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July 14, 2014

GREG STUART
STUART AND ASSOCIATES
7910 SUMMERLIN LAKES DRIVE
FORT MYERS, FL 33907

Re: BERMUDA LAKES RV RESORT RVPD
DCI2014-00010 - PDL Application (Major PD)

Dear GREG STUART :

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

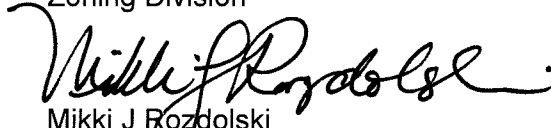
In order to accomplish an efficient sufficiency review process, staff will be scheduling a meeting to discuss the insufficiency comments in person prior to the resubmittal of the application.

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or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn.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

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Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division



Mikki J Rozdolski
Senior Planner

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Susie Derheimer, Environmental Sciences
Sam Lee, Natural Resources
Robert Price, TIS Reviewer
Jamie Prancing, DCD Administration
John Fredyma, Assistant County Attorney
Tom Sawtell, Development Review
ELI MENDES
DCI Zoning File
DCI Working File

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LC ZTIS PD Application Sufficiency Checklist (Ord12-01)

6) Area of Influence. The TIS for projects generating more than 100 trips during the A.M. or P.M. peak hour of the adjacent street must contain a drawing showing the area of influence of the project . [AC-13-17]

In response to the LOS analysis on Lexington Avenue, the traffic consultant has indicated that they classified Lexington Avenue as a minor collector roadway. However, the response from the project planner indicates that Lexington Avenue is a local roadway. Why are these two conclusions not the same? These must match. If the roadway is a local roadway, then the LOS analysis needs to reflect that condition.

The transportation response by the traffic consultant furthers the fact that providing access to Tice Street is not a detriment to Tice Street as suggested as justification for providing only access to Lexington Avenue. The planning response indicates that planning preferences are to not have direct access points to collector roadways. This principal is misplaced as it is less than desirable to have access points directly to arterial roadways. A collector roadway is designed to collect traffic and direct it to arterials. Having an access on Tice Street is not detrimental to the operation of Tice Street, and it is preferred. Staff recognizes that this is more of a substantive issue, and it will be treated in this manner.

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

Please contact Rob Price at RPrice@leegov.com with any questions regarding these comments.

LC Environmental Sciences PD Application Sufficiency Checklist (Ord 12-01)

11g) FLUCCS Map. A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant must be submitted. [34-373(a)(4)e.ii.]

Please note the scale of either the MCP or FLUCCS Map is not correct. I need to be able to overlay to the maps and line up the property boundaries. Please revise for consistency.

12a) Easements. The exact location and explanation of all existing easements, whether or not those easements are recorded, must be shown on the Master Concept Plan. [34-373(a)(6)a.]

As previously requested-Please label the access easement on the MCP to include the Instrument #. Please also include on the boundary survey. How will the access easement be obtained through the abutting C-2 property?

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12b) Access. The exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development must be shown on the Master Concept Plan.[34-373(a)(6)b.].

Please note ES staff will require a submittal to amend DOS2012-00026 prior to finding zoning application sufficient with DO approvals prior to final zoning action if the MCP to going to show impact to abutting preserve.

Also ES staff recommends request deviation from PUE on one side of road to eliminate 10' PUE on south side of access road.

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

Please note it appears that non-indigenous habitat is being preserved to meet the indigenous open space requirements (i.e. areas of 619, 260, 210 etc.) Please provide an exhibit to illustrate how the indigenous open space requirement is being met with indigenous habitat.

What is the vegetation abutting the wetland within the 260 others open lands category? Will this provide a native upland buffer?

Please note a revised Indigenous Mgmt Plan was not submitted as indicated. Please provide.

12j) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses if the types of proposed uses require buffer separations, must be shown on the Master Concept Plan. [34-373(a)(6)i.]

Please revise the MCP to label the C-2 property just south of the southern access as Preserve (see Lexington Commerce Center DO 89-07-019-00D and Plat BK 63 PG 98).

Please provide prior to sufficiency written documentation as per LDC Section 10-421(a)(5) from the Lee County Department of Natural Resources and any other entity that will have interest in the Drainage Easement (DE) depicted in cross section C-C. Also the buffer and wall will encroach in the existing DE recorded in OR 2048 PG478 therefore provide written documentation from the entity that has interest this DE.

Please provide prior to sufficiency written documentation as per LDC Section 10-421(a)(5) from the Florida Department of Transportation and any other entity that will have interest in the Perpetual Easement depicted in cross section A-A.

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12k) Excavations for Wet Retention. The general location of excavations for on-site fill and wet retention must be shown on the Master Concept Plan. [34-373(a)(6)k.]

Please note only where improvements are proposed to the lakes existing slope/shoreline are LDC Section 10-418 requirements are to be met. If no improvements are proposed than a deviation is not required-please withdraw deviation 3 & 4 if concur. If erosion problems occur to the existing shoreline than those issues can be addressed at that time through LDC Section 10-329.

13) Schedule of Uses. A schedule of uses keyed to the Master Concept Plan {see item #11d, above} as well as a summary for the entire property including the following information must be submitted {see Item #13a thru Item #13 below}: [34-373(a)(8)] {see Supplement D, Part 7}

Please note docks and seawalls are not labeled on the MCP but are still on schedule of uses. Please remove from schedule of uses if not proposed.

14) Schedule of Deviations & Written Justification. A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan must be submitted. [34-373(a)(9)] {see Supplement D, Part 7}

Deviation 1-no buffer provided adjacent to common owned C-2 parcel under common ownership...Please revise to be a separate deviation because different request than to allow a 20' wide buffer with wall. Please provide documentation that the two properties are owned by same individual.

