

# FIDDLESTICKS BOULEVARD PARCEL

Comprehensive Plan Amendment Application

## 1<sup>ST</sup> SUFFICIENCY RESPONSE

December 12, 2011

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DEC 14 2011  
COMMUNITY DEVELOPMENT

### Prepared For:

Jeffrey B. Freeman Trust  
FSM of Fort Myers, LLC

### Submitted To:

Lee County Community Development Department  
Planning Division  
1500 Monroe Street  
Fort Myers, FL 33901

CPA 2011-00020



CPA 2011-00020

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Sufficiency Response Letter

Revised Application (Pages 3-4 only)

## **REVISED EXHIBITS**

IV.A.3 – Proposed Future Land Use Map

IV.A.4 – Existing Land Use Map

IV.A.5 – Existing Zoning Map

IV.B.2 – Infrastructure Analysis

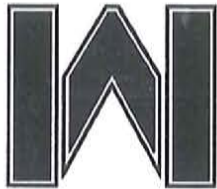
IV. B.3 – Agency Letters

IV.C.4 – Flood Insurance Rate Map

IV.E.4 – Lee Plan Consistency Narrative

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# WALDROP ENGINEERING

CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS

28100 BONITA GRANDE DR. #305  
BONITA SPRINGS, FL 34135  
P: 239-405-7777  
F: 239-405-7899

December 12, 2011

Mr. Peter Blackwell  
Lee County Planning Division  
P.O. Box 398  
Fort Myers, Florida 33902-0398

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COMMUNITY DEVELOPMENT

RE: **Fiddlesticks Boulevard CPA**  
**CPA2011-00020 CPL Application (Large Map)**

Dear Mr. Blackwell,

Enclosed please find responses to your sufficiency letter dated November 17, 2011. Your comments are listed below with the Applicant's responses shown in bold.

III B.b.1. Property Information, Total Acreage Included in Request, Total Uplands

*Comment: The Application does not show how much acreage of the Rural Future Land Use Category is included in the request.*

**RESPONSE: Please refer to the revised application attached. Approximately 285 acres of Property is designated within the Rural Future Land Use Category.**

III B. b.2. Property Information, Total Acreage Included in Request, Total Wetlands

*Comment: The Application does not show how much acreage of the Wetland Future Land Use Category is included in the request.*

**RESPONSE: Per the FLUCCS Map prepared by Passarella and Associates, Inc. the Property's Wetland acreage is approximately 109 acres. Please refer to the revised application attached.**

III C. b. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area, Airport Noise Zone 2 or 3

*Comment: The Application states "Yes" for this line but does not list the acreage of land within Airport Noise Zones 2 and 3.*

**RESPONSE: Approximately 100 acres of the Property are within Airport Noise Zone C per Lee Plan Map 1, 5 of 8. Please refer to the revised application attached.**

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

*Comment: Although the application has provided a map of existing surrounding land uses, there is no description. Please provide this.*

**RESPONSE: Please refer to revised Exhibit IV.A.4 attached.**

*Comment: The application has provided a map of existing surrounding zoning, but no description. Please provide this.*

**RESPONSE: Please refer to revised Exhibit IV.A.5 attached.**

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

*Comment: The application does not provide a letter of service availability from the sanitary sewer service provider. Further, the analysis provided for level of service is based on a projected figure of 1,122 single family units whereas the maximum number of units proposed by the applicant is 1,182. Please provide calculations based on the 1,182 unit figure.*

**RESPONSE: Please refer to the attached Letter of Availability from Lee County Utilities dated December 2, 2011. This letter reflects a maximum unit count of 1,182.**

IV B. 2. b. Public Facilities Impacts, Provide an Existing and Future Conditions Analysis for, Potable Water

*Comment: The application does not provide a letter of service availability from the potable water service provider. Further, the analysis provided for level of service is based on a projected figure of 1,122 single family units whereas the maximum number of units proposed by the applicant is 1,182. Please provide calculations based on the 1,182 unit figure.*

