

**CPA2010-08  
SOUTHWEST FLORIDA  
INTERNATIONAL AIRPORT (RSW)  
NON-AVIATION DEVELOPMENT UPDATE  
AMENDMENT  
TO THE**

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**LEE COUNTY COMPREHENSIVE PLAN**

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**THE LEE PLAN**

Lee County Board of County Commissioners  
Sponsored Amendment and Staff Analysis

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**BoCC Adoption Document**

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**September 28, 2011**

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2010-08**

**Text Amendment**

**Map Amendment**

<b>This Document Contains the Following Reviews</b>	
<input checked="" type="checkbox"/>	<b>Staff Review</b>
<input checked="" type="checkbox"/>	<b>Local Planning Agency Review and Recommendation</b>
<input checked="" type="checkbox"/>	<b>Board of County Commissioners Hearing for Transmittal</b>
<input checked="" type="checkbox"/>	<b>Staff Response to Review Agencies' Comments</b>
<input checked="" type="checkbox"/>	<b>Board of County Commissioners Hearing for Adoption</b>

STAFF REPORT PREPARATION DATE: May 13, 2011

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. APPLICANT/REPRESENTATIVES:**

LEE COUNTY PORT AUTHORITY / Laura DeJohn, AICP, Johnson Engineering

**2. REQUEST:**

Amend Lee Plan provisions specific to the development of the Southwest Florida International Airport and Table 5(a) Southwest Florida International Airport Development Schedule to modify the development parameters allowed within the future non-aviation areas at the Southwest Florida International Airport.

**B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

**1. RECOMMENDATION:**

Staff recommends that the Board of County Commissioners *adopt* the proposed amendment to the Lee Plan as shown below. Proposed text has been depicted in strikethrough and underline format as it relates to the existing provisions of the Lee Plan.

**TEXT AMENDMENTS:**

**POLICY 1.2.1:** Airport Lands includes the existing facility and projected growth areas for the Southwest Florida International Airport and Page Field General Aviation Airport through the year 2030. The Airport Lands comprising the Southwest Florida International Airport includes airport and airport-related development as well as non-aviation land uses as proposed in the approved 2003 Airport Master Plan update and as depicted on the Airport Layout Plan sheet (Map 3F) and the Southwest Florida International Airport Proposed Development Schedule (Table 5(a)). This mix of uses is intended to support the continued development of the Southwest Florida International Airport. Future development at the Southwest Florida International Airport will also include non-aviation related land uses such as hotels/motels, light industrial, service stations, ~~ancillary~~ retail/shopping, and office development. Any future airport expansion or development of aviation-related and non-aviation uses at Southwest Florida International Airport will offset environmental impacts through the Airport Mitigation Lands Overlay (Map 3M) or other appropriate mitigation acceptable to the permitting agencies and to Lee County. The physical design of the airport expansion will minimize any degradation of the recharge capability of land being developed. Airport expansion beyond the present boundaries will be subject to necessary amendments to the Lee Plan.

*No amendments to the remainder of Policy 1.2.1*

**POLICY 1.2.7:** Future non-aviation areas depicted on the Airport Layout Plan (Map 3F) will be developed, to the greatest extent possible, only within existing upland areas. Impacts to wetlands in the future non-aviation areas will be minimized by site design, whenever possible, in compliance with the Lee County Land Development Code. Development within the ~~future~~ non-aviation area, as designated on Map 3F, is limited to a ~~total~~ maximum of 1300 acres north of runway 6-24 and approximately 52 acres within the midfield terminal area. All development must be in compliance with Map 3F and the intensities outlines in Table 5(a). Development of additional acreage will require prior Lee Plan amendment approval.

**POLICY 47.2.1:** The Port Authority will coordinate efforts with aviation and other transportation interests at Southwest Florida International Airport to establish multi-modal transfer facilities. During prior master planning efforts, the Port Authority identified on its Airport Layout Plan (Map 3F) an “Ultimate Passenger Multi Modal” area. As part of the normal Airport Master Plan update approval process, the Airport Layout Plan was approved by the FAA, FDOT, and the Board of County Commissioners and is consistent with other transportation-related objectives. Future Southwest Florida International Airport Master Plan Update efforts will re-evaluate appropriate locations for multi-modal transfer facilities on airport property.

**POLICY 47.3.4:** The proposed development schedule for the Southwest Florida International Airport through the year 2020 for landside and airside uses and through the year 2030 for non-aviation uses is depicted in Table 5(a) of the Lee Plan. The proposed development schedule for the Page Field General Aviation Airport through the year 2025 is depicted in Table 5(b) of the Lee Plan. These Tables include both aviation and non-

aviation related development. If the FAA/FDOT mandate navigational improvements (NAVAIDS) or require improvements related to Airport security or safety at Southwest Florida International Airport or Page Field General Aviation Airport, then the Port Authority may pursue installation of the improvement even though the improvement is not specifically identified on Table 5(a) or Table 5(b). However, the Port Authority must obtain all appropriate approvals and permits prior to installation, including approval from Lee County. If these improvements precipitate a substantive change to Table 5(a), Table 5(b), Map 3F, or Map 3G, then the Port Authority must pursue a Lee Plan amendment incorporating the changes in the next available amendment cycle.

**TABLES:**

Staff recommends that the Board of County Commissioners *transmit* the proposed amendment to the Table 5(a) as shown in Attachment #1 to this staff report.

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

- The Southwest Florida International Airport Comprehensive Plan Amendment was filed by Lee County Port Authority on November 12, 2010.
- Lee Plan Policy 1.2.1 requires that “all development on Airport Lands comprising Southwest Florida International Airport must be consistent with Map 3F and Table 5(a).”
- The proposed amendments to the Lee Plan are consistent with the adopted Airport Layout Plan, Map 3F, of the Lee Plan, which includes greater than 300 acres of non-aviation development area north of runway 6-24.
- The proposed amendments to Lee Plan Policy 1.2.1, Policy 1.2.7, Policy 47.2.1, Policy 47.3.4 and Table 5(a) are consistent with the Airport future land use category and the remainder of the Lee Plan.
- The subject site is within the Lee County water and sewer Future Service Areas as identified on Maps 6 and 7 of the Lee Plan.
- The uses and intensities proposed by the Lee County Port Authority are consistent with the surrounding land uses.
- The proposed amendment will not affect Lee County’s population accommodation capacity.

