

James P. Elliott, P.E., President Timothy Pugh, P.E., Vice Pres. 1334 Lafayette Street Cape Coral, FL 33904 (239) 549-2345 Fax (239) 549-6779 e-mail: mail@Source-Inc.com Visit our Website @ www.Source-Inc.com

December 22, 2010

Mr. Brandon D. Dunn, Senior Planner Lee County Department of Community Development 1500 Monroe Street, 2<sup>nd</sup> Floor Fort Myers, Florida 33901

Re:

Villages of Pine Island - CPA2010-00004

Response to RAI Letter

S.I. Project Number: 706-01-05

Dear Brandon:



OPA 2010-00004

The following is in response to your correspondence of August 26, 2010. Requested information from your letter will be repeated below, followed by our response, *shown in italics*.

# IV A. 4. General Information and Maps, Map and describe existing land uses

Please provide a map that identifies the existing uses of the subject site and surrounding properties.

We have included a map, labeled as Exhibit IV.A.4, that identifies the existing uses of the subject site and surrounding properties.

## IV A. 5. General Information and Maps, Map and describe existing zoning

Please provide a map that identifies the existing zoning category of the subject site and surrounding properties.

We have included a map, labeled as Exhibit IV.A.5, that identifies the zoning category of the subject site and surrounding properties.

#### IV A. 6. General Information and Maps, The legal description(s) for the property

The application did not include the required certified legal descriptions and sketch of the subject property. Please provide certified description(s) and sketch(s) to describe the entire perimeter boundary of the property. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

# Response to RAI Letter **CPA2010-00004**

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The provided legal description and sketch of the subject property includes only the property proposed to be added to the "Future Sewer Service Area". It includes only the "upland" portion of property included within the ten (10) parcels, identified in the previously provided Exhibit A. We have not and do not intend to include a separate legal description for "wetland" portions of property owned by the applicant, that are not subject to this application request. This application for a Comprehensive Plan Amendment has not requested any revisions to the future land use category. The entire subject property  $(76.06 \pm acre)$ , falls within the "Coastal Rural" future land use category. We have included an updated legal description and sketch, that is now tied to the requested state plane coordinate system.

Per a request by the County Attorney's Office, please tie each legal description and sketch to a color coded map for ease of verification.

Since we are only providing the one (1) legal description and sketch, we do not see any need for a color coded map to necessitate ease of verification.

#### IV A. 8. General Information and Maps, An aerial map showing the subject property

Please provide an aerial map showing the subject site and surrounding properties.

We have included a map, labeled as Exhibit IV.A.8, that includes an aerial photograph of the subject site and surrounding properties.

# IV B. 2.a. Public Facilities Impacts, Provide an Existing and Future Conditions Analysis for, Sanitary Sewer

Please provide an analysis of the impacts to the Sanitary Sewer system based on the maximum development scenario.

Analysis should include (but is not limited to) the following (see the Lee County Concurrency Management Report):

1) Franchise Area, Basin, or District in which the property is located;

See attached Sanitary Sewer Impact Analysis.

2) Current LOS, and LOS standard of facilities serving the site;

See attached Sanitary Sewer Impact Analysis.

3) Projected 2030 LOS under existing designation;

See attached Sanitary Sewer Impact Analysis.

4) Projected 2030 LOS under proposed designation;

See attached Sanitary Sewer Impact Analysis.

5) Existing infrastructure, if any, in the immediate area with the potential to serve the subject property.

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See attached Sanitary Sewer Impact Analysis.

- 6) Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and See attached Sanitary Sewer Impact Analysis.
- 7) Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).

See attached Sanitary Sewer Impact Analysis.

8) Provide a letter of service availability from the appropriate utility for sanitary sewer.

See attached letter from Ivan Velez, Lee County Utilities, dated December 12, 2003.

IV E. 1. Internal Consistency with the Lee Plan, Discuss how the proposal affects population projections, Table 1(b), and the population capacity of the Lee Plan Future Land Use Map.

Please provide the discussion required above.

This Lee Plan Amendment application is to amend Map 7 to include the subject 76.06± acre property area into the "Lee County Utilities - Future Sewer Service Area". This subject property area was originally issued a Development Order on December 12, 1984. That development order (provided for 49,800 square feet of commercial space (nine buildings) and 480 residential · units in 120 four-plex buildings. Under the provisions of the Lee County Land Development Code Sec 10-115 (c), a development order remains active and valid through build-out, assuming that the construction activity is actively pursued, as defined. Based upon these provisions, the maximum development scenario that can currently exist for the subject property area are those stated in the "actively pursued" development order listed above. However population projections utilizing a maximum density per Lee Plan Policy 1.4.7, assuming that 70% of the subject 76.06± acre upland land is permanently preserved or restored as native habitat would yield a maximum of 23 residential units. This proposed amendment to Map 7, in no way affects the population projections and/or the population capacity of the Lee Plan Future Land Use Map, it will only provide for the ability of Lee County Utilities to provide the connection of the sanitary sewer service into a central system rather than an individual sewage treatment system for whatever development scenario is ultimately constructed on the subject property area.