**RESPONSE: Please refer to the attached Letter of Availability from Lee County Utilities dated December 2, 2011. This letter reflects a maximum unit count of 1,182.**

IV B. 2. c. Public Facilities Impacts, Provide an Existing and Future Conditions Analysis for, Surface Water/Drainage Basins

*Comment 8: The application does not address the impact of the proposed density on surface water management. Please provide plans showing the means by which the wetlands and flow-ways will be addressed in future development.*

**RESPONSE: The Applicant respectfully submits that the subject property does not contain a flow-way. The updated Proposed Future Land Use Map, enclosed as Exhibit IV.A.D, conceptually demonstrates the on-site wetlands, which are not included in the proposed Outlying Suburban Future Land Use Designation.**

**Surface water management to support the proposed community will be permitted via a South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) and will be reviewed in detail during future stages in the development approval process. Detailed site planning will be**

conducted as part of the numerous additional approvals required prior to site development activities, including but not limited to: Planned Development or conventional rezoning, local Development Order, SFWMD ERP, and Army Corps of Engineers (ACOE) permit approval, at minimum.

IVB.2.d. Public Facilities Impacts, Provide an Existing and Future Conditions Analysis for, Parks, Recreation, and Open Space

*Comment: The analysis provided for level of service is based on a projected figure of 1,122 single family units whereas the maximum number of units proposed by the applicant is 1,182. Please provide calculations based on the 1,182 unit figure.*

**RESPONSE: Please refer to the attached availability letter from the Parks & Recreation Department dated November 23, 2011.**

IV B. 3. a. Public Facilities Impacts, Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including, Fire protection with adequate response times

*Comment: The application does not provide a letter of service provision from the relevant fire protection service provider including response times.*

**RESPONSE: Please refer to the attached availability letter from South Trail Fire District dated October 4, 2011.**

IV B. 3. b. Public Facilities Impacts, Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including, Emergency medical service (EMS) provisions

*Comment: The application does not provide a letter of service provision from the relevant Emergency Medical Service provider.*

**RESPONSE: Please refer to the attached availability letter from Emergency Medical Services (EMS) dated September 27, 2011.**

IV B. 3. c. Public Facilities Impacts, Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including, Law enforcement

*Comment: The application does not provide a letter of service provision from the relevant law enforcement service provider.*

**RESPONSE: Please refer to the attached availability letter from the Lee County Sheriff's Office.**

IV B. 3. d. Public Facilities Impacts, Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including, Solid Waste

*Comment: The application does not provide a letter of service provision from the relevant solid waste service provider.*

**RESPONSE: Please refer to the attached availability letter from Lee County Solid Waste Division dated November 29, 2011.**

IV B. 3. e. Public Facilities Impacts, Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including, Mass Transit

*Comment: The application does not provide a letter of service provision from Lee County Transit staff.*

**RESPONSE: Please refer to the attached availability letter from Lee Tran dated November 23, 2011.**

IV C. 3. Environmental Impacts, A topographic map

*Comment: A topographic map was not found in the application. Please provide one.*

**RESPONSE: The entire area lies within Zone "X" and no 100 year flood plain line exists within the area surround the project.**

IV C. 4. Environmental Impacts, A map delineating the property boundaries on the Flood Insurance Rate Map effective August 2008.

