comments

It appears that Objective XX.7 is utilized twice and one should be Objective XX.8 Please revise accordingly. See pages 68-69.

Response:

You are correct and we have revised the numbers accordingly.

County Comments

Policy XX.7.1

DRMUWDF shall seek solutions that minimize the impact of grading with respect to the removal of natural vegetation and the major alterations of existing grade.

Please provide policy that prohibits impacting the mangroves.

Response:

Please see revised language that provides a statement that impacting mangroves is prohibited.

County Comments

Policy XX.7.3:

(The second one) the impact and intensity of the paving, minimizing of clearing limits, and aesthetics are important factors to be considered in the design of the project. Landscape, circulation signage, lighting, and changes in paving materials should be coordinated to enhance circulation. Parking areas shall be designed to avoid long rows of parking spaces without adequate landscaping. All parking areas and driveways should be paved using pervious materials when applicable.

ES Staff recommends revising above policy language to incorporate more specificity in design in order to promote enhanced landscaping to exceed Land Development Code requirements. Please revise proposed policy language to depict detailed enhanced landscaping, exceeding the requirements of the Land Development Code.

Response:

Language has been added to the above policy stating that the landscaping will exceed minimum code. Some specific guidelines for trees have been added for specificity.

County Comments

Objective XX.10

Architectural Standards

In response to ES Staff language revision to the “old Florida look” Staff recommended native plants to enhance the “old Florida look”. Applicant’s response indicated native plans. Please revise to state native “PLANTS”.

Response:

This has been corrected.

County Comments

Policy XX.10.17:

Boardwalk Area:

Boardwalk minimum width shall be 6 feet and shall have a large portion of the water front at 12 feet or greater for the majority of the water. The boardwalk will be made with materials or a combination of materials that are durable and ADA compliant.

ES Staff recommends revising proposed policy language to replace 6 feet with 5 feet for width of boardwalk. ES staff would like clarification of the above language "shall have a large portion of the water at 12 feet or greater for the majority of the water" Please clarify boardwalk 12 feet wide at water front, 12 feet above waterline, 12 feet from shore, etc.

Response:

Please see revised section that clarifies commercial boardwalks from preserve type areas boardwalks. Most of you comments related to commercial type board walks along the retail areas. Your comments about sizes have been incorporated into the document for preserve area boardwalks.

County Comments

Policy XX.10.18

Landscape Standards

When indicating palm height, please depict height of clear trunk of palm and not total height. The Lee County Land Development Code recommends palms to be planted with a minimum of ten foot of clear trunk.

Response:

This has been revised to provide clear trunk and caliper width

County Comments

Lee Plan Objective 117.2: Xeriscape Landscaping

The County will continue to promote Xeriscape landscaping techniques.

Please provide policy language to incorporate the use of Xeriscape landscaping techniques such as referencing SFWMD xeriscaping principals.

Response:

This has been revised with Policy XX10.19

County Comments

Objective XX 13 Natural Resources

DRMUWDF must be located, designed and operated to minimize environmental impacts, and where appropriate, protect enhance and manage natural resources.

While ES Staff encourages the education of environmentally sensitive areas, staff has concerns that the proposed Eco Park will be too intrusive to the mangrove area. Please clarify how boardwalks will be constructed, the kiosk and the central platform. According to the site plan provided the mangroves appear to have been altered, please indicate if the proposed work for the Eco Park will alter the mangroves.

Response:

This information has been revised and provided in the Boardwalk area description concerning construction. Actual methods and material will be addressed during the Development Order stage. The mangroves Will/have not been impacted with the exception of adding a boardwalk which will be installed per governmental guidelines.

County Comments

Policy XX 13.3

DRMUWDF must be designed to preserve a minimum of 20% native upland habitat.


Upon reviewing the FLUCCS provided by Passarella and Associates ES Staff did not observe an indigenous native upland habitat consisting of 20% of the project. Please clarify where the property contains 20% native upland vegetated habitat.

Response:

The property does not contain any native upland habitats. All the upland areas within the proposed project limits have been historically cleared and/or developed.

Thanks again for your review and should you have any questions or comments regarding our responses please contact my office or email me.

With regards

A handwritten signature in black ink, appearing to read 'Joe McHarris', written over a vertical line that extends from the 'With regards' text down to the printed name.

Joe McHarris



11338 Bonita Beach Road, Suite 103

Bonita Spring, FL

239-948-6688

Project: San Carlos Island
Case: CPA2007-00051
Strap: 19-46-24-00-00022.0010
Re: FDOT comments

Dear Matt and David

Thank you for your time and attention to this matter. We are pleased to amend and clarify issues and/or comments that you had.

County Comments:

Lee County DOT appreciates the applicant's attempt to create an objective and policies for this amendment that focus on transportation alternatives, since the project is in an area with a particularly grave traffic problem in the form of notorious back-ups experienced during tourist season southbound on San Carlos Boulevard approaching Fort Myers Beach. We are particularly pleased with the commitment to establish a water-taxi service linking to Fort Myers Beach (proposed Policy XX.7.1). However, a couple of the other new proposed policies require clarification.

For Policy XX.7.3, the particular point of concern from staff was the existing condition of Main Street, which will be this project's direct access to San Carlos Boulevard. Therefore, the policy needs to specifically identify Main Street as the area of emphasis. Language also needs to be added to make clear that any road impact fee credits for sidewalk improvements will only be for off-site facilities. DOT staff recommends the following revisions (in strike-through/underline format):

POLICY XX.7.3

As part of this amendment the existing roadways that are adjacent to or run through the project, particularly Main Street, will be evaluated with cross-sectional analysis to identify needed upgrades for driver and bicycle/pedestrian safety and bus access to and from this property. At a minimum one bus stop will be provided along Main Street to Lee Tran standards or better. ~~Sidewalk upgrades offsite will be provided where none are provided for. Side walk improvements will be eligible for road impact fee~~

credits. Where bicycle/pedestrian upgrades or additions are determined by Lee County to be desirable along Main Street or other area streets, any such improvements on behalf of this property and outside the boundaries of this property will be eligible for road impact fee credits in accordance with the Lee County Land Development Code.

Response:

Revisions suggested by staff have been incorporated into the documents as noted above.

County Comments:

For Policy XX.7.4, what is meant by "some sort of grade separation"? Would this involve taking the bicycle/pedestrian facilities up and over the road? Please clarify.

Response:

The purpose for this statement is to provide bicycle and pedestrian a facility to cross the road. Examples of this would involve taking the bicycle/pedestrian facilities up and over the road.

County Comments:

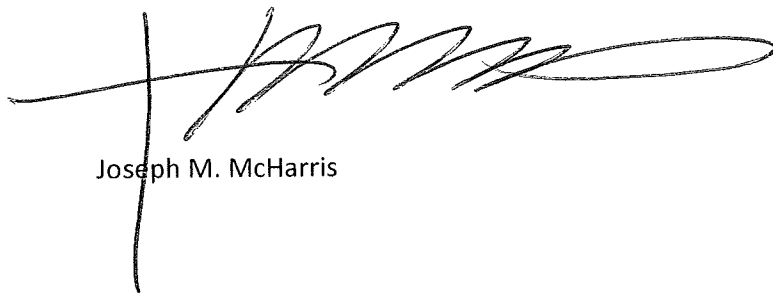
For Policies XX.7.4 and XX.7.5, what is meant by "Projects"? The other policies refer to "The project" and seem specific to your development proposal. Is that what is intended as well for these two policies?

Response:

The word "projects" should not be plural. This has been revised.

Should you have any questions or comments please contact our office

With regards

A handwritten signature in black ink, appearing to read 'J. McHarris', with a long horizontal stroke extending to the right.

Joseph M. McHarris



11338 Bonita Beach Road, Suite 103

Bonita Spring, Fl

239-948-6688

Project: San Carlos Island
Case: CPA2007-00051
Strap: 19-46-24-00-00022.0010
Re: Natural Resources comments

Dear Steve and Matt

Thank you for your time and attention to this matter. We are please to amend and clarify issues and/or comments that you had. Please find below your comments in *italic* and our response in **bold**. Should you have any additional comments or questions please contact our office.

County Comment:

I appreciate the deeds, but this provides me no comfort that the submerged lands are in fact owned by the applicants. I believe that a title determination from the FDEP is required to satisfactorily answer this question.

Response:

While the applicants own the submerged lands, they are being removed from the legal description for the property that is the subject of the request simply because Lee County does not, as a matter of course, apply upland FLUM designations to submerged lands. Issues of title are more appropriately addressed if and when an application is filed for a permit which actually authorizes the use of those lands.

County Comment:

The reference to Hurricane Donna is still included.

Response:

This has been eliminated.

County Comment:

Regarding marine industrial and water dependent uses, the application has inconsistencies regarding their displacement (or not) of commercial fishing and in my opinion has still not specifically demonstrated how or where the water dependent components of their project will be included beyond what is presently existing.

Response:

We have revised the XX 3.4 policies to more clearly define water dependent uses being allowed at the site. See below

POLICY XX.3.4: The DRMUWDF is an area which provides the associated support development and synergism to create a viable mixed use destination type development with water dependant uses as part of the mix. This sub-category allows a mix of land uses related to and justified by the development. Predominant land uses within this area are expected to be residential, commercial, transitory lodging, office, public, recreation, and development all with a water related aspects. The following is a list of water dependant uses that will be allowed within the development.

Water related Permitted Uses

1. Aids to navigation
2. Bait and tackle shops
3. Boat launch and or moorage facilities, Marina, and boat charter services
4. Communication facilities essential to service water dependant uses.
5. Facilities for refueling and providing other services for boats, ships and related marine equipment
6. Laboratory research on marine/estuarine products and resources and physical and biological characteristics of the estuary.

7. Marine related specialty shop
8. Office in conjunction with a permitted or conditionally permitted use
9. Public waterfront access
10. Research and education observation
11. Storage of Marine equipment
12. Stores for sale and rental of marine supplies and equipment
13. Utilities
14. Wholesale and retail markets for marine estuarine products
15. Grocery store/ships store
16. Restaurant
17. Processing of seafood in conjunction with retail sales operation
18. Boat repair and building
19. Boat terminal facilities
20. Uses not listed as permitted but shown to be water dependent or water related by the applicant.

County Comment:

The submerged lands are presented as an important part of the project. If they are "in limbo" as stated, then those issues should be resolved before we approve any changes related to them.

Response:

The submerged lands are not presented as an important part of this project and are not being used for density or to develop the islands. See Prior comments

County Comment:

The applicant has still not provided any objective data to support their assertion that commercial fishing is not viable at this location.

Response:

The fact that the property has not been used for commercial fishing for at least ten years is the most objective evidence possible to support our argument that the use is not viable. In addition to that, however, the size of the commercial fishing fleet has been reduced dramatically since the current land use classifications were applied to San Carlos Island in the 1980's,

County Comment:

Adequate sea-grass and depth data have not yet been provided.

Response:

This request is too detailed at this time beyond the information provided. It is an item that will be addressed at Development Order time. We believe it is not a sufficiency issue for a CPA.

County Comment:

The applicant has not addressed the issue of consistency with the Lee County Manatee Protection Plan. The permit excerpts included are a partial answer but also raise a new question of how the project will maintain consistency with the existing permit conditions regarding number and placement of boat slips. Additional details will be necessary to address that issue.

Response:

We have added a new policy stating our intent to meet the Lee county manatee protection plan. Please see new added Policy XX12.3

County Comment:

The specific locations of water taxi stops are required to evaluate consistency with manatee protection.

Response:

This request is too detailed at this time to respond to and is an item that will be addressed at Development Order time. We believe it is not a sufficiency issue for this process.

Thanks again for your review and should you have any questions or comments regarding our responses please contact my office or email me.

With regards



Joe McHarris

San Carlos Island-Comp Plan Amendment

Lee County Application for a Comprehensive Plan Amendment

Attachment A-1

Proposed Text Changes

San Carlos Island-Comp Plan Amendment

GOAL XX: DESTINATION RESORT MIXED USE WATER DEPENDANT LANDUSE

(DRMUWDL) to create a land-use category that considers the history, the uniqueness of the land, while correcting some of the problems that are present today with zoning and out-dated uses, while providing a mechanism to create the future for the area.

OBJECTIVE XX.1: To ensure that Destination Resort Mixed Use Water Dependiant Land-use are located in the most appropriate area within the future land use category.

POLICY XX.1.1: The Mixed Use Water Dependiant Land-use Overlay Map, Map X, shows those locations that are appropriate for the development of Mixed Use Water Dependiant Uses. The areas depicted on Map X are consistent with the application of the following locational criteria:

1. Located in areas characterized by predominantly outdated RV type living facilities meant for temporary habitation without individual type land ownership
2. Located in areas characterized as predominantly impacted by a declining water dependiant industry like commercial fishing or other and with a minimum of 25 acres of contiguous lands under unified control.
3. Located within costal wind zone areas depicted as 100 Year Flood Plains, as illustrated on Map X of the Lee Plan
4. Located in areas with direct access to existing roadways and navigable bodies of water.
- 5; Located in an area with multiple zoning conditions that may not be suitable for each other

POLICY XX.1.2: Destination Resort Mixed Use Water Dependiant land use category will only be allowed, subject to the other requirements of this Goal, in the areas depicted on Map X, Mixed Use Water Dependiant Facilities

OBJECTIVE XX.2: GROWTH MANAGEMENT. Development of Mixed Use Water Dependiant Facilities areas must be consistent with the growth management principles and practices as provided in the following policies.

POLICY XX.2.1: Destination Mixed Use Water Dependiant land use category will be will amend by December 2009 by the Lee County Land Development Code (LDC) to include provisions for a new Mixed Use Water Dependiant Facilities Planned Development zoning category.

