



**LEE COUNTY**  
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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December 29, 2010

MS VERONICA MARTIN  
TDM CONSULTING, INC  
6810 PORTO FINO CIRCLE  
FORT MYERS, FL 33912

Re: 17650 EAST STREET IPD  
DCI2010-00031 - PDS Application (Minor PD)

Dear MS VERONICA MARTIN :

The Zoning Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Zoning Division

  
Tony Palermo, AICP  
Senior Planner

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CC.

MIKE PAVESE, PUBLIC WORKS  
MATT NOBLE, PLANNING  
DOUG GRIFFITH, ENVIRONMENTAL SCIENCES

cc: Pamela Houck, Division Director  
Paul O'Connor, Planning  
Susie Derheimer, Environmental Sciences  
Sam Lee, Natural Resources  
Robert Price, TIS Reviewer  
Jamie Prancing, DCD Administration  
Michael D Jacob, Assistant County Attorney  
Becky Penfield, Development Review  
DCI Zoning File  
DCI Working File

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2) *The reviewer may be contacted for additional information regarding this Public Works checklist.*

**LC ZTIS PD Application Sufficiency Checklist (Ord 09-23)**

2a) *Trip generation must be based on the combination of uses shown in the Schedule of Uses on the Master Concept Plan which generates the highest total number of trips during the A.M. and P.M. peak hour of the generator(s). [AC-13-17]*

The Schedule of Uses indicates Administrative Offices are a proposed use. General office generates more traffic than the Industrial Park use. Please revise.

5) *Directional Splits. The TIS must contain a drawing showing the percentage, number of trips, and the direction of travel for trips entering and exiting the project at each proposed access point. [AC-13-17]*

The distribution graphic must show the projects distribution to Bayshore Road. Also, it does not seem appropriate to assume captured trips between industrial uses. Please be conservative and assign all of the trips to Bayshore Road.

6a) *Area of influence is defined as the area in which project traffic is 10% or more of the maximum service volume at LOS "C" on roadway links and 10% or more of the total approach volumes at intersections at project buildout. [AC-13-17]*

Staff is unable to find the area of influence calculation although the analysis references one. Please provide.

9) *Necessary Improvements. When the Level of Service analysis for any project shows that the LOS on links or at any intersection fall below the minimums adopted in THE LEE PLAN, the TIS must contain recommendation & analysis of the improvements necessary to offset the added traffic impacts to restore/meet/exceed the prescribed LOS standards. [AC-13-17]*

The Level of Service analysis cannot be replicated. A 1.0% annual growth rate for three years would result in a traffic volume of 920 and not 902. Additionally, Staff feels the assumption of a two year project buildout is aggressive. Since the analysis should be based on the year after project completion, wouldn't it be more appropriate to perform the analysis based on 2016 traffic conditions?

10) *Miscellaneous items.*

This is a rezoning application. Turn lane analysis and improvements are determined as a part of a Development Order submittal. Therefore, there is no need for the turn lane analysis provided in this report.

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*11) Contact. The Staff reviewer may be contacted with any questions relative to this LC ZTIS PD Application Sufficiency Checklist.*

Please contact Rob Price at RPrice@leegov.com or 239-533-8355 with any questions related to these comments.

**LC Environmental Sciences PD Application Sufficiency Checklist  
(Ord 09-23)**

*1) Current Use of the Property. The application must list all of the current uses on the property {see LC Public Hearing Application Form, Part 3.1.1.}  
[34-202(a)(8); 34-202(b)(3)]*

Please provide documentation of how the 4.9 acre parcel was legally created.

Please provide documentation of how the property was cleared of vegetation and filled according to LDC requirements.

*8) Comprehensive Plan Amendments. If Lee Plan amendments are proposed as part of this application, they must be indicated and described on the Supplement D Form. {see Supplement D, Part 1.A}*

ES staff acknowledges CPA2010-00007 and will be simultaneously working with planning staff in order to address environmental issues.

*10b1) Environmentally Sensitive Areas. The location, of any state jurisdictional wetlands and surface water, based upon standard environmental data and verified by the South Florida Water Management District staff, must be depicted on an aerial or FLUCCS map.*

Was the 2005 informal JD line provided verified by state agencies through the permitting of the Ski Lake to the south? If no, why not. If so, please provide. Why does the JD line delineation stop at the I-75 drainage right-of-way? Please revise provided documents to depict the location and distance of the project property line to the TOB/MHL of the creek and wetland JD line to the northeast corner and east.

*10b2) Preservation/Conservation of Natural Features. A description how the Sensitive Lands listed in Item #9b and Item #9c, above, will be protected by the completed project must be provided (see Supplement D Form, Part 5.C.).*

How will the creek and wetland to the northeast corner and east be protected by a completed project?

*11g1) The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands. [34-373(a)(4)e.ii.]*

Please revise to identify state and federal wetland JD lines. Please identify if they have been formally verified or to be formally verified by the agencies. If formally verified please provide the document identification and date of verification.