IV E. 2. Internal Consistency with the Lee Plan, List goals and objectives of the Lee Plan. Include an evaluation of all relevant policies under each goal and objective.

Please provide the discussion required above.

See attached Lee Plan discussion.

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IV E. 3. Internal Consistency with the Lee Plan, Describe how the proposal affects adjacent local governments and their comprehensive plans.

Please provide the discussion required above.

This proposed amendment to Map 7, in no way affects adjacent local governments and their comprehensive plans, it will only provide for the ability of Lee County Utilities to provide the connection of the sanitary sewer service into a central system rather than an individual sewage treatment system for whatever development scenario is ultimately constructed on the subject property area.

IV E. 4. Internal Consistency with the Lee Plan, List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment

Please provide the discussion required above.

See attached Lee Plan discussion.

#### **Miscellaneous Comments**

Please address the following requirements and concerns:

1) Objective 14.7, and subsequent Policies of the Lee Plan, as amended during the 2008/2009 regular amendment cycle, requires that prior to and during the review and adoption of any Lee Plan provision the applicant must solicit input from the Greater Pine Island Community. Prior to being found sufficient, the applicant must conduct one public input meeting within the community and provide a summary of the discussion.

This proposed Lee Plan Amendment has been scheduled on the agenda to be discussed by the applicant at the 1/4/2011 Greater Pine Island Civic Association Meeting.

2) Please provide a narrative of the project that includes a detailed justification for the proposed map amendment.

This proposed Map 7 amendment is fully in compliance with the goals of the Lee Plan, most specifically Objective 56.2 (and subsequent policies). The Villages of Pine Island is a mixed use (primarily multi-family residential) development that received its development order approval (DOS 83-07-003.00D) in 1983. The property was rezoned to RM-2 and CS-1 (Z-81-226/226A) in 1981. The property was designated as "Rural" on the original Lee County Future Land Use Map, but was re-designated as "Coastal Rural" by Lee County Ordinance 03-03 (adopted 01/09/2003). The project has been continuing to construct towards a build-out condition based upon the 1983 development order, under the provisions of LDC Sec. 10-115(c).

The original development order approval included private onsite wastewater treatment facilities. Although substantial efforts have already been made to redesign the project to connect the wastewater collection system into the central Lee County Utilities system, rather than to construct the private onsite wastewater treatment facilities, it has been discovered that an

Response to RAI Letter CPA2010-00004

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amendment to the Lee Plan "Future Sewer Service Areas" Map 7, to depict this property, must be accomplished in order to allow Lee County to accept the sewage flow from this project.

We trust that this additional information is sufficient to allow you to complete your review, and approve the referenced comprehensive plan amendment. If you have any questions or require further information, please do not hesitate to call.

