

Dunn, Brandon

From: Loveland, David
Sent: Wednesday, March 17, 2010 4:59 PM
To: Dunn, Brandon; Noble, Matthew
Subject: RE: Comprehensive Plan Amendment Review - CPA2010-02

If they are allowed to get Urban Community densities, would this property ever be workable as a receiving area for DR/GR density transfers?

David M. Loveland, AICP
 Manager, Transportation Planning
 Lee County Dept. of Transportation
 1500 Monroe Street
 Fort Myers, FL 33901
 NOTE CHANGE: (239)533-8509
 loveladm@leegov.com

From: Dunn, Brandon
Sent: Wednesday, March 17, 2010 4:25 PM
To: Bill Horner, Lee County Port Authority; Bill Lombardo, Fire Chief South Trail; Bill Van Helden, Fire Chief Cape Coral; Bud Elliott, Fire Chief Iona McGregor; Campbell, Gerald; Charles Barry, Fire Chief Useppa Island; Clark, Roger; Collins, Donna Marie; Daltry, Wayne; Danny Duncan, Fire Chief Sanibel; Dave Lindsay, East County Water Control District; David Bradley, Fire Chief Matlacha; David Duncan, Fire Chief Fort Myers Shores; David Edmonds, Fire Chief Boca Grande; Dawn Gordon, Lee County School Board; Dickerson, Kim (Mary); Donald Adams Sr, Fire Chief Lehigh Acres; Eckenrode, Peter; Ed Howell, Fire Chief Port Authority; Fredyma, John; Griffith, Douglas; Hock, Donna M.; Horsting, Michael; Houck, Pamela; Jay Halverson, Fire Chief Captiva; Joey Tiner, Fire Chief Alva; Johnson, Frederic; Karuna-Muni, Anura; Ken Dobson, Fire Chief Fort Myers; Kevin Ferrell, Sheriffs Office; Larry Nisbet, Fire Chief Bayshore; Lavender, James; Lee, Samuel; Lis, Carol; Loveland, David; Maguire, Karen L; Manzo, Barbara; Meurer, Douglas; Mike Becker, Fire Chief Fort Myers Beach; Miller, Janet; Moore, James; Myers, Steve; Natale Ippolito, Fire Chief San Carlos Park; Newman, William; Noe, Susan; Olson, Cathy; Ottolini, Roland; P. H. Kinsey Jr, Fire Chief Bonita Springs; Paul DeArmond, Fire Chief Tice; Pavese, Michael; Price, Robert; Richard Pepper, Fire Chief Upper Captiva; Roberts, Rickey; Sajgo, Gloria; Sampson, Lindsey; Scott Vanderbrook, Fire Chief Estero; Stewart, Robert; Sweigert, Rebecca; Terry Pye, Fire Chief North Fort Myers; Wayne Gale, Director Mosquito Control; Wegis, Howard; Wilson, John; Wu, Lili; Zettel, Mary
Cc: Noble, Matthew; O Connor, Paul; Burris, Richard
Subject: Comprehensive Plan Amendment Review - CPA2010-02

Planning staff is asking for your help in review of the above referenced proposed amendment to the Lee Plan. CPA2010-02 is a proposed privately initiated Lee County Comprehensive Plan amendment.

The applicant is proposing to change the Future land Use Category of the subject property from Suburban to Urban Community. The subject property consists of 208.4 acres of an existing Development of Regional Impact (DRI).

The applicant is proposing a site plan under a separate DRI application that would reduce the number of residential dwelling units allowed by 56 units, increase retail uses by 87,000 square feet, and add 150,000 square feet of general and medical office uses from what is currently allowed at this site. However, it should also be noted that the Urban Community future land use category would permit greater intensities and a wider range of uses than the applicant is proposing in the DRI application.

Please review the proposal for CPA2010-02 (a link is provided below), and provide comments concerning how the proposed amendment will affect your budget, operations, or other responsibilities that your agency/department is concerned with. Comments should be provided no later than March 31,

2010.

<http://www3.leegov.com/dcd/PlanAmendments/DRI/CPA201002A1.pdf>

Thank you,

Brandon D Dunn

Development Review Representative

bdunn@leegov.com

239.533.8585 ext. 48809

4/5/2010

Dunn, Brandon

From: LOMBARDO BILL [blombardo@southtrailfire.org]
Sent: Thursday, March 18, 2010 4:47 PM
To: Dunn, Brandon
Subject: RE: Comprehensive Plan Amendment Review - CPA2010-02

X

Please accept this e-mail as the official response of the South Trail Fire Protection and Rescue Service District.

I have received and reviewed the proposed Comprehensive Plan Amendment, CPA2010-02. The subject property is not within the boundaries of our fire district. As such, we do not anticipate that our fire district will be impacted by the proposed amendment.

Yours truly,

Bill

William B. Lombardo

Fire Chief
South Trail Fire District
5531 Halifax Ave.
Ft. Myers, FL 33912
239-433-0080
www.southtrailfire.org

Most folks are about as happy as they make up their minds to be. ~Abraham Lincoln

Florida has a very broad public records law. Most written communications to or from South Trail Fire District regarding District business are public records available to the public and media upon request. Your communications may be subject to public disclosure.

From: Dunn, Brandon [mailto:BDunn@leegov.com]
Sent: Wednesday, March 17, 2010 4:25 PM
To: Bill Horner, Lee County Port Authority; LOMBARDO BILL; Bill Van Helden, Fire Chief Cape Coral; Bud Elliott, Fire Chief Iona McGregor; Campbell, Gerald; Charles Barry, Fire Chief Useppa Island; Clark, Roger; Collins, Donna Marie; Daltry, Wayne; Danny Duncan, Fire Chief Sanibel; Dave Lindsay, East County Water Control District; David Bradley, Fire Chief Matlacha; David Duncan, Fire Chief Fort Myers Shores; David Edmonds, Fire Chief Boca Grande; Dawn Gordon, Lee County School Board; Dickerson, Kim (Mary); Donald Adams Sr, Fire Chief Lehigh Acres; Eckenrode, Peter; Ed Howell, Fire Chief Port Authority; Fredyma, John; Griffith, Douglas; Hock, Donna M.; Horsting, Michael; Houck, Pamela; Jay Halverson, Fire Chief Captiva; Joey Tiner, Fire Chief Alva; Johnson, Frederic; Karuna-Muni, Anura; Ken Dobson, Fire Chief Fort Myers; Kevin Ferrell, Sheriffs Office; Larry Nisbet, Fire Chief Bayshore; Lavender, James; Lee, Samuel; Lis, Carol; Loveland, David; Maguire, Karen L; Manzo, Barbara; Meurer, Douglas; Mike Becker, Fire Chief Fort Myers Beach; Miller, Janet; Moore, James; Myers, Steve; Natale Ippolito, Fire Chief San Carlos Park; Newman, William; Noe, Susan; Olson, Cathy; Ottolini, Roland; P. H. Kinsey Jr, Fire Chief Bonita Springs; Paul DeArmond, Fire Chief Tice; Pavese, Michael; Price, Robert; Richard Pepper, Fire Chief Upper Captiva; Roberts, Rickey; Sajgo, Gloria; Sampson, Lindsey; Scott Vanderbrook, Fire Chief Estero; Stewart, Robert; Sweigert, Rebecca; Terry Pye, Fire Chief North Fort Myers; Wayne Gale, Director Mosquito

4/5/2010

Control; Wegis, Howard; Wilson, John; Wu, Lili; Zettel, Mary
Cc: Noble, Matthew; O Connor, Paul; Burris, Richard
Subject: Comprehensive Plan Amendment Review - CPA2010-02

Planning staff is asking for your help in review of the above referenced proposed amendment to the Lee Plan. CPA2010-02 is a proposed privately initiated Lee County Comprehensive Plan amendment.

The applicant is proposing to change the Future land Use Category of the subject property from Suburban to Urban Community. The subject property consists of 208.4 acres of an existing Development of Regional Impact (DRI).

The applicant is proposing a site plan under a separate DRI application that would reduce the number of residential dwelling units allowed by 56 units, increase retail uses by 87,000 square feet, and add 150,000 square feet of general and medical office uses from what is currently allowed at this site. However, it should also be noted that the Urban Community future land use category would permit greater intensities and a wider range of uses than the applicant is proposing in the DRI application.

Please review the proposal for CPA2010-02 (a link is provided below), and provide comments concerning how the proposed amendment will affect your budget, operations, or other responsibilities that your agency/department is concerned with. Comments should be provided no later than March 31, 2010.

<http://www3.leegov.com/dcd/PlanAmendments/DRI/CPA201002A1.pdf>

Thank you,

Brandon D Dunn

Development Review Representative
bdunn@leegov.com
239.533.8585 ext. 48809

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 email communication may be subject to public disclosure. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

X

Dunn, Brandon

From: Wu, Lili
Sent: Thursday, March 18, 2010 1:59 PM
To: Dunn, Brandon
Cc: Loveland, David; Noble, Matthew
Subject: RE: Comprehensive Plan Amendment Review - CPA2010-02

Brandon:

The applicant submitted T & T DRI NOPC Traffic Study for the above Comprehensive Plan Amendment (CPA) review, in which does not meet the traffic analysis requirements of CPA. A new CPA traffic study shall be provided for review.

Wu

From: Dunn, Brandon
Sent: Wednesday, March 17, 2010 4:25 PM
To: Bill Horner, Lee County Port Authority; Bill Lombardo, Fire Chief South Trail; Bill Van Helden, Fire Chief Cape Coral; Bud Elliott, Fire Chief Iona McGregor; Campbell, Gerald; Charles Barry, Fire Chief Useppa Island; Clark, Roger; Collins, Donna Marie; Daltry, Wayne; Danny Duncan, Fire Chief Sanibel; Dave Lindsay, East County Water Control District; David Bradley, Fire Chief Matlacha; David Duncan, Fire Chief Fort Myers Shores; David Edmonds, Fire Chief Boca Grande; Dawn Gordon, Lee County School Board; Dickerson, Kim (Mary); Donald Adams Sr, Fire Chief Lehigh Acres; Eckenrode, Peter; Ed Howell, Fire Chief Port Authority; Fredyma, John; Griffith, Douglas; Hock, Donna M.; Horsting, Michael; Houck, Pamela; Jay Halverson, Fire Chief Captiva; Joey Tiner, Fire Chief Alva; Johnson, Frederic; Karuna-Muni, Anura; Ken Dobson, Fire Chief Fort Myers; Kevin Ferrell, Sheriffs Office; Larry Nisbet, Fire Chief Bayshore; Lavender, James; Lee, Samuel; Lis, Carol; Loveland, David; Maguire, Karen L; Manzo, Barbara; Meurer, Douglas; Mike Becker, Fire Chief Fort Myers Beach; Miller, Janet; Moore, James; Myers, Steve; Natale Ippolito, Fire Chief San Carlos Park; Newman, William; Noe, Susan; Olson, Cathy; Ottolini, Roland; P. H. Kinsey Jr, Fire Chief Bonita Springs; Paul DeArmond, Fire Chief Tice; Pavese, Michael; Price, Robert; Richard Pepper, Fire Chief Upper Captiva; Roberts, Rickey; Sajgo, Gloria; Sampson, Lindsey; Scott Vanderbrook, Fire Chief Estero; Stewart, Robert; Sweigert, Rebecca; Terry Pye, Fire Chief North Fort Myers; Wayne Gale, Director Mosquito Control; Wegis, Howard; Wilson, John; Wu, Lili; Zettel, Mary
Cc: Noble, Matthew; O Connor, Paul; Burris, Richard
Subject: Comprehensive Plan Amendment Review - CPA2010-02

Planning staff is asking for your help in review of the above referenced proposed amendment to the Lee Plan. CPA2010-02 is a proposed privately initiated Lee County Comprehensive Plan amendment.

The applicant is proposing to change the Future land Use Category of the subject property from Suburban to Urban Community. The subject property consists of 208.4 acres of an existing Development of Regional Impact (DRI).

The applicant is proposing a site plan under a separate DRI application that would reduce the number of residential dwelling units allowed by 56 units, increase retail uses by 87,000 square feet, and add 150,000 square feet of general and medical office uses from what is currently allowed at this site. However, it should also be noted that the Urban Community future land use category would permit greater intensities and a wider range of uses than the applicant is proposing in the DRI application.

Please review the proposal for CPA2010-02 (a link is provided below), and provide comments concerning how the proposed amendment will affect your budget, operations, or other responsibilities that your agency/department is concerned with. Comments should be provided no later than March 31,

2010.

<http://www3.leegov.com/dcd/PlanAmendments/DRI/CPA201002A1.pdf>

Thank you,

Brandon D Dunn

Development Review Representative

bdunn@leegov.com

239.533.8585 ext. 48809

4/5/2010

X

Dunn, Brandon

From: Osterhout, Thom
Sent: Thursday, March 18, 2010 1:33 PM
To: Dunn, Brandon
Cc: Wegis, Howard
Subject: RE: Comprehensive Plan Amendment Review - CPA2010-02

Brandon, I thought I sent you our comments on this one already. Please let me know if that is not the case.
 Thanks

Thom Osterhout
 Senior Manager
 Development
 Lee County Utilities
 1500 Monroe Street
 Fort Myers, Florida 33901
 TOsterhout@leegov.com
 (239) 533-8165
 Fax (239) 485-8385

From: Wegis, Howard
Sent: Thursday, March 18, 2010 11:43 AM
To: Osterhout, Thom
Subject: FW: Comprehensive Plan Amendment Review - CPA2010-02

See below a request for review on University Highlands Comp Plan Amendment.