**C. PROJECT SUMMARY DISCUSSION:**

The Southwest Florida International Airport Comprehensive Plan Amendment was filed by Lee County Port Authority on November 12, 2010. The applicant proposes to amend Lee Plan Policy 1.2.7 and 47.3.4 of the Future Land Use Element and Table 5(a) SWFIA Development Schedule to modify the development parameters allowed within the future non-aviation areas at the Southwest Florida International Airport. Later the application was

amended to include an amendment to Policy 47.2.1 to include a requirement to re-evaluate the appropriate location(s) of the multi-modal transfer facility. To accommodate the proposed amendments Lee County staff also finds it necessary to amend Lee Plan Policy 1.2.1. The applicant is not proposing any map amendments. The subject site is located on the south side of Daniels Road, near the old airport terminal area. The development parameters that are being applied for through this application will increase the development potential of the non-aviation related uses by the following amounts: 221,750 square feet of commercial retail, restaurant, or service uses; a 5,000 square feet convenience store with 24 fueling pumps; 187 hotel rooms; 147,000 square feet of light manufacturing/assembly; 329,200 square feet of warehouse/distribution space; and 162,500 square feet of office uses.

#### **D. BACKGROUND INFORMATION**

##### **1. EXISTING CONDITIONS:**

**SIZE OF PROPERTY:** Total acreage of the Southwest Florida International Airport (SWFIA) is +/-6,366 acres.

**PROPERTY LOCATION:** The Southwest Florida International Airport is located on south of Daniels Road, east of Treeline Avenue, and about one mile north Alico Road.

**EXISTING USE OF LAND:** Non-aviation area of the SWFIA that will be impacted by the proposed amendment is mostly vacant uplands and wetlands. Portions of the area also include existing stormwater lakes and infrastructure that supported the original airport terminal.

**CURRENT ZONING:** Airport Operations Planned Development (AOPD)

**CURRENT FUTURE LAND USE CATEGORY:** Airport and Wetlands.

##### **2. INFRASTRUCTURE AND SERVICES:**

**FIRE:** Lee County Port Authority Aircraft Rescue and Fire.

**EMS:** Lee County EMS service area.

**LAW ENFORCEMENT:** Airport Police and Security.

**SOLID WASTE:** The subject site is located in solid waste Service Area 3.

**MASS TRANSIT:** LeeTran Route 50 provides regular service to the Southwest Florida International Airport and to the intersection of Daniels Parkway and Ben Hill Griffin Parkway.

**WATER AND SEWER:** The subject site is located within the Lee County water and sewer Future Service Areas as identified on Maps 6 and 7 of the Lee Plan.

### 3. COMPREHENSIVE PLAN BACKGROUND:

The subject property was mostly designated “Airport” by the original Lee County Future Land Use Map, adopted in 1984. Other properties now within the airport property were in the “Open Lands,” and “Resource Protection and Transition Zones” future land use categories. “Open Lands” was established as a non-urban future land use category with a maximum density of one dwelling unit per acre. Subsequent Lee Plan amendments changed this designation to the Density Reduction/Groundwater Resource category and then to “Airport.” The “Resource Protection and Transition Zones” land use categories were consolidated into the “Wetlands” land use category. Currently the property is designated “Airport” and “Wetlands.”

The Airport Layout Plan was first adopted into the Lee Plan as Map 3F by Comprehensive Plan amendment CPA2003-02, incorporating the results of the Airport Master Plan process that was ongoing at the time. CPA2003-02 also included text amendments to Policy 1.2.1 that guided the development within the Airport Lands future land use category, including the non-aviation development areas. This amendment affects the property that was identified as “Non-Aviation Support” lands when Map 3F was first incorporated into the Lee Plan. Subsequent amendments to the Lee Plan have removed the word “support” from the non-aviation areas and have allowed increased retail and convenience uses intended for the Airport users.

## PART II - STAFF ANALYSIS

### A. STAFF DISCUSSION

The applicant, Lee County Port Authority, on November 12, 2010, filed a Lee Plan text amendment to amend Lee Plan Policy 1.2.7 and 47.3.4 of the Future Land Use Element and Table 5(a) SWFIA Development Schedule to modify the development parameters allowed within the future non-aviation areas at the Southwest Florida International Airport. Policy 1.2.7 currently permits development on 100 acres of the non-aviation development areas as identified on Map 3F of the Lee Plan. The proposed amendment to Policy 1.2.7 will permit development on up to 300 acres north of runway 6-24 and 52 acres within the midfield terminal area that is accessible from the main entrance. Specific amendments to the Lee Plan are discussed below.

The Lee County Port Authority proposes to amend Policy 1.2.7 of the Lee Plan to include additional acres that may be used for non-aviation development on the Southwest Florida International Airport property as follows:

**POLICY 1.2.7:** Future non-aviation areas depicted on the Airport Layout Plan (Map 3F) will be developed, to the greatest extent possible, only within existing upland areas. Impacts to wetlands in the future non-aviation areas will be minimized by site design, whenever possible, in compliance with the Lee County Land Development Code. Development within the ~~future~~ non-aviation area, as designated on Map 3F, is limited to a ~~total~~ maximum of ~~4300~~ 300 acres north of runway 6-24 and approximately 52 acres within the midfield terminal area. All development must be in compliance with Map 3F and the intensities outlines in Table 5(a). Development of additional acreage will require prior Lee Plan amendment approval.

Lee County staff agrees with the proposed amendment to Policy 1.2.7 of the Lee Plan and notes that the development parameters included in the proposed amendment are consistent with Lee Plan Map 3F, the Airport Layout Plan. The provided Florida Land Use Land Covers Classification System (FLUCCS) map prepared by Johnson Engineering demonstrates the area north of runway 6-24, designated as non-aviation use, contains approximately 315.16 acres of uplands and 377.08 acres of wetlands. This demonstrates that 300 acres of development as proposed by the Port Authority can be accommodated north of runway 6-24.

The Lee County Port Authority proposes to amend Policy 47.2.1 of the Lee Plan to include a requirement to re-evaluate the appropriate locations for multi-modal transfer facilities on the Southwest International Airport property as follows:

**POLICY 47.2.1:** The Port Authority will coordinate efforts with aviation and other transportation interests at Southwest Florida International Airport to establish multi-modal transfer facilities. During prior master planning efforts, the Port Authority identified on its Airport Layout Plan (Map 3F) a passenger multi-modal facility within its planning horizon. As part of the normal Airport Master Plan update approval process, the Airport Layout Plan was approved by the FAA, FDOT, and the Board of County Commissioners and is consistent with other transportation-related objectives. Future Southwest Florida International Airport Master Plan Update efforts will re-evaluate appropriate locations for multi-modal transfer facilities on airport property.

Lee County staff is in agreement with the proposed amendment to Policy 47.2.1. The need for this amendment was initially identified by Lee County Department of Transportation.