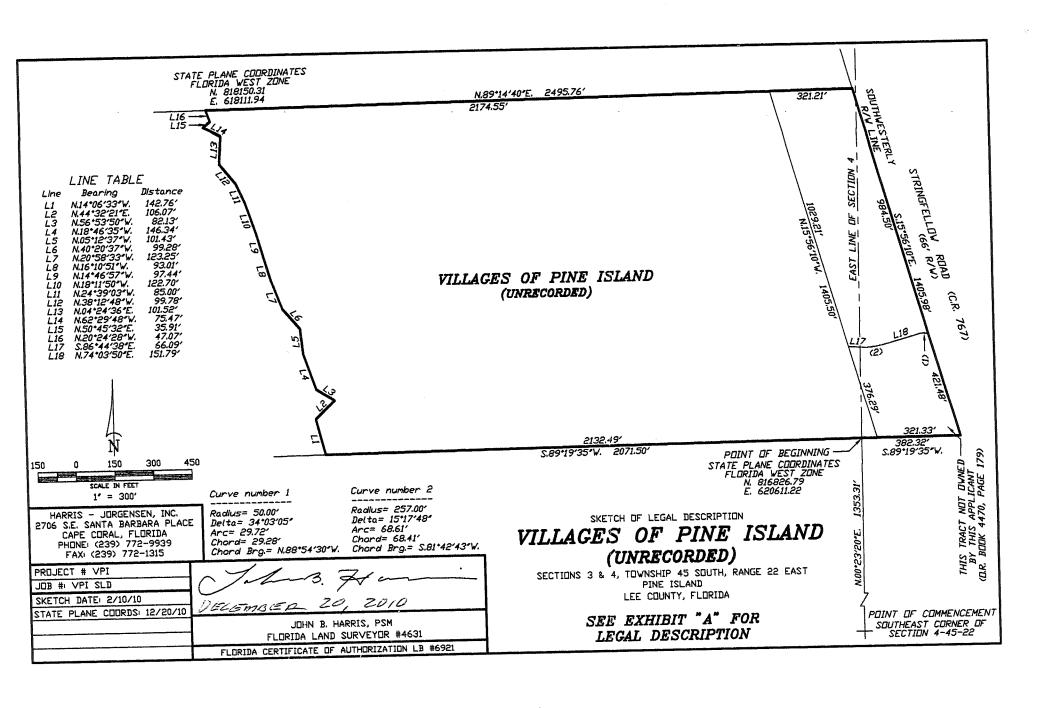
Sincerely,

SOURCE, INC.

Timothy Pugh, P.E.

Vice President

c: Jack Brugger, Smokey Smeja



# EXHIBIT "A"

## DESCRIPTION:

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 3 AND 4, TOWNSHIP 45 SOUTH, RANGE 22 EAST, PINE ISLAND, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS,

COMMENCING AT THE SOUTHEAST CORNER OF THE AFORESAID SECTION 4; THENCE RUN N.00°23'20'E. ALUNG THE EAST LINE OF SAID SECTION 4 FOR 1353.31 FEET TO THE POINT OF BEGINNING; THENCE RUN S.89°19'35"W. FOR 2071.50 FEET; THENCE RUN N.14°06'33"W. FOR 142.76 FEET; THENCE RUN N.44°32′21″E, FOR 106.07 FEET; THENCE RUN N.56°53′50″W, FOR 82.13 FEET; THENCE RUN N.18°46'35"W. FOR 146.34 FEET; THENCE RUN N.05° 12'37"W. FOR 101.43 FEET; THENCE RUN N.40°20'37"W. FOR 99.28 FEET; THENCE RUN N.20°58'33"W. FOR 123,25 FEET; THENCE RUN N.16°10'51"W. FOR 93.01 FEET; THENCE RUN N.14°46'57"W. FOR 97.44 FEET; THENCE RUN N.18°11'50°W. FOR 122.70 FEET; THENCE RUN N.24°39'03°W. FOR 85.00 FEET; THENCE RUN N.38°12'48"W. FOR 99.78 FEET; THENCE RUN N.04°24'36"E. FOR 101.52 FEET; THENCE RUN N.62°29'48"W. FOR 75.47 FEET; THENCE RUN N.50°45'32"E, FOR 35.91 FEET; THENCE RUN N.20°24'28"W, FOR 47.07 FEET; THENCE RUN N.89\*14'40"E. FOR 2495.76 FEET TO THE SOUTH-WESTERLY RIGHT-OF-WAY LINE OF STRINGFELLOW ROAD (COUNTY ROAD 767); THENCE RUN S.15\*56'10"E. ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE FOR 1405.98 FEET; THENCE RUN S.89°19'35'W. FOR 382.32 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 76.055 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE EAST LINE OF THE AFORESAID SECTION 4 AS BEING N.00°23'20'E.

JOHN B. HARRIS

PLS #4631

FEBRUARY 10, 2010

#### Sanitary Sewer Impact Analysis

This Lee Plan Amendment application is to amend Map 7 to include the subject 76.06± acre property area into the "Lee County Utilities - Future Sewer Service Area". This subject property area was originally issued a Development Order on December 12, 1984. That development order (provided for 49,800 square feet of commercial space (nine buildings) and 480 residential units in 120 fourplex buildings. Under the provisions of the Lee County Land Development Code Sec 10-115 (c), a development order remains active and valid through build-out, assuming that the construction activity is actively pursued, as defined. Based upon these provisions, the maximum development scenario that currently exists for the subject property area are those stated in the "actively pursued" development order listed above.

Based on that maximum development scenario, the projected wastewater flow would be:

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480 residential units @ 200 GPD/unit = 96,000 GPD
49,800 SF commercial @ 15 GPD/ 100 SF = 7,470 GPD
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• Total = 120,000 GPD + 7,470 GPD = 103,470 GPD

Based on a maximum development scenario utilizing the maximum density of Lee Plan Policy 1.4.7, assuming that 70% of the subject 76.06± acre upland land is permanently preserved or restored as native habitat would yield a maximum of 23 residential units. The projected wastewater flow from this development scenario would be:

• 23 residential units @ 200 GPD/unit = 4,600 GPD

The subject property is located on Pine Island, within Section 4, Township 45 South, Range 22 East, Lee County, Florida. The property is not currently located within the "Lee County Utilities - Future Sewer Service Area". However, wastewater transmission and effluent disposal facilities have been permitted, constructed, and are ready to make the sewer service connection from this property into the Lee County Utilities sewer system.