POLICY XX.2.2: Approved Destination Resort Mixed Use Water Dependiant land Use Developments will automatically expire, reverting to the original zoning category, if a Lee County Development Order is not obtained within five (5) years of zoning approval.

POLICY XX.2.3: Destination Resort Mixed Use Water Dependiant land Use location must have adequate fire protection, transportation facilities, wastewater treatment and water supply, and provided further that they have no adverse effects such as noise, lighting, or odor on surrounding land uses and natural resources.

San Carlos Island-Comp Plan Amendment

POLICY XX.2.4: Destination Resort Mixed Use Water Dependant land use category may only be located in the areas depicted on the Mixed Use Water Dependant Facilities Map, Map X. Adjacent contiguous properties may be added to the category with an update to the map and amendment to the overall existing master plan. All existing and new shall be under unified control.

POLICY XX.2.5: Applications for Destination Resort Mixed Use Water Dependant Facilities development will be reviewed and evaluated as to their impacts on, and will not negatively affect, any adjacent, existing residential, commercial or conservation activities.

POLICY XX.2.6: Destination Resort Mixed Use Water Dependant land use- will be included in the Lee County Zoning Regulations and may be the subject of deviation requests during the "planned development" rezoning process. This provision is intended to encourage joint use of parking, access easements, and storm-water retention facilities where such joint use does not negate the essential purpose of the district

OBJECTIVE XX 3: COMMERCIAL LAND USES. This amendment recognize the unique conditions and preferences of San Carlos Island and is being developed to ensure that new development areas create a unified and pleasing aesthetic/visual quality in landscaping, architecture, lighting and signage, while provide for employment opportunities, while eliminating uses that are not compatible with adjacent uses. Existing and future county regulations, land use interpretations, policies, zoning approvals, and administrative actions should be undertaken in an effort to promote the goal of redevelopment for the island with increased mixed use opportunities to service the needs of the community and surrounding areas. County regulations should attempt to ensure that commercial areas maintain a unified and pleasing aesthetic/visual quality in landscaping, architecture, lighting and signage. Commercial land uses must be designed to be compatible Old Florida and Florida Vernacular styles of architecture and the historic identity of the island.

POLICY XX.3.1: The property owners of lands designated DRM UWDF shall utilize innovative open space design, mixed use concept that integrate well designed pedestrian/bicycle connections to commercial and, locations on or a walk-able distance to mass transit service.

POLICY XX.3.2: The cost for the provision and expansion of facilities for potable water and sanitary sewer that benefits development in the Amendment area will be borne by those who benefit. Such funding may include (but is not limited too), impact fees, special taxing or benefit districts, or Uniform Community Development Districts. The cost for these types of improvements will not be borne by the county in full.

POLICY XX.3.3: The cost for the provision and expansion of facilities necessary to comply with the recommendations of the amendment that benefits development will be borne by those who benefit. Such funding may include (but is not limited to) impact fees, special taxing or benefit districts, or Uniform Community Development Districts. The cost for these types of improvements will not be borne solely by the county.

San Carlos Island-Comp Plan Amendment

POLICY XX.3.4: The DRMUWDF is an area which provides the associated support development and synergism to create a viable mixed use destination type development with water dependant uses as part of the mix. This sub-category allows a mix of land uses related to and justified by the development. Predominant land uses within this area are expected to be residential, commercial, transitory lodging, office, public, recreation, and development all with a water related aspects. The following is a list of water dependant uses that will be allowed within the development.

Water related Permitted Uses

1. Aids to navigation
2. Bait and tackle shops
3. Boat launch and or moorage facilities, Marina, and boat charter services
4. Communication facilities essential to service water dependant uses.
5. Facilities for refueling and providing other services for boats, ships and related marine equipmet
6. Laboratory research on marine/estuarine products and resources and physical and biological characteristics of the estuary.
7. Marine related specialty shop
8. Office in conjunction with a permitted or conditionally permitted use
9. Public waterfront access
10. Research and education observation
11. Storage of Marine equipment
12. Stores for sale and rental of marine supplies and equipment
13. Utilities
14. Wholesale and retail markets for marine estuarine products
15. Grocery store/ships store
16. Restaurant
17. Processing of seafood in conjunction with retail sales operation
18. Boat repair and building
19. Boat terminal facilities
20. Uses not listed as permitted but shown to be water dependent or water related by the applicant.

San Carlos Island-Comp Plan Amendment

POLICY XX 3.5: The following uses are prohibited within the DRMUWDF : "

- Drive thru facilitates
- Big box retailers and single free standing retail facilities greater than 20,000 square feet.

POLICY XX.3.6: This amendment mandates commercial developments within the boundaries to provide interconnect opportunities with adjacent uses in order to minimize access points onto primary road corridors; and residential developments to provide interconnect opportunities with commercial areas, including but not limited to bike paths and pedestrian access ways.

OBJECTIVE XX.4: RESIDENTIAL USES. This amendment will enhance the residential character of the Old San Carlos Island by evaluating adjacent uses, natural resources, access and recreational or open space, and requiring compliance with enhanced buffering requirements. It will also replace the existing non compliant stock of seasonal RV's with new flood and hurricane resistant facilities.

POLICY XX.4.1: This amendment will provide opportunities for public access to the water and shall include provisions for bicyclists/pedestrians.

POLICY XX.4.2: Road capacity improvements needed within the within and to the property to serve demands generated outside the community will be designed to minimize the impacts on the community

POLICY XX.4.3: This amendment will allow for the transfer of RV densities to residential at a 1 to 1 ratio.

OBJECTIVE XX 5: COMMUNITY CHARACTER. The amended area will propose regulations, policies and actions affecting the character and aesthetic appearance of the development to help create a visually attractive community while maintain the rich heritage of the island.

POLICY XX.5.1: In order to maintain the Old Florida Marine identity for the community, commercial developments are shall use vernacular Florida architectural styles for all buildings. (See design standards) The use of Mediterranean styles of architecture is discouraged.

POLICY XX.5.2: In order to create Additional open space, storm-water management system, walking paths, ect the existing heights limitations will need to be changed to allow for these. The new height limit will be 22 stories over parking for interior towers and 17 stories over parking for peripheral towers. Maximum height a stories is 11'-8" with not height set back beyond side set back. Parking shall be set at two stories with additional stories if used will be counted against the approved height. With the additional height provided the project will provide an additional 10 percent open space, and storm-water management system.

POLICY XX.5.3: In order to preserve/enhance/restore the heritage and natural beauty of this island. The project will provide an educational component to project with the objective of educating the public on its unique quality and rich heritage and means to protect the area. This will be done with descriptive display, multimedia presentations and other proven means to educate and inform.

San Carlos Island-Comp Plan Amendment

OBJECTIVE XX.6: COORDINATION OF MASS TRANSIT. The development will establish dialogue ~~to~~ with the county's TDP (Transit Development Plan) as well as county transit staff and the staff of the town of Fort Myers Beach.

POLICY XX.6.1: Mixed-use developments, as defined in the Lee Plan, and mixed-use developments containing both commercial and residential uses within the same development shall provide for an integration of commercial with residential uses with pedestrian linkages are strongly encouraged which will be allowed densities consistent with the Urban Community future land use designation, mixed-use developments will be limited to an overall density (excluding commercial) of 15 dwelling units per acre at those locations.

Bicycle & Pedestrian facilities will be provided throughout the development. Connections between all uses are required to facilitate these alternative modes of transportation. When possible, connections to adjacent developments will be provided.

Vehicular connections between residential and non-residential uses will be provided to facilitate the internal capture of trips. When possible, connections to adjacent developments will be made to provide alternative access to the non-residential components of this development other than the Main Street.

POLICY XX.6.2: Lee County will work with the community and private landowners to identify opportunities to maintain and enhance public access to the water.

OBJECTIVE XX.7: INCORPORATION and UTILIZATION OF MULTIMODAL AND ALTERNATIVE MODES OF TRANSIT. The development will establish a comprehensive approach to multimodal and alternative modes of transportation for its residents and guests. These will include, but not be limited to mass transit stops (minimum of one), bicycle rental, integrated network of sidewalks and board walks, Airport shuttle services and water-taxi transportation facilities

POLICY XX.7.1: The project will establish a water taxi /shuttle service to and from the property to Fort Myers beach. The shuttle will be open to guest, residents and outsiders wanting an alternative access to the island. Hours of operation will be determined based on market conditions but will at a minimum provide two trips daily to and from the islands each day of the week.

POLICY XX.7.2: The project will establish an airport shuttle service to and from the Southwest Florida International Airport and to San Carlos Blvd. The shuttle services hours of operation will be determined based on market conditions and can either be a fixed route shuttle or a point of demand service type or combination thereof.

San Carlos Island-Comp Plan Amendment

POLICY XX7.3

As part of this amendment the existing roadways that are adjacent to or run through the project, particularly Main Street, will be evaluated with cross-sectional analysis to identify needed upgrades for driver and bicycle/pedestrian safety and bus access to and from this property. At a minimum one bus stop will be provided along Main Street to Lee Tran standards or better. ~~Sidewalk upgrades offsite will be provided where none are provided for.~~ Side walk improvements will be eligible for road impact fee credits. Where bicycle/pedestrian upgrades or additions are determined by Lee County to be desirable along Main Street or other area streets, any such improvements on behalf of this property and outside the boundaries of this property will be eligible for road impact fee credits in accordance with the Lee County Land Development Code.

POLICY XX7.4

Where Projects are intersected by public roadways for developments greater than 32 acres and with a split greater than 15%, some sort of grade separation ~~will~~ may be provided for safe pedestrian and bicycle access between the properties. The purpose of this is too safely move pedestrian and bicycles across the road. Examples of this would involve taking the bicycle/pedestrian facilities up and over the road or involve in taking the road over the pedestrian./bicycles paths.

OBJECTIVE XX8: GENERAL SITE DEVELOPMENT STANDARDS. The site design for projects within this development will consider the individual characteristics of their site, along with the overall context of the development. This will be done by careful consideration of the site design with respect to the local climate, existing structures and adjacent vegetation, transportation access and the impact (both positive and negative) that the building or structure may have on adjacent areas.

POLICY XX.8.1: DRMUWDF shall seek solutions that minimize the impact of grading with respect to the removal of natural vegetation and the major alterations of existing grades. Impacts on mangroves other than a noted in this document are prohibited.

POLICY XX 8.2: The orientation of the building(s) should take into account any existing native vegetation, parcel configuration, solar orientation, access, adjacent structures and views.

POLICY XX 8.3: The impact and intensity of the paving, minimizing of clearing limits, and aesthetics are important factors to be considered in the design of the project entries, parking areas and roads. Landscape, circulation signage, lighting, striping and changes in paving materials should be coordinated to enhance circulation. Parking areas shall be designed to avoid long rows of parking spaces without adequate landscaping. All parking areas and driveways should be paved using pervious materials when applicable. Landscaping in these areas shall be designed above the county minimum standards. Parking lot shade trees or cluster shall be increased by a minimum of 15%. Trees used in the parking area shall be a minimum of 14' and a 3 inch caliper.

POLICY XX 8.4: Attention shall be given to the locations of pedestals and transformers as they relate to aesthetics. All utilities shall be installed underground. Any utility items, which must protrude above ground for service, access, safety, or code, must be screened with a wall, fence, and/or landscape elements.

San Carlos Island-Comp Plan Amendment

POLICY XX 8.5: Lighting shall be used to accent key architectural elements, to emphasize landscape features, and to provide a safe and enjoyable environment. The outlining of a building or roof with lighting is prohibited. Exterior Light sources must be concealed where possible and all light shall be in shades of white. Colored lights are prohibited. No spillover of light can occur on neighboring properties and lighting must be shielded to prevent glare. Tree-up lighting shall be concealed underground or in shrub masses. Garden lights or walkway bollards should direct the light downward with a concealed light source and shall be incorporated into landscape beds.

Parking lot light fixtures shall not exceed 25 feet in height and lighting located in pedestrian areas shall not exceed 15 feet. No “cobra” head style fixtures are permitted. Light fixtures should either be designed as an integral design element that complements the design of the project through style and material or blend into the landscape by the use of muted colors and simple designs. Exterior light fixtures are encouraged to be either wrought iron or cast aluminum. Mill finish metal is allowed. Building mounted security and service area lighting fixtures must not project above the fascia or roofline of the building and must be shielded. Such fixture and shields must be a harmonious color with the building. Security fixtures may not be substituted for parking lot or walkway lighting and are restricted to loading, storage, service and other similar locations.

POLICY XX 8.6: No wall, screen, or fence of any kind may be constructed unless they are architecturally compatible with those of the building and the landscaping. The design of these elements shall appear seamless with the building and/or landscaping.

POLICY XX 8.7: The project will provide to the inhabitants and guest an area of last refuge should anyone not heed the warnings of an impending storm. This area is not to be advertised as a hurricane shelter, but as a place of last resort.

OBJECTIVE XX 9: SERVICE AREA AND EQUIPMENT. The intent of this section is to ensure that service and function areas are planned and designed to have the least amount of impact on the general public and adjacent neighbors. This can be accomplished by providing adequate space and incorporating these elements into the project at an early stage.

POLICY XX 9.1 No materials, supplies, or equipment shall be stored in an area on a site except inside a closed building or behind a suitable barrier so as not to be visible to the general public or to an adjoining site. Loading doors and service areas shall be screened, and/or buffered by landscaping, so as not to be visible from any street or from any adjoining residential site. Adequate area shall be provided on site for all loading and maneuvering of trucks and other vehicles in order that such operations will not be carried out in the street.

POLICY XX 9.2: Screening devices must be of a height at least equal to that of the material or equipment being screened. . The design, material, textures, and colors of screening devices shall be architecturally compatible with those of the building and with the landscaping. The design of these elements shall appear seamless with the building and/or landscaping. Frequently, planting material can provide an effective screen offering the same opaqueness of a wall. Plantings should be considered to soften the “hardness” of man-made screens.