*Comment: The application does not provide a map depicting the Flood Insurance Rate Map. Please provide this. Further, there is a major flowway on the site. Will this flowway be preserved or restored per Policy 60.5.3? If not, the application should provide a statement to that effect. If so, the application should provide adequate provisions to ensure no off-site impact from development on this site.*

**RESPONSE: Please refer to the Flood Insurance Rate Map (FIRM) attached as Exhibit IV.C.4. The Applicant respectfully submits that the subject property does not contain a natural flow-way; therefore the proposed amendment is not inconsistent with Policy 60.5.3 of the Lee Plan.**

IV C. 5. Environmental Impacts, A map delineating wetlands, aquifer recharge areas, and rare & unique uplands

*Comment: The Fluccs map provided by the applicant indicates approximately 109 acres of wetlands. The application states that there are approximately 88 acres. Please clarify the correct area.*

**RESPONSE: Please refer to the revised application attached, which has been updated to reflect 109 acres of wetlands and 285 acres of uplands.**

IV C. 6. Environmental Impacts, A table of plant communities by FLUCCS

*Comment: The environmental assessment states that a big cypress fox squirrel was observed onsite. Will the applicant be proposing a big cypress fox squirrel preserve that connects to offsite natural areas?*

**RESPONSE: The exact location of preserve areas will be determined at the time of SFWMD, ACOE and FWCC permitting. It is understood that the Applicant will be required to obtain permits from these agencies prior to site development activities to address on-site protected species.**

*According to historic aerials, the site was heavily vegetated up until 2010. Environmental staff was unable to locate any permits indicating how the site was cleared. Please clarify what mechanisms were used for the clearing of the site considering the amount of wetlands and species observed.*

**RESPONSE:** The Applicant removed vegetation from the property to support the ongoing, bonafide agricultural use of the site. The subject property is classified as agricultural for ad valorem taxation purposes pursuant to Florida Statutes 193.461(3)(b), and is therefore not required to obtain an approved Notice of Clearing from Lee County.

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.

*Comment: The calculations used by the applicant are based on a proposed maximum of 1,122 units although the proposal is for 1,182 units. Please provide calculations for the 1,182 figure.*

**RESPONSE:** Please refer to the updated Infrastructure Analysis and availability letters enclosed in this submittal. The calculations throughout the application have been updated to reflect the maximum unit count of 1,182 units, based on the assumption that the 109+/-acres of on-site wetlands will not be impacted. However, it is understood that the final density calculation will be determined during the zoning and permitting process in accordance with Goal 114 and Table I (a) of the Lee Plan.

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.

*Comment: The application does not address Policy 60.5.3 regarding the preservation of existing and historic natural flow-ways. Please provide this information.*

**RESPONSE:** As noted above, the Applicant respectfully submits that the subject property does not contain an existing or historical natural flow-way. Therefore, Policy 60.5.3 is not relevant to the proposed amendment.

*Comment: The applicant states that they are in the process of determining the extent and quality of the wetlands on the subject property to conform to Objective 114.1. This information needs to be provided. Policy 114.1.3 requires that the Future Land Use Map be updated to reflect the boundaries of the Wetlands Future land Use Category. The Proposed Future Land Use map provided by the applicant shows the entire property changing to the Outlying Suburban FLUC. If this is because there will be no wetlands on the subject property, the application should provide a statement to that effect. If there will be wetlands on the property, the application should provide a proposed FLUM depicting them in the Wetland FLUC.*

**RESPONSE:** The proposed amendment will be consistent with Goal 114 of the Lee Plan by ensuring compliance with the state and federal permitting process, and clustering future development to minimize impacts to environmentally sensitive areas. Per the updated Proposed Future Land Use Map, enclosed as Exhibit IV.A.D, the on-site wetland areas are conceptually demonstrated and are not included in the proposed Outlying Suburban Future Land Use acreage on the application.

It is understood that the Applicant must obtain the appropriate state agency permits prior to local Development Order approval, and that this approval will incorporate state agency permit stipulations and conditions.

Lastly, it is understood that this application represents the first step in a lengthy and detailed review process. Following approval of this amendment, County Staff, the Board of County Commissioners, and authorized state agencies will have the opportunity to review detailed site plans and environmental data to ensure the intent of the Goal 114 is met by this project.