Howard S. Wegis
 Staff Engineer
 Lee County Utilities
 P.O. Box 398
 Fort Myers, FL 33901
 Phone#: (239) 533-8163
 Fax#: (239) 485-8385

From: Dunn, Brandon
Sent: Wednesday, March 17, 2010 4:25 PM
To: Bill Horner, Lee County Port Authority; Bill Lombardo, Fire Chief South Trail; Bill Van Helden, Fire Chief Cape Coral; Bud Elliott, Fire Chief Iona McGregor; Campbell, Gerald; Charles Barry, Fire Chief Useppa Island; Clark, Roger; Collins, Donna Marie; Daltry, Wayne; Danny Duncan, Fire Chief Sanibel; Dave Lindsay, East County Water Control District; David Bradley, Fire Chief Matlacha; David Duncan, Fire Chief Fort Myers Shores; David Edmonds, Fire Chief Boca Grande; Dawn Gordon, Lee County School Board; Dickerson, Kim (Mary); Donald Adams Sr, Fire Chief Lehigh Acres; Eckenrode, Peter; Ed Howell, Fire Chief Port Authority; Fredyma, John; Griffith, Douglas; Hock, Donna M.; Horsting, Michael; Houck, Pamela; Jay Halverson, Fire Chief Captiva; Joey Tiner, Fire Chief Alva; Johnson, Frederic; Karuna-Muni, Anura; Ken Dobson, Fire Chief Fort Myers; Kevin Ferrell, Sheriffs Office; Larry Nisbet, Fire Chief Bayshore; Lavender, James; Lee, Samuel; Lis, Carol; Loveland, David; Maguire, Karen L; Manzo, Barbara; Meurer, Douglas; Mike Becker, Fire Chief Fort Myers Beach; Miller, Janet; Moore, James; Myers, Steve; Natale Ippolito, Fire Chief San Carlos Park; Newman, William; Noe, Susan; Olson, Cathy; Ottolini, Roland; P. H. Kinsey Jr, Fire Chief Bonita Springs; Paul DeArmond, Fire Chief Tice; Pavese, Michael; Price, Robert; Richard Pepper, Fire Chief Upper Captiva; Roberts, Rickey; Sajgo, Gloria; Sampson, Lindsey; Scott Vanderbrook, Fire Chief Estero; Stewart, Robert; Sweigert, Rebecca; Terry Pye, Fire Chief North Fort Myers; Wayne Gale, Director Mosquito Control; Wegis, Howard; Wilson, John; Wu, Lili; Zettel, Mary

4/5/2010

Cc: Noble, Matthew; O Connor, Paul; Burris, Richard

Subject: Comprehensive Plan Amendment Review - CPA2010-02

Planning staff is asking for your help in review of the above referenced proposed amendment to the Lee Plan. CPA2010-02 is a proposed privately initiated Lee County Comprehensive Plan amendment.

The applicant is proposing to change the Future land Use Category of the subject property from Suburban to Urban Community. The subject property consists of 208.4 acres of an existing Development of Regional Impact (DRI).

The applicant is proposing a site plan under a separate DRI application that would reduce the number of residential dwelling units allowed by 56 units, increase retail uses by 87,000 square feet, and add 150,000 square feet of general and medical office uses from what is currently allowed at this site. However, it should also be noted that the Urban Community future land use category would permit greater intensities and a wider range of uses than the applicant is proposing in the DRI application.

Please review the proposal for CPA2010-02 (a link is provided below), and provide comments concerning how the proposed amendment will affect your budget, operations, or other responsibilities that your agency/department is concerned with. Comments should be provided no later than March 31, 2010.

<http://www3.leegov.com/dcd/PlanAmendments/DRI/CPA201002A1.pdf>

Thank you,

Brandon D Dunn

Development Review Representative

bdunn@leegov.com

239.533.8585 ext. 48809

4/5/2010

X

Dunn, Brandon

From: Collins, Donna Marie
Sent: Thursday, March 18, 2010 8:49 AM
To: Dunn, Brandon
Subject: Re: Comprehensive Plan Amendment Review - CPA2010-02

What project is this?

-- Sent from my Palm Pre

On Mar 17, 2010 4:25 PM, Dunn, Brandon <BDunn@leegov.com> wrote:

Planning staff is asking for your help in review of the above referenced proposed amendment to the Lee Plan. CPA2010-02 is a proposed privately initiated Lee County Comprehensive Plan amendment.

The applicant is proposing to change the Future land Use Category of the subject property from Suburban to Urban Community. The subject property consists of 208.4 acres of an existing Development of Regional Impact (DRI).

The applicant is proposing a site plan under a separate DRI application that would reduce the number of residential dwelling units allowed by 56 units, increase retail uses by 87,000 square feet, and add 150,000 square feet of general and medical office uses from what is currently allowed at this site. However, it should also be noted that the Urban Community future land use category would permit greater intensities and a wider range of uses than the applicant is proposing in the DRI application.

Please review the proposal for CPA2010-02 (a link is provided below), and provide comments concerning how the proposed amendment will affect your budget, operations, or other responsibilities that your agency/department is concerned with. Comments should be provided no later than March 31, 2010.

<http://www3.leegov.com/dcd/PlanAmendments/DRI/CPA201002A1.pdf>

4/5/2010

Thank you,

Brandon D Dunn

Development Review Representative

bdunn@leegov.com <mailto:bdunn@leegov.com>

239.533.8585 ext. 48809



Dunn, Brandon

From: Olson, Cathy
Sent: Friday, March 19, 2010 11:56 AM
To: Dunn, Brandon
Subject: RE: Comprehensive Plan Amendment Review - CPA2010-02

Brandon,

Thanks for sending this my way. This proposal does not appear to affect c2020 land.

Cathy

Cathy Olson
 Conservation 20/20 Senior Supervisor
 Lee County Parks and Recreation
 3410 Palm Beach Blvd.
 Fort Myers, FL 33916
 (239) 533-7455
 fax: 239 485-2302
colson@leegov.com
www.leeparks.org

The Natural Place to Play...

Lee County Parks and Recreation is CAPRA accredited.

From: Dunn, Brandon
Sent: Wednesday, March 17, 2010 4:25 PM
To: Bill Horner, Lee County Port Authority; Bill Lombardo, Fire Chief South Trail; Bill Van Helden, Fire Chief Cape Coral; Bud Elliott, Fire Chief Iona McGregor; Campbell, Gerald; Charles Barry, Fire Chief Useppa Island; Clark, Roger; Collins, Donna Marie; Daltry, Wayne; Danny Duncan, Fire Chief Sanibel; Dave Lindsay, East County Water Control District; David Bradley, Fire Chief Matlacha; David Duncan, Fire Chief Fort Myers Shores; David Edmonds, Fire Chief Boca Grande; Dawn Gordon, Lee County School Board; Dickerson, Kim (Mary); Donald Adams Sr, Fire Chief Lehigh Acres; Eckenrode, Peter; Ed Howell, Fire Chief Port Authority; Fredyma, John; Griffith, Douglas; Hock, Donna M.; Horsting, Michael; Houck, Pamela; Jay Halverson, Fire Chief Captiva; Joey Tiner, Fire Chief Alva; Johnson, Frederic; Karuna-Muni, Anura; Ken Dobson, Fire Chief Fort Myers; Kevin Ferrell, Sheriffs Office; Larry Nisbet, Fire Chief Bayshore; Lavender, James; Lee, Samuel; Lis, Carol; Loveland, David; Maguire, Karen L; Manzo, Barbara; Meurer, Douglas; Mike Becker, Fire Chief Fort Myers Beach; Miller, Janet; Moore, James; Myers, Steve; Natale Ippolito, Fire Chief San Carlos Park; Newman, William; Noe, Susan; Olson, Cathy; Ottolini, Roland; P. H. Kinsey Jr, Fire Chief Bonita Springs; Paul DeArmond, Fire Chief Tice; Pavese, Michael; Price, Robert; Richard Pepper, Fire Chief Upper Captiva; Roberts, Rickey; Sajgo, Gloria; Sampson, Lindsey; Scott Vanderbrook, Fire Chief Estero; Stewart, Robert; Sweigert, Rebecca; Terry Pye, Fire Chief North Fort Myers; Wayne Gale, Director Mosquito Control; Wegis, Howard; Wilson, John; Wu, Lili; Zettel, Mary
Cc: Noble, Matthew; O Connor, Paul; Burris, Richard
Subject: Comprehensive Plan Amendment Review - CPA2010-02

Planning staff is asking for your help in review of the above referenced proposed amendment to the Lee Plan. CPA2010-02 is a proposed privately initiated Lee County Comprehensive Plan amendment.

The applicant is proposing to change the Future land Use Category of the subject property from Suburban to Urban Community. The subject property consists of 208.4 acres of an existing Development of Regional Impact (DRI).

4/5/2010

The applicant is proposing a site plan under a separate DRI application that would reduce the number of residential dwelling units allowed by 56 units, increase retail uses by 87,000 square feet, and add 150,000 square feet of general and medical office uses from what is currently allowed at this site. However, it should also be noted that the Urban Community future land use category would permit greater intensities and a wider range of uses than the applicant is proposing in the DRI application.

Please review the proposal for CPA2010-02 (a link is provided below), and provide comments concerning how the proposed amendment will affect your budget, operations, or other responsibilities that your agency/department is concerned with. Comments should be provided no later than March 31, 2010.

<http://www3.leegov.com/dcd/PlanAmendments/DRI/CPA201002A1.pdf>

Thank you,

Brandon D Dunn

Development Review Representative

bdunn@leegov.com

239.533.8585 ext. 48809

X

Dunn, Brandon

From: Dickerson, Kim (Mary)
Sent: Friday, March 19, 2010 2:45 PM
To: Dunn, Brandon
Subject: RE: Comprehensive Plan Amendment Review - CPA2010-02

Hi Brandon,
 I do not have any EMS response concerns regarding this project.
 Sincerely,

Kim Dickerson, EMT-P, RN, MBA
EMS Operations Chief
Lee County Emergency Medical Services
14752 Ben Pratt/Six Mile Cypress Parkway
Fort Myers, FL 33912
Phone: 239-533-3961
Fax: 239-485-2607
Email: kdickerson@leegov.com
Website: www.lee-ems.com

This e-mail message and attachments hereto are intended only for use by the addressee(s) named herein and may contain confidential information including Protected Health Information. If you are not the intended recipient of this e-mail message, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments hereto, is strictly prohibited. If you receive this e-mail in error, you must immediately notify this office at (239) 533-3961 and permanently delete the original message, attachments and any copies thereof and destroy any printouts of this e-mail message and its attachments.

From: Dunn, Brandon
Sent: Wednesday, March 17, 2010 4:25 PM
To: Bill Horner, Lee County Port Authority; Bill Lombardo, Fire Chief South Trail; Bill Van Helden, Fire Chief Cape Coral; Bud Elliott, Fire Chief Iona McGregor; Campbell, Gerald; Charles Barry, Fire Chief Useppa Island; Clark, Roger; Collins, Donna Marie; Daltry, Wayne; Danny Duncan, Fire Chief Sanibel; Dave Lindsay, East County Water Control District; David Bradley, Fire Chief Matlacha; David Duncan, Fire Chief Fort Myers Shores; David Edmonds, Fire Chief Boca Grande; Dawn Gordon, Lee County School Board; Dickerson, Kim (Mary); Donald Adams Sr, Fire Chief Lehigh Acres; Eckenrode, Peter; Ed Howell, Fire Chief Port Authority; Fredyma, John; Griffith, Douglas; Hock, Donna M.; Horsting, Michael; Houck, Pamela; Jay Halverson, Fire Chief Captiva; Joey Tiner, Fire Chief Alva; Johnson, Frederic; Karuna-Muni, Anura; Ken Dobson, Fire Chief Fort Myers; Kevin Ferrell, Sheriffs Office; Larry Nisbet, Fire Chief Bayshore; Lavender, James; Lee, Samuel; Lis, Carol; Loveland, David; Maguire, Karen L; Manzo, Barbara; Meurer, Douglas; Mike Becker, Fire Chief Fort Myers Beach; Miller, Janet; Moore, James; Myers, Steve; Natale Ippolito, Fire Chief San Carlos Park; Newman, William; Noe, Susan; Olson, Cathy; Ottolini, Roland; P. H. Kinsey Jr, Fire Chief Bonita Springs; Paul DeArmond, Fire Chief Tice; Pavese, Michael; Price, Robert; Richard Pepper, Fire Chief Upper Captiva; Roberts, Rickey; Sajgo, Gloria; Sampson, Lindsey; Scott Vanderbrook, Fire Chief Estero; Stewart, Robert; Sweigert, Rebecca; Terry Pye, Fire Chief North Fort Myers; Wayne Gale, Director Mosquito Control; Wegis, Howard; Wilson, John; Wu, Lili; Zettel, Mary
Cc: Noble, Matthew; O Connor, Paul; Burris, Richard
Subject: Comprehensive Plan Amendment Review - CPA2010-02

Planning staff is asking for your help in review of the above referenced proposed amendment to the Lee Plan. CPA2010-02 is a proposed privately initiated Lee County Comprehensive Plan amendment.

4/5/2010

The applicant is proposing to change the Future land Use Category of the subject property from Suburban to Urban Community. The subject property consists of 208.4 acres of an existing Development of Regional Impact (DRI).

The applicant is proposing a site plan under a separate DRI application that would reduce the number of residential dwelling units allowed by 56 units, increase retail uses by 87,000 square feet, and add 150,000 square feet of general and medical office uses from what is currently allowed at this site. However, it should also be noted that the Urban Community future land use category would permit greater intensities and a wider range of uses than the applicant is proposing in the DRI application.

Please review the proposal for CPA2010-02 (a link is provided below), and provide comments concerning how the proposed amendment will affect your budget, operations, or other responsibilities that your agency/department is concerned with. Comments should be provided no later than March 31, 2010.