Currently, no residential units have been constructed and the portion of the existing commercial development within this parcel was developed utilizing a septic tank and drainfield. Lee County Utilities has indicated that their Pine Island Wastewater Treatment Facilities have sufficient capacity to serve the development under the current active and valid development scenario. Even under this current difficult economic climate, we would anticipate that this development scenario would reach final build out and occupancy within the next ten (10) years. Once final commitments and connections are made, Lee County Utilities will be obligated to maintain this level of sewer service connection well beyond a 2030 date.

This proposed Map 7 amendment is fully in compliance with the goals of the Lee Plan, specifically Objective 56.2 (and subsequent policies). Other than the amendment of Map 7 to include the subject 76.06± acre property area into the "Lee County Utilities - Future Sewer Service Area", we do not anticipate any need to propose any revisions to the Community Facilities and Services Element and/or Capital Improvements Element of the Plan.



**BOARD OF COUNTY COMMISSIONERS** 

Writer's Direct Dial Number:

**Bob Janes** District One

Douglas R. St. Cerny District Two

December 12, 2003

Ray Judah District Three

Mr. John N. Bruger

Andrew W. Coy . District Four

600 Fifth Ave. South; Suite 207 Naples, FL 34102

John E. Albion District Five

SUBJECT:

Sewer Service for The Villas of Pine Island

Donald D. Stilweil County Manager

James G. Yaeger

County Attorney

Diana M. Parker County Hearing Examiner

Dear Mr. Bruger:

Thank you for your letter dated December 8, 2003 regarding the availability of sewer service for the proposed project, The Villas of Pine Island. Please be advised that, at the present time, County staff is in the process of negotiating an agreement with Mr. Gunther to secure a site for effluent irrigation. If the agreement is successfully negotiated and the spray field is developed, then it is expected that the plant's disposal capacity will be increased to its maximum capacity of 500,000 gpd.

Once this project is completed and approved by the FDEP, it will allow for the connection of Mr. Gunther's proposed development as well as other existing developments with sewage treatment plants within the Island. Most of the existing development have already submitted a Letter of Intent to connect to the County's system when the treatment capacity and transmission lines becomes available.

Along with the Agreement for Sewer Service, Lee County's staff is requiring that all of the proposed developments accept reuse water for irrigation from the County's treatment plant. The amount of reuse water to be used must be at least equal the amount of sewage generated by that development. This will allow for an amendment of the facility's operating permit to increase of the plant's disposal capacity.

Cordially,

LEE COUNTY UTILITIES

S. Ivan Velez P.E. Deputy Director

cc:

File/Scan Copy Rick Diaz. P.E. **David Owen** 

kwiktae 8

030 013 347

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#### Lee Plan Discussion

**Pine Island -** This community includes Greater Pine Island as described under Goal 14 along with surrounding smaller islands and some unincorporated enclaves near Cape Coral. Its future, as seen by Pine Islanders, will be a matter of maintaining an equilibrium between modest growth, a fragile ecology, and a viable and productive agricultural community.

• This Lee Plan Amendment application is to amend Map 7 to include the subject 76.06± acre property area into the "Lee County Utilities - Future Sewer Service Area". There is no conflict in providing the ability for even modest development to be provided sewer service from an existing central system such as Lee County Utilities, in order to minimize the use of other means of wastewater disposal (such as septic systems, and individual sewage treatment plants).

**POLICY 1.4.7:** The Coastal Rural areas will remain rural except for portions of properties where residential lots are permitted in exchange for permanent preservation or restoration of native upland habitats or a commitment, in the form of a perpetual easement, to preserve agricultural activity on existing farmland, on the remainder of the property.

