

Memo

To: Paul O'Connor, Planning Director

From: David Loveland, Public Works Operations Manager, Planning *D/L*

Date: May 12, 2010

Subject: **CPA 2009-01 (Alico West)**

The Department of Transportation has reviewed the above-referenced privately-initiated comprehensive plan amendment, to change the land use designation of approximately 919.5 acres on the south side of Alico Road east of Ben Hill Griffin Parkway from "DR/GR" to "University Community". The applicant has assumed a land use mix of 543,000 square feet of commercial/retail space, 460,000 square feet of office space, 659,000 square feet of university-related uses, a 250-room hotel, and 1,950 multi-family residential units for purposes of the traffic analysis. Although future roadway conditions in the area cause some concern, this amendment could be approvable with more specific mitigation commitments.

Analysis of Impacts

In order to analyze the impact of this proposal on the Lee County MPO's 2030 Financially Feasible Plan, a new traffic analysis zone (TAZ 1755) was created, the land use parameters plugged in, and the FSUTMS travel demand model run. Based on the model runs on the financially feasible plan network, four 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:

Ben Hill Griffin Parkway from Alico Road to Terminal Access Road
Treeline Avenue from Terminal Access Road to Daniels Parkway
I-75 from Corkscrew Road to Alico Road
I-75 from Alico Road to Daniels Parkway

A fifth roadway link will fail by virtue of the addition of this amendment:

Alico Road from Ben Hill Griffin Parkway to the Alico West entrance

Possible Solutions

Section B.1.e of the County's comprehensive plan amendment application indicates "An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change." Normally, the County would look for a specific financial commitment from an applicant to make the necessary improvements by the 2030 time frame, otherwise DOT staff would recommend denial under these

circumstances. Without a financial commitment, we cannot say that there is sufficient infrastructure planned to accommodate future growth, including the amended land use. However, the County has allowed such amendments to move forward under limited circumstances; examples include there being no real roadway solution and the applicant making a commitment to fund alternative modes of transportation, or there being a site-specific condition put in the comprehensive plan that limits the amount of development until the needed improvements are incorporated into the financially feasible plan. We also have the issue of the MPO's long range plan currently being updated and extended to the year 2035, so the list of improvements that are or will be in the financially feasible plan is somewhat in flux.

The applicant's consultant estimates that the Alico West project will generate \$28.6 million in road impact fees under today's rate schedule, suggests that since this development is not currently anticipated in future growth forecasts that all impact fees generated would be new revenues, and concludes that any necessary mitigation would be addressed by the generated road impact fees. That approach ignores the fact that future road impact fee revenue forecasts are not site-specific, and doesn't really address the issue of the needed improvements being financially feasible and reasonably expected to be in place in the horizon year of the plan.

North-South Capacity

Regarding the north-south roadway failures in the area impacted by Alico West, the MPO's 2030 Needs Plan identifies the ten-lane widening of I-75 from Corkscrew Road to Alico Road as an improvement needed but contingent upon additional funding, at a cost of \$159 million. Similarly identified is the four-lane CR 951 Extension from the Collier County line to Alico Road, at an estimated cost of \$306 million per the MPO plan (cost estimates from the PD&E Study were higher). The MPO plan does not identify improvements to Ben Hill Griffin Parkway/Treeline Avenue between Alico Road and Daniels Parkway, because the widening of this road is not anticipated to be needed once I-75 is widened to ten lanes.

One complicating factor in regards to future plans for I-75 is that the Florida Legislature did establish the Southwest Florida Expressway Authority in 2003 and gave it the specific objective of expanding the interstate through the addition of tolled express lanes in portions of Lee and Collier Counties. Both the Expressway Authority and the Florida Turnpike Enterprise conducted preliminary toll feasibility studies and determined that a 10-lane interstate project could be supported by toll revenues and financially feasible, but only if there were 6 tolled express lanes and 4 non-tolled general use lanes. At the same time, FDOT secured Federal funding to move forward with 6-laning I-75 from Golden Gate Parkway in Collier County to Colonial Boulevard in Lee County. This project was recently completed. The added lanes were not tolled, and current Federal law seems to prohibit tolling lanes that are not specialty lanes (for example, HOV lanes) or were not tolled in the past. That means the implementation of a 10-lane project made up of 6 tolled express lanes and 4 non-tolled general use lanes may not be allowed in the future, and other configurations may not be feasible as toll-supported projects. With the recent completion of the 6-laning and the reduction in demand on the interstate due to the current economic downturn, the need for additional lanes has been pushed farther into the future. The Expressway Authority has also put itself into a "hibernation" mode, to be reactivated if needed in the future.

A more likely option for realizing additional north-south capacity in the near-term future would be the CR 951 Extension, at least the portion from Corkscrew Road to Alico Road. The CR 951 Extension was the subject of a five-year long PD&E Study by Lee County, from Immokalee Road in Collier County to Alico Road in Lee County. Although the PD&E Study effort was recently halted (because final Federal approval was not forthcoming), the Lee County BOCC did adopt an alignment for the roadway in 2005. The County has already purchased a portion of the right-of-way along the adopted alignment north of Corkscrew Road through the Grandezza development. The adopted alignment continues north from Grandezza to Alico Road through property controlled by the Alico Corporation, including a portion that runs along the eastern boundary of the Alico West property. The applicant has indicated that he does not plan to develop within the future CR 951 right-of-way. A donation of the right-of-way controlled by the Alico Corporation to the County would help make this portion of the CR 951 Extension from Corkscrew Road to Alico Road more viable within the planning time frame. In conjunction with the payment of road impact fees, this donation could help address the concern about the lack of adequate north-south roadway capacity in the area.

