



EXHIBITS

from HEX hearing

CASE #: DC12004-00065

CASE NAME: Vintage Commerce Center

**Attach a copy of this form
to the top of packet of the
exhibits & place exhibits in
case file.**

**ARE THERE ANY BOARD
EXHIBITS? YES ✓ NO**

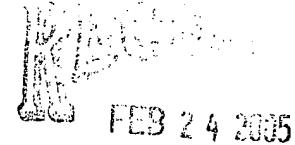
LOCATION OF BOARDS:

**If there are any board exhibits,
attach another copy of this form to
boards for identification purposes.**

PC/500H-00002

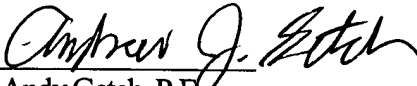
Vincent de Commerce (Gentel)

Memo


FEB 24 2005

COMMUNITY DEVELOPMENT

To: Bryan Kelner, AICP
Development Services Principal Planner

From: 
Andy Getch, P.E.
LCDOT Senior Engineer

Date: February 23, 2005

Re: **Vintage Commerce Center CPD**
DCI2004-00065

LCDOT has reviewed the Application For Public Hearing for the subject case. Additional analysis dated January 4, 2005 and a revised deviation dated February 20, 2005 was submitted to support the requested deviation from connection separation. LCDOT provides the following supplemental substantive comments on the revised deviation:

The revised Deviation #3 includes one exclusive and one shared driveway. The southern driveway has a minimum connection separation of 660 feet from Alico Road. The proposal remains to share the northern driveway at the property line.

LCDOT recommends APPROVAL of the deviation from connection separation for two connections. The Master Concept Plan should be revised to reflect two connections. The applicant is coordinating the most appropriate location of the northern access with adjacent property owners, the Three Oaks Parkway design consultant and LCDOT staff and is seeking flexibility to shift the location of the northern driveway if it is identified as the most appropriate location for a median opening in the Three Oaks Parkway design. Staff recommends that Deviation #3 condition 3 from Resolution Z-99-097 be stricken and replaced with the following alternative condition:

3) Deviation (3) seeks relief from the LDC 10-285(a) requirement to provide a 660 foot connection separation onto the future extension of Three Oaks Parkway Arterial, to allow access connections approximately at 660 feet and 1,311 feet as measured from the centerline of Alico Road. This deviation is approved as follows:

- a. A connection approximately 660 feet north of the centerline of Alico Road is approved.
- b. There will be no driveway connections on the internal east-west accessways between Three Oaks Parkway and the parallel internal frontage roadway. The accessway will have two inbound lanes. Parcels will only have driveway connections to the parallel internal frontage roadway.
- c. A connection to Three Oaks Parkway will be shared with the property to the north and a cross-access easement on the internal frontage roadway will be provided. The northern connection may be shifted administratively up to 200 feet based on LCDOT review of consistency with the median access management plan for Three Oaks Parkway.

AJG/mlb

cc: Harry Campbell, P.E., P.T.O.E.
Nicole Maxey, P.E.
Donna Marie Collins – Assistant County Attorney
Reed Jarvi, P.E. – Vanasse & Daylor

FEBRUARY 23, 2005
VINTAGE COMMERCE CENTER CPD
DCI2005-00065

Hearing Examiner Hearing - February 24, 2005

Revised language - Deviation #3:

Lee County Department of Transportation (LCDOT) has completed additional analysis on the above noted project. Also, a revised deviation was submitted by the applicant on February 20, 2005. LCDOT now recommends approval of the deviation, as conditioned, from connection separations for two connections (one exclusive and one shared driveway).

Therefore, the following revised language will supercede the language for Deviation #3, in the February 8, 2005 staff report for Vintage Commerce Center CPD, DCI2004-00065.