<http://www3.leegov.com/dcd/PlanAmendments/DRI/CPA201002A1.pdf>

Thank you,

Brandon D Dunn

Development Review Representative

bdunn@leegov.com

239.533.8585 ext. 48809



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
MAR 23 2010
COMMUNITY DEVELOPMENT

March 22, 2010

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

RE: Comprehensive Plan Amendment Review
Case # CPA2010-02

Dear Mr. Dunn:

This letter is in response to your request dated March 17, 2010 for the Comprehensive Plan Amendment Review with regard to educational impact. This proposed structure is located in the South Choice Zone, Sub Zone S3.

After reviewing the submittal, the project has no impact on classroom needs based on the applicant's indication that this is an extension of time and a possible decrease in 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

Dunn, Brandon

From: Osterhout, Thom
Sent: Thursday, March 25, 2010 3:29 PM
To: Dunn, Brandon
Cc: Wegis, Howard
Subject: RE: Comprehensive Plan Amendment Review - CPA2010-02
Attachments: University Highlands Comp Plan Amendment.doc

Brandon her are our preliminary comments for the above referenced.

Thom Osterhout
Senior Manager
Development
Lee County Utilities
1500 Monroe Street
Fort Myers, Florida 33901
TOsterhout@leegov.com
(239) 533-8165
Fax (239) 485-8385

From: Wegis, Howard
Sent: Thursday, March 18, 2010 11:43 AM
To: Osterhout, Thom
Subject: FW: Comprehensive Plan Amendment Review - CPA2010-02

See below a request for review on University Highlands Comp Plan Amendment.

Howard S. Wegis
Staff Engineer
Lee County Utilities
P.O. Box 398
Fort Myers, FL 33901
Phone#: (239) 533-8163
Fax#: (239) 485-8385

From: Dunn, Brandon
Sent: Wednesday, March 17, 2010 4:25 PM
To: Bill Horner, Lee County Port Authority; Bill Lombardo, Fire Chief South Trail; Bill Van Helden, Fire Chief Cape Coral; Bud Elliott, Fire Chief Iona McGregor; Campbell, Gerald; Charles Barry, Fire Chief Useppa Island; Clark, Roger; Collins, Donna Marie; Daltry, Wayne; Danny Duncan, Fire Chief Sanibel; Dave Lindsay, East County Water Control District; David Bradley, Fire Chief Matlacha; David Duncan, Fire Chief Fort Myers Shores; David Edmonds, Fire Chief Boca Grande; Dawn Gordon, Lee County School Board; Dickerson, Kim (Mary); Donald Adams Sr, Fire Chief Lehigh Acres; Eckenrode, Peter; Ed Howell, Fire Chief Port Authority; Fredyma, John; Griffith, Douglas; Hock, Donna M.; Horsting, Michael; Houck, Pamela; Jay Halverson, Fire Chief Captiva; Joey Tiner, Fire Chief Alva; Johnson, Frederic; Karuna-Muni, Anura; Ken Dobson, Fire Chief Fort Myers; Kevin Ferrell, Sheriffs Office; Larry Nisbet, Fire Chief Bayshore; Lavender, James; Lee, Samuel; Lis, Carol; Loveland, David; Maguire, Karen L; Manzo, Barbara; Meurer, Douglas; Mike Becker, Fire Chief Fort Myers Beach; Miller, Janet; Moore, James; Myers, Steve; Natale Ippolito, Fire Chief San Carlos Park; Newman, William; Noe, Susan; Olson, Cathy; Ottolini, Roland; P. H. Kinsey Jr, Fire Chief Bonita Springs; Paul DeArmond, Fire Chief Tice; Pavese, Michael; Price, Robert; Richard Pepper, Fire Chief Upper Captiva; Roberts, Rickey; Sajgo, Gloria; Sampson, Lindsey; Scott Vanderbrook, Fire Chief Estero; Stewart, Robert; Sweigert, Rebecca; Terry Pye, Fire Chief North Fort Myers; Wayne Gale, Director

Mosquito Control; Wegis, Howard; Wilson, John; Wu, Lili; Zettel, Mary

Cc: Noble, Matthew; O Connor, Paul; Burris, Richard

Subject: Comprehensive Plan Amendment Review - CPA2010-02

Planning staff is asking for your help in review of the above referenced proposed amendment to the Lee Plan. CPA2010-02 is a proposed privately initiated Lee County Comprehensive Plan amendment.

The applicant is proposing to change the Future land Use Category of the subject property from Suburban to Urban Community. The subject property consists of 208.4 acres of an existing Development of Regional Impact (DRI).

The applicant is proposing a site plan under a separate DRI application that would reduce the number of residential dwelling units allowed by 56 units, increase retail uses by 87,000 square feet, and add 150,000 square feet of general and medical office uses from what is currently allowed at this site. However, it should also be noted that the Urban Community future land use category would permit greater intensities and a wider range of uses than the applicant is proposing in the DRI application.

Please review the proposal for CPA2010-02 (a link is provided below), and provide comments concerning how the proposed amendment will affect your budget, operations, or other responsibilities that your agency/department is concerned with. Comments should be provided no later than March 31, 2010.

<http://www3.leegov.com/dcd/PlanAmendments/DRI/CPA201002A1.pdf>

Thank you,

Brandon D Dunn

Development Review Representative

bdunn@leegov.com

239.533.8585 ext. 48809

UNIVERSITY HIGHLANDS 3/26/10

UTILITY ISSUES

The off-site utility improvements required for providing adequate sanitary sewer service to the U-H site are the construction of two recognized LCU CIP projects that have been placed on hold for at least the current and next fiscal years. The CIPs consist of the extension of a parallel 16" diameter sewage force main along Ben Hill Griffin Parkway commencing at the entrance to the Florida Gulf Coast University north approximately 3,500', then approximately 1,500' west under I-75 to our Three Oaks WWTP. These improvements will accommodate the flows generated from the site plus providing regional benefit for future development along this corridor. The anticipated cost of the above referenced improvements is in excess of \$ 800,000.00. This cost does not include the acquisition of any additional easements if needed. This will bring two Lee County CIP projects to fruition available for public use years before current Lee County funding would allow and provide regional benefit to our existing and future customers as well.

Adequate potable water infrastructure exists adjacent to the site within the right-of-way of Ben Hill Griffin Parkway and will be served by our Pinewoods WTP.

UNIVERSITY HIGHLANDS 3/26/10

UTILITY ISSUES

The off-site utility improvements required for providing adequate sanitary sewer service to the U-H site are the construction of two recognized LCU CIP projects that have been placed on hold for at least the current and next fiscal years. The CIPs consist of the extension of a parallel 16" diameter sewage force main along Ben Hill Griffin Parkway commencing at the entrance to the Florida Gulf Coast University north approximately 3,500', then approximately 1,500' west under I-75 to our Three Oaks WWTP. These improvements will accommodate the flows generated from the site plus providing regional benefit for future development along this corridor. The anticipated cost of the above referenced improvements is in excess of \$ 800,000.00. This cost does not include the acquisition of any additional easements if needed. This will bring two Lee County CIP projects to fruition available for public use years before current Lee County funding would allow and provide regional benefit to our existing and future customers as well.

Adequate potable water infrastructure exists adjacent to the site within the right-of-way of Ben Hill Griffin Parkway and will be served by our Pinewoods WTP.

Dunn, Brandon


From: Collins, Donna Marie
Sent: Monday, March 29, 2010 3:57 PM
To: Dunn, Brandon
Cc: Noble, Matthew; Jacob, Michael; Loveland, David; Getch, Andrew
Subject: CPA 2010-02 Future Land Use Map Amendment (University Highlands)
Importance: High

Good Afternoon Brandon

I have reviewed the CPA package on the proposed future land use map amendment on the University Highlands Property within the T&T DRI. There is a companion DRI Amendment pending to modify the land use parameters of the DRI.

1. The proposal to reclassify the UHLP property as Urban Community will leave an "island of" Suburban designated property consisting of the Germain Arena. The planning division should comment on whether this is acceptable.

~~2.~~ The CPA application materials reflect the applicant's intention to include a notation in plan amendment indicating that the UHLP property will not be entitled to bonus density, even though bonus density is permissible in the requested Urban Community Future Land Use Category. The statement is repeated throughout the application as each of the public facilities impacted by the proposed amendment is analyzed.

 Given the property's proximity to the DRGR and the character of area as an emerging activity center, I submit that the property would be suitable as a receiving area for TDRs created in the DRGR. Reducing the residential development entitlements would unnecessarily restrict the ability to transfer units to this site. As an aside, the transfer of TDRs from the DRGR to this site would also be impaired by the applicant's request to reduce the approved number of dwelling units as part of the DRI NOPC. (The reduction of residential units portion of the NOPC was probably inserted into the request to avoid the finding of a substantial deviation from the original development approvals due to the requested increase in retail and office commercial square footage.) The request to reduce the number of potential residential units on this site may not be in the best interests of the county.

~~3.~~ The description of the "Density and Intensity Calculations" is confusing. This section should clearly state that based on the existing zoning approvals for the property, the following development intensities can be achieved... and then describe only what is currently approved on the site. The zoning history is not relevant in the context of understanding the difference in the development potential of the site under the existing classification and the proposed plan amendment.

~~4.~~ The survey does not reflect the area purchased by FDOT for storm water retention. Also, I believe there are areas of this property that have been recently mapped by FEMA as a flood way. This designation should also be noted on the survey if applicable.

~~5.~~ The traffic study submitted is for a DRI NOPC, not a comprehensive plan amendment. The traffic study should evaluate the difference in potential transportation impacts given the

requested land use classification. Note that once the plan is amended, the DRI can be amended to request the development intensity consistent with the maximum level of development permitted under the FLU category. In addition, please double check with DOT, but I believe the traffic analysis should be to the plan horizon (2030), not the projected build out date of the DRI (2018). The analysis submitted with the application is an NOPC traffic study, not a CPA traffic study.

6. The Florida Gulf Coast University Board of Trustees, and the President of the University should be notified of the application due to the property's proximity to the college. (They will not be captured by the standard 500 foot notice radius.)

On a related subject, I spoke to Michael Jacob regarding insufficiencies with the NOPC application, specifically, (1) the need to modify the application submittals to include the entire project, (2) the inability to limit development potential on one specific tract within a DRI. It is my opinion the applicant may not reduce the approved residential intensity for the DRI unless the applicant can demonstrate that the other tracts are built out. If there remains the possibility to recoup the unused residential dwelling units elsewhere within the DRI, University Highlands may not reduce the approved residential intensity without the consent of affected landowners (developers) within the DRI.

Peace.

Donna Marie

X

Dunn, Brandon

From: Block, Alvin
Sent: Monday, March 29, 2010 12:13 PM
To: Dunn, Brandon
Cc: Houck, Pamela
Subject: FW: Comprehensive Plan Amendment Review - CPA2010-02 (University Highlands - Timberland & Tiburon Comp Plan Amendment)

1. Page 4 of 12, III.E.: Shouldn't the applicant be noting the commercial possibility that may be allowed if changed from Suburban to Urban Community? The site is on an arterial road at a new intersection. Depending on the category of the new road, could they not conceivably be able to achieve greater commercial floor area, if granted? Note the difference in the language of the Lee Plan between Suburban and Urban Community.
2. Does the application in the same Section above consider the maximum allowed number of dwelling units to include bonus density? If so, then is the application correct?
3. Page 9 and 10, IV.E.: Statement indicates that the applicant is willing to limit property to a maximum of 6 units per acre without benefit of be allowed bonus density. The question becomes, "What is the difference?" One difference is that in Urban Community a parcel may be grated greater intensity. Suburban provides "commercial development greater than neighborhood centers" is not permitted. Urban Community does allow for greater commercial intensity.

The statement also discusses at length the DRI. Note that the DRI is currently being sought for an amendment, which includes additional commercial development not already allowed within the DRI. They say no increase in residential, but fail to provide in this discussion the changes in commercial intensity.

4. PAGE 11, IV.G.: The DRI is currently in 3 future land use categories. If approved, doesn't this place the DRI in 4 categories? Could applicant seek greater residential intensity off the site through the provision of the Lee Plan and DRI to place more residential units elsewhere in the DRI? Suburban is on the fringe of the urban areas. Isn't the site near the urban boundary?
5. Public Facilities Impact Analysis: Should the applicant indicate the proposed difference in the commercial floor area not only planned for in the DRI application but also conceivably what could be granted if the proposed Land Use Map amendment is approved? Seems that the amendment should provide this information.

That is all that I have for now.
 Chip

Alvin Block, AICP

Principal Planner
 Lee County Department of Community Development
 Zoning Division
 (239) 533-8371
blockah@leegov.com

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 email communication may be subject to public disclosure.