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OBJECTIVE XX.10: ARCHITECTURAL STANDARDS. The architectural theme for the development exhibits characteristics of early Florida building traditions. A common architectural theme based on the local region, along with local interpretations of these styles, is required for all buildings within the development including ancillary buildings. All buildings should complement their surroundings. The horizontal landforms, local climate, and native vegetation, should dictate the dwelling location and form. The architectural details and definition shall consider all sides of the building and include, but not be limited to, banding, accent materials, roof character, and window treatments. The policies have been set to help create a visually attractive community

POLICY XX 10.1: Large blank unadorned walls will not be permitted. All equipment shall be screened and be placed out of view. Natural materials and paint colors shall be in warm earth tones for the exterior of buildings and structures.

POLICY XX 10.2: Special attention should be given to scale and proportion to the building site as it is of major importance to the development. The scale relationship of each building component shall relate to the overall massing for the project. The introduction of characteristics such as steep roofs, detailed eaves, balconies, and other building ornamentation is encouraged to customize the mass and design of an individual building or large structures. Retaining walls, planter walls, and privacy walls should be used to break up the elevations of a building and help relate the structure to the ground.

POLICY XX 10.3: Architectural details and design (such as changes in plane, height, texturing, banding, etc.) shall be considered in each elevation to give large surfaces and structures interest where appropriate. Equal attention to detail and architectural definition must be given to all sides of the structure, including, but not limited to, the foundations, banding, accent materials, roof character, and window treatment.

POLICY XX 10.4: The following architectural details shall be considered in the design of each building:

- Varying roof heights
- Mix of hip, gable for roofs, flat and varying slopes
- Detailed windows and/or doors
- Decorative shutters
- Windows with muntins
- Recessed windows
- Railings and associated details
- Cantilevered balconies
- Verandas and courtyards
- The appearance of “thick” walls
- Decorative chimneys, tower or other roof apparatus
- Exposed rafter tails
- Planters, pergolas, and trellises
- Clap board siding or Textured “hand-troweled” wall finish or smooth stucco with banding
- Metal of flat tile roofs
- Exterior stairs

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POLICY XX 10.5: Colors and materials are an intricate part of the Architecture and landscape for this development. Warm and rich colors that are evocative of the coastal region shall be considered when selecting colors for this project. An example of inappropriate color is a bright color used for large areas of wall and roof surfaces.

POLICY XX 10.6: Materials expression within the architecture includes massive wood beams, supported rooflines, cantilevered balconies and other decorative elements. Beams should be made of redwood, cedar or cypress with a finish that is rough-cut. Walls should be made of clap board or textured stucco or simulated limestone that adds richness to the wall surface. Decorative metals for gates, railings, and other decorative details should be finished black, dark bronze,, galvanized or copper. Stone and simulated stone should be rough or smooth and laid in a fashion appropriate to the style of architecture. Materials like coral rock, limestone, granite, pre-cast concrete, or architectural foam should be used as decorative detailing at windows, doors, for wall material, or other decorative areas on the building. Vinyl or wood is siding is discouraged.

POLICY XX 10.2: Preferred building materials are:

- Cementious lap siding.
- Painted stucco in natural earth tones; anodized or paint finish is required on all metal surfaces including windows, flashing, drips, and caps, in colors complimenting or matching the approved colors.
- Fascias must be constructed of cedar or redwood or other similar material and painted to match the trim color. Soffits must be of wood or stucco. Metal or vinyl soffits are prohibited.
- Foam products used on the exterior of buildings shall be installed to meet industry standards to ensure quality construction and be detailed away from areas that are in high traffic areas.

POLICY XX 10.7: All buildings shall have pitched roofs or simulated pitched rooflines. The minimum roof pitch allowed in the Development is 4 in 12. Overhangs may vary as necessitated by architectural design and these design guidelines. The typical roof overhangs are very wide to protect from the sun & rain and to provide passive energy conservation. Flat roofs are not allowed unless accompanied with a full parapet. Flat walls with parapets are not allowed unless consistent with the vocabulary of the architecture. Parapets may be appropriate in certain situations above walkways and in conjunction with a coordinated signage design or as a decorative element. Roofs shall have a minimum overhang of 2 feet on the eaves and 1 foot on gable ends or as noted otherwise in these standards. Fascias must be a minimum of 10 inches. No metal fascias are allowed.

POLICY XX 10.8: All rooftop equipment must match roofing colors and be placed as inconspicuously as possible, preferably located near the rear elevation. Exposed flashing, gutters, and downspouts must be painted to match the fascia and/or walls of the structure or be made of copper and left to weather to natural patina. Preferred roof materials: flat roof and or Standing seam metal roofs

POLICY XX 10.9: Buildings must have a minimum overhang of 24 inches with a 10inch fascia (gable ends may utilize a one foot overhang with a 10 inch fascia), or a minimum of 14-inch overhang and a 10” fascia when associated with a cornice, banding, or corbels (minimum height of 8 inches).

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POLICY XX 10.10: Windows and doors are often dominant elements in the design of buildings. The trim around these openings thus becomes an important feature to link the openings to the buildings. Windows should utilize clear glass or a tinted glass of bronze, gray, green, or smoked colors. No reflective glass or tinting may be used. Aluminum window frames in white or with warm, earth tone finishes such as bronze, sepia, ochre, and terra cotta are permitted. Mill finished aluminum is prohibited. Windows within stucco walls on all facades shall provide architectural detailing or be banded. Window openings should follow classic geometry that includes both square and rectangular windows. Radius or arched top shapes are encouraged in accent areas.

POLICY XX 10.11: Awnings shall be designed as an integral part of the project or building and should be associated with an opening. Awnings shall be made of canvas and shall not be backlit. Awnings shall not be connected to another elevation or be used above the roofline of a building.

POLICY XX 10.12: Shutters are encouraged as an integral part of the building design when appropriate. Shutters should be designed and sized according to the opening it is associated with.

POLICY XX 10.13: Doors constructed of wood are encouraged. Heavy, rustic plank doors are a signature element of buildings and entrances. Recessed doorways, giving the appearance of thick walls, are encouraged. Ornamental iron or aluminum gates used as part of the entry sequence are encouraged. Service and emergency exit doors shall be painted the same color as adjacent walls.

POLICY XX 10.14: Covered walkways/loggias are required on the front of all buildings and shall be constructed of a material that is consistent with the overall look and design for the building/project.

POLICY XX 10.15: Accessory buildings shall be consistent with the style of the main buildings. An accessory building must be of the same color, material, and architectural style as the main building or of color, material, and style that is generally recognized as complimentary to that of the main structure. Any utilities servicing accessory buildings shall be installed underground. Freestanding metal utility sheds or storage sheds are not permitted.

POLICY XX 10.16: Parking Garage and Structures

Intent: to hide the function / storage of the cars in an aesthetically pleasing manner. All garage structures shall be designed with punched openings and closed corners. The following are acceptable means of masking commercial garages:

- Liner Buildings can be placed in front of garage structure to disguise the function. Liner buildings are structures placed in front of the garage structure and can be functional or non functional. Liner building shall be designed with multiple facades.
- Landscaping
- Combination of liner buildings and landscaping

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POLICY XX 10.17: Boardwalk Areas

Intent: to provide guidelines for the development of a boardwalk along the southern portion of the property that promotes a multitude of activities that are waterfront related multiple routes to the boardwalk shall be provided. The area between the boardwalk and the main buildings shall be provided with both active and passive spaces for the enjoyment of guests. Board walks through preserves are intended for passive activities only.

Commercial area Boardwalk-Minimum width shall be 6'0" or greater and shall have a large portion of the water front at 12 feet or greater for the majority of the water. The boardwalk will be made with Materials or a combination of materials that are durable and ADA compliant.

Preserve area Boardwalks shall be in a width of 5'-0" and or ADA compliant. Materials shall be built with sustainable "green" Materials. Only one preserve boardwalk in the mangroves is allowed. Only one shaded structure with a maximum of two benches is allowed in the preserve area.

Kiosks -These are encouraged along the Commercial boardwalk at appropriate intervals and in various sizes. They may provide services or information. Kiosks shall be designed to be architecturally compatible with the main building.

POLICY XX10.18 Landscape Standards

DESIGN INTENT

It is intended that nature be an integral design component with the building and site plan for this project. The landscape should be carefully designed and detailed to heighten one's sense of nature as well as to promote health of the plant species within the community. A landscape design that incorporates Xeriscape principles to conserve water is required. Indigenous plant preservation/enhancement and buffering shall be provided in accordance with the zoning regulations of Lee County.

Views from the roadways, and adjacent properties toward a landscaped area should complement the appearance of the building. All front, side and rear building setback areas must be landscaped and should contain primarily native plants. A minimum of 70% native plants must be used in the landscape design. Corners of the building shall be landscaped with trees and under plantings to soften the buildings edges. All shade trees must be planted at a minimum height of 14'-0" and a 3.5 caliper. Palms should be planted in cluster of three or more and shall be a minimum height of 16' feet at planting and a minimum clear trunk of ten feet. Specimen palms may be used similar to shade tree placements in the landscape design of the project.

Ornamental plantings should be used close to the building. Existing native plants that are preserved may be credited for these requirements. A listing of approved and disapproved planting material has been provided in the index for your review.

Shrub masses can be used to channel winds, buffer intruding noises and views, and screen private areas. All shrub plantings should be massed in groupings of three or more plants. Linear hedges or box-clipped shrubs are not allowed within the buffers. Larger shrubs and plantings may be required at large wall and fencing areas.

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To prevent the further infestation and choking of native plants, all species on lee counties list of exotics shall be removed including but not limited to:

Australian Pine - *Casuarina equisetifolia*

Punk Tree or Cajeput - *Melaleuca leucandendra*

Brazilian Pepper - *Schinus terebinthifolius*

Downy Rose Myrtle - *Rhodomytus tomentosa*

Air Potato – *Dioscorea bulbifera*

Lather Leaf – *Colubrina asiatica*

Climbing Fern – *Lygodium* spp.

Java Plum – *Syzygium cumini*

Catclaw Mimosa – *Mimosa pigra*

Earleaf Acacia - *Acacia auriculiformis*

Women's tongue – *Albizia lebbeck*

Laurel Fig – *figus microcarpa*

PARKING AREAS AND ISLANDS

Parking areas shall provide a hedge type buffer at the perimeter of the parking area. A landscape buffer shall be provided between the building and the drive or parking area for all public areas. A landscaped parking island shall be provided per beyond county code. Landscaping shall be provided at each island with a minimum of 1 shade tree (or 3 palms) and 8 (three gallon) shrubs.

POLICY XX10.19 Xeriscape Landscape Standards Project shall incorporate the use of Xeriscape landscaping techniques such as described in the SFWMD xeriscaping principals.

OBJECTIVE XX.11: WATER QUALITY, QUANTITY, AND SURFACE WATER RESOURCES.

Destination Resort Mixed Use Water Dependant Facilities must be located, designed and operated in such a way that they will not degrade the ambient surface or groundwater quality. These facilities must be located, designed and operated in such a way that they will not adversely impact the surrounding existing water. The location, design and operation of Mixed Use Water Dependant Facilities must maintain or improve the storage and distribution of surface water resources.

POLICY XX.11.1: Any Destination Resort Mixed Use Water Dependant Facilities proposed within the land use category must cooperate with Lee County and SFWMD in implementing an overall surface water management plan as outlined in Objective 60.2 and 117.1. Compliance with these Policies must be demonstrated during Development Order approval.

San Carlos Island-Comp Plan Amendment

OBJECTIVE XX.12: WILDLIFE. The location, design and operation of Destination Resort Facilities will incorporate preservation and/or management activities that restrict the ~~unnecessary~~ loss of wildlife habitat or impact on protected species, species of special concern, threatened or endangered species.

POLICY XX.12.1: The development will not have an ~~adverse~~ impact on any existing, viable on-site occupied wildlife habitat for protected species, species of special concern, threatened or endangered species.

POLICY XX.12.2: Through the development review process, Private Recreation Facilities will be designed and operated to conserve critical habitat of protected species. This will be accomplished through regulation, incentives and public acquisition.

POLICY XX.12.3: The development will meet the requirements of the Lee County Manatee Protection Plan at time of Development Order

OBJECTIVE XX.13: NATURAL RESOURCES. Destination Resort Facilities must be located, designed and operated to minimize environmental impacts, and where appropriate, protect, enhance and manage natural resources such as, waterways, wetlands, natural water bodies, and indigenous uplands.

POLICY XX.13.1: All retained onsite natural areas, must be perpetually managed by the owner(s), or their assignees, with accepted Best Management Practices. The type of management techniques will be determined by the specific plant community. A natural area land management plan must be submitted to the Lee County Division of planning prior to the approval of a final local development order. This policy does not preclude areas that have been compromised in the past to be designed in such a way as to be assessable to the public for environmental and educational purposes. Management techniques addressed in the plan must include, but not be limited to the following:

- Exotic pest plant control;
- Removal of any trash and debris;
- Restoration of appropriate hydrology;
- Native plant restoration, where appropriate;
- Discussion of flora and fauna;
- Retention of dead trees and snags.

POLICY XX.13.2: The development will minimize adverse effects on wetlands and riparian areas.

POLICY XX.13.3: Destination Resort Mixed Use Water Dependant Facilities must be designed to preserve a minimum of 20% of on-site, indigenous native upland habitat.