3. Deviation (3) seeks relief from the LDC §10-285(a) requirement to provide a 660-foot connection separation for the future Three Oaks Parkway Arterial, to allow ~~a right-in/right-out access connections approximately at 490 660 feet and 1,311 feet~~ as measured from the centerline of Alico Road, ~~and a right-in/right-out access connection co-located along the north site boundary line 390 feet north of the project's full access connection.~~ This deviation is APPROVED as follows:

- a. ~~The full access onto the future Three Oaks Parkway is approved.~~
 - b. ~~The right-in/right-out access point located at the northern property line is approved with the condition that the location be designed so the adjacent property can jointly utilize the access point as access to their property.~~
 - c. ~~With respect only to the southernmost right-in/right-out connection to future Three Oaks Parkway, there will be no connections on the internal east-west accessway between Three Oaks Parkway and the north/south reverse frontage road.~~
 - d. ~~Approval of this deviation does not guarantee the alignment of the future Three Oaks Parkway at the location depicted on the MCP. Nor does this approval guarantee the depicted access points as shown on the MCP if the alignment of the future Three Oaks Parkway is changed.~~
-
- a. The connection approximately 660 feet north of the centerline of Alico Road is approved.
 - b. There will be no driveway connections on the internal east-west accessways between Three Oaks Parkway and the parallel internal frontage roadway. The accessway will have two inbound lanes. Parcels will only have driveway connections to the parallel internal frontage roadway.

- c. A connection to Three Oaks Parkway will be shared with the property to the north and a cross-access easement on the internal frontage roadway will be provided. The northern connection may be shifted administratively up to 200 feet based on LCDOT review of consistency with the median access management plan for Three Oaks Parkway.



STUART AND ASSOCIATES

Planning & Design Services

RECEIVED
FEB 23 2005

February 20, 2005

COMMUNITY DEVELOPMENT

Bryan Kelner
Lee Co. Department of Community Development
1500 Monroe Street
Fort Myers, FL 33902

Hearing Examiner
The Office of the Lee County Hearing Examiner
1500 Monroe Street
Fort Myers, FL 33902

Re: The Vintage Commerce Center CPD Amendment DCI2004-00065

Dear Bryan:

Pursuant to Lee County administrative practices, we are taking this opportunity to place on the record the Staff Deviation Three denial recommendation. It is an issue that needs clarification. As discussed during our 7 February meeting, it is not clear whether staff "could" support a modified Deviation 3 based on a 660-ft. Three Oaks/Alico Road 660-ft. R.I./R.O. connection and a 651-ft. full connection co-located along the north property line. Or rather, will staff support the above-modified Deviation 3 based upon a formal revision of the request. A truer understanding of staff's recommendation is needed in order to modify the request. This is so in that the Applicant is reluctant to change the 2004/05 MCP that generally features the same connection spacing as the original approved CPD Master Concept Plan (see 2/8/05 Staff Report Attachment J, the Vintage Commerce Center CPD Resolution; # 99-06-355.03Z). To that end and in an attempt to spell out this issue, we will be placing on the record the attached Deviation Three request and associated exhibit(s).

Sincerely,


Greg Stuart AICP

Cc: Sue Davidson, Neale Montgomery
GS/ch/04.011/20Feb05Kelnerdeviation3.doc

Revised Deviation Three Request – The 8 February 2005 Recommendation

D.3 A request to deviate from LDC Section 10-285(a), Connection Separation, that requires 660 feet access connection separations for the Three Oaks arterial, to permit a right-in/right-out access connection at 660+/- feet the centerline of Alico Road, and an approximate 651-ft. full turning movement connection co-located and implemented by cross-easements along the north property line, subject to final surveying verification. There will be no connections on the two internal east-west accessways between Three Oaks Parkway and the projects internal north/south road.

The Applicant requests a deviation for the approximate 651-ft. spacing, between the 660-ft. right-in/right-out and the north property line. Zoning Resolution Z-99-097 previously approved the north property line spacing connection. The same co-located north property line access connection was incorporated into the Alico Crossroads Center CPD's Master Concept Plan. This MCP was reviewed and subsequently approved by the BOCC in June 2003 (DCI 2002-00052). No connection spacing deviation is needed for the projects 660-ft. right-in/right-out. The 651-ft. deviates from the LDC standard by nine feet (9-ft.). Hence, the spacing to standard difference is nominal. The intent of the LDC standards are being met by providing for joint CPD full access connections at approximately one-quarter mile northward from the intersection of Alico Road. The Site Access Study provided by Vanasse, Daylor, LLP documents the suitability of the original and more closely spaced access connections. Consequently, it is logical to expect that the alternative and more separated 651-ft. north boundary spacing connection is sound, justifiable and suitable. The public benefits from the deviation by integrating two separate Commercial Planned Development access connections. The nature of the deviation is such that no additional graphic representation is needed and that the final, post-BOCC Master Concept Plan will incorporate the spacing design standards.