4/5/2010

Under Florida law, e-mail addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

From: Houck, Pamela
Sent: Monday, March 29, 2010 11:18 AM
To: Block, Alvin
Subject: FW: Comprehensive Plan Amendment Review - CPA2010-02 (University Highlands - Timberland & Tiburon Comp Plan Amendment)

fyi

From: Dunn, Brandon
Sent: Monday, March 29, 2010 11:11 AM
To: Bill Horner, Lee County Port Authority; Bill Lombardo, Fire Chief South Trail; Bill Van Helden, Fire Chief Cape Coral; Bud Elliott, Fire Chief Iona McGregor; Campbell, Gerald; Charles Barry, Fire Chief Useppa Island; Clark, Roger; Collins, Donna Marie; Daltry, Wayne; Danny Duncan, Fire Chief Sanibel; Dave Lindsay, East County Water Control District; David Bradley, Fire Chief Matlacha; David Duncan, Fire Chief Fort Myers Shores; David Edmonds, Fire Chief Boca Grande; Dawn Gordon, Lee County School Board; Dickerson, Kim (Mary); Donald Adams Sr, Fire Chief Lehigh Acres; Eckenrode, Peter; Ed Howell, Fire Chief Port Authority; Fredyma, John; Griffith, Douglas; Hock, Donna M.; Horsting, Michael; Houck, Pamela; Jay Halverson, Fire Chief Captiva; Joey Tiner, Fire Chief Alva; Johnson, Frederic; Karuna-Muni, Anura; Ken Dobson, Fire Chief Fort Myers; Kevin Ferrell, Sheriffs Office; Larry Nisbet, Fire Chief Bayshore; Lavender, James; Lee, Samuel; Lis, Carol; Loveland, David; Maguire, Karen L; Manzo, Barbara; Meurer, Douglas; Mike Becker, Fire Chief Fort Myers Beach; Miller, Janet; Moore, James; Myers, Steve; Natale Ippolito, Fire Chief San Carlos Park; Newman, William; Noe, Susan; Olson, Cathy; Ottolini, Roland; P. H. Kinsey Jr, Fire Chief Bonita Springs; Paul DeArmond, Fire Chief Tice; Pavese, Michael; Price, Robert; Richard Pepper, Fire Chief Upper Captiva; Roberts, Rickey; Sajgo, Gloria; Sampson, Lindsey; Scott Vanderbrook, Fire Chief Estero; Stewart, Robert; Sweigert, Rebecca; Terry Pye, Fire Chief North Fort Myers; Wayne Gale, Director Mosquito Control; Wegis, Howard; Wilson, John; Wu, Lili; Zettel, Mary
Cc: Noble, Matthew
Subject: Comprehensive Plan Amendment Review - CPA2010-02 (University Highlands - Timberland & Tiburon Comp Plan Amendment)

This is a reminder. If you have already responded to the original request please ignore. If you would like to provide response please do so by Wednesday of this week. I plan on supplying the applicant with a sufficiency response by the end of this week.

Thank you - Brandon

****Original E-mail dated March 17, 2010****

Planning staff is asking for your help in review of the above referenced proposed amendment to the Lee Plan. CPA2010-02 is a proposed privately initiated Lee County Comprehensive Plan amendment.

The applicant is proposing to change the Future land Use Category of the subject property from Suburban to Urban Community. The subject property consists of 208.4 acres of an existing Development of Regional Impact (DRI).

The applicant is proposing a site plan under a separate DRI application that would reduce the number of residential dwelling units allowed by 56 units, increase retail uses by 87,000 square feet, and add 150,000 square feet of general and medical office uses from what is currently allowed at this site. However, it should also be noted that the Urban Community future land use category would permit greater intensities and a wider range of uses than the applicant is proposing in the DRI application.

4/5/2010

Please review the proposal for CPA2010-02 (a link is provided below), and provide comments concerning how the proposed amendment will affect your budget, operations, or other responsibilities that your agency/department is concerned with. Comments should be provided no later than March 31, 2010.

<http://www3.leegov.com/dcd/PlanAmendments/DRI/CPA201002A1.pdf>

Thank you,

Brandon D Dunn

Development Review Representative

bdunn@leegov.com

239.533.8585 ext. 48809



Dunn, Brandon

From: Newman, William
Sent: Monday, March 29, 2010 4:08 PM
To: Dunn, Brandon
Subject: RE: Comprehensive Plan Amendment Review - CPA2010-02

Mr. Dunn:

The Solid Waste division has no objections to the Comp Plan Amendment CPA 2010-02.

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

From: Dunn, Brandon
Sent: Wednesday, March 17, 2010 4:25 PM
To: Bill Horner, Lee County Port Authority; Bill Lombardo, Fire Chief South Trail; Bill Van Helden, Fire Chief Cape Coral; Bud Elliott, Fire Chief Iona McGregor; Campbell, Gerald; Charles Barry, Fire Chief Useppa Island; Clark, Roger; Collins, Donna Marie; Daltry, Wayne; Danny Duncan, Fire Chief Sanibel; Dave Lindsay, East County Water Control District; David Bradley, Fire Chief Matlacha; David Duncan, Fire Chief Fort Myers Shores; David Edmonds, Fire Chief Boca Grande; Dawn Gordon, Lee County School Board; Dickerson, Kim (Mary); Donald Adams Sr, Fire Chief Lehigh Acres; Eckenrode, Peter; Ed Howell, Fire Chief Port Authority; Fredyma, John; Griffith, Douglas; Hock, Donna M.; Horsting, Michael; Houck, Pamela; Jay Halverson, Fire Chief Captiva; Joey Tiner, Fire Chief Alva; Johnson, Frederic; Karuna-Muni, Anura; Ken Dobson, Fire Chief Fort Myers; Kevin Ferrell, Sheriffs Office; Larry Nisbet, Fire Chief Bayshore; Lavender, James; Lee, Samuel; Lis, Carol; Loveland, David; Maguire, Karen L; Manzo, Barbara; Meurer, Douglas; Mike Becker, Fire Chief Fort Myers Beach; Miller, Janet; Moore, James; Myers, Steve; Natale Ippolito, Fire Chief San Carlos Park; Newman, William; Noe, Susan; Olson, Cathy; Ottolini, Roland; P. H. Kinsey Jr, Fire Chief Bonita Springs; Paul DeArmond, Fire Chief Tice; Pavese, Michael; Price, Robert; Richard Pepper, Fire Chief Upper Captiva; Roberts, Rickey; Sajgo, Gloria; Sampson, Lindsey; Scott Vanderbrook, Fire Chief Estero; Stewart, Robert; Sweigert, Rebecca; Terry Pye, Fire Chief North Fort Myers; Wayne Gale, Director Mosquito Control; Wegis, Howard; Wilson, John; Wu, Lili; Zettel, Mary
Cc: Noble, Matthew; O Connor, Paul; Burris, Richard
Subject: Comprehensive Plan Amendment Review - CPA2010-02

Planning staff is asking for your help in review of the above referenced proposed amendment to the Lee Plan. CPA2010-02 is a proposed privately initiated Lee County Comprehensive Plan amendment.

The applicant is proposing to change the Future land Use Category of the subject property from Suburban to Urban Community. The subject property consists of 208.4 acres of an existing Development of Regional Impact (DRI).

The applicant is proposing a site plan under a separate DRI application that would reduce the number of residential dwelling units allowed by 56 units, increase retail uses by 87,000 square feet, and add 150,000 square feet of general and medical office uses from what is currently allowed at this site. However, it should also be noted that the Urban Community future land use category would permit greater intensities and a wider range of uses than the applicant is proposing in the DRI application.

Please review the proposal for CPA2010-02 (a link is provided below), and provide comments concerning how the proposed amendment will affect your budget, operations, or other responsibilities that your agency/department is concerned with. Comments should be provided no later than March 31, 2010.

<http://www3.leegov.com/dcd/PlanAmendments/DRI/CPA201002A1.pdf>

Thank you,

Brandon D Dunn

Development Review Representative

bdunn@leegov.com

239.533.8585 ext. 48809



Dunn, Brandon

From: William B. Horner [wbhorner@flylcpa.com]
Sent: Wednesday, March 31, 2010 5:14 PM
To: Dunn, Brandon
Subject: University Highlands - Tiberon-Timberlands

Brandon,
The Port authority has no sufficiency questions.
Bill

*William B. Horner, AICP
Planning Manager
Lee County Port Authority
11000 Terminal Access Road, Suite 8671
Fort Myers, FL 33913
Telephone: (239) 590-4618/Fax: (239) 590-4688
E-mail Address: wbhorner@flylcpa.com*

X

Dunn, Brandon

From: Martin, Aaron
Sent: Thursday, April 01, 2010 7:18 AM
To: Dunn, Brandon
Subject: CPA2010-00002
Attachments: ES Staff Memo University Highlands.wpd

Attached are ES staffs comments on CPA2010-00002.

Aaron Martin

Aaron Martin
Environmental Planner
Lee County Division of Environmental Sciences
239.533.8522 (Office)
239.485.8344 (Fax)
AMartin@leegov.com (e-mail)

**MEMORANDUM
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES**

Date: March 31, 2010
To: Brandon Dunn, Planner

From: Aaron Martin, Environmental Planner
Phone: (239)533-8522
e-mail: amartin@leegov.com

Project: University Highlands
Case: CPA2010-00002

PROJECT:

The applicant is requesting to amend the Future Land Use Map from Suburban to Urban Community to allow for the development of 208.4 acres.

PROJECT SITE:

The project is located north of Corkscrew Road on the south west corner of Estero Pkwy and Ben Hill Griffin Pkwy. Surrounding land uses include: the Germain Arena and Miromar Outlets to the south, residential development to the east and west, and vacant lands to the north. The surrounding Future Land Uses include: University Community to the north, Suburban to the east, Urban Community to the west, and Suburban/General Interchange to the south.

ENVIRONMENTAL CONCERNS:

ES Staff has reviewed the application submittal and has the following comments and questions:

1) Per the SFWMD and the ACOE this site contains a large amount of jurisdictional wetlands (133.25 acres of the 209.6 acre total site). These wetlands are not demonstrated on the proposed Future Land Use Map amendment. Per Objective 114.1 "Wetlands" include all of those lands, whether shown on the Future Land Use Map or not, 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 by F.S. 373.4211. Furthermore, Policy 114.1.3 states that the Future Land Use Map shows the approximate boundaries of wetlands in Lee County. The map will be updated as needed based on the definitions in this plan and new information. Therefore, given the definition of wetlands per Objective 114.1 and the 133.25 acres of jurisdictional wetlands identified on the site the Future Land Use Map must be amended to identify the Wetlands land use category on site per Policy 114.1.3. However, should permits be in place from the proper state and federal agencies to allow impacts to these wetlands then please provide copies off all information and a narrative describing the status of these permits and any proposed mitigation for the impacts. Note the small 0.3 acre wetland on the site to be preserved must be shown in the Wetlands future land use category.

2) Has a letter of map correction been done through FEMA? Please provide a revised flowways/FEMA map demonstrating the current FEMA floodway. The map provided indicates the corrected FEMA floodways but staff is unsure if this was ever corrected. Please also provide a narrative indicating the status of any corrections to the FEMA floodway.

3) Pending site inspection for verification of FLUCCS.

Dunn, Brandon

From: Block, Alvin
Sent: Thursday, April 01, 2010 10:42 AM
To: Collins, Donna Marie; Dunn, Brandon
Cc: Jacob, Michael; 'Neale Montgomery'; Noble, Matthew
Subject: RE: T&T DRI DO and Comp Plan Amendment - Microwave Relay Paths

Thanks, for the suggestion I will keep this as a reminder.

Chip

Alvin Block, AICP
 Principal Planner
 Lee County Department of Community Development Zoning Division
 (239) 533-8371
 blockah@leegov.com

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 email communication may be subject to public disclosure.

Under Florida law, e-mail addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

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

From: Collins, Donna Marie
Sent: Thursday, April 01, 2010 10:40 AM
To: Dunn, Brandon
Cc: Block, Alvin; Jacob, Michael; Neale Montgomery; Noble, Matthew
Subject: RE: T&T DRI DO and Comp Plan Amendment - Microwave Relay Paths

Friends

It seems to me that a brief condition in the zoning resolution referencing the need to comply with LCO 07-26 will be sufficient in this case. There can also be a DRI DO condition to this effect as well, although I think that may be overkill. Peace.

Donna Marie Collins
 Chief Assistant County Attorney
 Lee County Attorney's Office
 Phone: 239-533-2236
 Fax: 239-485-2106
 collinsd@leegov.com

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

From: Dunn, Brandon
Sent: Wednesday, March 31, 2010 4:09 PM
To: Neale Montgomery
Cc: Block, Alvin; Collins, Donna Marie
Subject:

The picture below shows the Microwave Relay Paths in red.

This corridor is the topic of Lee County Ordinance 07-26. I have provided a link which will help you determine how to handle this as your project progresses. At this point in the process (comp plan amendment) nothing needs to be done, I just wanted to make you aware of it. However, the ordinance states that "Review should be sought during the early states of rezoning, development order or building permit approval".

<http://www.lee-county.com/gov/bocc/ordinances/Ordinances/07-26.pdf>

Brandon D Dunn

Development Review Representative

bdunn@leegov.com

239.533.8585 ext. 48809

PAVESE LAW FIRM

WM
NEALE MONTGOMERY

Direct dial: (239) 336-6235
Email: NealeMontgomery@paveselaw.com

1833 Hendry Street, Fort Myers, Florida 33901 | P.O. Drawer 1507, Fort Myers, Florida 33902-1507 | (239) 334-2195 | Fax (239) 332-2243

April 8, 2010

RECEIVED

APR 12 2010

LC DEPT OF TRANSPORTATION

Mr. Daniel L. Trescott
DRI Coordinator
Southwest Florida Regional Planning Council
1926 Victoria Avenue
Fort Myers, Florida 33901

Mr. Alvin "Chip" Block
Lee County Community Development
P.O. Box 398
Fort Myers, FL 33902-0398

**RE: University Highland Limited Partnership
Lee County Application for Comprehensive Plan Amendment (CPA)**

Dear Messrs. Trescott and Block:

The applicant is requesting a Future Land Use Map (FLUM) amendment to redesignate 208.4 acres of property currently designated as Suburban to Urban Community, but is not requesting bonus density which is allowed in the Urban Community. Therefore, no increase in density is being requested: the maximum allowable density under the existing FLUM is six units per acre, and the maximum allowable density under the proposed FLUM is six units per acre.

Since there is no change being proposed in the maximum development potential of the property as part of this Comprehensive Plan Amendment, there is no need for a CPA Traffic Circulation Analysis in accordance with Section IV.B.1 in the Application for a Comprehensive Plan Amendment. Consequently, the applicant is requesting that this requirement be waived.

This property is part of the Timberland and Tiburon DRI. The traffic impacts of this property are currently being assessed and reviewed as part of the Timberland and Tiburon 8th Amendment to DRI and MPD. The Notice of Proposed Change (NOPC) proposes land use densities consistent with both the current and proposed land use designation. Any changes to the proposed uses will be subject to review and approval.