POLICY XX.13.4: The development will incorporate energy and resource conservation devices, such as green building technologies

POLICY XX.13.5 Mangroves areas and islands will be put into a conservation land category in the proposed FLUM. Upon approval of Zoning and approval of ERP permit we will obtain a conservation

San Carlos Island-Comp Plan Amendment

easement through the use of SFWMD's form 1194 deed of conservation easement dedicating the conservation easement to Lee County with SFWMD as third party.

OBJECTIVE XX.14: INTERDEVELOPMENT COORDINATION WITH THE TOWN of Fort Myers BEACH. Due to the unique location and proximity to the town of Fort Myers Beach the development will commit to working with the town to propose and resolve concerns.

POLICY XX.14.1: The developer will set up and coordinate a dialogue with the town to review parking and access issue during the Development order process.

POLICY XX.14.2: The developer will provide a liaison to any harbor planning committee to coordinate activities in and around the Harbor

OBJECTIVE XX.15: Marina Design and Conservation

POLICY XX.15.1: Marina design must incorporate natural wetland vegetative buffers near the docking areas and in ingress/egress areas for erosion and sediment control, runoff purification and habitat purposes and protect environmentally sensitive areas

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Old San Carlos Island-Comp Plan Amendment

Lee County Application for a Comprehensive Plan Amendment

Attachment A-9

Proposed Future Land Use Map Change



PROPOSED FUTURE LAND USE MAP

EBBTIDE

0 0.05 0.1 0.2 Miles



DELISI FITZGERALD, INC.

Planning - Engineering - Project Management

1500 Royal Palm Square Blvd, Suite 101
Fort Myers, FL 33919
239-418-0691 • 239-418-0692 fax

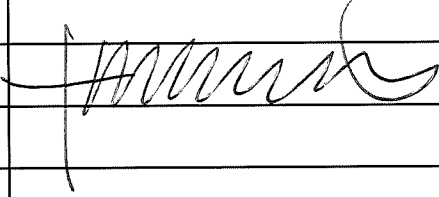
GENERAL NOTE
THIS MAP IS FOR REFERENCE ONLY. DATA PROVIDED ARE DERIVED FROM MULTIPLE SOURCES WITH VARYING LEVELS OF ACCURACY.

Post by Monday, September 8, 2008

PLANNING SIGN PICKUP SHEET

LEE COUNTY LOCAL PLANNING AGENCY MEETING

September 22, 2008

DATE	SIGNATURE	PLANNER	CASE NUMBER	CASE NAME
		Chahram Badamtchian	CPA2007-00051	San Carlos Island Comp Plan Amendment
Sept 5 th /08				

Please return to Administrative Assistant: Janet Miller

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

A. Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

Hearing Date: September 22, 2008

Case Number: CPA2007-00051

Case Name: San Carlos Island Comprehensive Plan Amendment

Request: Amend the Future land Use Map Series, Map 1 to change 28.97 acres of land designated "Urban Community", "Suburban" and "Industrial Development" to "Destination Resort Mixed-Use Water-Dependent", and 7.09 acres of land designated "Wetlands" to Conservation Lands." And amend Table 1(b) to reallocate 14 acres of residential, 9 acres of commercial and 8 acres of industrial acreage to accommodate the proposed development.

Location: The property is located in Section 19, Township 46, South, Range 24 East. The property is generally located on San Carlos Island on both sides of Main Street, and is bordered by Hurricane Bay the north and Matanzas Pass to the south.

Applicant: Darrell Hanson and
Ramon Alvarez

Applicant's
Representative: Joseph M. McHarris
McHarris Planning and Design.
11338 Bonita Beach Road, Suite 103
Bonita Springs, FL. 34135

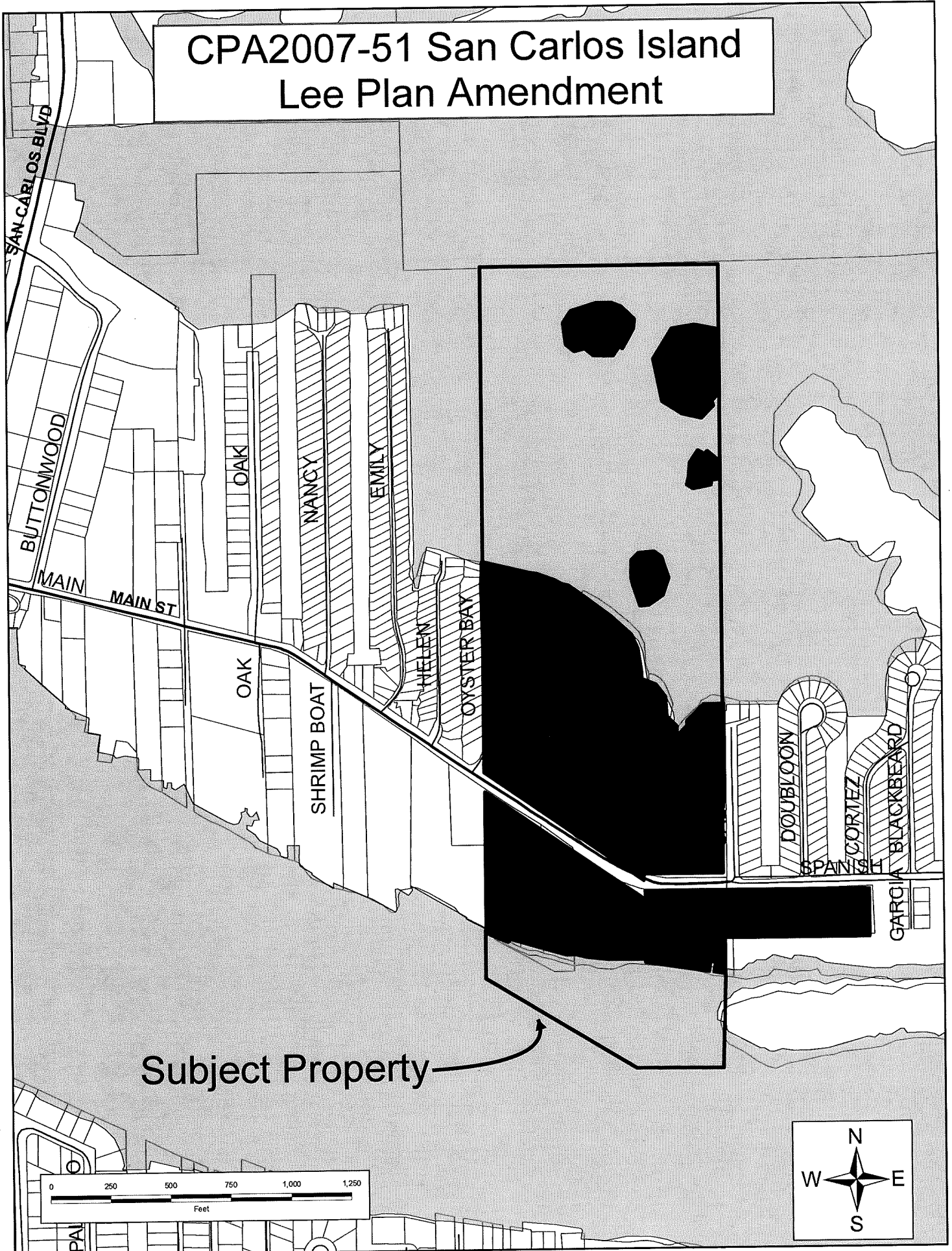
Lee County Planner: Matt Noble
(239) 533-8548
Chahram Badamtcian
(239) 533-8372

The file may be reviewed Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m at the Lee County Planning Division, 1500 Monroe Street, Fort Myers, FL 33901. Please call 239-533-8585 for additional information.

This is a courtesy notice. Please review the News Press for Local Planning Agency meeting notices.

This case is anticipated to be reviewed by the Local Planning Agency on September 22, 2008 at 8:30 a.m.

CPA2007-51 San Carlos Island Lee Plan Amendment



19-46-24-00-00019.0010

HW LLC

1001 E ATLANTIC AVE #202

DELRAY BEACH, FL 33483

19-46-24-00-00020.0030

HERITAGE OPERATING LP

PO BOX 6789

HELENA, MT 59604

19-46-24-00-00021.0060

OYSTER BAY LAND COMPANY

1711 MAIN ST

FORT MYERS BEACH, FL 33931

19-46-24-33-00000.001A

PORT CARLOS COVE INC

JAMES E MCCOMBS

PO BOX 168

HASLETT, MI 48840

19-46-24-33-00000.0030

PORT CARLOS COVE INC

ROGER + LIZ GRAVELLE T/C

42 LITTLE CREEK PL

PORT STANLEY, ON N5L 1K1

CANADA

19-46-24-33-00000.0050

PORT CARLOS COVE INC

PATRICIA J WARREN TR

3362 SHERIDAN LN

MUNDELEIN, IL 60060

19-46-24-33-00000.0070

PORT CARLOS COVE INC

DEMETRIUS PERENKOVICH +

7 GALLEON WAY

FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0090

PORT CARLOS COVE INC

GEORGE T CHABUCOS

9 GALLEON WAY

FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0100

PORT CARLOS COVE INC

YARISH MARLENE D

PO BOX 26

SPOTSWOOD, NJ 08884

19-46-24-33-00000.0120

PORT CARLOS COVE INC

THOMAS J + LUCY ANN LEONARD

12 GALLEON WAY

FORT MYERS BEACH, FL 33931

19-46-24-00-00020.0010

BALLARD INC

JAMES BALLARD

2000 MAIN ST

FORT MYERS BEACH, FL 33931

19-46-24-00-00020.02CE

CANAL POINT MAINTENANCE CO

10 HELEN LN

FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0010

PORT CARLOS COVE INC

JUDITH A DAVID TR

1 GALLEON WAY

FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0020

PORT CARLOS COVE INC

CHRISTINE L THOMSON TR

PO BOX 168

HASLETT, MI 48840

19-46-24-33-00000.0040

PORT CARLOS COVE INC

THOMAS A FRANA

4 GALLEON WAY

FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0060

PORT CARLOS COVE INC

RODNEY MOLITOR + LINDA LEONG

6 GALLEON WAY

FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0080

PORT CARLOS COVE INC

BEVERLY G ROGERS

8 GALLEON WAY

FORT MYERS BEACH, FL 33931

19-46-24-33-00000.00CE

PORT CARLOS COVE ASSOC

1801 MAIN ST

FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0110

PORT CARLOS COVE INC

ARENDT WILLIAM F + MARCENE J

11 GALLEON WAY

FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0130

PORT CARLOS COVE INC

IVERNE PRUITT

13 GALLEON WAY

FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0140
PORT CARLOS COVE INC
EUGENE J + EILEEN A BIELEC
14 GALLEON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0160
PORT CARLOS COVE INC
DAVID GALLAGHER TR
16 GALLEON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0180
PORT CARLOS COVE INC
RICHARD + KATHLEEN VETRONE
1478 WINCHESTER AVE APT 1
LAKEWOOD, OH 44107

19-46-24-33-00000.0200
PORT CARLOS COVE INC
KARRIN R + CHARLES N UNGER T/C
20 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0220
PORT CARLOS COVE INC
DAVID + ANNE HOLKEBOER
1560 BOGEY ST SW
BYRON CENTER, MI 49315

19-46-24-33-00000.0240
PORT CARLOS COVE INC
KINNEY JACKIE L + JANET L J/T
1608 GLENN ST
MC DONALD, PA 15057

19-46-24-33-00000.0260
PORT CARLOS COVE INC
JAN PERRAULT +
26 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0280
PORT CARLOS COVE INC
VIRGINIA M MILLERT
261 COUNTRY RD 33
CENTRAL SQUARE, NY 13036

19-46-24-33-00000.0300
PORT CARLOS COVE INC
B BEGIN
30 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0320
PORT CARLOS COVE INC
RICHARD A LAW
29390 N HORTON RD
ATLANTA, IN 46031

19-46-24-33-00000.0150
PORT CARLOS COVE INC
RODDY H + KATHLEEN M CRAWFORD
15 GALLEON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0170
PORT CARLOS COVE INC
RICHARD + CAROLYN WALLEM
75 CORTEZ WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0190
PORT CARLOS COVE INC
DAVID SCHWEISTHAL TR +
28 GREENHAVEN BAY
FARIBAULT, MN 55021

19-46-24-33-00000.0210
PORT CARLOS COVE INC
ALICE B LOWE L/E
21 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0230
PORT CARLOS COVE INC
FREDERICK J DESCH
PO BOX #89
LAMBERTVILLE, MI 48144

19-46-24-33-00000.0250
PORT CARLOS COVE INC
BINGMAN HARRY D II +
2702 HARRISON AVE
PARKERSBURG, WV 26104

19-46-24-33-00000.0270
PORT CARLOS COVE INC
JUDY E STEFFEN TR + PAUL GARY
27 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0290
PORT CARLOS COVE INC
BARBARA TABER
29 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
GLYN + GWEN HAVENS
31 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
ROLAND + VIOLET ZEPP
33 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0340
PORT CARLOS COVE INC
MICHAEL D + LORI G HOHNER
2816 HENLEY DR
BEL AIR, MD 21015

19-46-24-33-00000.0360
PORT CARLOS COVE INC
GEORGE + JOSEPHINE WHITTLE
220 VIOLA AV
HUBBARD, OH 44425

19-46-24-33-00000.0380
PORT CARLOS COVE INC
WINGATE JOHN C + DOROTHY R
38 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
DONALD WALDRON JR
40 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
HARRY F + CAROLYN S MITCHELL
42 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0440
PORT CARLOS COVE INC
GEORGE M + MARY L LINTZ
44 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0460
PORT CARLOS COVE INC
JODIE W WILABY + NANCY WILABY
18614 TROTT BROOK PKWY NW
ELK RIVER, MN 55330