The Lee County Port Authority proposes to amend Policy 47.3.4 of the Lee Plan to update the reference to Table 5(a) of the Lee Plan, recognizing that the non-aviation development schedule is proposed to be amended, to include development that is anticipated to occur through the year 2030. The amendment to Policy 47.3.4 is as follows:

**POLICY 47.3.4:** The proposed development schedule for the Southwest Florida International Airport through the year 2020 for landside and airside uses and through the year 2030 for non-aviation uses is depicted in Table 5(a) of the Lee Plan. The proposed development schedule for the Page Field General Aviation Airport through the year 2025 is depicted in Table 5(b) of the Lee Plan. These Tables include both aviation and non-aviation related development. If the FAA/FDOT mandate navigational improvements (NAVAIDS) or require improvements related to Airport security or safety at Southwest Florida International Airport or Page Field General Aviation Airport, then the Port Authority may pursue installation of the improvement even though the improvement is not specifically identified on Table 5(a) or Table 5(b). However, the Port Authority must obtain all appropriate approvals and permits prior to installation, including approval from Lee County. If these improvements precipitate a substantive change to Table 5(a), Table 5(b), Map 3F, or Map 3G, then the Port Authority must pursue a Lee Plan amendment incorporating the changes in the next available amendment cycle.

Lee County staff is in agreement with the proposed amendment to Policy 47.3.4 of the Lee Plan.

The Lee County Port Authority proposes to amend Table 5(a) of the Lee Plan to increase the development potential of the non-aviation related uses by the following amounts:

Use	Intensity
Commercial retail, restaurant, and service	221,750 SF
Gas station/convenience store	5,000 SF with 24 fueling pumps
Hotel	187 rooms
Light manufacturing/assembly	147,500 SF
Warehouse/distribution	329,200 SF
Office	162,500 SF

In addition to the above development parameters the amendment to Table 5(a) will include an additional column to identify development in the non-aviation areas out to the year 2030. Lee County staff anticipates future amendments to identify additional airside and landside aviation development in the proposed “2030” column. A complete Table 5(a), as proposed to be amended, is included in this staff report as Attachment #1.

In addition to these changes Lee County staff identified one additional amendment that should be made at this time. The proposed amendment by the Port Authority highlighted that fact that the Airport Lands future land use category should be more flexible towards the development of commercial retail. Currently Policy 1.2.1 only allows “ancillary retail/shopping” in the non-aviation development areas. There are several reasons Lee County Planning staff supports additional commercial retail development in the Airport Lands future land use category. Comprehensive Plan Amendment (CPA2007-48) added the retail commercial development Page Field Commons to the Airport Lands future land use category. The page field commons development is owned by the Port Authority, but is clearly not consistent with Policy 1.2.1 of the Lee Plan. Additionally Southwest Florida is and will continue to be a resort community. The Southwest Florida International Airport is one of the primary entrance points to Lee County and should enhance the resort community experience. This is highlighted by the new Boston Red Sox spring training stadium, which is adjacent to the largest concentration of non-aviation development areas as identified in Lee Plan Map 3(F). It is appropriate for retail and other uses that can take advantage of the synergy created by the new stadium. The Port Authority has also provided a Market Analysis demonstrating that additional retail will be needed between 2010 and 2030 in the areas adjacent to Southwest Florida International Airport. The complete market analysis is provided within the application materials attached to this staff report. To resolve the inconsistency with Page Field Commons and to recognize the tourism economy that will continue to support Lee County, Lee County Planning staff is proposing the following revision to Policy 1.2.1:

**POLICY 1.2.1:** Airport Lands includes the existing facility and projected growth areas for the Southwest Florida International Airport and Page Field General Aviation Airport through the year 2030. The Airport Lands comprising the Southwest Florida International Airport includes airport and airport-related development as well as non-aviation land uses as proposed in the approved 2003 Airport Master Plan update and as depicted on the Airport



Layout Plan sheet (Map 3F) and the Southwest Florida International Airport Proposed Development Schedule (Table 5(a)). This mix of uses is intended to support the continued development of the Southwest Florida International Airport. Future development at the Southwest Florida International Airport will also include non-aviation related land uses such as hotels/motels, light industrial, service stations, ancillary retail/shopping, and office development. Any future airport expansion or development of aviation-related and non-aviation uses at Southwest Florida International Airport will offset environmental impacts through the Airport Mitigation Lands Overlay (Map 3M) or other appropriate mitigation acceptable to the permitting agencies and to Lee County. The physical design of the airport expansion will minimize any degradation of the recharge capability of land being developed. Airport expansion beyond the present boundaries will be subject to necessary amendments to the Lee Plan.

*No amendments to the remainder of Policy 1.2.1*

The proposed amendment to Policy 1.2.1 does not diminish the need for Lee County to diversify the local economy by adding additional research and development, and industrial uses. However this can be accommodated within the surrounding Tradeport and Industrial Development future land use categories. The decision to allow additional retail/shopping to the Airport Lands future land use categories should not be seen as justification to allow increased levels of retail in the Tradeport and Industrial Development future land use categories.

#### **APPLICANT JUSTIFICATION**

The applicant has provided a summary and justification discussion concerning the proposed amendment. This discussion is reproduced below:

*The Southwest Florida International Airport (RSW) property comprises approximately 6,366 acres within the Gateway/Airport Planning Community. It falls within the Airport Lands Future Land Use Category on the Future Land Use Map of the Lee Plan. Within the Airport boundary, some land is also designated Wetlands.*

*Policy 1.2.1 of the Lee Plan provides that "Airport Lands includes the existing facility and projected growth areas for the Southwest Florida International Airport ... through the year 2030." The Policy states that "future development at the Southwest Florida International Airport will also include non-aviation related land uses such as hotels/motels, light industrial, service stations, ancillary retail/shopping, and office development."*

*The Southwest Florida International Airport Master Plan, Airport Layout Plan, and Development Schedule was incorporated in the Lee Plan by Ordinance 04-16 pursuant to Florida Statutes Section 163.3 177(6)(k). Location and parameters for development of these non-aviation uses are reflected on the Airport Layout Plan adopted as Map 3F of the Lee Plan, and the Development Schedule adopted as Table 5(a) of the Lee Plan.*

*Map 3F shows areas for existing and future aviation and non-aviation development at RSW. Non-aviation development areas are depicted in three general areas of the airport property:*

the Midfield area, the area North of Runway 6-24, and the potential future development area South of the Midfield.