*IV G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.*

*Comment: Although the applicant has addressed the issue of sprawl, they have not provided a narrative specifically stating sound planning principles that justify the proposed amendment.*

**RESPONSE:** Please refer to the attached narrative, Exhibit IV.E.4. Additional language has been added to address the sound planning principles incorporated that will result upon approval of the proposed amendments.

If you have any further questions, please do not hesitate to contact me directly at (239) 405-7777 or [alexisc@waldropengineering.com](mailto:alexisc@waldropengineering.com).

Sincerely,

**WALDROP ENGINEERING, P.A.**



Alexis V. Crespo, AICP, LEED AP  
Principal Planner

Enclosures

cc: Ron Zul, Brian Scott Realty, Inc.  
Russell Schropp, Henderson, Franklin, Starnes & Holt, P.A.  
Ken Passarella, Passarella & Associates, Inc.





**II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)**

A. TYPE: (Check appropriate type)

- Text Amendment
- Future Land Use Map Series Amendment  
(Maps 1 thru 24)  
List Number(s) of Map(s) to be amended  
MAP 1 OF 8

1. Future Land Use Map amendments require the submittal of a complete list, map, and two sets of mailing labels of all property owners and their mailing addresses, for all property within 500 feet of the perimeter of the subject parcel. The list and mailing labels may be obtained from the Property Appraisers office. The map must reference by number or other symbol the names of the surrounding property owners list. The applicant is responsible for the accuracy of the list and map.

At least 15 days before the Local Planning Agency (LPA) hearing, the applicant will be responsible for posting signs on the subject property, supplied by the Division of Planning, indicating the action requested, the date of the LPA hearing, and the case number. An affidavit of compliance with the posting requirements must be submitted to the Division of Planning prior to the LPA hearing. The signs must be maintained until after the final Board adoption hearing when a final decision is rendered.

**B. SUMMARY OF REQUEST (Brief explanation):**

AMEND MAP 1 OF THE FUTURE LAND USE MAP SERIES TO CHANGE THE FUTURE LAND USE CATEGORY OF A 394-ACRE PROPERTY ON FIDDLESTICKS BLVD. FROM RURAL AND WETLANDS TO OUTLYING SUBURBAN AND WETLANDS. THE PROPERTY IS LOCATED EAST OF FIDDLESTICKS BLVD. AND WEST OF I-75 IN THE DANIELS PARKWAY PLANNING COMMUNITY. THE APPLICANT IS REQUESTING THE AMENDMENT TO ACCOMODATE A MAXIMUM OF 1,182 RESIDENTIAL UNITS AND NEIGHBORHOOD COMMERCIAL USES.

**III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)**

A. Property Location:

- 1. Site Address: ACCESS UNDETERMINED, FORT MYERS, FL 33912
- 2. STRAP(s): 34-45-25-00-00001.0000 AND 34-45-25-00-00002.0000

B. Property Information

Total Acreage of Property: 394+/- acres

Total Acreage included in Request: 394+/- acres

Total Uplands: 285 +/-acres

Total Wetlands: 109+/- acres

Current Zoning: AGRICULTURE (AG-2)

Current Future Land Use Designation: RURAL; WETLANDS

Area of each Existing Future Land Use Category: 285+/- acres; 109+/- acres

Existing Land Use: AGRICULTURE

C. State if the subject property is located in one of the following areas and if so how does the proposed change affect the area:

*Lehigh Acres Commercial Overlay:* NO

*Airport Noise Zone 2 or 3:* YES (Approximately 100 acres)

*Acquisition Area:* NO

*Joint Planning Agreement Area (adjoining other jurisdictional lands):* NO

*Community Redevelopment Area:* NO

D. Proposed change for the subject property:

AMEND THE FUTURE LAND USE MAP TO OUTLYING SUBURBAN AND WETLANDS.