19-46-24-33-00000.0480
PORT CARLOS COVE INC
MARLENE D YARISH
PO BOX 26
SPOTSWOOD, NJ 08884

19-46-24-33-00000.0490
PORT CARLOS COVE
ROBERT E JESSBERGER + MARCIA R
49 DOUBLOON WY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0510
PORT CARLOS COVE INC
ELLEN B MCCLENNAN L/E
438 ANDOVER RD
RUMFORD, ME 04276

19-46-24-33-00000.0350
PORT CARLOS COVE INC
MARY ANN HAMMAN TR
7 S 343 EOLA RD
AURORA, IL 60502

19-46-24-33-00000.0370
PORT CARLOS COVE INC
VERNE + RUTH STALBAUM
306 E SAINT THOMAS ST
WATERFORD, WI 53185

19-46-24-33-00000.0390
PORT CARLOS COVE INC
OMA J LOMBARD TR
39 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
THOMAS L BAKER +
41 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0430
PORT CARLOS COVE INC
FENTON DALE + BETTY
43 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0450
PORT CARLOS COVE INC
YAX LAWRENCE A
830 ESTERO BLVD
EDISON BEACH HOUSE
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0470
PORT CARLOS COVE INC
DAVID PITONI + JUDITH PITONI
47 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
BEVERLY A OLNEY ET AL
593 E GIRARD RD
QUINCY, MI 49082

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PORT CARLOS COVE INC
FIRST CENTRAL INVESTMENT CORP
830 ESTERO BLVD
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
AUSTAD VICKI J + AUSTAD LARRY
52 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
REATHA A SEAMAN TR
10769 2 MILE RD
LOWELL, MI 49331

19-46-24-33-00000.0550
PORT CARLOS COVE INC
A IRENE MUIR-PETRARCA +RALPH A
55 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0570
PORT CARLOS COVE INC
E A + M A DOMINIQUE L/E
57 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
FIRST CENTRAL INVESTMENT CORP
830 ESTERO BLVD
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
FREDERICK J DESCH
PO BOX 89
LAMBERTVILLE, MI 48144

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PORT CARLOS COVE INC
MARTIN + VERONICA BARNES
63 SPANISH MAIN
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
MARUSENKO WALTER + JUDY
2038 ROCKSTONE LN
NEW BRIGHTON, MN 55112

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PORT CARLOS COVE INC
JOHN HEALY
67 CORTEZ WAY
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
WILLIAM C DIEHL TR
69 CORTEZ WAY
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
NEIL E + SALLY A HUGHES
71 CORTEZ WAY
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
JOSEPH A HALEK
54 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0560
PORT CARLOS COVE INC
DENNIS A + NANCY L FORSTER
4100 WELLS LAKE CT
FARIBAULT, MN 55021

19-46-24-33-00000.0580
PORT CARLOS COVE INC
RAYMOND TESTA + SHIRLEY BLAIR
58 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

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PORT CARLOS COVE INC
LONGO PETE
60 DOUBLOON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0620
PORT CARLOS COVE INC
ELDON L + NANCY L MATTER TR
3711 GARY DR
CASTALIA, OH 44824

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PORT CARLOS COVE INC
JOSEPH ROBERT HUNT +
64 CORTEZ WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0660
PORT CARLOS COVE INC
ROBERT + GENE GREENE
180 SAINT ANDREWS DR
FRANKLIN, TN 37069

19-46-24-33-00000.0680
PORT CARLOS COVE INC
EDMUND MULDOON +
68 CORTEZ WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0700
PORT CARLOS COVE INC
WILLIAM DRESSEL
70 CORTEZ WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0720
PORT CARLOS COVE INC
DEAN R + NEVA J KEISER TR
72 CORTEZ WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0730
PORT CARLOS COVE INC
DUANE E HOVERSTEN TR +
67404 CSAH 33
DARWIN, MN 55324

19-46-24-33-00000.0750
PORT CARLOS COVE INC
RICHARD D + CAROLYN J WALLEM
75 CORTEZ WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1010
PORT CARLOS COVE INC
DENNIS + PAULA AXFORD J/T
101 BLACKBEARD WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1030
PORT CARLOS COVE INC
EUL KENNETH G + JUDITH E
103 BLACKBEARD WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1050
PORT CARLOS COVE INC
HAZEL R MURRELL +
105 BLACKBEARD WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1070
PORT CARLOS COVE INC
JOHN C+ VIRGINIA PERRY J/T
8457 W 1000 S
FORTVILLE, IN 46040

19-46-24-33-00000.1090
PORT CARLOS COVE INC
LECOUNT CORLYSS + HELEN
490 N 17TH ST
NOBLESVILLE, IN 46060

19-46-24-33-00000.1110
PORT CARLOS COVE INC
SANDERS TOM + CONNIE
8930 MCCRORY LN
NASHVILLE, TN 37221

19-46-24-33-00000.1130
PORT CARLOS COVE INC
GERWIN RICHARD F + TANA K
113 BLACKBEARD WY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1150
PORT CARLOS COVE INC
ROBERT A + CAROLYN HARTMAN
115 BLACKBEARD WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.0740
PORT CARLOS COVE INC
BOWDITCH + DEWEY
50 WATERS RD
SUTTON, MA 01590

19-46-24-33-00000.1000
PORT CARLOS COVE INC
PETER F LONGO
100 BLACKBEARD WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1020
PORT CARLOS COVE INC
DENNIS P PHILLIPS
102 BLACKBEARD WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1040
PORT CARLOS COVE INC
KENNETH C MCDONOUGH
104 BLACKBEARD WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1060
PORT CARLOS COVE INC
KATHLEEN HAIGHT
106 BLACKBEARD WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1080
PORT CARLOS COVE INC
BARBARA PELZEL
2918 SPY GLASS DR
CHASKA, MN 55318

19-46-24-33-00000.1100
PORT CARLOS COVE INC
T A FRANA + L M KINDSETH T/C
4 GALLEON WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1120
PORT CARLOS COVE INC
WAYNE + JOYCE MORTON
112 BLACKBEARD WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1140
PORT CARLOS COVE INC
VELMA L GREEN
114 BLACKBEARD WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1160
PORT CARLOS COVE INC
PAUL J THON + JANICE THON T/C
116 BLACKBEARD WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1170
PORT CARLOS COVE INC
DEAN MICHAEL T
117 BLACKBEARD WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1190
PORT CARLOS COVE INC
RICHARD E + ANN E WOLFF
1477 OAK BLUFF
SAINT LOUIS, MO 63122

19-46-24-33-00000.1210
PORT CARLOS COVE INC
WALTER + VERNA MICHALAK
2216 CRAFTON BLVD
PITTSBURGH, PA 15205

19-46-24-33-00000.1230
PORT CARLOS COVE
STEVE + JOANN PRENOVEAU
123 CORTEZ WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1250
PORT CARLOS COVE INC
DAVID W + EVELYN E KERN
125 CORTEZ WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1270
PORT CARLOS COVE INC
CHRISTOPHER M JOHNSON
159 1ST ST
PITTSFIELD, MA 01201

19-46-24-33-00000.1290
PORT CARLOS COVE INC
GREG GILBERT + KATHY S
129 CORTEZ WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1310
PORT CARLOS COVE INC
SANDRA H CECCHINI L/E
131 CORTEZ WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1330
PORT CARLOS COVE INC
ANDERSON MARGARET+CHARLES
PO BOX 316
WEST SALEM, OH 44287

19-46-24-33-00000.1350
PORT CARLOS COVE INC
LAWRENCE L + PAMELA M HUFF
128 HINKLEYVILLE RD
SPENCERPORT, NY 14559

19-46-24-33-00000.1180
PORT CARLOS COVE INC
JOHN L VANFLEET JR
155 EGERT ST
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1200
PORT CARLOS COVE INC
SKOOG DAVE + LANG PAT
55518 COUNTY ROAD 38
BUFFALO LAKE, MN 55314

19-46-24-33-00000.1220
PORT CARLOS COVE INC
E VERON WILSON
122 BLACKBEARD WY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1240
PORT CARLOS COVE INC
ANTHONY HOFFERICA
3045 N BEACH RD
ENGLEWOOD, FL 34223

19-46-24-33-00000.1260
PORT CARLOS COVE INC
TAMARA + ROGER YOUNG
126 CORTEZ WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1280
PORT CARLOS COVE INC
BILL + BRENDA LARION +
401 BOUNTY WAY #134
AVON LAKE, OH 44012

19-46-24-33-00000.1300
PORT CARLOS COVE INC
SUSAN P WERTH
6537 MOUNTAIN SIDE DR
CANANDAIGUA, NY 14424

19-46-24-33-00000.1320
PORT CARLOS COVE INC
WALLY + JANE SWARTZ
132 CORTEZ WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1340
PORT CARLOS COVE INC
ANN MARIE + WM RUSSELL JR
134 SPANISH MAIN
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1360
PORT CARLOS COVE INC
PAULEY FRANK + JOAN
6433 W 64TH PL
CHICAGO, IL 60638

19-46-24-33-00000.1370
PORT CARLOS COVE INC
GEORGE RAFOS TR
137 GARCIA WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1390
PORT CARLOS COVE INC
R A + A RIESTERER
5219 W WATERBERRY DR
HURON, OH 44839

19-46-24-33-00000.1410
PORT CARLOS COVE INC
GLENN+ MARY LOU SCHENIMANN
26029 WHIPPLE ST
NOVI, MI 48375

19-46-24-33-00000.1430
PORT CARLOS COVE INC
HUGH P SR + JUDITH A WEST
143 BARBADOS WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1450
PORT CARLOS COVE INC
RICHARD + RUTH MOSER
145 BARBADOS WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1470
PORT CARLOS COVE INC
ROBERT LOZIER
2379 E 175 N
WARSAW, IN 46582

19-46-24-33-00000.1490
PORT CARLOS COVE INC
RONALD A + ANNE L NELSON
149 BARBADOS WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1510
PORT CARLOS COVE INC
HARRY BOND + J BOND J/T
23 LAKESIDE LN
FOX LAKE, IL 60020

19-46-24-37-00000.0020
HAYNES G DAVID
706 N MADISON ST
FOWLER, IN 47944

19-46-24-37-00000.004A
MCNEIL DEWEY +
4 EMILY LN #A
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1380
PORT CARLOS COVE INC
SUE PENNINGTON
138 GARCIA WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1400
PORT CARLOS COVE INC
JAMES A + JUDITH M MELSON J/T
140 GARCIA WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1420
PORT CARLOS COVE INC
R W + GENEVA WILHELM
PO BOX 204
ROSS, OH 45061

19-46-24-33-00000.1440
PORT CARLOS COVE INC
DAVID S HOUCK TR
144 BARBADOS WAY
FORT MYERS BEACH, FL 33931

19-46-24-33-00000.1460
PORT CARLOS COVE INC
GARY A LERCH
16051 KELLY WOODS DR
FORT MYERS, FL 33908

19-46-24-33-00000.1480
PORT CARLOS COVE INC
RICHARD G + CAROLE J NOEL +
13382 BAXTER AVE
ALDEN, NY 14004

19-46-24-33-00000.1500
PORT CARLOS COVE INC
JAMES R + DIANE E TAYLOR
190 GARNET ST
SPRINGFIELD, MA 01129

19-46-24-33-00000.1530
PORT CARLOS COVE INC
1802 MAIN ST
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0030
BETTS SANDRA J
17760 BROADWAY AVE
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0050
MILEY STEPHEN K + DONNA J
17840 CHESTERFIELD RD
NORTH FORT MYERS, FL 33917

19-46-24-37-00000.0060
KOLATA RONALD J + PATRICIA W
11316 GIDEON LN
CINCINNATI, OH 45249

19-46-24-37-00000.0070
JONES HAROLD E + VIRGIE
7 EMILY LANE
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0080
NEWBERRY ROBERT LEE
PO BOX 1331
RUSKIN, FL 33575

19-46-24-37-00000.0090
WORTH ROBERT L + TERRY L
8048 N SANTA MONICA BLVD
FOX POINT, WI 53217

19-46-24-37-00000.0100
WORTH ROBERT L
5464 N PORT WASHINGTON RD
GLENDALE, WI 53217

19-46-24-37-00000.0110
BREWER BETH
11 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0120
CARLSON CYNTHIA ANN +
10210 219TH ST N
FOREST LAKE, MN 55025

19-46-24-37-00000.0130
GIZZI RICHARD P TR
13 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0140
DYKSTRA TERENCE B
14 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0150
MORRIS LEONARD C
15 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0160
BEVELACQUA JOHN TR
896 BUTTONWOOD DR #112
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0170
SCHRUNK DON E + TERRACE L
17 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0180
BEVELACQUA JOHN TR
896 BUTTONWOOD AV #112
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0190
PICKETT LESLIE E + PATRICIA H
19 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.01CE
EMILY LANE CONDO ASSN INC
1 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0200
WHITEHEAD CHARLES K + DEBORAH
20 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0210
CRANE DOYLE E + ROSE M
615 TETON CIRCLE
CAROL STREAM, IL 60188

19-46-24-37-00000.0220
DUNLAP TIMOTHY E + LINDA L
22 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0230
NORTON SHELBY
2330 COTTONWOOD AVE
MELBOURNE, FL 32904

19-46-24-37-00000.0240
HENDRY RALPH B + KAREN M
711 W MAIN ST
IMMOKALEE, FL 34142

19-46-24-37-00000.0580
HALL JEWEL
58 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0590
SMITH RONALD J +
26974 COOK RD
OLMSTED FALLS, OH 44138

19-46-24-37-00000.0600
NUGIER VICTORIA TR
21532 VIA VENADO RD
SONORA, CA 95370

19-46-24-37-00000.0610
FRASE DENNIS J + KATHLEEN
8 FORMAN RD
MILLSTONE TOWNSHIP, NJ 08535

19-46-24-37-00000.0620
1031 TAX FREE STRATEGIES
226 MIRAMAR ST
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0630
HAEFNER JAMES E + KIMBERLY C
63 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0640
HILLIER WILLARD NORRIS +
64 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0650
TINCHER ABRAHAM A
1568 HILL AVE
FORT MYERS, FL 33901