Please remove deviation #1 request where the existing preserve vegetation is used to meet the buffer requirement and Label Preserve to provide Buffer-the buffer requirement is being met therefore a deviation is not required.

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

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

LC Public Hearing for Zoning Action Checklist (Ord. 12-01)

33) Palm Beach Boulevard Community Plan-Community Review: If the proposed development is for Planned Development Request located within the Palm Beach Boulevard Community Plan area, a meeting is required with the community and a copy of the Meeting Summary Document must be submitted. [Lee Plan Policy 23.5.2]

After the community planning meeting is conducted, please provide a meeting summary.

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44) Contact. The Zoning Planner may be contacted regarding any questions on the LC Public Hearing for Zoning Action Checklist.

Mikki Rozdolski
mrozdolski@leegov.com
239-533-8317

**LC Public Hearing for Planned Development
Application-Supplement D Checklist (Ord 12-01)**

11a) Easements. The exact location and explanation of all existing easements, whether or not those easements are recorded, must be shown on the Master Concept Plan. If an easement is based upon a recorded document, the official records book reference must be stated. [34-373(a)(6)a.]

On the MCP, please label the north access easement with the applicable reference. Also, the response provided regarding the easement (Dev. Review PD Application 1.1 (Response Page 2)) indicates that a separate legal description of the easement will be provided under separate cover. This description was not attached.

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11c) Lots. Where the subject property will be divided into lots or parcels, the plan must indicate the general location, configuration & approximate dimensions of the lots or parcels (including outparcels) as well as lot coverage, and the minimum proposed setbacks for principal structures must be shown on the Master Concept Plan. [34-373(a)(6)c].

Please consider the following comments regarding the proposed development standards (Exhibit 15):

Recreational Vehicle Units:

Minimum Lot Area - Wouldn't this be 1,500 sf (based on width and depth)?

Minimum Lot Width - The 30 feet is not consistent with the responses provided 11b1&c (page 7 of Information Response) which lists possible widths of 40, 50, 70 or 80 feet. Also, the "typical" shown on the MCP shows consistent lot widths, but varying lot depths (40 and 80 feet).

Internal walls and appurtenance setback - what does this mean?

Side yard setback - this conflicts with the "between RV min" which requires 10 feet.

RV storage - this is only permitted in the storage area and would not apply to Recreational Vehicle Lots.

Group Club House (please make consistent with MCP - Indoor & Outdoor Recreational Area):

Minimum Lot Area: Please provide the area proposed or the minimum required by the LDC.

Will accessory structures be subject to the same setbacks?

Maintenance Building and Operations/Open Storage Area:

A maximum lot area may be more appropriate and/or provide the area that is proposed.

Is a water body setback applicable to this area?

LDC Section 34-762(4) has been amended and the section applicable to storage facilities of unoccupied RV's is not provided for in LDC Section 34-765 (per Ord. 14-13).

Are accessory structures subject to the same setbacks?

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13a) Types of Proposed Uses-Entire Site. The types of uses proposed for the entire site must be submitted. For projects with residential uses, the summary must include the types of proposed dwelling units. [34-373(a)(8)a.]

Please consider the following comments regarding the schedule of uses:

Accessory uses, buildings and structures:

- Delete the following: non-roofed accessory structures and storage sheds (these are implied under the accessory use); and storage, open and storage facility for unoccupied RV's (the open storage is a principal use and is limited to storage for unoccupied RV's per Note 15, 34-934)

ATM: Delete, this is not permitted as a principal use and is included in the list of accessory uses.

Boat rental: Delete, this is not a permitted use in RVPD.

Business Services, Group I: Delete, this is not permitted in RVPD.

Camping cabins: Delete, this is limited to nontransient parks only.

Clubs, County Club: Delete, County Club is only applicable to developments with golf courses. A private club is applicable to the use.

Commercial Uses: Delete the following since they are already listed in the schedule of uses - sale or rental of recreational vehicle units (Vehicle and Equipment dealers, Group IV - limited to RVs) and Store for the sale of convenience items (Food Store, Group I).

Fishing pier - Delete, this is not permitted in RVPD. (The use is covered under recreational facilities.)

Park Trailer: Delete, this use is limited to nontransient parks only.

Parks, Group I: Delete - see use group definition. Parks, as defined, are owned and operated by a state, county or federal entity and would not be applicable to the proposed development.

Recreational Facilities, Private on-site: Is this use applicable? Will the facilities be owned, leased or operated by a homeowners', co-op, or condo association?

Temporary Uses: Not a permitted use in the RVPD. The construction and contractor trailers are reviewed at time of building permit.

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14) Schedule of Deviations & Written Justification. A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan must be submitted. The location of each requested deviation must be indicated on the Master Concept Plan {see Item #11m above}. [34-373(a)(9)]

Deviation #1 should be revised to reflect Section 34-939(b)(3) only. Table 34-792 (Note 8) is not applicable to this project.

Deviation #2 - is this deviation necessary? The regulation is more applicable to individual RV sites. I believe we discussed that accessory structures for Operations/Maintenance would fall under Section 34-934(Note 1) and a deviation would not be necessary.

Deviation #5 - please correct the section reference to be 34-939(b)(4)a.

Deviation #8 should be withdrawn. LDC Section 34-1264(b)(2)f. exempts clubs from the location standards for on-premises consumption.

Deviation #10 should be withdrawn. LDC Section 34-939(b)(6)a. was amended by Ordinance 14-13 (effective 6.23/14) and the minimum 5,000 square feet lot size is no longer required.

Please amend the MCP as necessary.

24) Miscellaneous items.

Natural Resources has the following comments:

1. A drainage easement is required over the existing ditch within the property.
2. The proposed pipe for the existing ditch must keep the existing hydraulic capacity and gradient.

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

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