*Table 5(a)* indicates development potential in aviation and non-aviation areas with a timeframe through 2020. Development potential in non-aviation areas is listed as follows:

<i>Excerpt from Lee Plan Table 5(a)</i>			
<i>Southwest Florida International Airport Development Schedule</i>			
<i>Non Aviation Development</i>	<i>Existing (2008)</i>	<i>2020</i>	
		<i>Option 1</i>	<i>Option 2</i>
<i>Commercial and Service</i>			
<i>Animal Kennel and Clinic</i>		<i>40,000 SF</i>	<i>40,000 SF</i>
<i>Hotel</i>		<i>300 rooms</i>	<i>300 rooms</i>
<i>Light Manufacturing/Assembly</i>		<i>44,300 SF</i>	<i>100,000 SF</i>
<i>Gas Station/Convenience Store</i>		<i>3,500 SF w/24 pumps</i>	<i>3,500 SF w/24 pumps</i>
<i>Warehouse/Distribution</i>		<i>100,000 SF</i>	<i>60,800 SF</i>
<i>Office (This development includes 10% retail.)</i>		<i>275,000 SF</i>	<i>275,000 SF</i>

*Lee Plan Policy 1.2.7 specifies that development within future non-aviation areas designated on the Airport Layout Plan (Map 3F) is limited to a total of 100 acres. The Policy states that development of additional acreage will require prior Lee Plan amendment approval.*

*In 2000, the +/- 6,366-acre Airport property was rezoned from Airport Operations Planned Development (AOPD), AO-2, IL, and 10 to AOPD to permit the relocation of terminal facilities and related support facilities by Resolution Number 2-00-037.*

*In 2006, the AOPD was amended by Resolution Number 2-06-030 to add non-aviation related uses and to provide 100 acres of development area (Parcels A-G), and 51.66 acres near the midfield terminal on the AOPD Master Concept Plan within the non-aviation land areas designated on the adopted Airport Layout Plan.*

*The Port Authority seeks approval of additional non-aviation development through the year 2030 in the non-aviation lands depicted on Map 3F. Per Policy 1.2.7, a comprehensive plan amendment is necessary to allow development of additional acreage. This comprehensive plan amendment request is limited to the following text amendments:*

- *Amend Policy 1.2.7 to reflect additional acreage allowed for non-aviation development.*
- *Amend Policy 47.3.4 to indicate that non-aviation uses are scheduled through 2030 in Development Schedule Table 5(a).*
- *Amend Development Schedule Table 5(a) in order to reflect additional square feet of development in the non-aviation area North of Runway 6-24.*

*The proposed non-aviation development is consistent with the non-aviation areas and uses in the adopted Airport Layout Plan. This comprehensive plan amendment does not involve a map change to the Future Land Use Map designation of Airport Lands, and does not involve a change to the Airport Layout Plan (Map 3F) as adopted.*

*The proposed amendment to Policy 1.2.7 is an update to the current limitation of **100** acres of development in future non-aviation areas. This comprehensive plan amendment request is to clarify that 51.66 acres of development is allowed to occur within the Midfield non-aviation areas and to change the limit of allowable non-aviation development area North of Runway 6-24 from 100 acres to 300 acres.*

*This request is for allowable non-aviation development area totaling 351.66 acres. The total of 300 acres within the northern non-aviation area is derived from the development potential determined in the Market Analysis and Needs Assessment Memo dated August 20, 2010 by Real Estate Research Consultants, Inc. (RERC) provided with this application. The amendment to Table 5(a) is requested to reflect the additional development potential determined by the market analysis through 2030.*

Staff's analysis of the application is provided below.

#### **SURROUNDING ZONING, LAND USES, AND FUTURE LAND USE DESIGNATIONS**

The areas that are impacted by the proposed amendment are the non-aviation development areas north of runway 6-24 as shown on Map 3F. Because of the size of the Southwest Florida International Airport the following analysis of the surrounding zoning, land uses, and future land use designations is based on the non-aviation areas north of runway 6-24:

The surrounding future land use categories consist of New Community, Tradeport, and Airport. New Community designated lands are to the northeast, on the north side of Daniels Parkway. The Tradeport designated lands are to the north, on the north side of Daniels Parkway; and to the west, directly adjacent to the subject site. Airport designated lands are located directly to the south and east of the subject site and are under common ownership with the subject site.

South and east of the subject property is the Airport future land use category. The property is the site of the Southwest Florida International Airport with Airport Operations Planned Development (AOPD) zoning. West of the subject site is vacant property in the Tradeport future land use category that is zoned CG and AG-2G. North of the subject site, north of Daniels Parkway within the Tradeport future land use category are industrial, commercial and vacant properties. Also north of the subject site is the site of the new Boston Red Sox stadium. The Boston Red Sox development zoning approval included 425,000 square feet of commercial, office, and recreational uses in addition to a 150 room hotel and the new spring training stadium. Northeast of the subject site, north of Daniels Parkway in the New Community future land use category is the Gateway Community, a mix of commercial, light industrial and residential development. The uses and intensities proposed by the Lee County Port Authority are consistent with the surrounding land uses.

## **INTERNAL CONSISTENCY WITH THE LEE PLAN**

The subject property is currently within the Airport future land use category. The Airport Lands future land use category is described by Policy 1.2.1 of the Lee Plan. Policy 1.2.1 permits “*uses such as hotels/motels, light industrial, service stations, ancillary retail/shopping, and office development.*” As currently written Policy 1.2.1 is not consistent with the requested amendments to Table 5(a) of the Lee Plan, which includes substantial commercial retail development. However it should also be noted that Policy 1.2.1 is not consistent with the existing Page Field Commons development that is also in the Airport Lands future land use category. To address this Lee County Planning staff proposes to amend Policy 1.2.1 to delete the term “ancillary.”

The Airport future land use category also states that “*to the greatest extent reasonably possible, development of non-aviation land use areas must avoid wetland impacts.*” Department of Community Development staff was initially concerned that allowing an additional 200 acres of development within the non-aviation areas north of runway 6-24 would allow impacts to wetlands that would be inconsistent with Policy 1.2.7 of the Lee Plan which states that “*Future non-aviation areas depicted on the Airport Layout Plan (Map 3F) will be developed, to the greatest extent possible, only within existing upland areas. Impacts to wetlands in the future non-aviation areas will be minimized by site design, whenever possible, in compliance with the Lee County Land Development Code.*” Additional analysis of Policy 1.2.7 is found in the “Environmental Considerations” section of this staff report.

To alleviate staff’s concerns Lee County staff, using the FLUCCS map provided by the Lee County Port Authority, mapped the foot print of one potential development scenario (see Attachment #2). This potential development footprint would allow up to 170 additional acres of development with the remaining 30 acres to be used to meet Lee County Land Development Code indigenous vegetation requirements, consistent with Policy 1.2.1 of the Lee Plan. There would be impacts to wetlands with this development footprint, but staff was careful to select wetlands that are the greatest wildlife attractants which are to be minimized. It should be noted that in addition to the areas identified on Attachment #3, other development footprints could be possible. The actual location of the development tracts will be determined through the rezoning process.

The proposed amendments to Lee Plan Policy 1.2.7 and 47.3.4 of the Future Land Use Element and Table 5(a) are consistent with the Airport future land use category and the remainder of the Lee Plan.