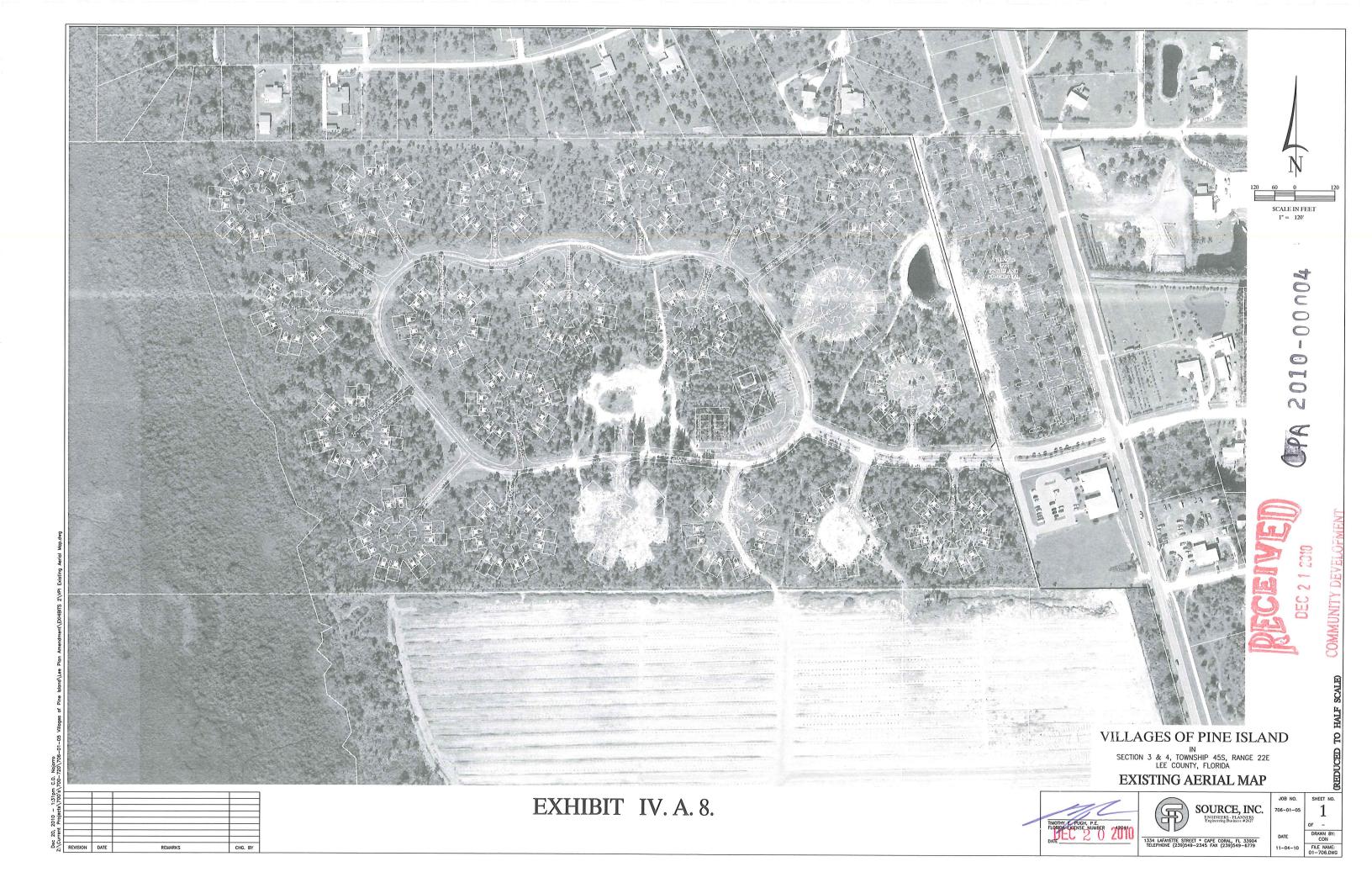
• This Lee Plan Amendment application is to amend Map 7 to include the subject 76.06± acre property area into the "Lee County Utilities - Future Sewer Service Area". There is no conflict in providing the ability for Coastal Rural areas to be provided sewer service from an existing central system such as Lee County Utilities, in order to minimize the use of other means of wastewater disposal (such as septic systems, and individual sewage treatment plants). This proposed amendment to Map 7 is to include an area that contains a currently active and valid development order. Policy 1.4.7 will not be affected in any way as it will provide for the development scenario that may occur if and when the current development order were to no longer be active and valid.

**OBJECTIVE 56.2:** The county will maintain and enforce such ordinances as are necessary to require the connection of commercial and larger residential establishments to such public or private central utility systems when those systems are available for service.