Please disregard the T&T DRI/University Highland Notice of Proposed Change Traffic Study that was submitted along with this CPA. This traffic study is being fully reviewed as part of the application for the 8th Amendment to the DRI. The DRI process will determine if any further traffic mitigation is required due to proposed changes on this site.

Messrs. Trescott and Block
April 8, 2010
Page Two

If you have any questions or concerns please feel free to contact me.

Sincerely,


Neale Montgomery

NM/kc

cc: Mr. David Loveland
Ms. Lili Wu ✓
Mr. Al Moscato
Mr. Ronald Talone
Mr. John English



Florida Department of Transportation

CHARLIE CRIST
GOVERNOR

STEPHANIE C. KOPELOUSOS
SECRETARY

May 6, 2010

Ms. Pam Houck, Director of Zoning
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

**Subject: UHLP Site
Joint Use Pond Agreement**

Dear Ms. Houck:

Please be advised that the Florida Department of Transportation (FDOT) has been engaged in discussions with the property owners of the University Highland LP (UHLP) site in Estero and their representatives and is currently in the process of preparing a Joint Use Pond Agreement to share a surface water management lake on the UHLP site. The shared surface water management lake will provide stormwater storage and water quality treatment for FDOT's future widening of I-75 to the ultimate ten lane section and a portion of the future development of the UHLP site. It is anticipated that, following the completion of the agreement, UHLP will be the owner of the surface water management lake and that FDOT will be granted a drainage easement over the shared lake.

If you should have any questions or require any additional information, please do not hesitate to contact me at (863) 519-2277.

Sincerely,

Nicole Mills, PE
District Project Management Engineer

cc: Al Moscato, NM Development Group

www.dot.state.fl.us

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

Date: May 27, 2010

To: Brandon Dunn, Planner

From: Aaron Martin, Environmental Planner

Phone: (239)533-8522

e-mail: amartin@leegov.com

*AMS for
ADM*

Project: University Highlands

Case: CPA2010-00002

PROJECT:

The applicant is requesting to amend the Future Land Use Map (FLUM) from Suburban and Wetlands to Urban Community and Wetlands to allow for the development of 1300 dwelling units, 150,000 sq ft of general office (with up to 50,000 sq ft of medical), 99,384 sq ft of commercial, and a 200 room hotel.

PROJECT SITE:

The site is approximately 208.4 acres in size and is located between I-75 and Ben Hill Griffin Pkwy just north of and adjacent to the Miromar Outlet Mall and Germain Arena. The site is zoned MPD and currently has a Future Land Use Category of Suburban and Wetland. The MPD zoning is part of an overall Timberland and Tiburon (T&T) development of regional impact (DRI) that was done in 1995 (DRI #7-8384-46). The majority of the 812.4 acre T&T DRI has been developed with this being the only remaining undeveloped portion. Originally, this portion of the DRI was to be developed as a residential community with a 200 room hotel and limited commercial square footage (approximately 12,384 sq ft). The applicant has proposed an amendment to the current DRI/DCI (DRI2010-00001 and DCI2010-00005) to allow for the development of 1300 dwelling units, 150,000 sq ft of general office (with up to 50,000 sq ft of medical), 99,384 sq ft of commercial, and a 200 room hotel.

ENVIRONMENTAL ASSESSMENT:

A vegetative community assessment and protected species survey for Lee County listed species meeting the requirements of Lee County Land Development Code (LDC) Section 10-473 was conducted by Wilson Miller, Inc. in March 2010. The assessment and a Florida Land Use, Cover and Classification System (FLUCCS) map was submitted by the applicant. County Staff conducted a site inspection on March 19, 2010 which confirmed the applicants species survey and FLUCCS map.

The site is comprised of: 1.2 acres Pine Flatwoods with 10-24% exotic coverage FLUCCS 411E1, 2.92 acres Pine Flatwoods with 25-49% exotic coverage FLUCCS 411E2, 40.11 acres Pine Flatwoods with 50-75% exotic coverage FLUCCS 411E3, 7.12 acres Pine Flatwoods with 76-100% exotic coverage FLUCCS 411E4, 2.91 acres Ditches FLUCCS 513, 13.98 acres Stormwater Management Lake FLUCCS 527, 20.87 acres Exotic Wetland Hardwoods FLUCCS 619, 75.39 acres Hydric Pine Flatwoods with 50-75% exotic coverage FLUCCS 625E3, 32.56 acres Hydric Pine Flatwoods with 76-100% exotic coverage FLUCCS 625E4, 0.79 acres Spoil Areas FLUCCS 743 and 743E3, 9.36 acres Roads and Rights of Ways FLUCCS 814, and 1.21 acres Primitive Trails FLUCCS 8146.

Within the 411 FLUCCS community the canopy vegetation is slash pine (*Pinus elliotti*), live oak (*Quercus virginiana*), cabbage palm (*Sabal palmetto*), and scattered melaleuca (*Melaleuca quinquenervia*). The midstory contains scattered Brazilian pepper (*Schinus terebinthifolius*), stagger bush (*Lyonia* sp.), gallberry (*Ilex glabra*), myrsine (*Rapanea punctata*), saltbush (*Baccharis* sp.), and wax myrtle (*Myrica cerifera*). The ground cover is dominated by saw palmetto (*Serenoa repens*), and also contains species such as wire grass (*Artistida stricta*), grapevine (*Vitis rotundifolia*), and greenbriar (*Smilax glauca*).

Within the 625 FLUCCS community the canopy vegetation is slash pine (*Pinus elliotti*), laurel oak (*Quercus laurifolia*), cabbage palm (*Sabal palmetto*), bald cypress (*Taxodium distichum*), and scattered melaleuca (*Melaleuca quinquenervia*). The midstory contains scattered Brazilian pepper (*Schinus terebinthifolius*), dahoon holly (*Ilex cassine*), myrsine (*Rapanea punctata*), and wax myrtle (*Myrica cerifera*). The ground cover contains some scattered saw palmetto (*Serenoa repens*), and also contains species such as wire grass (*Artistida stricta*), muhly grass (*Muhlenbergia* spp.), and love grass (*Eragrotis* spp.).

Listed species identified on site included gopher tortoise, tricolored heron, little blue heron, snowy egret, white ibis, wood stork, and american alligator. There are an estimated one to two gopher tortoises on site, along the edge of an upland trail. Given the wet nature of the site and the location of the burrows along an upland trail it is believed that these tortoises were placed on the site illegally. The applicant has indicated in their current DRI/DCI request that they will be relocating these tortoises offsite given the lack of suitable habitat on site. In addition, approximately 132.9 acres of the property is located within the panther primary zone. At time of local development this site will have to undergo a section 7 consultation with FWS and address any required mitigation.

WETLANDS:

The only wetlands shown on the current FLUM is a 0.3 acre wetland along the north property line. The proposed FLUM demonstrates that same wetland area as remaining in its current land use category. The site overall contains approximately 133 acres of jurisdictional wetlands per the Army Corp of Engineers (ACOE) and the South Florida Water Management District (SFWMD). **Lee Plan Objective 114.1** states The natural functions of wetlands and wetland systems will be protected and conserved through the enforcement of the county's wetland protection regulations and the goals, objectives, and policies in this plan. "Wetlands" include all of those lands, whether shown on the

Future Land Use Map or not, 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 by F.S. 373.4211. Consequently, the wetlands on this site have become degraded over time due to surrounding development and changes in hydrologic connections. Because of the road construction, the surface water flow in this area has been rerouted along the roads through the drainage ditches, severely impacting the function of the wetlands on site and allowing for increased exotic infestation.

In addition to the surrounding development and impacts to surface water flow, the site has been previously permitted to be impacted by both the ACOE and the SFWMD. Development of the entire DRI, including the subject property, was reviewed and conceptually approved by SFWMD as part of ERP Permit No. 36-018171-S in 1991. The SFWMD ERP Permit No. 36-01871-S was extended on July 9, 2009 until May 22, 2011. In addition the applicant has applied for a modification of this site to allow the new proposed development parameters as discussed previously to be permitted. In addition to the SFWMD ERP permit, the development of this site was previously reviewed and approved by the ACOE in 1993 as part of a Section 404 Individual Permit No. 1993-2371-IP. This ACOE permit expired in May of 2006 and the applicant has reapplied for a new permit (Application No. SAJ-2009-01116-IP-MJD) which is currently under review.

Memo

To: Paul O'Connor, Planning Director

From: David Loveland, Public Works Operations Manager, Planning *DL*

Date: June 14, 2010

Subject: **CPA 2010-02 (University Highlands)**

The Department of Transportation has reviewed the above-referenced privately-initiated comprehensive plan amendment, submitted in conjunction with a DRI application. The request is to change the land use designation for approximately 208.4 acres on the west side of Ben Hill Griffin Parkway south of the Estero Parkway Extension from "Suburban" to "Urban Community". The property is part of the Timberland & Tiburon DRI. The development parameters that are being applied for through the DRI amendment are 1,300 multi-family residential units, 100,000 square feet of general office space, 50,000 square feet of medical office space, 99,384 square feet of retail commercial uses, and 200 hotel units; however, for purposes of the comprehensive plan traffic analysis, the applicant assumed the 1,300 multi-family residential units and 1,120,000 square feet of retail commercial uses as a "worst case" scenario associated with the land use change. The applicant noted that the "worst case" scenario is highly unlikely and may not even be possible given the development acreage of the site. Although there are some roadway segments in the area that are projected to fail by 2030, both with and without the land use modification, the land use change doesn't really allow much more development than could already be built under the existing designation (part of the applicant's interest in the change was more height). The area is also served by multiple major arterials and non-highway modes of transportation (actually making it appropriate for mixed uses and intensification), and the property is part of an already-established DRI with a specific mitigation plan to cover its proportionate share obligation, through the payment of road impact fees and contributions to the Corkscrew Road Service Area (CRSA) special assessment. Therefore, DOT staff concludes the projected negative conditions are off-set and recommends the amendment be transmitted.

Analysis of Impacts - 2030

In order to analyze the impact of this proposal on the Lee County MPO's 2030 Financially Feasible Plan, the applicant's consultant added the "worst case" development parameters to the zonal data for existing traffic analysis zone (TAZ) 1380, and ran the FSUTMS travel demand model. Based on the model runs on the financially feasible plan network, two roadway segments within a 3-mile radius of the site are projected to exceed their adopted level of service standard in 2030 with or without this amendment. They are:

I-75 from Bonita Beach Road to Corkscrew Road
I-75 from Corkscrew Road to Alico Road

In addition, two more roadway segments are projected to exceed their adopted level of service standard in 2030 with the addition of this “worst case” land use change. They are:

Ben Hill Griffin Parkway from FGCU Entrance to College Club Drive
Three Oaks Parkway from Williams Road to Corkscrew Road

Applicant's Proposed Mitigation

The applicant's consultant suggests that the CPA's traffic impacts will be fully mitigated through the Timberland & Tiburon DRI, which as noted requires the payment of road impact fees and the CRSA contribution to address the proportionate share obligation. The applicant's consultant estimates that the “worst case” scenario would generate about \$20.5 million in road impact fees under today's rate schedule, and suggests that these payments can be used to fund whatever improvements are found to be necessary to support general growth in the area.

2014 Analysis

The applicant's consultant also performed an analysis of the project impacts for the year 2014, using historic growth rates for the background traffic (2% a year increase) and the model for the project traffic. DOT staff agrees with the applicant's conclusion that all the study area roadway segments will operate at or better than adopted level of service standards with and without the CPA in year 2014.

Median Opening Changes

Although perhaps more of an issue for the University Highlands DRI than this CPA, DOT staff has a concern about the project's access to the approved median openings on Ben Hill Griffin Parkway. The median openings and allowed movements on Ben Hill Griffin Parkway were established when the right-of-way was provided to the County back in 1996. Since then, a new full-movement median opening with a traffic signal has been established just north of the project site, as part of the Estero Parkway Extension. When this University Highlands site was under consideration as a potential location for the new Red Sox spring training stadium, DOT staff had noted that the full median opening just to the south of the Estero Parkway Extension needed to be changed to only allow right-in/right-out and directional left-in movements. The next median opening to the south from there, which currently has limited movements allowed, could then become a full-movement opening. This would allow for better spacing of the full-movement openings, which are candidates for future traffic signals. The applicant accepted the need to change the full median opening to a right-in/right-out/directional left-in movement during the Red Sox stadium discussions. This modification must be implemented as part of the proposed intensification of the land use classification to Urban Community.

Conclusions

While the projected roadway failures in 2030 both with and without the CPA would normally be a cause for concern and could lead to a recommendation of non-transmittal absent a financial commitment to make the necessary improvements. DOT staff concludes that the project impacts will be adequately addressed for the following reasons: (1) the land use change is not really different than what is already allowed, and the “worst case” scenario is unlikely to be realized; (2) the site is part of a long-established DRI that already has a specific traffic mitigation plan in

place, involving the payment of road impact fees and the payment of the CRSA special assessment; and (3) this site actually makes sense as a location for infill and mixed use development. Therefore, LCDOT staff recommends transmitting this amendment.

Please let me know if you need any additional information.

cc: Donna Marie Collins, Chief Assistant County Attorney
Brandon Dunn, Senior Planner, LCDCD



LEE COUNTY
SOUTHWEST FLORIDA
BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Karen B. Hawes
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

September 30, 2010

Ms. Margaret Perry
WilsonMiller, Inc.
3200 Bailey Lane, Suite 200
Naples, FL 34105

Re: Agenda Schedule for University Highlands Lee Plan Amendment
Case No. CPA2010-00002

Dear Ms. Perry:

Your plan amendment request has been scheduled before the Board of County Commissioners to take final action after reviewing the Florida Department of Community Affairs Objections, Recommendations, and Comments (ORC) Report.