19-46-24-37-00000.0660
GROLL KATHE D
1617 CEDARBROOK ST
LAKE PLACID, FL 33852

19-46-24-37-00000.0670
RICHARDSON FRED + DOTTIE
67 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0680
PILCHER ROBERT +
68 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0690
JOHNSON BYRON + MARYLOU
3147 LAFFAYETTE RIDGE RD
WAYZATA, MN 55391

19-46-24-37-00000.0700
PLUMMER JANE
340 FAIRWEATHER LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0710
WADDELL DONALD L + SUSAN KIM
1519 N 350 E
SHELBYVILLE, IN 46176

19-46-24-37-00000.0720
HOLMES RANDAL R
2002 S 75TH ST
WEST ALLIS, WI 53219

19-46-24-37-00000.0730
WHITE WINSTON A
70 S R 60 S
NEW LONDON, OH 44851

19-46-24-37-00000.0740
MERIDETH SARAH D
74 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0750
SECOR WILLIAM J JR +
W339N5041 ROAD O
NASHOTAH, WI 53058

19-46-24-37-00000.0760
NEELON PETER C
4811 VICTORIA WAY
ERIE, PA 16509

19-46-24-37-00000.0770
COWDEN GREGORY E
77 EMILY LANE
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0780
ZEINERT LEE E TR
5924 LOUIS DR
NORTH OLMSTED, OH 44070

19-46-24-37-00000.0790
MENDRES MARTINA
79 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0800
LOY LARRY + WANDA
7541 KINLOU RD
KINMUNDY, IL 62854

19-46-24-37-00000.0810
MARTIN SUSAN R
81 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0820
TAGTMEIR LORRAINE
82 EMILY LANE
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.0830
STODDART DOLORES M TR
14201 MYSTIC SEAPORT WAY
FORT MYERS, FL 33919

19-46-24-37-00000.0850
ROSS WILLIAM C + KATHRYN M
1607 MAIN ST
FORT MYERS BEACH, FL 33931

19-46-24-37-00000.84CE
EMILY LANE CONDO ASSN INC
1 EMILY LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0010
RISLEY DIANE
1 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.001A
LUTY MICHAEL A +
1701 MAIN ST
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0020
GOULET KIMBERLY S
2 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0030
JAMES NEVA
58 OYSTER BAY LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0040
TONER HARRY F + JEANNINE A
231 E PENN ST
BUTLER, PA 16001

19-46-24-39-00000.0050
MARTIN DEAN W
503 BIELBY RD
LAWRENCEBURG, IN 47025

19-46-24-39-00000.0060
AMES WILMA
6 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0070
KALKWARF JULIE
111 WINDSOR LN
BELMOND, IA 50421

19-46-24-39-00000.0080
GILLESPIE ROBERT + SONDRAL
14310 N CASHEL OAK DR
HOUSTON, TX 77069

19-46-24-39-00000.0090
HELEN LANE ASSOC INC
10 HELEN LANE
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0100
HELEN LANE CONDOMINIUM ASSOC
10 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0110
JAMES NEVA +
58 OYSTER BAY LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0120
GABRIELSON MICHAEL W +
W GABRIELSON
1326 REED AVE
BELMOND, IA 50421

19-46-24-39-00000.0140
MANTHEY ROGER TR
2258 LEXINGTON AVE S
MENDOTA HEIGHTS, MN 55120

19-46-24-39-00000.0160
MCMILLEN RONALD C + MARSHA J
1109 PARK ST
FINDLAY, OH 45840

19-46-24-39-00000.0180
SMITH ELIZABETH R TR
18 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0200
MANTEUFEL MICHAEL C +
W12455 851ST AVE
RIVER FALLS, WI 54022

19-46-24-39-00000.0220
ZELLER KAY G TR
605 BACON AVE
PORTAGE, MI 49002

19-46-24-39-00000.0250
POTT KENNETH L 1/2 INT +
100 HICKORY KNOB HILL RD
IRMO, SC 29063

19-46-24-39-00000.0270
NIES EARL J TR
16300 PINE RIDGE RD #T-1
FORT MYERS, FL 33908

19-46-24-39-00000.0290
SKELTON DON + HELEN
29 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0310
WHITMORE STEPHEN H
9712 BANTING DR
FAIRFAX, VA 22032

19-46-24-39-00000.0130
HASSINGER LAWRENCE E + DORIS A
2736 HILLVIEW RD
BROOMALL, PA 19008

19-46-24-39-00000.0150
JAMES NEVA
58 OYSTER BAY LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0170
HALEK JOSEPH A
58 OYSTER BAY LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0190
HAATAJA GERALD
19 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0210
OBERG RUSSELL +
21 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0230
TRIBBLE KENNETH A + LINDA H
226 MIRAMAR ST
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0260
DELISE SALVATORE A + MARGARET
3933 SE 18TH PL
CAPE CORAL, FL 33904

19-46-24-39-00000.0280
GILBERT JOAN M
11400 BAYSIDE BLVD
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0300
SEIFRIED PATSY J
1036 CENTRAL AVE
COLUMBIA, PA 17512

19-46-24-39-00000.0320
CARPENTER HOWARD J + JACQUELYN
32 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0330
AARTHUN ROY E TR
33 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0350
MATT LOTHAR + ANGELIKA
WINKELSTRASSE 14
D79725 LAUFENBURG,
GERMANY

19-46-24-39-00000.0370
JAWORSKI DENNIS + JENNIFER
37 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0390
FAIN CLYDE + CAROLYN S
39 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0410
CHERRY JOAN +
41 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0430
STONE PETER V + NANCY L TR
13730 DOWNING LN APT W5
FORT MYERS, FL 33919

19-46-24-39-00000.0460
PELL WILLIAM E II
1480 E US HIGHWAY 40
BRAZIL, IN 47834

19-46-24-39-00000.0480
NEVA JAMES
58 OYSTER BAY LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0500
WERTZ SUE A
50 OYSTER BAY LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0520
WIESE CHERYL H
259 PARKER AVE
TOLEDO, OH 43605

19-46-24-39-00000.0340
MISNER EARL + JEAN
133 MINNEWASKA TRL
KERHONKSON, NY 12446

19-46-24-39-00000.0360
ONEIL PAUL J + HELEN M
424 BROOK RD
MILTON, MA 02186

19-46-24-39-00000.0380
WISKOWSKI JOHN SCOTT + LISA A
3917 HIDDEN ACRES CIR
NORTH FORT MYERS, FL 33903

19-46-24-39-00000.0400
FROST CAROL A
40 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0420
SIMON DONALD L + GLENDA
57 OYSTER BAY LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0450
FAIN CLYDE + CAROLYN
39 HELEN LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0470
GANIM GEORGE W SR +
15 SHERWOOD DR
EASTON, CT 06612

19-46-24-39-00000.0490
BUSTER EVAN J + BETTY M
49 OYSTER BAY LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0510
SIBLEY FRANCIS H + PATRICIA L
51 OYSTER BAY LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0530
BEJUNE EDWARD + MARJORIE
164 MIRAMAR ST
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0540
CULTICE JUDY A
54 OYSTER BAY LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0550
SAMPSON DAVID +
PO BOX 141
WARREN, RI 02885

19-46-24-39-00000.0560
BERRY KATHERINE L/E
EDWIND D BERRY II
3724 CHIP SHOT CT LOT 400
NORTH FORT MYERS, FL 33917

19-46-24-39-00000.0570
SIMON DONALD L + GLENDA A
57 OYSTER BAY LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0580
SANTOS ROBERT L
36 SWEENEY LN
BRISTOL, RI 02809

19-46-24-39-00000.0590
JAMES NEVA
58 OYSTER BAY LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0600
GAIK MARY TR
414 FOX RIVER HILLS DR
WATERFORD, WI 53185

19-46-24-39-00000.0610
CLOUTIER JOHN F + ELIZABETH L
1220 COUNTY ROAD H
NEW RICHMOND, WI 54017

19-46-24-39-00000.0620
JACKELLEN VALENTINE +
1144 COUNTY ROAD H
NEW RICHMOND, WI 54017

19-46-24-39-00000.0630
BROWN GUST D + BONNIE J
63 OYSTER BAY LN
FORT MYERS BEACH, FL 33931

19-46-24-39-00000.0640
FUGLISTER FREDERICK + JAYNE
2580 DARTMOOR RD
CLEVELAND HEIGHTS, OH 44118

19-46-24-39-00000.0650
NEAFUS-DAVISON JUDY K +
5110 N 450 WEST
ANGOLA, IN 46703

AGENDA February 17, 2009 6:30 PM

I. CALL TO ORDER

II. INVOCATION

III. YOUTH COUNCIL

IV. PLEDGE OF ALLEGIANCE

V. LOCAL ACHIEVEMENTS AND RECOGNITIONS

VI. PRESENTATIONS

A. [Bay Walk Group at Times Square - John Richard](#) (15 minutes)

VII. ADVISORY COMMITTEES ITEMS AND REPORTS

[State Solar Rebate](#) - Alan Mandel, LPA (15 minutes)

VIII. PUBLIC COMMENT

IX. CONSENT AGENDA

A [Special Event Permit Application](#) – Budweiser Clydesdales

X. ADMINISTRATIVE AGENDA

A. [North Estero Blvd., Presentation and Discussion](#) – (30 minutes)

ECT, Ron Edenfield

B. [Mound House Landscape Plan – Authorization to proceed with zoning amendment](#) (10 minutes)

C. [Introduction of Ordinance 09-02, LPA Amendment to LDC](#) (5 minutes)
Sec 34-219, Resolution 2008-45

D. [Beach Renourishment Interlocal Agreement Update](#) (30 minutes)

E. [Direction on 09-02, Resolution Interlocal Service Boundary Agreement](#) (30 minutes)

F. [San Carlos Island Development Project – Councilmember Babcock](#) (5 minutes)

G. [Estero Aircraft / FAA Issues](#) – Councilmember Babcock (5 minutes)

XI. TOWN MANAGER'S ITEMS (30 minutes)

A. [Monthly Reports](#)

B. Bay Oaks Transition Update

C. Discussion to Schedule Worksessions

XII. TOWN ATTORNEY'S ITEMS

A. Request for Executive Session, Tezak Vs. Town of Fort Myers Beach

XIII. COUNCILMEMBERS ITEMS AND REPORTS

A. Discussion Regarding PSTF and TMA – (5 minutes)

Councilmember Raymond

XIV. RECAP OF ACTION ITEMS

XV. [AGENDA MANAGEMENT](#)

XVI. PUBLIC COMMENT

XVII. ADJOURNMENT

NEXT MANAGEMENT & PLANNING MEETING: February 18, 2009 at 6:30 PM

NEXT REGULAR TOWN COUNCIL MEETING: March 2, 2009 at 9:00 AM

NOTE: THIS MEETING IS TELEVISED LIVE ON COMCAST CHANNEL 14
IF A PERSON DECIDES TO APPEAL A DECISION MADE BY THE CC

AT THIS MEETING/HEARING, SUCH PERSONS MAY NEED TO ENSURE THE PROCEEDING IS MADE, TO INCLUDE THE TESTIMONY AND EVIDENCE APPEAL IS TO BE BASED.

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Town of Fort Myers Beach
Agenda Item Summary

Blue Sheet Number: 2009-023

1. Requested Motion:

Meeting Date: Feb 17, 2009

Have Town Council send a letter to the BOCC supporting the State of Florida Dept of Community Affairs Objections, Recommendations and Comments regarding Lee County Comp Plan Amendment (DCA 09-1) with specific regard to CPA 2007-51 - San Carlos Island/Destination Resort.

Why the action is necessary:

As stated in Lee County Resolution 09-01-14, the Town of FMB should be involved in joint long-range planning with San Carlos Island regarding important issues described in Section 4. Many of these issues are raised by the DCA transmittal regarding CPA 2007-51.

What the action accomplishes:

A formal Town position supporting the DCA Objections, Recommendations and Comments assures that the Town of FMB has a voice in BOCC deliberations on the Lee County Comp Plan amendment affecting San Carlos Island and the Town of FMB. It has direct impact on long-range redevelopment plans for all of San Carlos Island, including issues such as traffic, utilities, school concurrency and water quality that will also impact the Town of Fort Myers Beach.

2. Agenda:

☐ Consent
☒ Administrative

3. Requirement/Purpose:

☐ Resolution
☐ Ordinance
☒ Other

4. Submitter of Information:

☒ Council
☐ Town Staff
☐ Town Attorney

5. Background:

On November 18, 2008 Lee County transmitted several Comprehensive Plan Amendments to the Florida DCA for their review and comment. Amendment CPA 2007-51 was proposed by a developer interested in making a land-use change on San Carlos Island establishing a new future land use category called "Destination Resort Mixed-Use Water Dependent." This amendment will not only change the specific parcel of interest to the developer, but will define a future land-use plan that will change the long-range vision for all San Carlos Island. This proposed land-use change impacts the Town of Fort Myers Beach because of its close geographic proximity and quality of life issues of mutual interest. The DCA response to CPA2007-51 identifies 5 objections that have direct impact to the Town of FMB.

6. Alternative Action:

Do Nothing.