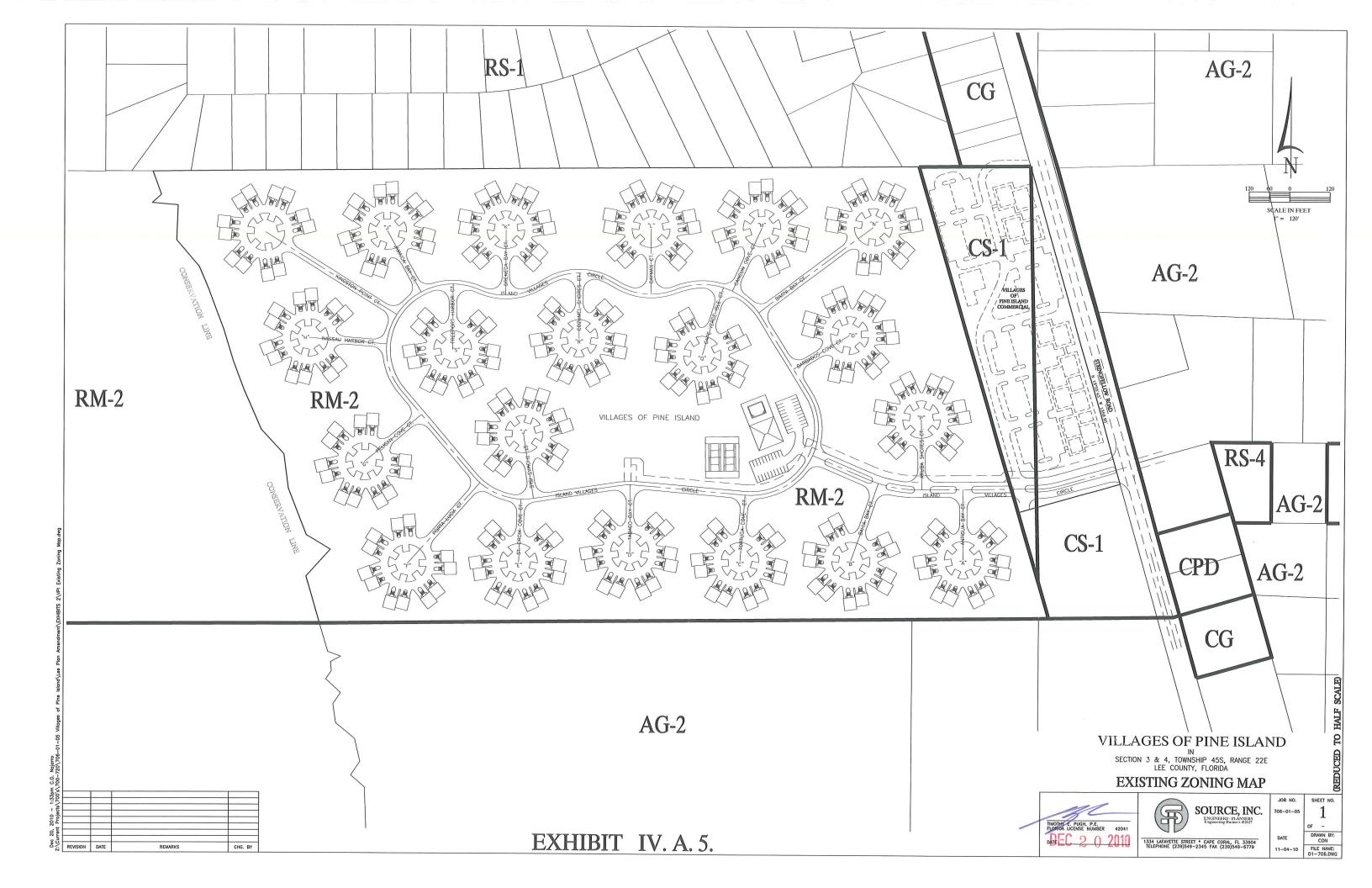
This Lee Plan Amendment application is to amend Map 7 to include the subject 76.06± acre property area into the "Lee County Utilities - Future Sewer Service Area". This objective is met at this location, as the facilities have adequate capacity and are already substantially in place to provide the sewer service connection from this area that contains a currently active and valid development order, into the Lee County Utilities system.