DATE & TIME: Monday, October 18, 2010. Meeting commences at 9:30 a.m.

LOCATION: Commissioners' Meeting Room
2120 Main Street
Fort Myers, FL 33901

If you have any questions, feel free to contact our office at 533-8548.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Planning Division


Janet Miller
Administrative Assistant

cc: University Highland Limited Partnership
Neale Montgomery, Pavese Law Firm
Mr. Albert F. Moscato, Jr., Owner
Mr. Ron Talone, David Plummer and Associates
Mr. John English, WilsonMiller, Inc.
Matt Noble, Principal Planner
Brandon Dunn, Senior Planner
Zoning File
Comprehensive Plan Amendment File

University Highland Limited Partnership
9130 Galleria Court, Suite 316
Naples, FL 34109

Ms. Margaret Perry
WilsonMiller, Inc.
3200 Bailey Lane, Suite 200
Naples, FL 34105

Mr. John English
WilsonMiller, Inc.
3200 Bailey Lane, Suite 200
Naples, FL 34105

Mr. Albert F. Moscato, Jr.
NM Development Group
9130 Galleria Court, Suite 316
Naples, FL 34103

Mr. Ron Talone
David Plummer and Associates
2271 McGregor Boulevard, Suite 200
Fort Myers, FL 33901

Neale Montgomery
Pavese Law Firm
1833 Hendry Street
Fort Myers, FL 33901

PAVESE LAW FIRM

NEALE MONTGOMERY

Direct dial: (239) 336-6235
Email: NealeMontgomery@paveselaw.com

1833 Hendry Street, Fort Myers, Florida 33901 | P.O. Drawer 1507, Fort Myers, Florida 33902-1507 | (239) 334-2195 | Fax (239) 332-2243

October 1, 2010

Mr. Matt Noble
Principal Planner
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901


**RE: Lee Plan Amendment 10-D2
University Highland Limited Partnership**

Dear Matt:

The Department of Community Affairs issued its Official Recommendations and Comments (ORC) in regards to the Timberland and Tiburon plan amendment. The staff and the applicant's consultants met and discussed how best to respond to the transportation issues raised by the Department. David Plummer and Associates prepared the attached response. Please accept the attached information as the ORC response for Timberland and Tiburon.

Your consideration of this matter is greatly appreciated.

Sincerely,


Neale Montgomery

NM/kc

cc: Mr. Brandon Dunn
Mr. David Loveland
Mr. Chip Block
Mr. Al Moscato
Mr. Ronald Talone
Mr. John English

Enclosure

RECEIVED
OCT 01 2010
COMMUNITY DEVELOPMENT

CPA 2010-00002

RECEIVED
OCT 01 2010

RESPONSE TO
OBJECTIONS, RECOMMENDATIONS AND COMMENTS
FOR LEE COUNTY AMENDMENT 10-D2,
T&T/UNIVERSITY HIGHLAND CPA
September 30, 2010

COMMUNITY DEVELOPMENT

I. CONSISTENCY WITH CHAPTER 163, PART II, F.S., AND RULE 9J-5, F.A.C.

The proposed Amendment 10-D2 (CPA2010-02) is for the Timberland and Tiburon Development of Regional Impact.

A. Amendment CPA2010-02: The proposed amendment consists of the following: (1) change 208.9 acres from Suburban to Urban Community and Mixed Use Overlay on the Future Land Use Map (FLUM); and (2) amend Future Land Use Element Policy 1.1.4 to require that utilization of the density bonus on the subject amendment parcel must be through the County's transfer of development rights program. The Department raises the following objections to the proposed Amendment CPA2010-02:

1. Objection (Transportation Planning): The amendment does not coordinate land use planning with transportation planning and capital improvements planning. A Traffic Study was provided with the plan amendment, and the Traffic Study analyzes the impacts on roadway level of service for the long-term planning timeframe of year 2030. The Traffic Study concludes that four segments will not meet the adopted level of service standards for the year 2030 long-term: (1) I-75 from Bonita Beach Road to Corkscrew Road; (2) I-75 from Corkscrew Road to Alico Road; (3) Ben Hill Griffin Parkway from FGCU Entrance to College Club Drive; and (4) Three Oaks Parkway from Williams Road to Corkscrew Road. The Traffic Study identifies the road improvements that are needed as follows: (2) widen to 10 or 12 lanes I-75; (2) widen to 6 lanes Ben Hill Griffin Parkway from FGCU Entrance to College Club Drive; and (3) widen to 6 lanes Three Oaks Parkway from Williams Road to Corkscrew Road. The amendment does not coordinate the long-term road improvements that are needed to maintain the adopted roadway level of service standards with the Future Transportation Map (by depicting such road improvements on the Map) and Capital Improvements Element (by including the road improvements that are needed in the long-term in a policy in the adopted portion of the Capital Improvements Element).

Rules 9J-5.005(2)(a), (5), and (6); 9J-5.006(2)(a), and (3)(b)1.; 9J-5.016(1)(a), (3)(b)1., and (4)(b); 9J-5.019(3)(h), (3)(i), (4)(b)2., and (5)(b)2., F.A.C.; and Sections 163.3177(6)(a), (6)(b), and (6)(); and 163.3177(2), (3), (8), and (10)(e), F.S.

Recommendation: Support the amendment with a long-term transportation analysis based on the maximum development potential of the amendment (and growth in background trips) that addresses the transportation facilities that are needed to achieve and maintain the adopted level of service standards of roads and demonstrates

CPA 2010-00002

coordination of any needed transportation facility improvements with the Transportation Element, Capital Improvements Element, plans and programs of the Florida Department of Transportation, and the Metropolitan Planning Organization Long Range Transportation Plan and Transportation Improvement Program. Revise the amendment, Future Transportation Map, and Capital Improvements Element (Five-year Schedule of Capital Improvements, and policies if needed) to be supported by and consistent with the data and analysis. If public facilities are projected to be deficient in the long-term planning timeframe, the County should maintain in the adopted portion of the Capital Improvements Element a list of the improvements that are projected to be needed in the planning timeframe but beyond the five years covered by the adopted Capital Improvements Schedule. This list need not include any cost estimates for the improvements. The County must use this list when it adopts the mandatory annual update of the Capital Improvements Schedule. Improvements needed to achieve and maintain adopted level of service standards within the next five years should be moved from the list into the financially feasible five-year schedule, along with a cost estimate.

RESPONSE TO ORC REPORT:

Introduction

DPA prepared a traffic study in support of the Timberland & Tiburon DRI/University Highland Comprehensive Plan Amendment. The results of this traffic study were reported in the document titled Timberland & Tiburon DRI/University Highland CPA Traffic Study and dated April 23, 2010.

The Lee County staff reviewed the CPA Traffic Study and provided the staff's conclusions in the Lee County DCA Transmittal Document for CPA2010-02, dated June 23, 2010. The Lee County DOT staff supported transmittal of the amendment to the Florida DCA.

DPA addressed questions from the Florida Department of Transportation (DOT) in a letter to the Florida DOT dated August 17, 2010 (with copies to Florida DCA). Further clarifications were provided by DPA during the teleconference between the Florida DCA, Lee County and the Applicant on August 19, 2010 and in a follow-up letter to the Florida DCA on August 24, 2010. The August 24, 2010 letter to Florida DCA is provided in Appendix D.

As explained below and summarized in the Conclusions, all of the Florida DCA's objections and recommendations regarding the T&T/University Highland CPA (Lee County Amendment 10-D2) have been addressed.

“Worst Case” Scenario

The Applicant worked closely with the Lee County staff in identifying the “worst case” scenario and used the scenario developed by the Lee County staff. The 2030 traffic projections in the CPA Traffic Study were based on the County’s “worst case” development scenario. The “worst case” scenario, however, is not realistic and results in overstated traffic conditions.

The Applicant has agreed (and conditioned the application) that the actual land uses will be consistent with those allowed under the existing DRI, as amended through the pending Notice of Proposed Change. For this reason, the “worst case” scenario is not likely to ever occur. As stated on page 10 of Lee County’s DCA Transmittal Document:

“DOT staff concludes that the project impacts will be adequately addressed for the following reasons: (1) the land use change is not really different than what is already allowed, and the “worst case” scenario is unlikely to be realized; (2) the site is part of a long-established DRI that already has a specific traffic mitigation plan in place, involving the payment of road impact fees and the payment of the CRSA special assessment; and (3) this site actually makes sense as a location for infill and mixed use development. Therefore, LCDOT staff recommends transmitting this amendment.”

The first point above is a reference to the fact that the CPA is needed to allow increased building height, rather than increased intensity. As stated on page 6 of the DCA Transmittal Document:

“The development that is proposed by the applicant would be consistent with the Suburban future land use category except that Section 34-2175(b)(5) of the Lee County Land Development Code limits the height in the Suburban Future Land Use Category to 45 feet or 3 stories.”

Lee County MPO 2030 LRTP Highway Element and Lee Plan Map 3A

There were a number of references in the CPA Traffic Study dated April 23, 2010, to the 2030 traffic analysis being based on the MPO 2030 Financially Feasible Plan (Appendix A). This raised questions among the review agencies regarding whether or not the traffic study was performed consistent with Lee Plan Transportation Element Map 3A, which is Lee County’s 2030 Financially Highway Plan (Appendix B).

Lee Plan Map 3A is essentially the financially feasible component of the MPO 2030 LRTP Highway Element. As indicated in The Lee Plan, Chapter III. Transportation, a. Traffic Circulation, Policy 36.1.1 states:

“The Lee County Metropolitan Planning Organization’s 2030 Financially Feasible Plan Map series is hereby incorporated as part of the Transportation Map series for this Lee Plan comprehensive plan element. The MPO 2030 Financially Feasible Highway Plan

Map, as adopted December 7, 2005 and as amended through March 17, 2006, is incorporated as Map 3A of the Transportation Map series.”

To illustrate this, DPA has prepared Table 1, which provides a comparison of the number of lanes on Map 3A and the MPO 2030 LRTP Highway Element for roads in the vicinity of the CPA. As shown in the footnotes on Table 1, both Map 3A and the MPO 2030 LRTP Highway Element are referenced as having been adopted on December 7, 2005 and amended through March 17, 2006. Also, the number of financially feasible lanes is the same in both Map 3A and the MPO 2030 LRTP Highway Element.

DPA used the number of financially feasible lanes shown in these two plans for the CPA Traffic Study analysis of 2030 traffic conditions.

Long-Term 2030 Horizon

The CPA Traffic Study was prepared consistent with Section IV.B.1 in the Lee County Application for a Comprehensive Plan Amendment. Lee County requires comparative travel model assignments of future 20-year horizon traffic conditions, both without and with the proposed CPA. For these comparative travel model assignments, DPA used the MPO’s 2030 Financially Feasible Plan roadway network and MPO socioeconomic data projections.

As noted by the Florida DCA, the CPA Traffic Study concluded that the following road segments would not meet adopted LOS standards in 2030, both without and with the CPA: (1) I-75 from Bonita Beach Road to Corkscrew Road; (2) I-75 from Corkscrew Road to Allico Road; (3) Ben Hill Griffin Parkway from FGCU Entrance to College Club Drive; and (4) Three Oaks Parkway from Williams Road to Corkscrew Road. In other words, these road improvements will be needed both without and with the proposed CPA. Therefore, the proposed CPA did not create the need for these improvements. No additional improvements are needed due to the CPA.

Typically, long-range transportation projects in Lee County advance through the planning and programming process in the following manner;

1. The improvement is identified as needed, often Contingent upon additional funding, in the MPO LRTP Highway Element.
2. The improvement is identified as financially feasible, as funding sources are identified, in the MPO Highway Element and Lee Plan Map 3A, consistent with Lee Plan Policy 36.1.3.
3. The improvement is identified as high priority by the MPO and Lee County.
4. The improvement is advanced into 5-10 year work program, as high priority improvements are funded and scheduled in the MPO TIP and Lee Plan CIE/CIP.

As shown in Table 1, the 2030 road improvements identified as needed in the CPA Traffic Study have already been identified as needed, Contingent upon additional funding (Step 1 above), in the MPO 2030 LRTP Highway Element.

As part of the on-going MPO 2035 LRTP Update, Lee County and the MPO are already trying to identify funding sources for these improvements and planning parallel facilities to relieve traffic congestion on these road segments. Consistent with Lee County Policy 6.1.3, the adopted MPO 2035 Financially-Feasible Plan will be adopted by Lee County as updated Map 3A in The Lee Plan Transportation Element. Therefore, Map 3A, which shows the financially feasible plan, does not need to be amended for consistency with the MPO Highway Element, either with or without the CPA, at this time.

Parallel North-South Facilities

Lee County has committed to construct parallel facilities as alternatives for local traffic on I-75. Lee Plan Policy 38.2.5 states:

“In order to help protect the interregional and intrastate travel functions of Interstate 75 as part of the Florida Intrastate Highway System, and provide alternatives for local traffic use, Lee County will implement a system of parallel reliever roads, consistent with Transportation Map 3A.”

Lee County has aggressively implemented this policy by constructing parallel facilities for several miles on both sides of I-75. These include Three Oaks Parkway west of I-75 and Ben Hill Griffin Parkway/Treeline Avenue east of I-75. The County also has plans for a future CR 951 Extension and an Alico Road extension northeast to SR 82. These parallel facilities divert traffic off of I-75, thus helping to relieve traffic congestion on I-75. Lee County has worked closely with the private sector to construct these parallel facilities.