7. Management Recommendations:

8. Recommended Approval:

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Cultural Resources Director

9. Council Action:

☐ Approved ☐ Denied ☐ Deferred ☐ Other

LEE COUNTY ORDINANCE NO. 89-02

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," SO AS TO ADOPT A REVISED FORMAT OF THE LEE PLAN WHICH INCLUDES AMENDMENTS TO THE PREVIOUSLY ADOPTED TEXT AND MAPS; TO PROVIDE FOR PURPOSE AND SHORT TITLE; TO PROVIDE FOR ADOPTION OF AMENDMENTS TO THE LEE COUNTY COMPREHENSIVE PLAN; TO PROVIDE FOR LEGAL EFFECT OF THE LEE PLAN; TO PROVIDE FOR GEOGRAPHIC APPLICABILITY; TO PROVIDE FOR EFFECT ON AND REPEAL OF PREVIOUS COMPREHENSIVE PLANS OF LEE COUNTY; TO PROVIDE FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature through Chapter 163, Part II, Florida Statutes, and its accompanying Florida Administrative Code Rules have mandated that Lee County prepare amendments to the existing Lee County Comprehensive Plan (Lee Plan) to have the Lee Plan conform to the requirements contained in said statutes and rules; and

WHEREAS, Lee County was required by Chapter 163, Part II, Florida Statutes and its accompanying Florida Administrative Code Rules to submit the proposed Lee Plan as amended to the Florida Department of Community Affairs on or before September 1, 1988; and

WHEREAS, the Board of County Commissioners, through Administrative Code Policy F-0040, provided an opportunity for individuals to propose specific amendments to the Lee Plan and

also directed Lee County Staff to prepare those amendments made necessary by the aforesaid legislative mandate; and

WHEREAS, Lee County, pursuant to Chapter 163, Part II, Florida Statutes and Lee County Administrative Codes F-0036, F-0037 and F-0040 has reviewed, provided for public comment, and held public hearings before the Lee County Local Planning Agency on May 19, June 3, 9, 10, and 15, and July 12 and 14, 1988, and held statutory transmittal public hearings before the Board of County Commissioners on July 27 and August 4, 11, 16, and 23, 1988; and

WHEREAS, after such review the Board of County Commissioners determined that certain proposed amendments to the Lee Plan would be beneficial to the health, safety, and welfare of Lee County; and

WHEREAS, the Board of County Commissioners at said August 23, 1988 meeting made a motion to send, and did later send, those certain proposed amendments to the Florida Department of Community Affairs for their review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Board of County Commissioners, in order to take further public input and conduct additional review of proposed ~~amendments to the Lee Plan, held supplemental public hearings on~~ October 7, 14, 18, and 25, November 3 and 15, December 1, 6, and 21, 1988 and January 5, 1989; and

WHEREAS, in addition to those public hearings specifically mentioned herein, other public workshops and forums were noticed and held to facilitate higher levels of public input into the Comprehensive Planning process; and

WHEREAS, at said August 23, 1988 meeting pursuant to Chapter 163, Part II, Florida Statutes, Lee County did announce its intention to hold a second public hearing after receipt of the Florida Department of Community Affairs written comments; and

WHEREAS, the Board of County Commissioners of Lee County at said second public hearing has moved to adopt, adopt with changes, or not adopt said proposed amendments as more particularly set forth hereinafter.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE PURPOSE AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in order to comply with the legislative mandate contained in Chapter 163, Part II, Florida Statutes, has conducted a series of public hearings to review proposed amendments to the Lee County Comprehensive Plan. The purpose of this ordinance is to adopt those amendments to the Lee County Comprehensive Plan ~~discussed at said meetings and approved by an absolute majority~~ of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Plan shall be the "Lee Plan."

SECTION TWO

ADOPTION OF AMENDMENTS TO THE LEE COUNTY
COMPREHENSIVE PLAN

The Board of County Commissioners hereby amends the existing plan and adopts the Lee Plan, in its entirety, said Lee Plan consisting of a one-volume document, and including an Introduction, a Future Land Use Element, a Traffic Circulation Element, a Mass Transit Element, a Community Facilities and Services Element (containing sub-elements for Potable Water, Sanitary Sewer, Surface Water Management, Solid Waste, Ground-water Recharge, Libraries, Fire Protection, Education, Health Care, and Police and Justice), a Parks, Recreation, and Open Space Element, a Capital Improvements Element, a Conservation and Coastal Management Element, a Ports, Aviation and Related Facilities Element, a Housing Element, an Historic Preservation Element, an Intergovernmental Coordination Element, a chapter on Procedures and Administration, and a Glossary. Also included and referenced in the text of the Lee Plan are the maps and/or map series required by Chapter 163, Part II, Florida Statutes. Said document, the Lee Plan, is hereby adopted this date and placed on file with the Clerk of the Circuit Court, Minutes Department, as part of the official records of Lee County and is incorporated by this reference as an integral part of this Ordinance.

SECTION THREE LEGAL EFFECT OF THE "LEE PLAN"

No public or private development shall be permitted except in conformity with the Lee Plan, and all land development regulations and land development orders shall be consistent with the Lee Plan.

SECTION FOUR GEOGRAPHIC APPLICABILITY

The Lee Plan shall be applicable throughout the unincorporated area under the jurisdiction of Lee County, Florida, except in such unincorporated areas as are included in any joint or interlocal agreements with other local governments that specifically provide otherwise.

This ordinance shall also be applicable to those portions of the incorporated areas of Lee County, Florida, which the Florida Statutes have delegated regulatory jurisdiction to county governments over municipal governments.

SECTION FIVE EFFECT ON AND REPEAL OF PREVIOUS COMPREHENSIVE PLANS OF LEE COUNTY

The Lee Plan shall replace all previous Lee County Comprehensive Plans, or amendments thereto. Lee County Ordinances Nos. 84-28, 86-30, 86-35, 87-13, 88-4 and 88-15 are hereby repealed and declared null and void and of no effect as to any acts occurring on or after the effective date of this Ordinance.

SECTION SIX SEVERABILITY

If any provision of this Ordinance, including, but not limited to, any goal, objective, policy or map is for any reason

finally held invalid or unconstitutional or unenforceable by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions which shall remain in full force and effect. If pursuant to Sections 163.3184(9) or (10), Florida Statutes, any provision of this Ordinance, including but not limited to, any goal, objective, policy, or map is challenged as being not in compliance with the provisions of Chapter 163, Part II, Florida Statutes, as the term "in compliance" is defined in Section 163.3184(1)(b), then that challenged provision shall be presumed to be in compliance until a final determination to the contrary is rendered pursuant to Sections 163.3184(9), (10) and (11), and such challenged provision shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining provisions which shall remain in full force and effect.

SECTION SEVEN EFFECTIVE DATE

This Ordinance shall become effective March 1, 1989. All applications for County approval relating to land use matters which may be affected by any one or more of the amendments to the Lee Plan herein adopted and which applications are accepted by the County as being complete before March 1, 1989, shall be determined to be in accordance (or not) with the Lee Plan as it currently reads, without said amendments; provided, however,

that nothing contained herein shall preclude an applicant from requesting in writing that an application which currently is in process be refiled for consideration under the Lee Plan as it shall read when these amendments become effective.

THE FOREGOING ORDINANCE was offered by Commissioner DONALD SLISHER, who moved its adoption. The motion was seconded by Commissioner JOHN E. MANNING and, being put to a vote, the vote was as follows:

CHARLES BIGELOW	<u>Aye</u>
JOHN E. MANNING	<u>Aye</u>
RAY JUDAH	<u>Absent</u>
BILL FUSSELL	<u>Absent</u>
DONALD SLISHER	<u>Aye</u>

DONE AND ADOPTED this 31st day of January, 1989.

ATTEST
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: Janet S. Foshee

Deputy Clerk

By: Bill Fussell

For: Chairman, Charles L. Bigelow

APPROVED AS TO FORM:

By: Paul H. Chyn

(22111)

TO: LEGAL ADVERTISEMENTS

FROM: JANET MILLER
DCD/DIVISION OF PLANNING
P.O. BOX 398
FORT MYERS, FL 33902-0398

Display Ad to run: **September 12, 2008**

Two (2) Affidavits required.

Ad cannot be placed with any legal notices and classified advertisements nor placed in a section of the paper, which is not distributed county-wide.

Please e-mail proof to Janet Miller @ millerjm@leegov.com.

If you have any questions, contact Janet Miller at 533-8583.

**MEETING NOTICE
LOCAL PLANNING AGENCY
PUBLIC HEARING**

Notice is hereby given that the Lee County Local Planning Agency (LPA) will meet on Monday, September 22, 2008. The meeting will be held in the Board Chamber of the Old Lee County Courthouse, 2120 Main Street, Fort Myers, FL 33901. The meeting will commence at 8:30 a.m.

AGENDA

1. **Call to Order; Certification of Affidavit of Publication**
2. **Pledge of Allegiance**
3. **Public Forum**
4. **Approval of Minutes: August 25, 2008**
5. **Road Impact Fee Update**
6. **School Impact Fee Update**
7. **Community Plans**

A. CPA2006-03 - Olga Community Plan

Amend the Future Land Use Element of the Lee Plan to add a new Goal, Objective, and Policies specific to the Olga community located within the Caloosahatchee Shores planning area. Amend the Future Land Use Map series, Map 1, Page 1 of 6, for specified parcels located east of South Olga Road fronting SR 80 containing approximately 95 acres from Suburban and Rural to the Commercial and Conservation Lands Future Land Use Map categories. Amend the Future Land Use series, Map 1, Page 2 of 6, Special Treatment Areas, to indicate that a new Goal specific to the Olga Community has been adopted.

B. CPA2007-56 North Fort Myers Community Plan

Amend the Future Land Use Element to incorporate the recommendations of the North Fort Myers Community Planning effort. Establish a new Vision Statement and a new Goal, Objectives, and Policies specific to North Fort Myers.

8. **Small Scale Amendment**

A. CPA2007-61 Formosa

Amend the Future Land Use Map Series for an approximate 9.91 +/- acre site located in Section 04, Township 46 South, Range 25 East, to change the classification shown on Map 1, the Future Land Use Map, from Industrial Development to Commercial. The site is generally located at the northeast corner of Allico Road and Lee Road.

9. 2006/2007/2008 Regular Amendment Cycle

A. CPA2006-20 – Water Supply Facilities Work Plan

Amend the Community Facilities and Services, Potable Water sub-element, the Conservation and Coastal Management Element, and the Intergovernmental Coordination Element of the Lee Plan to coordinate appropriate aspects of the comprehensive plan with the South Florida Water Management District Water Supply Plan and to include a ten year Water Supply Facilities Work Plan as required by s. 163.3177 (6)(c), F.S

B. CPA2007-59 – Hurricane Evacuation/Coastal High Hazard Area

Amend the Conservation and Coastal Management Element of the Lee Plan to establish a Category 5 hurricane evacuation standard, a shelter time standard, and mitigation measures. Amend Map 5, Coastal High Hazard Area, of the Future Land Use Map Series and the Lee Plan Glossary to redefine the Coastal High Hazard Area.

C. CPA2007-57 - Southwest Florida International Airport Table 5 Update

Amend Table 5 pertaining to the development schedule for the Southwest Florida International Airport by reformatting and updating the table to: broaden the allowable uses; recognize existing as built conditions; recognize existing airport facilities inadvertently omitted from Table 5 when originally adopted in 2004; incorporate two conversion options for “non-aviation uses;” and, to delete several completed projects.

D. CPA2007-52 – Cowart

Amend Lee Plan, The Future Land Use Map, Map 1, to redesignate a 15-acre parcel from Open Lands future land use category to Rural future land use category.

E. CPA2007-51 – San Carlos Island

Amend Future Land Use Map Series, Map 1 to change 28.97 acres of land designated “Urban Community,” “Suburban,” and “Industrial Development” to “Destination Resort Mixed-Use Water-Dependent,” and 7.09 acres of land designated “Wetlands” to “Conservation Lands.” And amend Table 1(b) to reallocate 14 acres of residential, 9 acres of commercial and 8 acres of industrial acreage to accommodate the proposed development.

The property is located in Section 19, Township 46 South, Range 24 East. The property is generally located on San Carlos Island on both sides of Main Street, and is bordered by Hurricane Bay to the north and Matanzas Pass to the south.

F. CPA2007-54 – Realmark Burnt Store Marina, LLC

Amend the Lee Plan's Future Land Use Map series, Map 1, for 18.25± acres in Section 1, Township 43, South, Range 22 East and Section 6, Township 43 South, Range 23 East, Lee County, Florida from Rural to Burnt Store Marina Village Future Land Use Category. Amend Table 1(b) to reallocate two acres of residential and one acre of industrial acreage to accommodate the proposed development.

G. CPA2006-12 - North River Village & Verandah

This amendment affects two separate properties. The first request is to amend the Future Land Use Map Series; Map 1 to change 1,232± acres of land (known as North River Village) designated "Rural" and "Outer Islands" to the "River Village," "Inner Islands," and "Conservation Lands" future land use categories./ Amend existing Policy 36.1.1 to reflect applicant transportation improvement commitments. Incorporate 2 new Future Land Use categories as well as a new Objective and Policies guiding development in these areas. Add 2 footnotes to Table 1(a). Amend Table 1(b) to incorporate the new Future Land Use Categories. Amend Map 6, Lee County Utilities Future Water Service Areas, by adding the property to the Future Water Service Areas.

The second request is to amend 1,456± acres of land (known as Verandah) designated "Suburban" to the "Sub-Outlying Suburban" future land use category.

The 1,232-acre property in the first request is located in Sections 16, 17, 18, 19, and 20 of Township 43 South Range 26 East. The property is generally located east of State Road 31 south of North River Road and north of the Caloosahatchee River. The 1,456-acre property in the second request is in the residential development known as Verandah, bordered by State Road 80 on the north, Buckingham Road on the east and the Orange River on the southwest. It is located in sections 28, 29, 30, 31, and 32 of Township 43 South Range 26 East.