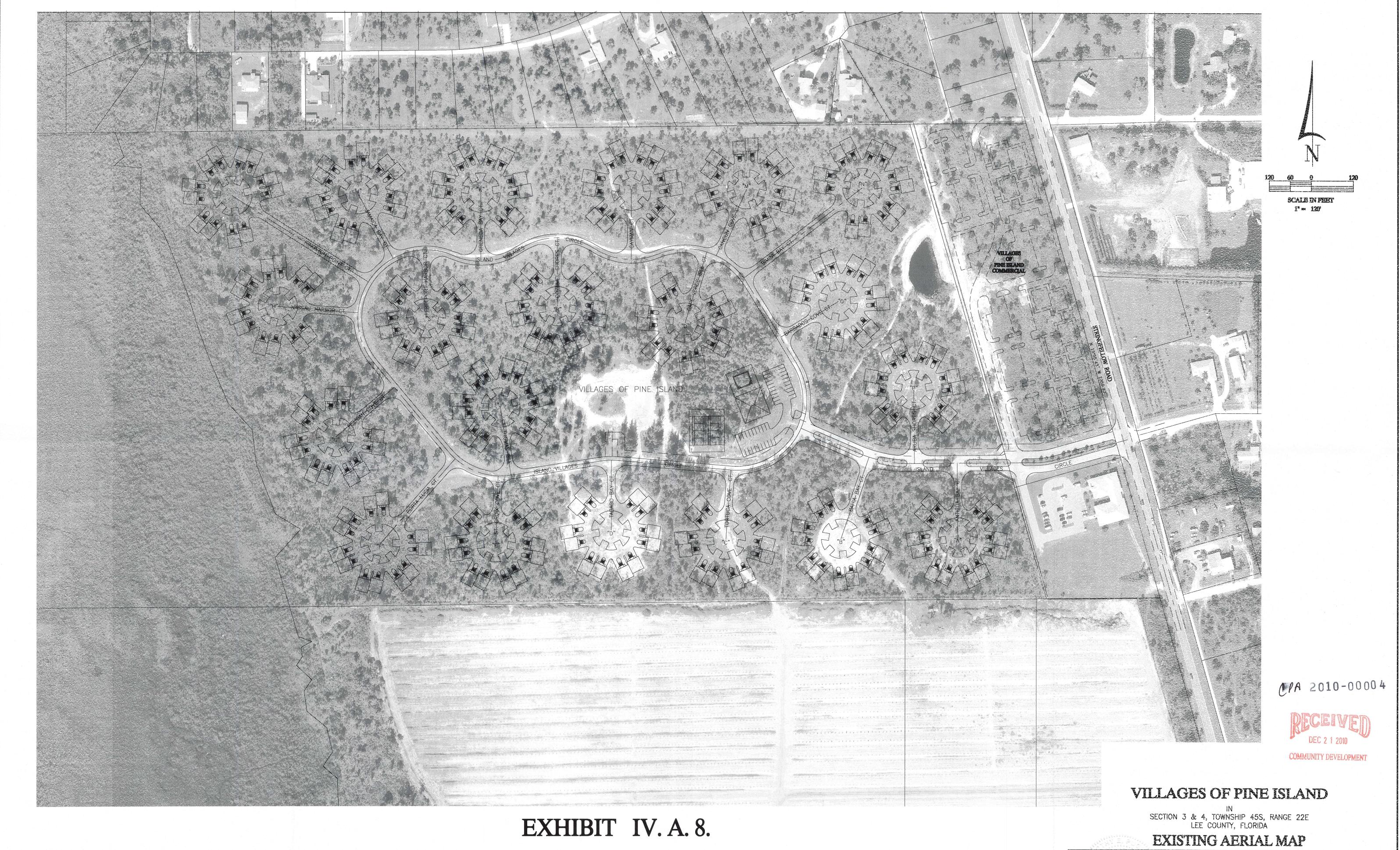
**POLICY 56.2.1:** It is hereby declared that in the interests of preserving public health and of preserving and enhancing environmental quality, it is in the public interest to abate and cease use of septic tanks and wastewater treatment package plants where and when central sewer is available.

• This Lee Plan Amendment application is to amend Map 7 to include the subject 76.06± acre property area into the "Lee County Utilities - Future Sewer Service Area". This policy is met by this location, as the proposed (and approved) revisions to the Villages of Pine Island project, replace the previously proposed wastewater treatment package plant with a connection to the Lee County Utilities central sewer system. In addition, the facilities have adequate capacity and are already substantially in place to provide for this sewer service connection.