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*12g) Parks, Recreation Areas, Indigenous Areas, Flow-Ways. The general location of proposed parks and recreation areas and facilities, as well as indigenous areas and flow-ways to be preserved, restored or created must be shown on the Master Concept Plan. [34-373(a)(6)f.]*

Please provide a flowways (different from floodway) map identifying the location of the abutting Natural Resource identified flowway to the northeast/east.

The MCP identifies the indigenous acreage requirement. Does the project propose to restore indigenous to preserve/protect the existing wetlands and flowway?

Please also address LDC Section 10-416(d)(9) development abutting natural waterways buffer. (Bayshore Creek). Depict MHL and/or TOB and the required 50 foot wide natural waterway buffer in relation to the proposed project.

*12h) Open Space Design Plan. Open space design plan delineating the indigenous preserves and/or native tree preservation areas as required per LCLDC Section 10-415(b) must be shown on the Master Concept Plan. [34-373(a)(6)g.]*

Please revise MCP to depict/illustrate indigenous provided.

Please also depict and address how MCP Phase 1 existing conditions and Phase II will meet the open space requirement.

*14a) Deviations-Details. The location of any requested deviations must be shown on the Master Concept Plan, keyed to the schedule of deviations, including drawings demonstrating the effect the requested deviations will have on the site plan. [34-373(a)(6)l.]*

Please provide cross sections of the proposed Type D buffer depicting planting area in relation to existing creek and any existing/proposed stormwater management ditches/berms (improvements).

*14b) Deviation Documentation and Detail Drawings. Documentation including sample detail drawings must be provided illustrating how each deviation will operate to the benefit, or at least not to the detriment, of the public interest. [34-412(a)]*

How does the proposed buffer which provides a hedge row 24 inches in height at installation to be maintained at 36 inches meet the requirements or even enhance the required 6 foot high visual screen.

*18b1) LEE Plan Compliance. A narrative explanation as to how the proposed development complies with the LEE Plan must be submitted. [34-941(g)(3)]*

Please include analysis on Goal 77 and subsequent Objectives and Policies and Goal 60 and Policy 60.1.2, Objective 60.5 and Policies 60.5.1-5.3 And Goal 61, Objective 61.2 and subsequent policies.

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*18b2) Design Standards Compliance. A narrative explanation as to how the proposed development complies with the Design Standards set forth in LCLDC Section 34-411 must be submitted. [34-3941(g)(3)]*

Please explain how the proposed development addresses 34-411(g) & (h) with regards to the abutting wetlands and flowway.

*19) Miscellaneous items.*

The I-75/Bayshore Road Industrial Park plat depicts the use of the this area as "Tract B (Drainage Retention). How is the proposed use consistent with the plat? Are modifications required?

Is this property currently part of the master SFWMD permit #36-00217-S. How is the proposed project consistent with the permitted surface water management or are modifications required?

*20) Contact. The Environmental Planner may be contacted regarding any questions on the LC Environmental Sciences Planned Development Application Sufficiency Checklist.*

Susie Derheimer, Environmental Planner  
239-533-8158  
sderheimer@leegov.com

**LC Public Hearing for Planned Development  
Application-Supplement D Checklist (Ord 09-23)**

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*25) Contact. The Zoning Planner may be contacted regarding any questions on the LC Public Hearing for Planned Development Application-Supplement D Checklist.*

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#### ZONING COMMENTS

1. Rezone +/- 4.9 acres from Agricultural (AG-2) to Industrial Planned Development (IPD) with a maximum of 50,000 square feet of industrial uses. Maximum height proposed is 1 story/35 feet. No development blasting is requested. Any development will connect to public potable water and public sanitary sewer services.

Please confirm the request wording. It looks as if septic service will be utilized not sewer.

2. Please provide a Lee Tran map.

3. Isn't there a code enforcement case on this property? Please provide detail.

4. Isn't there a lot split issue on this property? Please provide detail?

5. Lee Plan narrative - paragraph 1 - is it units or acres?

6. Substantive issue - the Lee Plan narrative assumes the pending plan amendment is approved.

7. Thank you for the LCU letter.

8. Some of the uses are not supported by the MCP - wireless communication facility and recreation facilities.

9. Shredding and composting - is there an equivalent LDC use for this?

10. MCP 1 - existing conditions is not necessary.

11. Please add to the MCP - Bayshore Road - include width, # lanes, classification, and the road to the east - include separation distances, # lanes, classification, and width. Does storage area mean outdoor? How many Square feet is it?

12. Please remove from the MCP - Strap #, property development regs (separative attachment needed), parking, deviation wording.

13. Substantive issue - Deviation 1 - don't see how it enhances the planned development or addresses the public health safety and welfare.

14. Please meet with the North Fort Myers Community. Substantive issue. Not required by the LDC or Lee Plan. Provide agendas and minutes.

15. Is 21-43-25-04-00000.B000 included in the application? If not, why not?

16. It is understood CPA2010-07 is pending.



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17. Page 4 of 13 of the application shows Suburban FLU. This is pending the approval of the plan amendment. Please correct the application.

18. Page 11 of 13 of the application - The STRAP # is missing.