10. Other Business

11. Adjournment

This meeting is open to the public and all interested parties are encouraged to attend. Interested parties may appear and be heard with respect to all proposed actions. If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Further information may be obtained by contacting the Lee County Division of Planning at 533-8585. In accordance with the Americans with Disabilities Act and F.S. s. 286.26, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Janet Miller at 533-8583.

INSTRUCTIONS

(Section A.2.b, Lee County Administrative Code AC 13.7)

A Planning Division notification sign must be posted on a parcel(s) subject to any comprehensive plan map amendment application for a minimum of 15 calendar days in advance of the Local Planning Agency's Hearing and maintained through the Board of County Commissioner Hearing, if any. This sign will be provided by the Planning Division in the following manner:

- a. Sign for case number **CPA2007-00051 San Carlos Island Comp Plan Amendment** must be posted by **September 8, 2008**.
- b. The sign must be erected in full view of the public, not more than five feet from the nearest street right-of-way or easement.
- c. The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
- d. The applicant must make a good faith effort to maintain the sign in place, and in a readable condition until the requested action has been heard and a final decision rendered.
- e. If the sign is destroyed, lost or rendered unreadable, the applicant must report the condition to the Planning Division, and obtain duplicate copies of the sign from the Planning Division.

The Division may require the applicant to erect additional signs where large parcels are involved with street frontages extending over considerable distances. If required, such additional signs must be placed not more than three hundred feet apart.

When a parcel abuts more than one street, the applicant must post signs along each street.

When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

NOTE; AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE WORKING DAYS BEFORE THE HEARING DATE TO LEE COUNTY PLANNING DIVISION, 1500 Monroe Street, Fort Myers, FL 33901.

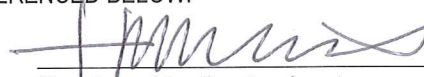
(Return the completed Affidavit below to the Planning Division as indicated in previous paragraph)

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA

COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED Joseph McHarris WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 34-236(b) OF THE LEE COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN THE ZONING APPLICATION REFERENCED BELOW:



Signature of Applicant or Agent

JOE McHarris

Name (Typed or Printed)

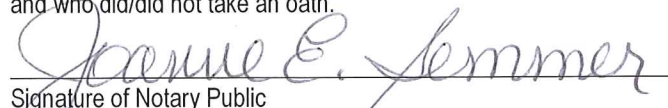
11330 BONITA BEACH RD SUITE 103
Street or P. O. Box

BONITA SPRINGS FL 34135
City, State & Zip
CPA2007-00051 (Return to Janet Miller)

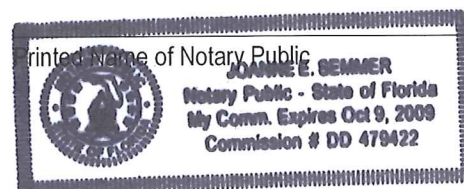
STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 5 day of September, 2008, by Joe McHarris, personally known to me or who produced personally known as identification and who did/did not take an oath.


Signature of Notary Public

My Commission Expires:
(Stamp with serial number)



BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Donald D. Stilwell
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing Examiner

August 14, 2008

Mr. Joseph Mc Harris, President
Mc Harris Planning and Design
11338 Bonita Beach Road
Suite 103
Bonita Springs, Fl. 34135

RE: CPA2007-00051, San Carlos Island Amendment

Dear Mr. Mc Harris

The Planning Division has reviewed the information provided and supplemented for the Comprehensive Plan Amendment referenced above. The applicant is now sufficient subject to the following condition:

A revised legal description and sketch must be provided for the upland areas of the subject property meeting the minimum criteria set forth in the Land Development Code. No public hearing will be scheduled for this project, unless an acceptable legal description of the property is provided to the County.

You may schedule or waive a formal pre-hearing conference to discuss substantive issues. Contact me at 239.533.8372 if you have any questions or if you would like to meet informally prior to the public hearings.

Sincerely,

Department of Community Development



Chahram Badamhtchian, AICP
Senior Planner

C.C. County Attorney's Office
File

June 29, 2008

RECEIVED
JUL 1 - 2008

COMMUNITY DEVELOPMENT

Lee County Development Services
Attn: Mr. Matt Nobel
1500 Monroe St.
Ft. Myuers, FL 33901

Re: San Carlos Island Comp Plan Amendment

Dear Mr. Nobel,

I have reviewed the development plans involving Salty Sam's Marina and Oyster Bay on San Carlos Island, Ft. Myers Beach with developer Robert Beasley and am writing to object to the height of the proposed buildings.

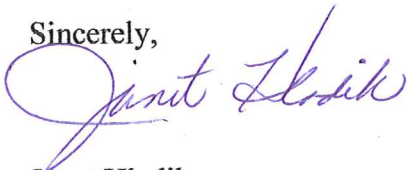
Progress is equated with building and the basic grounds layout of the plan is appealing. However, the height of the building at twenty-five plus stories is not congruent with the surrounding neighborhood of single family homes or other structures within a considerable distance.

Four years ago when I first came to this area as a visitor, I intended it to be a one time event. But I fell in love with the area and the quiet life style on San Carlos Island and have become a permanent resident. The magnitude of this project has the potential to undermine and destroy the character of the area. All progress should not be measured in maximizing height and population density. Progress should be balanced with existing structures, thus my appeal to you to consider a reduction in the height of the condominium structures to 6 stories or less.

Main Street is a narrow street and not suited to the increased resident, visitor and commercial traffic that would be associated with the high rise structures. During winter season the traffic on San Carlos Blvd. backs up for miles, and increasing the population density on San Carlos Island would greatly exacerbate this already monumental problem.

Thank you for your attention and consideration in this matter.

Sincerely,



Janet Hladik
1595 Main St,
Ft. Myers Beach, FL 33931
239-463-5556
jhladik@embarqmail.com

Dr. and Mrs. Ronald A. Lea
807 San Carlos Drive
Fort Myers Beach, FL 33931



9/17/08
Lee County Commissioners
P.O. Box 398
Fort Myers, Florida 33902

And

Lee County Development Services
Attn: Mr. Matt Nobel
1500 Monroe Street
Fort Myers, FL 33901

Dear Lee County Commissioners and Lee County zoning staff and or whom it may concern,

We are writing this letter to inform you and Lee zoning staff zoning staff of our **support** for the San Carlos Island Comp Plan Amendment changes that the property owners of Oyster Bay and Salty Sam's on San Carlos Island , Fort Myers Beach , Florida are asking for on their properties.

We have seen the plans and we believe the project will be a much needed improvement for the environment and great addition for us all at this end of Main St. on San Carlos Island.

We love the fact that when built, all San Carlos Island residents will finally have better access to the beautiful waterfront boardwalk, marina, restaurants and shops which they do not get to enjoy today because, the industrial properties are all locked off and dangerous, we look forward to the purposed new hotel and convention center and condominiums, Possibly it will provide some part time jobs for some of the elderly folks and others who live in the area and are in need of a little bit of extra income and for those who don't drive anymore this could be a great thing within walking distance for the entire San Carlos Island community.

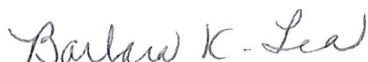
It's a good plan for this community and it's what we need here to revive the area, the 6 high (22 or 23 ? Floors) rise condos that they are asking for are O.K. with us and others I have spoke with and they seem to look very nice and fit well and the waterfront hotel looks beautiful. What a nice improvement this will be for everyone.

Therefore, we respectfully ask that all of the Commissioners and County staff **support this and grant** the property owners the changes to the Comp Plan/zoning that they need in order to build their beautiful destination resort and marina.

Sincerely,

Ronald A. Lea


Barbara K. Lea



Rosa E. Eilers
60 Oyster Bay Lane
Fort Myers Beach, FL 33931

RECEIVED
JUL 11 2008
COMMISSIONER HALL

7/7/08
Lee County Commissioners
P.O. Box 398
Fort Myers, Florida 33902

And

Lee County Development Services
Attn: Mr. Matt Nobel
1500 Monroe Street
Fort Myers, FL 33901

Dear Lee County Commissioners and Zoning staff or whom it may concern,

I am writing this letter to inform you and zoning staff of my support for the San Carlos Island Comp Plan Amendment changes that the property owners of Ebb Tide Rv Park , Salty Sam's Marina and Oyster Bay RV Park on San Carlos Island , Fort Myers Beach , Florida are asking for on their properties.

I have seen the plans at the Oyster Bay office and I believe the project will be a much needed and great addition for us all at this end of Main St. on San Carlos Island.

I love the fact that if built, I will finally have access to the beautiful waterfront which I do not get to enjoy today because, the industrial properties are all locked off and I am looking forward to the purposed new hotel and convention center, Possibly it will provide some part time jobs for some of us elderly folks who live in the area and are in need of a little bit of extra income as, I don't drive anymore this could be a great thing within walking distance for me.

It's a good plan for this community and it's what we need here to revive the area, the 6 high (22 or 23 ? Floors) rise condos that they are asking for are O.K. with me and seem to look very nice and the hotel looks beautiful.

Therefore, I respectfully ask that all of you Commissioners and County staff support this and grant the property owners the changes to the zoning that they need in order to build their resort.

Sincerely,

Rosa E. Eilers

Rosa E. Eilers

RECEIVED
JUL 15 2008
COMMUNITY DEVELOPMENT

*Francis and Patricia Sibley
51 Oyster Bay Lane
Fort Myers Beach, FL 33931*

RECEIVED

JUL 25 2008

COMMISSIONER HALL

*7/9/08
Lee County Commissioners
P.O. Box 398
Fort Myers, Florida 33902*

*Lee County Development Services
Attn: Mr. Matt Nobel
1500 Monroe Street
Fort Myers, FL 33901*

Dear Lee County Commissioners and Lee County Development Officials,

We are writing this letter to inform you and the Lee County staff that we are in favor of the San Carlos Island Comp Plan Amendment changes as, purposed by the property owners of Salty Sam's Marina and Oyster Bay on San Carlos Island, Fort Myers Beach, Florida and ask that you also support what we believe will be a fantastic and much needed addition to our community.

We have seen and looked over the plan and feel it will be a great addition for all of us residents at this end of Main St. and we are looking forward to being able to visit the waterfront and enjoy the purposed waterfront boardwalks and shops that we are told will be open to the public as we currently can not get to much waterfront property on Main St. as, the access for us residents on Main St is almost none.

Please support this much needed change and improvement for our area and allow this fantastic resort community.

Sincerely,


Francis Sibley


Patricia Sibley

Richard Haskins
757 San Carlos Drive
Fort Myers Beach, FL 33931

RECEIVED
JUL 25 2008
COMMISSIONER HALL

7/10/08

Lee County Commissioners
P.O. Box 398
Fort Myers, Florida 33902

Lee County Development Services
Attn: Mr. Matt Nobel
1500 Monroe Street
Fort Myers, FL 33901

Dear Lee County Commissioners and Lee County Zoning Officials,

I am writing this letter to let you know that I am in favor of the San Carlos Island Comp Plan Amendment changes that the property owners of Salty Sam's Marina and Oyster Bay RV Park and Ebb Tide RV Park on San Carlos Island , Fort Myers Beach , Florida are currently seeking and I ask that you also support what can become a great addition to San Carlos Island.

I have looked over the plans which I believe will be a compatible addition for all of us residents on San Carlos Island and I am not concerned with traffic because, we all know it is not the residents and visitors who stay on Fort Myers Beach and San Carlos Island that cause the majority of the traffic down here....it is the Day Trippers who come out from all over the county.

Please support this much needed change and improvement to our area and allow for the necessary changes to the Comp Plan for this project to proceed.

Sincerely,



Richard Haskins

Dorothy Wingate
38 Doubloon Way
Ft. Myers Beach Fl, 33931

September 24, 2008

Lee County Local Planning Agency
Attn: Chahram Badamtchian

Re: CPA2007-0051
San Carlos Island Comprehensive Plan Amendment

Dear Sir:

I have been reviewing and trying to analyze the request to rezone the "subject property". In December 1982 Port Carlos Cove purchased all of the property, formerly owned by Doris Tiedt, except the property now housing Parrot Key Restaurant and the boat marina and formerly named Palm Grove Marina.

At the time of the purchase of Palm Grove Marina the buyers requested Port Carlos Cove allow a shed to be installed at the mouth of the inlet shown as subject property on your map, therefore not allowing our park access to our own property. A letter of rejection went to the current owner rejecting the proposal since we wanted to keep our inlet intact.

I feel the request for "subject property" is not feasible since it will not allow for us to have access to our own property.

Please refer to original purchase of the property as recorded in Book 1646 page 759, copy attached. Also note the Deed of Conservation Easement as recorded in Book 1889 page 495, copy also provided.

We trust you will find this information in order and await a response from your office soon.

Sincerely, *Dorothy R. Wingate*

Dorothy Wingate
Past President of Port Carlos Cove Inc.

Telephone: 239-463-5457
E-mail: portcarloscove @embarqmail.com
Fax: 239-463-5490

1. What if anything will be done to Main Street to accommodate the increased traffic?
2. How will sewers and storm sewers be able to handle the run off of all the concrete and the additional people living on the Island?
3. Water- will Lee County be able to adequately supply drinking water to the Island?
4. How many condo units will be built?
5. Will there be a traffic light installed at Main St. & San Carlos, will they improve the left turn signal located at Buttonwood & San Carlos?
6. What impact will these changes have on the residents of San Carlos Island, in respect to higher tax base? Almost all of the residents now are retired and living on fixed incomes.
7. How soon do they plan to build and what provisions have been made for access into our park, since Port Carlos Cove is at the very end of the island.
8. Are our concerns part of the approval process?
9. We have a large population of Manatees' in our canals, what protection will they have with all of the large boat traffic?

CPA2007-51 San Carlos Island Lee Plan Amendment