## **TRANSPORTATION/TRAFFIC CIRCULATION IMPACTS**

Lee County Department of Transportation provided a memorandum to the Lee County Planning Division on May 10, 2011, providing a recommendation to transmit the proposed amendment. The complete Lee County Department of Transportation memorandum is attached as Attachment #4. A summary is provided below:

*The Department of Transportation has reviewed the above-referenced comprehensive plan amendment request, submitted on behalf of the Lee County Port Authority. The request is to amend Policy 1.2.7 and Policy 47.3.4 of the Future Land Use and Transportation Elements*

*and to amend Table 5(a) SWFIA Development Schedule to allow additional development within future non-aviation areas of the Southwest Florida International Airport. The applicant's traffic analysis indicates that the non-aviation land uses would total 248,750 square feet of retail and service, 5,000 square feet of gas station/convenience store, 187 hotel rooms, 147,500 square feet of light manufacturing/assembly, 329,200 square feet of warehouse/distribution, and 162,500 square feet of office at buildout.*

*The applicant did not submit a short-range analysis, noting there are no immediate development plans at this time. Instead the applicant submitted an analysis based on the above development parameters plugged into the Lee MPO 2030 Financially Feasible Plan FSUTMS model set. Their conclusion was that a large section of Daniels Parkway and some sections of I-75 and Treeline Avenue are projected to fail (i.e., volume-to-capacity ratio exceeds 1.0) in 2030 even without the additional development from this plan amendment request. The segments projected to fail are:*

*Daniels Parkway, Palomino Lane to SR 82 (at 6 lanes)*

*I-75, Terminal Access Road to Colonial Boulevard (at 6 lanes)*

*Treeline Avenue, Terminal Access Road to Daniels Parkway (at 6 lanes)*

#### *DOT Staff 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 recognizes that the Port Authority is not like a regular developer and that the Southwest Florida International Airport is in fact a key part of the area's transportation infrastructure. By its very existence it helps take some trips off the roadways in terms of arriving visitors and goods. We also recognize that the development of the non-aviation areas is intended to generate revenue for the continued successful operation of the Airport into the future, and that under Policy 47.4.5 of the Lee Plan, "development of non-aviation related uses on airport property will be required to meet concurrency standards set forth in the Lee County Land Development Code." Furthermore, we are familiar with the FAA rules that make it difficult for the Port Authority to commit to off-site road improvements and we acknowledge the Port Authority's previous actions to construct a key section of Treeline Avenue. We agree that the new Airport Connector project providing a direct connection to I-75, which is scheduled for construction by FDOT in FY 11/12, will provide relief in the short term to Daniels Parkway and its interchange with I-75, and we agree that the planned Alico Road Extension, which was not part of the 2030 Financially Feasible Plan network but is part of the new MPO 2035 Financially Feasible Plan, will provide significant future relief to Daniels Parkway.*

*It is important to recognize that the development on and around the airport property is a key element of the County's "Research Diamond" concept, promoting airport-related and alternative energy research and development types of development in the area, while at the same time focusing on a "green" approach to infrastructure. Therefore, accommodating alternative modes of transportation is a key consideration, and will help address the projected future roadway level of service conditions. Lee County DOT staff supports the suggestion of the Lee County Planning staff to limit the footprint of the non-aviation*

*development north of the old terminal, which Planning staff is proposing to protect wetlands but which should also have the effect of clustering the planned development, thereby making it more walkable and more transit-oriented. It is worth noting that the MPO's new 2035 Plan calls for a possible park-and-ride facility in the area, which should be a consideration as more specific development plans for the site are established. We also appreciate the Port Authority's willingness to reconsider the most appropriate location within their property for a multi-modal facility as part of future updates of the Airport Layout Plan...*

*Based on the above reasons, DOT staff feels it is appropriate to allow the Port Authority to increase the amount of non-aviation development allowed within the boundaries of the Southwest Florida International Airport as requested through the CPA. Therefore, LCDOT staff recommends transmitting this amendment, with the addition of revised Policy 47.2.1 as identified immediately above.*

Due to the impact of the proposed amendment, and the fact that some road links fail in the future even without added development, Lee County Department of Transportation staff emphasized multi-modal alternatives and noted that the Lee County Metropolitan Planning Organization's 2035 Long Range Transportation Plan (LRTP) called for a "Park & Ride Lot" in the area.

The Lee County Port Authority was agreeable to this and noted that the approved Airport Layout Plan (ALP) already identified an area for a future multi-modal facility on airport property along Treeline Avenue. The Lee County Port Authority suggested that Lee Plan Policy 47.2.1 could be amended to commit to re-examining the appropriate location for such a facility in future ALP updates.

## **SOILS**

The applicant has provided a description of the soils that are found on site. For a detailed description please see the application materials (Attachment #2)

## **POPULATION ACCOMMODATION CAPACITY**

The proposed amendment will not affect Lee County's population accommodation capacity as The Airport Lands future land use category does not permit residential development.

## **ENVIRONMENTAL CONSIDERATIONS**

Lee County Division of Environmental Sciences provided a staff report to the Lee County Planning Division on May 10, 2011, providing a recommendation to transmit the proposed amendment. A condensed version of the analysis is provided below:

*The applicant is requesting to amend Lee Plan Policy 1.2.7 and 47.3.4 of the Future Land Use Element and Table 5(a) Southwest Florida International Airport Development Schedule to modify the development parameters allowed within the future non-aviation areas and allow for additional non-aviation acreage and square footage. The Division of Environmental Sciences (ES) Staff has reviewed the proposed amendment and offers the following analysis and recommendation to transmit the amendment request.*

**ENVIRONMENTAL CONCERNS:**

*When the Lee Plan was last amended to include the most recent approved acreage and square footage for development within the non-aviation areas a subsequent zoning amendment to the AOPD was submitted and approved (see Z-06-030). This zoning action addressed indigenous open space, wetland protection, and protected species. The applicant has requested that this application be treated in the same manner and these items be reviewed when a zoning amendment is submitted to allow for the proposed square footage changes and increased acreage of the non-aviation areas. At time of zoning the following will be reviewed along with other items such as buffering and lake littoral plantings:*

**Indigenous Open Space:** *When the original 100 acre non-aviation area was designated in Z-06-030 preserve tracts were set aside to meet the requirements of LDC 10-415 for indigenous open space. During the future zoning amendment to add the additional 200 acres the applicant will be required to address indigenous open space which would equate to be a minimum of 30 acres. Note that this 30 acres will actually be included in the total 200 acre non-aviation area resulting in 170 acres of non aviation developable area and 30 acres of indigenous open space. This is similar to what was done during the previous 100 acre designation.*