Access to CR 951 Extension

Page 5 of the Alico West Traffic Study dated August 4, 2009 by David Plummer & Associates says "It is likely that the Project will have access onto both Alico Road *and the future CR 951 Extension.*" (*Emphasis added*) The consultant goes on to note that the future CR 951 Extension is not part of the MPO's 2030 Financially Feasible Plan, so for purposes of their traffic study they did not assume it in place with an access from this property. In addition, on page 11 of the applicant's February 5, 2010 sufficiency response, the applicant stresses that the site development plan is not dependent on the future CR 951 Extension, but then notes that the conceptual master plan calls for *two connections onto 951* when and if it is constructed. However, DOT staff would like to make clear that the analysis of the CR 951 Extension in the recent PD&E study assumed a limited access facility, possibly tolled, so there will be no access from the CR 951 Extension directly to this site. Instead, the County anticipates a future connection from FGCU to the CR 951 Extension, using an easement provided by Miromar. The Alico West property would have indirect access to the future CR 951 Extension by linking to the university access road.

East-West Capacity (Alico Road)

The MPO's 2030 Needs Plan does not include the widening of Alico Road east of Ben Hill Griffin Parkway; instead it includes the Alico Expressway to the north as a parallel improvement that addresses the demand. The Alico Expressway now appears to be an unlikely improvement given development patterns in the area, and LCDOT staff expects that the on-going update of the MPO plan to 2035 will drop the Expressway project and add the widening of existing Alico Road and its extension up to SR 82 (which was the subject of a recent County corridor alignment study). Whether the widening of Alico Road ends up in the new 2035 Financially Feasible Plan or the Needs Plan remains to be seen.

The applicant's consultant estimates that the cost of four-laning Alico Road from Ben Hill Griffin Parkway to the project entrance at \$10.4 million. As noted, the applicant's consultant concludes that the road impact fees to be generated by Alico West would be enough to cover the

cost of widening Alico Road. This doesn't really address the comprehensive plan mitigation requirement, but the applicant could propose a pipelining of his impact fees/DRI proportionate share through an executed development agreement as a way to make the improvement financially feasible. Other issues which the applicant could help address to make the project viable and financially feasible include the provision of right-of-way for the roadway widening and/or water treatment, or a commitment to take the roadway drainage into the site drainage.

Besides the long term issue, there is also a short term concern about the 2-lane portion of Alico Road. Other recent development proposals in the area have highlighted the need for more lanes on Alico Road, but the various land owners have not yet developed a cooperative approach to dealing with the issue. In addition, the County is supportive of a commercial/industrial development east and north of Alico West known as the Innovation Hub, which is emphasizing research and development activities related to alternative forms of energy. The County views the Innovation Hub property as the eastern point in a sort of "research diamond" area that focuses on this sort of activity, with the Madden Research Loop to the north, the Algenol Fuels site to the west, and Florida Gulf Coast University to the south, and is interested in encouraging alternative energy R&D activities in this area and eliminating obstacles to their establishment. Towards that end, the County is proposing to fund the preliminary engineering/design/permitting effort for the four-laning of Alico Road from Ben Hill Griffin Parkway to Airport Haul Road in its CIP, but severely declining transportation revenues do not allow the County to fund the right-of-way and construction phases at this time. The County may consider the establishment of some sort of funding mechanism for the property owners in the area to help pay for the road widening and other infrastructure needs (i.e., water and sewer lines), such as an MSTU. Such a mechanism could allow for credits against future impact fee obligations. DOT staff suggests that a new comprehensive plan policy might be appropriate to recognize this possibility in the future. That new policy, which would be part of the Transportation Element, should read:

POLICY 38.1.8: The County may pursue a joint funding mechanism (such as an MSTU/MSBU) to pay for the widening of Alico Road east of Ben Hill Griffin Parkway to encourage economic development in the Alico Road area. Properties that generate traffic on the segment of Alico Road east of Ben Hill Griffin Parkway that have not already fully mitigated traffic impacts will be required to participate in the funding mechanism. Participation will be creditable against future road impact fee or DRI proportionate share obligations consistent with County regulations.

Alternative Modes of Transportation for Site

Policy 18.1.5 of the Lee Plan states "Site design within the University Community must utilize alternative modes of transportation, such as pedestrian networks, mass transit opportunities, sidewalks, bike paths, and similar facilities. As part of the February 5, 2010 sufficiency response, the applicant has committed to the following items as a means to address the policy requirements:

- The development will create a balanced mixture of uses intended to reduce overall trip lengths, to support pedestrian, bicycle and transit opportunities, and create pedestrian-friendly streets.

- The concept plan calls for outdoor livability, including interconnected pedestrian and bike facilities, walkways, public plazas, street furniture, and walkable block size.
- The development will encourage pedestrian and bicycle-friendly access to the development and the surrounding community. The site design will create an uninterrupted multi-modal pedestrian/bike/vehicular connection between and among the uses associated with FGCU on the Alico West site and the FGCU campus.
- Existing Lee Tran routes can be extended to the subject property.
- The FGCU Campus Eagle Express Shuttle can provide transit opportunities within the University Community, including linking FGCU to the Alico West site through the roadway easement connection.
- The lake presents an opportunity for a future water taxi service.

LCDOT staff strongly encourages and supports efforts to ensure that these commitments by the applicant are honored as the project proceeds through the various stages of development approval, to ensure compliance with policy intent.

Please let me know if you need any additional information.

cc: Donna Marie Collins, Chief Assistant County Attorney
Brandon Dunn, Senior Planner, LCDCD
Chuck Basinait, Henderson Franklin