T&T DRI has been assisting Lee County in implementing this policy by helping to construct Ben Hill Griffin Parkway. When the DRI was approved, the T&T DRI dedicated right-of-way for Ben Hill Griffin Parkway, as well as for Corkscrew Road, and provided Lee County with a cash contribution for construction of Ben Hill Griffin Parkway. Since then, each unit of development in the T&T DRI has been required to pay road impact fees and CRSA assessments. University Highland will continue to fund needed improvements through the payment of road impact fees and CRSA assessments. Also, T&T DRI and University Highland have cooperated with Lee County in establishing the access management plan for Ben Hill Griffin Parkway.

Inter-Governmental Coordination

With regard to consistency with FDOT and MPO transportation plans, the Lee Plan includes a policy that commits Lee County to coordinate with the Lee County MPO. Lee Plan Policy 6.1.3 states:

“Changes to the Lee Plan map series may be necessary from time to time, and Lee County will work with the MPO to ensure any necessary changes are incorporated into the MPO Plan so that the two plans remain consistent.”

This policy ensures close coordination between Lee County, the Lee County MPO, the Florida Department of Transportation and other local jurisdictions through the MPO planning process. With this policy in effect, Lee Plan Map 3A will be updated soon after the adoption of the MPO 2035 LRTP Update in December 2010.

Short-Term 2015 Horizon

During the August 19, 2010, teleconference between the Applicant, Florida Department of Community Affairs (DCA) and Lee County, the Florida DCA asked DPA to update the short-term horizon year from 2014 to 2015. DPA did this and provided the results of this analysis to the Florida DCA in a letter dated August 24, 2010.

The projected 2015 levels of service remain the same as previously reported for 2014, both without and with the proposed CPA. No roadway deficiencies are anticipated under either the without or with scenario. Therefore, no short-term road improvements are needed due to the CPA and no traffic mitigation is necessary.

Since no further improvements are needed in the short-term (2015) time frame, no changes are needed in either The Lee Plan Capital Improvement Element (CIE) or the Capital Improvement Program (Table 3 in the CIE) to accommodate this CPA.

Long-term needed improvements will be brought into the The Lee Plan Capital Improvement Element (CIE) or the Capital Improvement Program (Table 3 in the CIE) over time through the long-established Lee County/MPO planning and programming process described above under Long-Term 2030 Horizon. As high priority projects are funded, they will be brought forward into the 5-10 year work program and scheduled in the MPO TIP and Lee Plan CIE/CIP. As stated in Lee Plan Policy 36.1.5:

“Construction of new roads and widening of major road segments by the county will be based on a prioritized list of the improvements needed to create the network depicted on Transportation Map 3A. This list will be updated annually through the county’s capital improvement program.”

In this way, Lee County remains in compliance with Section 163.3177, Florida Statutes, regarding the five year financially feasible plan, the capital improvements element and the CIP. The provisions of Section 163.3177, Florida Statutes are provided in Appendix C.

Finally, Lee County has a long-established link-by-link concurrency management system that does not allow building permits to be issued, unless adjacent roads operate at an acceptable level of service. This will ensure that needed improvements are in place prior to development permits being approved.

Conclusions

As summarized below, all of the Florida DCA's objections and recommendations regarding the T&T/University Highland CPA (Lee County Amendment 10-D2) have been addressed.

1. The CPA Traffic Study addressed the "worst case" scenario, as established by the Lee County staff, even though that scenario is not likely to ever occur, because the Applicant has agreed to limit development to that allowed under the pending NOPC.
2. For clarification, Lee Plan Map 3A is essentially the financially feasible component of the MPO 2030 LRTP Highway Element. The number of financially feasible lanes shown in both Lee Plan Map 3A and the MPO 2030 Highway Element were used for the CPA Traffic Study analysis of 2030 traffic conditions.
3. The 2030 road improvements identified as needed in the CPA Traffic Study are needed both with and without the proposed CPA. Therefore, the CPA did not create the need for these improvements. No additional improvements are needed due to the CPA.
4. The 2030 road improvements identified as needed in the CPA Traffic Study have already been identified as needed, Contingent upon additional funding, in the MPO 2030 LRTP Highway Element.
5. As part of the on-going MPO 2035 LRTP Update, Lee County and the MPO are already trying to identify funding sources for these improvements and planning parallel facilities to relieve traffic congestion on these road segments. Consistent with Lee County Policy 6.1.3, the adopted MPO 2035 Financially-Feasible Plan will be adopted by Lee County as updated Map 3A in The Lee Plan Transportation Element. Therefore, Map 3A, which shows the financially feasible plan, does not need to be amended for consistency with the MPO Highway Element, either with or without the CPA, at this time.
6. Lee Plan Policy 38.2.5 commits the County to constructing parallel facilities as alternatives for local traffic on I-75. Lee County has aggressively implemented this policy by constructing parallel facilities for several miles on both sides of I-75. These parallel facilities divert traffic off of I-75, thus helping to relieve traffic congestion.
7. The T&T DRI has been assisting Lee County in implementing Policy 38.2.5 by dedicating ROW for Ben Hill Griffin Parkway, making a cash contribution for the construction of Ben Hill Griffin Parkway, providing access management on Ben Hill Griffin Parkway and paying road impact fees and CRSA assessments to fund other improvements.
8. Lee Plan Policy 6.1.3 ensures close coordination between Lee County, the Lee County MPO, the Florida Department of Transportation and other local jurisdictions through the MPO planning process.

9. The CPA Traffic Study and the updated 2015 analysis requested by Florida DCA indicate that no roadway deficiencies are anticipated through 2015, either with or without the proposed CPA. Therefore, no short-term road improvements are needed due to the CPA and no changes are needed in either The Lee Plan Capital Improvement Element (CIE) or the Capital Improvement Program (Table 3) to accommodate this CPA.
10. Long-term needed improvements will be brought into the The Lee Plan Capital Improvement Element (CIE) or the Capital Improvement Program (Table 3 in the CIE) over time through the long-established Lee County/MPO planning and programming process. As high priority projects are funded, they will be brought forward into the 5-10 year work program and scheduled in the MPO TIP and Lee Plan CIE/CIP, in accordance with Lee Plan Policy 36.1.5. In this way, Lee County remains in compliance with Section 163.3177, Florida Statutes, regarding the five year financially feasible plan, the capital improvements element and the CIP.

In conclusion, the applicant believes that all of the Florida DCA's objections and recommendations regarding the T&T/University Highland CPA have been thoroughly addressed through the long-term and short-term traffic analyses prepared in support of the CPA and the amended Lee Plan policies presented in the application as summarized above and discussed in detail in the appendices to this response.

Table 1

T&T DRI/UNIVERSITY HIGHLAND COMPREHENSIVE PLAN AMENDMENT (CPA)

COMPARISON OF COUNTY AND MPO 2030 LONG-RANGE TRANSPORTATION PLANS

WITH AND WITHOUT PROPOSED CPA

<u>Roadway Segment</u>	T&T DRI/University Highland CPA Traffic Study				
	(1)		(2)		Additional Improvements Due to CPA?
	Map 3A Lee County 2030 FF Highway Plan	MPO 2030 Highway Element	2030 Road Network	Without CPA Max Suburban	With CPA Max Urban Comm.
		<u>FF Plan</u>	<u>Contingent</u>		
I-75					
Bonita Beach Road to Corkscrew Road	6 FF	6 FF	6 FF + 6 C	6 FF + 4 C	6 FF + 4 C
Corkscrew Road to Alico Road	6 FF	6 FF	6 FF + 6 C	6 FF + 4 C	6 FF + 4 C
Ben Hill Griffin Parkway					
Corkscrew Road to Estero Parkway	4 FF	4 FF	4 FF	4 FF	4 FF
Estero Parkway to FGCU Entrance	4 FF	4 FF	4 FF	4 FF	4 FF
FGCU Entrance to College Club	4 FF	4 FF	4 FF + 2 C	4 FF + 2 C	4 FF + 2 C
College Club to Alico Road	6 FF	6 FF	6 FF	6 FF	6 FF
Three Oaks Parkway					
Coconut Road to Williams Road	4 FF	4 FF	4 FF + 2 C	4 FF	4 FF
Williams Road to Corkscrew Road	4 FF	4 FF	4 FF + 2 C	4 FF + 2 C	4 FF + 2 C
Corkscrew Road to Estero Parkway	4 FF	4 FF	4 FF + 2 C	4 FF	4 FF

Legend

2-6 -- Number of Lanes

FF -- Financially Feasible

C -- Contingent Upon Additional Funding

Footnotes:

(1) Source: The Lee Plan 2009 Codification, as Amended through May 2009; Chapter III. Transportation, a. Traffic Circulation; Map 3A, Lee County 2030 Financially Feasible Highway Plan, as Adopted December 7, 2005 and Amended January 20 and March 17, 2006.

(2) Source: Lee County MPO, Adopted Year 2030 Highway Element, Adopted December 7th, 2005, with Amendments on January 20th, & March 17, 2006.

(3) Number of 2030 lanes used in T&T DRI/University Highland CPA Traffic Study (April 23, 2010); consistent with Lee Plan Map 3A and MPO 2030 FF Plan.

APPENDIX A

LEE COUNTY MPO
2030 LRTP HIGHWAY ELEMENT MAP

LEE COUNTY MPO 2030 L RTP Highway Element Map



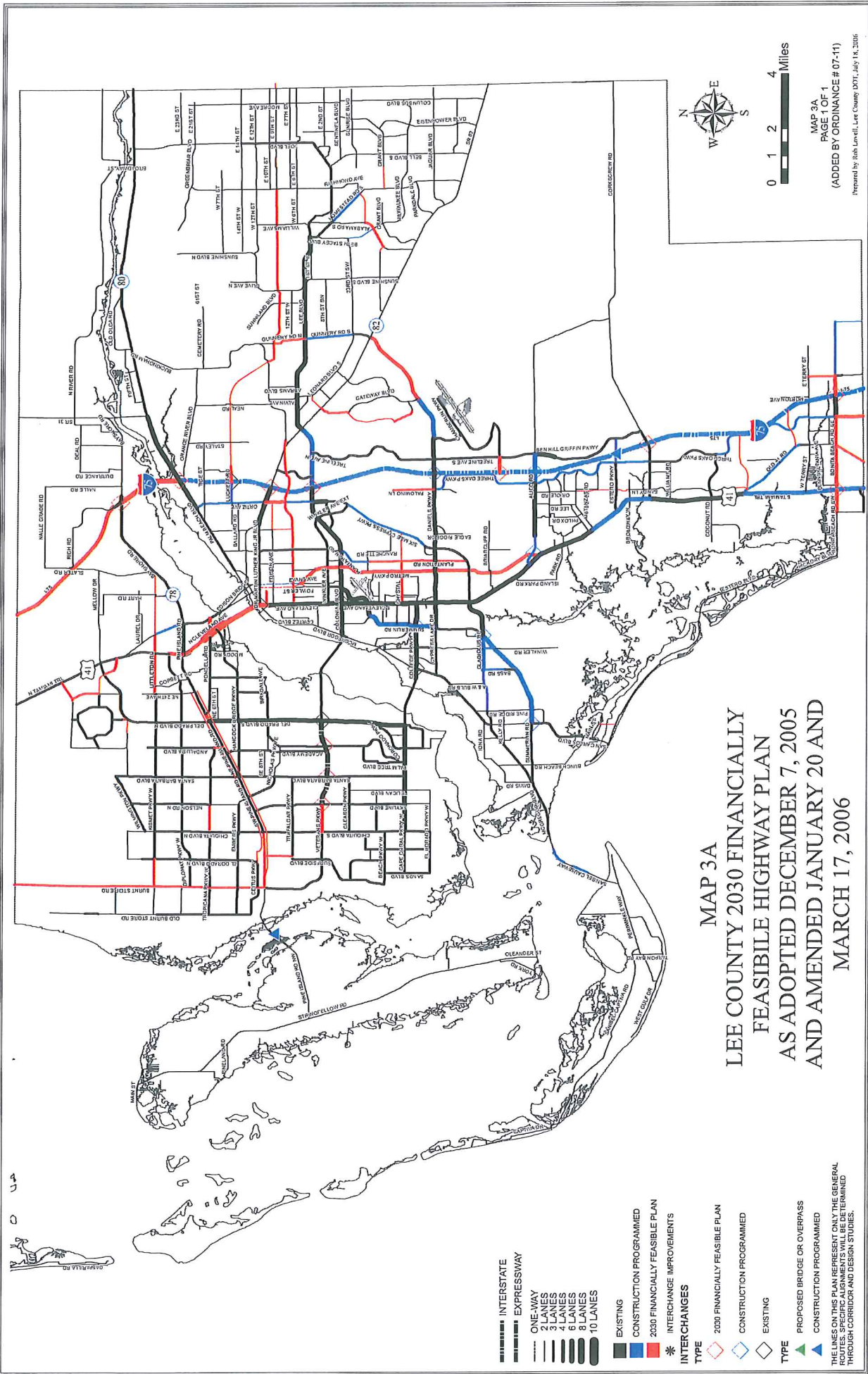
Legend

- Financially Feasible 2 Lanes
- Financially Feasible 3 Lanes (One Way)
- Financially Feasible 4 Lanes
- Financially Feasible 6 Lanes
- Financially Feasible 8 Lanes
- Financially Feasible 6 Lanes + 4 Express Lanes
- Financially Feasible Interchange Improvements
- Financially Feasible Open Road Tolling
- I-75/Coconut Rd Interchange Study
- Contingent 2 Lanes
- Contingent 4 Lanes
- Contingent 4 Express Lanes
- Contingent 6 Lanes
- Contingent 8 Lanes
- Contingent 10 Lanes
- Contingent 12 Lanes
- Contingent 4 Lanes + 6 Express Lanes
- Contingent 5 Lanes + 4 Express Lanes
- Contingent 4 Lanes + 4 Express Lanes
- Contingent 6 Lanes + 4 Express Lanes
- Contingent Interchange Improvements
- Financially Feasible & Contingent Interchange Improvements

Created By: Brian V. Raimondo - July 31, 2007
 Source: 2030 L RTP Highway Element
 Modified: October 23, 2007

APPENDIX B

**THE LEE PLAN TRANSPORTATION ELEMENT,
MAP 3A, LEE COUNTY 2030 FINANCIALLY FEASIBLE HIGHWAY PLAN**



APPENDIX C

SECTION 163.3177, FLORIDA STATUTES

Provisions of Section 163.3177, Florida Statutes

Section 163.3177, F.S. requires the plan, and any amendments thereto, to be financially feasible. Financial feasibility applies to the five (5) year planning period. The 5 year analysis must estimate public facility costs, including a delineation of when the facilities will be needed, the general location of the facilities, and the projected revenue sources. The plan must include a capital improvements element which includes publicly and privately funded projects in the five year CIP that are needed to ensure the adopted level of service is maintained.