**Wetland Protection:** *Per Lee Plan Policy 1.2.7 future non-aviation development will be focused within upland areas while minimizing impacts to wetlands. The provided Florida Land Use Land Covers Classification System (FLUCCS) map prepared by Johnson Engineering demonstrates the area north of runway 6-24, designated as non-aviation use, contains approximately 315.16 acres of uplands and 377.08 acres of wetlands. The wetlands are a mixture of hydric myrtle/willow, hydric pine, and cypress. These vary in quality from 0%-75% invasion by exotic species. During the zoning process development tract locations will be evaluated based upon the presence of uplands and wetlands and tracts will be concentrated into the upland areas and within lower quality wetlands. This was done during Z-06-030 for the original 100 acres. As an exercise to demonstrate that the additional 200 acres (or 170 acres of developable area) could be provided on the site without significant wetland impacts ES Staff prepared a map showing potential development areas (see attached Exhibit). This attached map focuses development within upland areas and does allow for some impacts to fringe and isolated higher exotic infested wetlands, while maintaining preserves along major portions of Daniels Pkwy and adjacent to weir structures to maintain positive flow through the area and future use of these wetlands as natural storm water treatment areas.*

**Protected Species:** *Per the Environmental assessment performed by Johnson Engineering the site has the potential to contain multiple protected species. These include: American alligator, Eastern indigo snake, Gopher frog, Gopher tortoise, Roseate spoonbill, Limpkin,*

*Little blue heron, Reddish egret, Snowy egret, Tricolored heron, Peregrine falcon, Southeastern American kestrel, Florida sandhill crane, Wood stork, Red-cockaded woodpecker, Audobon's crested caracara, Snail kite, Florida panther, Big cypress fox squirrel, Florida black bear, Everglades mink, Satinleaf, Beautiful pawpaw, Fakahatchee burmannia, and Coontie. Additionally, the northeast portion of the future non-aviation use area is located within the panther primary zone and the property is within the wood stork core foraging area. During the zoning process the applicant will be responsible for providing a protected species survey. If species are found specific zoning conditions, management plans, and any state and federal permits will be required. In addition, the avoidance of high quality wetlands on the site per the attached exhibit will allow for minimal impacts to protected species.*

**CONCLUSION:**

*The proposed amendment to the RSW airport allowing for increased non-aviation acreage and increased square footages can be accomplished while avoiding impacts to high quality wetlands meeting the requirements of Lee Plan Policy 1.2.7 and other Lee Plan Goals, Objectives, and Policies as described above. At time of zoning ES Staff will work with the applicant to designate development areas focusing on wetland protection, preserving surface water flows, indigenous preservation, and protecting species habitat similar to the attached map. Therefore, ES Staff is recommending approval and transmittal of CPA2010-00008.*

The complete Environmental Science Staff Report is included as Attachment #3. The actual location of development tracts and required open space areas will be determined through the rezoning process.

**FEMA FLOODWAY ISSUE**

County records show that the subject site is not located within a FEMA identified floodway.

**HISTORIC RESOURCES**

Portions of this site are within the level 2 sensitivity areas for archeological and historic resources. Prior to development a Certificate to Dig will be required.

**SCHOOL IMPACTS**

The Lee County School District provided correspondence to the Lee County Port Authority dated September 3, 2010 stating that “this non-residential use would have no impact in classroom needs in the school district.”

**EMERGENCY MEDICAL SERVICES (EMS)**

Lee County EMS provided correspondence stating they will be able to accommodate the additional development proposed at the Southwest Florida International Airport.



## **SOLID WASTE**

The Lee County Solid Waste Division provided correspondence to Lee County Planning Division on December 15, 2010, and to the Lee County Port Authority on September 3, 2010 stating that they had no objections to the Lee Plan Amendment.

## **MASS TRANSIT**

Lee County Transit provided the applicant a letter dated September 14, 2010 stating the following:

*Lee County Transit received your letter dated August 20, 2010 in reference to the RSW Comprehensive Plan Amendment for the Lee County Port Authority. Lee County does not currently provide public transportation services directly to the Skyplex parcels. The nearest existing service is via LeeTran Route 50 at Treeline Avenue and Daniels Parkway, approximately 1.42 miles southwest of the Daniels Parkway and Paul J Doherty Parkway intersection.*

*Planning studies have not identified the need to extend local bus service closer to the subject site anytime within the existing Lee County Transit Development Plan (TDP), a strategic plan for transit services which has a horizon through 2019. The TDP recommends improved service on Route 50 in the form of improved headway and shorter wait times only. Providing service to the subject location would require a realignment of this route or the addition of a new route, as well as a change to the strategic plan. Local and/or private funding for new services in the future has not been identified and would need to be addressed should transit service be required to the Skyplex parcels.*

*The Lee County Long Range Transportation Plan, which has a planning horizon through 2030, also does not indicate any future long-range changes in transit service through this section of the County.*

Lee County staff notes that the Lee County Metropolitan Planning Organization's 2035 Long Range Transportation Plan identifies the need for a park and ride lot in this area. The Lee County Port Authority has agreed to re-evaluating the appropriate location for such a facility in future updates to the Airport Layout Plan.

## **POLICE**

The Lee County Port Authority provides its own police services and has provided a letter from the Airport Police and Security Office on September 1, 2010 stating that the proposed Lee Plan amendment is not anticipated to disrupt services.

## **FIRE**

The Lee County Port Authority provides its own fire and rescue services and has provided a letter from the Aircraft Rescue and Fire Fighting Office on September 1, 2010 stating that the proposed Lee Plan amendment "will not hamper or impede our ability to continue providing excellent response service to the Southwest Florida International Airport."

## UTILITIES

Lee County Utilities provided correspondence to the Lee County Planning Division on May 5, 2011 stating the there is adequate capacity to serve the proposed non-aviation development. Lee County Utilities analysis is provided below:

*It is LCU's opinion that the revised analysis submitted by the applicant sufficiently addresses the existing and future conditions regarding potable water, sanitary sewer and reclaimed water. More particularly:*

### Water

#### Existing Condition

*LCU has in service the following water transmission lines available for connection to serve the proposed development: two 12" lines along Daniels Parkway from Chamberlain Parkway to Gateway Boulevard, a 16" line along Chamberlain Parkway, a 30" line along the south side of the Airport, and a 16" line along Fuel Farm Road.*

*LCU's Green Meadows Water Treatment Plant (WTP) serves the SW International Airport. Presently the plant has a capacity of 9.0 MGD, and the 2009 peak monthly usage was approximately 6.8 MGD, representing a current surplus capacity of 2.2 MGD. In addition, LCU is currently designing an expansion of the Green Meadows WTP to increase its capacity to 10.0 MGD. Further, LCU's existing SFWMD Consumptive Use Permit, which covers LCU's Olga, Corkscrew and Green Meadows water plants includes a permitted allocation of 30.37 MGD of raw water during a maximum month. The three facilities included in this permit produced an annual average daily finished water of 18.95 MGD in 2008.*