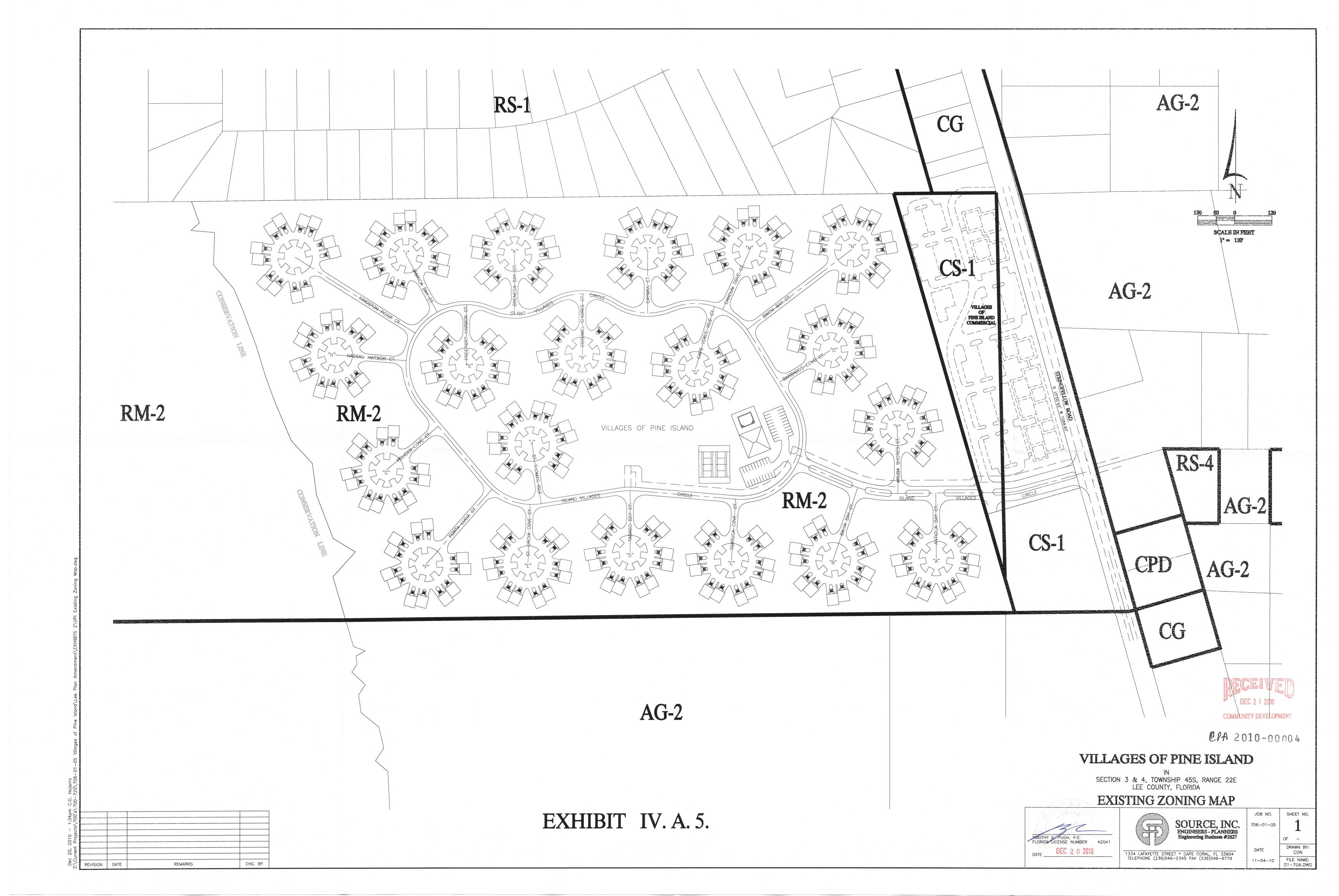


DEC 2 0 2010

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REMARKS





### Dunn, Brandon

From: Sent:

TEPugh Email [TEPugh@Source-Inc.com]

Thursday, January 13, 2011 9:21 AM

To:

Dunn, Brandon

Cc:

Brugger, Jack; Smeja, Smokey

Subject:

RE: Villages of Pine Island (CPA2010-00004)

Brandon,

Please see the copy of the email from Phil Buchanan to Matt Noble (below).



Timothy E. Pugh, P.E. Vice President Source, Inc

1334 Lafayette Street

Cape Coral, Florida 33904

Phone: (239) 549 2345 Fax: (239) 549-6779 tepugh@source-inc.com

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----- Original Message -----From: <u>Dunn, Brandon</u>

To: TEPugh Email

Sent: Wednesday, January 12, 2011 8:33 AM

Subject: RE: Villages of Pine Island (CPA2010-00004)

Was the proposed plan amendment discussed at the Greater Pine Island Civic Association Meeting on January 4<sup>th</sup>? Can you provide a summary of the discussion?

#### Thank you,

#### Brandon Dunn

---- Original Message -----

From: Smokey

To: JPElliott@Source-Inc.com

Sent: Wednesday, January 12, 2011 8:02 PM

Subject: Fwd: The Villages

----Original Message----

From: Phil Buchanan <coolcherokee@comcast.net>

To: Noble, Matt < Noble MA@leegov.com >

Cc: Smeja, Smokey < Smokey Smeja@netscape.net >

Sent: Wed, Jan 12, 2011 6:03 pm

Subject: The Villages

# To Matt Noble, Lee County DCD Land Planning

On January 4, 2011, Smokey Smeja, owner of the proposed Villages development on Stringfellow Road briefed the GPICA membership on his need for a change to the Pine Island Utilities Service Area Map in the Lee Plan so he can get central sewer service for his development. The membership unanimously approved his request, and we recommend that you ask the BOCC and DCA to approve the change.

The GPICA membership was not briefed on the details of the 1982 Development Order for that development and was not asked to review or approve same. We only agreed at this time that whatever gets built at that site should be served by central sewer.

Thanks,

Phil Buchanan 3861 Galt Island Avenue St James City, FL 33956 Phone/fax: 239-283-4067

email: coolcherokee@comcast.net