The schedule of capital improvements for the five year time frame must be updated annually in accordance with Section 163.3177(2)6., F.S. The update must identify those improvements that are deferred or delayed. The DCA monitors whether or not the annual update is provided, and if the local government doesn't provide the annual update the Department is required to notify the Administration Commission. The Administration Commission has the authority to pursue sanctions. The five year CIP in the Lee Plan accurately reflects the five year list of improvements in accordance with the requirements of Section 163.3177 F.S. If a local government has a long-term concurrency management system, then the local government must adopt a long term CIP. Lee County does not have an adopted long term concurrency management system.

APPENDIX D

DPA LETTER TO FLORIDA DCA
DATED AUGUST 24, 2010

DAVID PLUMMER & ASSOCIATES

TRANSPORTATION • CIVIL • STRUCTURAL • ENVIRONMENTAL

2271 MCGREGOR BOULEVARD, SUITE 200, FORT MYERS, FLORIDA 33901
239.332.2617 • FAX 239.332.2645 • DPAFM@DPLUMMER.COM

August 24, 2010

Mr. Ray Eubanks
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-7018

and

Mr. Scott Rogers
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-7018

RE: **Timberland & Tiburon DRI/University Highland CPA; CPA2010-02;
Lee County 10D-2 Proposed Comprehensive Plan Amendment**

**Response to Florida DCA comments during the teleconference between the
Applicant, Florida DCA and Lee County on August 19, 2010**

DPA Job #10515

Dear Mr. Eubanks and Mr. Rogers:

A teleconference was held on August 19, 2010 between the Florida Department of Community Affairs (DCA), Lee County and the Applicant regarding the referenced plan amendment.

During the teleconference, David Plummer & Associates (DPA), representing the Applicant, was asked by the Florida DCA to provide further information regarding the traffic study performed by DPA in support of the plan amendment. This letter provides the additional transportation information requested by the Florida DCA.

The Lee County staff will respond directly to the Florida DCA's questions regarding the development of the County staff's "worst case" scenario for the Suburban land use category, which was used by DPA for the analysis of future conditions without the CPA.

Introduction

DPA prepared a traffic study in support of the Timberland & Tiburon DRI/University Highland Comprehensive Plan Amendment. The results of this traffic study were reported in the



document titled Timberland & Tiburon DRI/University Highland CPA Traffic Study and dated April 23, 2010.

The Lee County staff reviewed the CPA Traffic Study and provided the staff's conclusions in the Lee County DCA Transmittal Document for CPA2010-02, dated June 23, 2010. The Lee County DOT staff supported transmittal of the amendment to the Florida DCA.

DPA addressed questions from the Florida Department of Transportation (DOT) in a letter to the Florida DOT dated August 17, 2010 (with copies to Florida DCA). Further clarifications were provided by DPA during the teleconference between the Florida DCA, Lee County and the Applicant on August 19, 2010.

This letter provides further information in response to DCA's comments and questions regarding the CPA Traffic Study during this August 19, 2010 teleconference.

"Worst Case" Scenarios

Despite the "worst case" scenarios that may be possible under the proposed CPA, the Applicant has agreed that the actual land uses will be consistent with those allowed under the existing DRI, as amended through the on-going Notice of Proposed Change, which is currently under review. For this reason, the "worst case" scenarios are highly unlikely to ever be achieved. As stated on page 10 of Lee County's DCA Transmittal Document:

"DOT staff concludes that the project impacts will be adequately addressed for the following reasons: (1) the land use change is not really different than what is already allowed, and the "worst case" scenario is unlikely to be realized; (2) the site is part of a long-established DRI that already has a specific traffic mitigation plan in place, involving the payment of road impact fees and the payment of the CRSA special assessment; and (3) this site actually makes sense as a location for infill and mixed use development. Therefore, LCDOT staff recommends transmitting this amendment."

The first point above is a reference to the fact that the CPA is needed primarily to allow increased building height, rather than increased intensity. As stated on page 6 of the DCA Transmittal Document:

"The development that is proposed by the applicant would be consistent with the Suburban future land use category except that Section 34-2175(b)(5) of the Lee County Land Development Code limits the height in the Suburban Future Land Use Category to 45 feet or 3 stories."

Long-Term 2030 Horizon

The CPA Traffic Study was prepared consistent with Section IV.B.1 in the Lee County Application for a Comprehensive Plan Amendment. Lee County requires comparative travel



model assignments of future 20-year horizon traffic conditions both without and with the proposed CPA. For these comparative travel model assignments, DPA used the MPO's 2030 Financially Feasible Plan roadway network.

The MPO 2030 Financially Feasible Plan roadway network is consistent with Map 3A, the Lee County 2030 Financially Feasible Highway Plan, found in the Transportation Element of The Lee Plan. As indicated in Chapter III. Transportation, a. Traffic Circulation, Policy 36.1.1:

“The Lee County Metropolitan Planning Organization’s 2030 Financially Feasible Plan Map series is hereby incorporated as part of the Transportation Map series for this Lee Plan comprehensive plan element. The MPO 2030 Financially Feasible Highway Plan Map, as adopted December 7, 2005 and as amended through March 17, 2006, is incorporated as Map 3A of the Transportation Map series.”

DPA has prepared new Table 1 (attached), which provides a comparison of the lanes on Map 3A and the MPO 2030 LRTP Highway Element for roads in the vicinity of the CPA. As shown in the footnotes on Table 1, both Map 3A and the MPO 2030 LRTP Highway Element are referenced as having been adopted on December 7, 2005 and amended through March 17, 2006.

Also, the number of financially feasible lanes is the same on both Map 3A and the MPO Highway Element. DPA used the number of financially feasible lanes shown in these two plans for the CPA Traffic Study.

Table 1 also shows that: (1) the number of lanes needed both with and without the proposed CPA is consistent with the adopted MPO Highway Element; and (2) no additional improvements are needed due to the proposed CPA. Therefore, Map3A does not need to be amended for consistency with the MPO Highway Element, either with or without the CPA.

Short-Term 2015 Horizon

During the August 19, 2010, teleconference between the Applicant, Florida Department of Community Affairs (DCA) and Lee County, the Florida DCA asked DPA to update the short-term horizon year from 2014 to 2015. DPA has done this.

Exhibits 5 and 6 from the Timberland & Tiburon DRI/University Highland CPA Traffic Study (July 23, 2010) have been updated to reflect a horizon year of 2015. Exhibit 5 (Updated) reports future year 2015 traffic conditions without the proposed CPA, and Exhibit 6 (Updated) reports future year 2015 traffic conditions with the proposed CPA.

The projected 2015 levels of service remain the same, both without and with the proposed CPA, with no road segments needing improvement under either scenario. Therefore, no traffic mitigation is necessary due to the CPA.



Since no further improvements are needed in the short-term (2015) time frame, no changes are needed in either The Lee Plan Capital Improvement Element (CIE) or the Capital Improvement Program, Table 3 in the CIE.

If you have any questions regarding the above, please do not hesitate to contact these offices.

Very truly yours,

A handwritten signature in blue ink that reads "Ronald T. Talone". The signature is fluid and cursive, with the first name "Ronald" being more prominent.

Ronald T. Talone

RTT:sw

10515:Response to DCA comments_082410

cc: Alvin "Chip" Block
Matt Noble
David Loveland
Lawrence Massey
Al Moscato
Neale Montgomery
Margaret Perry
Mark Gillis
Suresh Karre



Table 1

T&T DRI/UNIVERSITY HIGHLAND COMPREHENSIVE PLAN AMENDMENT (CPA)

COMPARISON OF COUNTY AND MPO 2030 LONG-RANGE TRANSPORTATION PLANS
WITH AND WITHOUT PROPOSED CPA

T&T DRI/University Highland CPA Traffic Study								
Roadway Segment	(1) Map 3A Lee County 2030 FF Highway Plan		(2) MPO 2030 Highway Element FF Plan		(3) 2030 Road Network		With CPA Max Urban Comm.	Additional Improvements Due to CPA?
	Contingent				Without CPA Max Suburban			
I-75								
Bonita Beach Road to Corkscrew Road	6 FF	6 FF + 6 C	6 FF		6 FF	6 FF + 4 C	6 FF + 4 C	None
Corkscrew Road to Alico Road	6 FF	6 FF + 6 C	6 FF		6 FF	6 FF + 4 C	6 FF + 4 C	None
Ben Hill Griffin Parkway								
Corkscrew Road to Estero Parkway	4 FF	4 FF	4 FF	4 FF	4 FF	4 FF	4 FF	None
Estero Parkway to FGCU Entrance	4 FF	4 FF	4 FF	4 FF	4 FF	4 FF	4 FF	None
FGCU Entrance to College Club	4 FF	4 FF + 2 C	4 FF	4 FF + 2 C	4 FF	4 FF + 2 C	4 FF + 2 C	None
College Club to Alico Road	6 FF	6 FF	6 FF	6 FF	6 FF	6 FF	6 FF	None
Three Oaks Parkway								
Coconut Road to Williams Road	4 FF	4 FF + 2 C	4 FF	4 FF + 2 C	4 FF	4 FF	4 FF	None
Williams Road to Corkscrew Road	4 FF	4 FF + 2 C	4 FF	4 FF + 2 C	4 FF	4 FF + 2 C	4 FF + 2 C	None
Corkscrew Road to Estero Parkway	4 FF	4 FF + 2 C	4 FF	4 FF + 2 C	4 FF	4 FF	4 FF	None

Legend

- 2-6 – Number of Lanes
 FF – Financially Feasible
 C – Contingent Upon Additional Funding

Footnotes:

- (1) Source: The Lee Plan 2009 Codification, as Amended through May 2009; Chapter III. Transportation, a. Traffic Circulation; Map 3A, Lee County 2030 Financially Feasible Highway Plan, as Adopted December 7, 2005 and Amended January 20 and March 17, 2006.
 (2) Source: Lee County MPO, Adopted Year 2030 Highway Element, Adopted December 7th, 2005, with Amendments on January 20th, & March 17, 2006.
 (3) Number of 2030 lanes used in T&T DRI/University Highland CPA Traffic Study (April 23, 2010); consistent with Lee Co./MPO 2030 FF Plan.

EXHIBIT 5 (Updated)
 TIMBERLAND & TIBURON DRIVE/UNIVERSITY HIGHLAND
 COMPREHENSIVE PLAN AMENDMENT TRAFFIC STUDY, #10515
 FUTURE 2015 TRAFFIC CONDITIONS WITHOUT CPA
 DIRECTIONAL PEAK HOUR (K100), PEAK SEASON

ROADWAY	FROM	TO	(1) Lanes	(2) Sts	(3) AADT	(4) Annual Growth Rate	(5) Background Factor	(6) 2015 AADT	(7) PSWDT	(8) 1380 TAZ	(9) 2015 Total AADT	(10) K100 Factor	(11) Two-Way Peak-Hr Volume	(12) Directional Peak-Hr Vol.				(13) Directional Service Volumes																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
														NE	SW	NE	SW	LOS "A"	LOS "B"	LOS "C"	LOS "D"	LOS "E"	LOS "F"	LOS "G"	LOS "H"	LOS "I"	LOS "J"	LOS "K"	LOS "L"	LOS "M"	LOS "N"	LOS "O"	LOS "P"	LOS "Q"	LOS "R"	LOS "S"	LOS "T"	LOS "U"	LOS "V"	LOS "W"	LOS "X"	LOS "Y"	LOS "Z"																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
BEN HILL GRIFFIN PKWY	CORKSCREW ROAD	UNIVERSITY HIGHLAND	4	E	60	18,800	2.00%	1.12	21,055	487	21,523	0.0976	2,101	0.54	1,135	3,665	250	1,570	1,500	1,970	1,970	1,970	1,970	1,970	0.58	0.49	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B	B

Footnotes:

- (1) Existing plus committed number of lanes
- (2) Lee County roadway LOS standard I-75 based on FDOT FHHS LOS standard
- (3) Based on Lee County 2009 Traffic Count Report I-75 based on FDOT 2009 AADT traffic information.
- (4) Negative growth from 2005 to 2009 (Appendix D). Therefore, minimum 2% growth per year
- (5) Growth factor for 6 years (from 2009 to 2015)
- (6) Peak season traffic volumes based on FSUTIMS travel model assignment.
- (7) Lee County Generalized Service Volumes (January, 2009). FDOT Generalized Service Volumes for I-75

Directional Service Volumes

Footnotes

- (1). Existing plus committed number of lanes
- (2). Lee County roadway LOS standard. 1.75 based on FDOT FHHS LOS standard
- (3). Based on Lee County 2009 Traffic Count Report. 1.75 based on FDOT 2009 AADT traffic information
- (4). Negative growth from 2006 to 2009 (Appendix D). Therefore, minimum 2% growth per year.
- (5). Growth factor for 6 years (from 2009 to 2015).
- (6). Peak season traffic volumes based on FSUTMS travel model assignment.
- (7). Lee County Generalized Service Volumes (January, 2009). FDOT Generalized Service Volumes for I-75