#### Future Conditions

*LCU agrees with the applicant that an appropriate point of connection would be the dual 16" lines along Daniels Parkway and the recommendation to loop, and connect to, a 16" line constructed from Chamberlain Parkway to Fuel Farm Road for redundancy.*

*LCU concurs with the analysis presented by the applicant that indicates an additional average day demand of 152,643 gallons per day will be placed on LCU's water system as a result of the proposed amendment. According to the Lee Plan adopted Level of Service for potable water, 250 gallons per day per Equivalent Residential Connection (gpd/ERC), these flows represent an additional required capacity of approximately 620 ERC's. As stated above LCU's current surplus capacity at the Green Meadows WTP is 2.2 MGD which represents approximately 8,800ERC's. Following the completion of the Green Meadows WTP expansion to 10.0 MGD a surplus capacity of 12,800 ERC's will be available. Therefore there is currently sufficient capacity to support the proposed amendment. In addition, following expansion of the Green Meadows WTP there will be additional surplus capacity.*

## **Sanitary Sewer**

### Existing Condition

*Currently, the wastewater generated at the Airport is discharged to a LCU owned 10" force main on Chamberlain Parkway and is directed west to the City of Fort Myers Wastewater Treatment Plant for treatment. Currently there are 10", 12" and 24" "dry-line" force mains along Chamberlain and Daniels Parkways that could serve as a point of connection to send wastewater generated at the Airport to LCU's Gateway WWTP. LCU plans to utilize these "dry-lines" to direct wastewater generated at the Airport to the Gateway facility for treatment.*

*LCU concurs with the applicants projected increase in wastewater flow of 155,000 gallons per day as a result of the proposed amendment. Additionally, LCU agrees with the applicant's assessment that the Red Sox Training facility will also be contributing a projected wastewater flow of 113,000 gallons per day that would be directed to the Gateway WWTP. Further, LCU concurs with the applicant's analysis that considering the existing allocation to the Gateway community of 1.0 MGD and the commitment to serve the Red Sox Facility with 0.113 MGD of capacity, there remains a surplus of 1.887 MGD available to serve the proposed development under this amendment. The projected flow of 0.115 MGD as a result of this amendment will result in a surplus capacity at the Gateway WWTP of 1.772 MGD.*

*According to the Lee Plan adopted Level of Service for wastewater, 200 gallons per day per Equivalent Residential Connection (gpd/ERC), the proposed development represents 575 ERC's (115,000/200). The total capacity of the Gateway WWTP is 15,000 ERC's (3,000,000/200). Considering the 1.0 MGD (5,000 ERC's) allocated to the Gateway Community, the 0.113 MGD (565 ERC's) dedicated to the Red Sox Facility and the 0.115 MGD (575 ERC's) that would be dedicated to the proposed development under this amendment would result in a surplus capacity of 8,860 ERC's. LCU concurs with the applicant's conclusion that the expanded Gateway WWTP can accommodate the proposed project and maintain the Level of Service specified in the Lee Plan.*

### **Reclaimed Water**

*LCU concurs with the applicant's assessment of the availability of reclaimed water to serve the project. As the applicant states, currently all reclaimed water produced at the Gateway WWTP is dedicated to the Gateway Community. However, in the future reclaimed water may become available for use by the applicant and the applicant is proposing provisions for accepting reclaimed water in the future when it becomes available.*

Additional Analysis will be performed in both the rezoning and Development Order processes.

## **B. CONCLUSIONS**

Lee County staff has reviewed the proposed amendments, and finds that the proposed amendments to the Lee Plan are consistent with the adopted Airport Layout Plan, Map 3F, and the Airport future land use category. The uses and intensities proposed by the Lee County Port Authority are consistent with the surrounding land uses. There is adequate water and sewer capacity to serve the increased development that will be permitted by the proposed amendment.

It is projected that some road links will fail with or without the proposed plan amendment. Analysis by Lee County staff demonstrates that the proposed development can be accommodated within the non-aviation lands on the ALP with minimal impacts to high-quality forested wetlands. Lee County Department of Transportation staff has suggested that these failures could be addressed with improvements to the County's multi-modal transportation infrastructure. The proposed amendment will not affect Lee County's population accommodation capacity.

### **C. STAFF RECOMMENDATION**

County staff recommends that the Board of County Commissioners transmit the proposed amendments to Policy 1.2.1, Policy 1.2.7, Policy 47.2.1 Policy 47.3.4, and Table 5(a) of the Lee Plan.

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

DATE OF PUBLIC HEARING: May 23, 2011

#### **A. LOCAL PLANNING AGENCY REVIEW**

Staff provided a brief summary to discuss the proposed Lee Plan amendment and staff recommendation. One member of the LPA requested clarification on the recommended amendment to Policy 47.2.1 of the Lee Plan. Staff clarified that the supplemental memo provided on Wednesday, May 18, 2011 identified the staff recommended language. Another member of the LPA asked why the development on the airport property seemed to be approved incrementally instead of all at once. Staff pointed out that the planning horizon of the Lee Plan required this, because some the development indentified on the Airport Layout Plan is anticipated to take place beyond the Lee Plan planning horizon. In addition staff noted that there would likely not be sufficient public infrastructure in the area to accommodate full build out of the Airport property at this time.

One member of the LPA was concerned that approval of the additional development on transportation links that fail with or without the proposed development may limit future private development in the area. Staff responded that the non-aviation development that locates on the Airport property will be responsible for impact fees and concurrency consistent with the Lee Plan and Land Development Code. DOT staff clarified that the link on Daniels that is constrained is west of I-75, and that Lee County is currently making improvements to Daniels Road adjacent to the Southwest Florida International Airport. Another member asked how the new interchange for the airport would affect transportation capacity on adjacent roadways. DOT staff responded that the interchange would reduce demand on Daniels Road.

A consultant representing the Port Authority addressed the LPA concerning the proposed Lee Plan amendment. The Port Authority stated that they were in agreement with the proposed amendments to the Lee Plan. The Port Authority wanted to clarify that the proposed amendment did not included a map amendment, and also pointed out that transportation concurrency would have to be further addressed at time of Local Development Order. The Port Authority clarified that they were in agreement with the proposed changes to Policy 47.2.1 of the Lee Plan as contained in the supplemental memo dated Wednesday, May 18, 2011 to the LPA.

Finally, the Port Authority wanted to point out the map attached to the Environmental Sciences memo attached to the staff report was only one potential development footprint, and that final site design would be determined at the time of rezoning. The Port

Authority requested that a notation stating this should be included on the map. The LPA included the Port Authority's requested in the motion to recommend transmittal of the proposed amendment. Lee County staff agrees that the Environmental Sciences map is only one potential development footprint. As pointed out during the LPA hearing, the proposed amendment is not a map amendment, therefore the map is only an attachment to an attachment. As stated in this staff report, the creation of the map was an exercise by Lee County staff to "alleviate staff's concerns" that the proposed additional 200 acres of development north of the existing runway could be accommodated in a way that is consistent with Lee Plan Policy 1.2.7. The notation requested by the Port Authority is clearly stated in the Staff Report, and therefore staff does not object to the requested notation.

No members of the public appeared to address the LPA concerning the proposed Lee Plan amendment.

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

**1. RECOMMENDATION:**

The LPA recommends that the Lee County Board of County Commissioners *transmit* the proposed Lee Plan amendment.

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

The LPA accepted the basis and recommended findings of fact as advanced by staff.

**C. VOTE:**

<b>NOEL ANDRESS</b>	<b>AYE</b>
<b>CINDY BUTLER</b>	<b>AYE</b>
<b>JIM GREEN</b>	<b>AYE</b>
<b>MITCH HUTCHCRAFT</b>	<b>AYE</b>
<b>RONALD INGE</b>	<b>AYE</b>
<b>JACK MEEKER</b>	<b>AYE</b>
<b>CAROL E. NEWCOMB-JONES</b>	<b>ABSENT</b>

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

DATE OF TRANSMITTAL HEARING: June 13<sup>th</sup>, 2011

**A. BOARD REVIEW:**

The proposed amendment was heard as part of the consent agenda. The Board of Commissioners provided no comment concerning the amendment. No member of the public appeared or provided comments concerning the proposed amendment.

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

The Board voted to *transmit* the proposed amendment as part of the Consent Agenda.

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

The Board accepted the findings of fact as advanced by staff and the Local Planning Agency.

**C. VOTE:**

<b>BRIAN BIGELOW</b>	<b>AYE</b> _____
<b>TAMMARA HALL</b>	<b>AYE</b> _____
<b>RAY JUDAH</b>	<b>AYE</b> _____
<b>FRANK MANN</b>	<b>AYE</b> _____
<b>JOHN MANNING</b>	<b>AYE</b> _____

**PART V – REVIEWING AGENCIES’ OBJECTIONS,  
RECOMMENDATIONS, AND COMMENTS**

DATE OF DCA COMMENTS: July 29<sup>th</sup>, 2011

**A. COMMENTS FROM REVIEWING AGENCIES:**

Comments were received from the Florida Fish and Wildlife Conservation Commission and the Florida Department of Transportation. Provided below are the comments received by these reviewing agencies. Responses were provided by the Lee County Port Authority’s representative, Johnson Engineering, in an attached memorandum dated August 24, 2011.

Florida Department of Transportation Comment:

*As indicated in Tables 5-1 and 5-2 of the Traffic Circulation Analysis report, I-75 (a Strategic Intermodal System (SIS) facility) from the proposed Terminal Access Road to Colonial Boulevard and SR 876 (Daniels Parkway) from east of I-75 (mp 7.397) to east of the rest area (mp 7.760) are anticipated to operate under adverse conditions during the YR 2030 long term planning horizon. The department notes, however, that the new I-75 to Southwest Florida International Airport Collector/Distributor System scheduled for construction in FY 2011/12, the planned Alico Road Extension included in the Lee-Collier MPO 2035 Financially Feasible Plan, and the planned addition of four special use lanes to I-75 from the Collier County Line to SR 82 included in the Lee-Collier MPO 2035 Highway Needs Plan is anticipated to address the deficiencies on I-75 and SR 876 (Daniels Parkway) identified in Tables 5-1 and 5-2 of the Traffic Circulation Analysis report.*

*The Department has no further comments on this amendment.*

Staff Response

The Lee County Port Authority’s consultant, Johnson Engineering, provided a response to Lee County. The response is provided below:

*As a multi-modal facility, Southwest Florida International Airport offers air travel alternatives to serve the public. The Airport is a key component of the national aviation system and Florida’s Strategic Intermodal System. The traffic analysis provided with the application does not show any contributions to the level of service failures on the surrounding roadway network as a result of the proposed development through 2030. As noted by the Department, improvements including the new I-75 to Southwest Florida International Airport Collector/Distributor System are scheduled and are anticipated to address deficiencies on I-75 and SR 876 (Daniels Parkway).*

Lee County staff agrees with the attached response to this comment provided by Johnson Engineering.



Florida Fish and Wildlife Conservation Commission Comment:

*I am writing you in reference to the proposed CPA2010-08: Southwest Florida International Airport Non-Aviation Development Update. I have recently discovered that FWC has documented use of the site by Florida panthers. In addition, the site falls within the US Fish and Wildlife Service Panther Consultation area. The applicant will need to consult with US Fish and Wildlife Service to determine panther mitigation.*

*I am not sure if it is too late for you and your staff to take this into consideration. If it would be helpful, I would be happy to provide these comments in a formal letter. If there will be another opportunity to review this project, we could provide these comments formally at that time. In either case, I thought it would be beneficial for you to be aware. Please let me know if you and your staff will be able to take the use of the site by panthers into consideration. Thank you.*

Staff Response

The Lee County Port Authority's consultant, Johnson Engineering, provided a response to Lee County. The response is provided below:

*Any impact to the Primary Panther Zone will be coordinated with the United States Fish and Wildlife Service (USFWS) during the future Army Corps of Engineers (ACOE) permitting for the subject property. The USFWS will make a determination if formal consultation is required, involving a biological assessment and opinion, or if they can provide "a likely to not adversely affect" determination for the project. Mitigation for unavoidable panther habitat impacts will be provided as part of this permit process.*

Lee County staff agrees with the response to this comment provided by Johnson Engineering.

**B. STAFF RECOMMENDATION:**

Staff recommends that the Board of County Commissioners adopt the proposed amendment as transmitted.

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

DATE OF ADOPTION HEARING: September 28<sup>th</sup>, 2011

**A. BOARD REVIEW:**

The proposed amendment was heard as part of the consent agenda. The Board of Commissioners provided no comment concerning the amendment. No member of the public appeared or provided comments concerning the proposed amendment.

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

The Board voted to *adopt* the proposed amendment as part of the Consent Agenda.

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

The Board accepted the findings of fact as advanced by staff and the Local Planning Agency.

**C. VOTE:**

<b>BRIAN BIGELOW</b>	<u><b>AYE</b></u>
<b>TAMMARA HALL</b>	<u><b>AYE</b></u>
<b>RAY JUDAH</b>	<u><b>AYE</b></u>
<b>FRANK MANN</b>	<u><b>AYE</b></u>
<b>JOHN MANNING</b>	<u><b>AYE</b></u>