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density 1 DU/ACRE @ 394 acres = 394 du

Commercial intensity 0

Industrial intensity 0

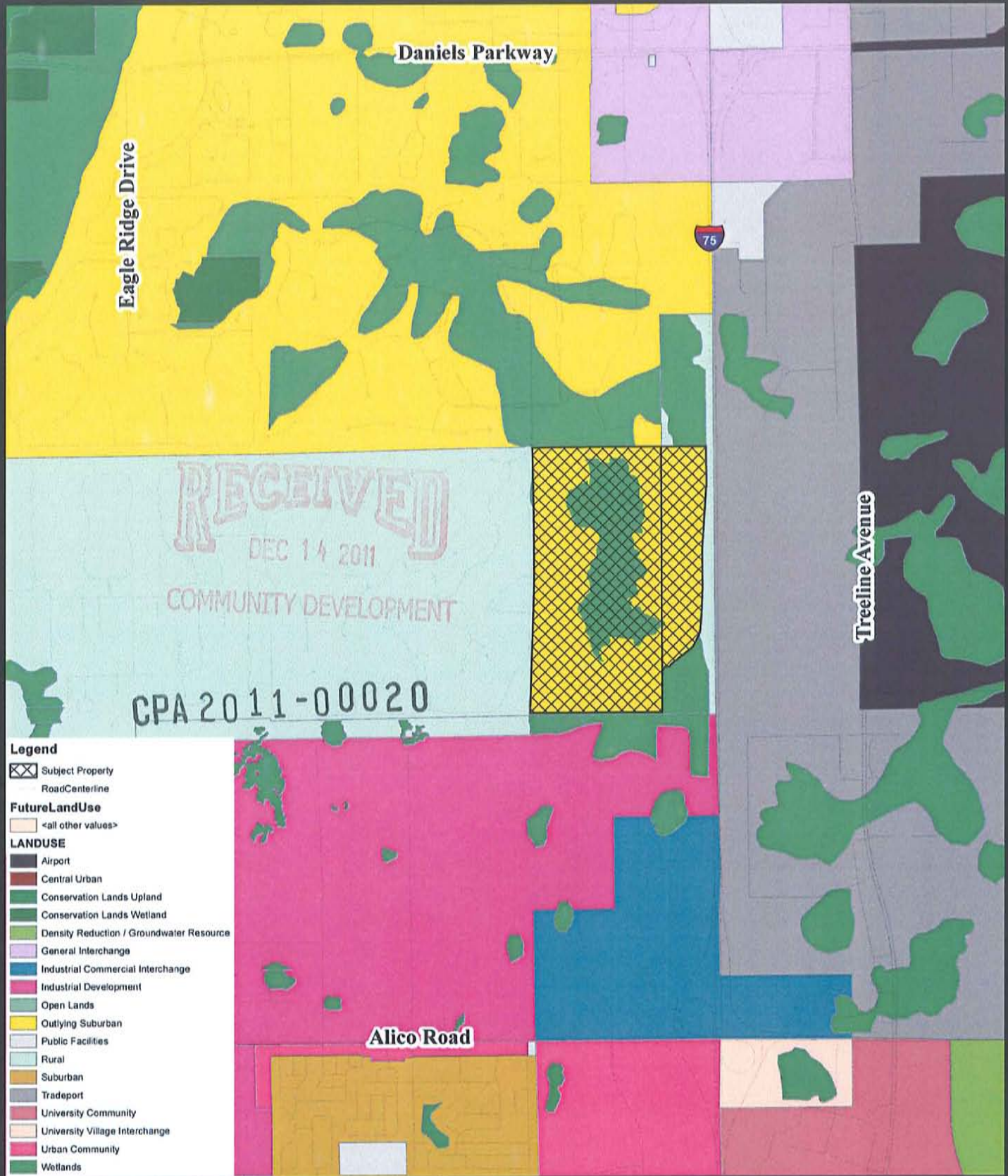
2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density 3 DU/ACRE @ 394 acres = 1,182 d.u.\*

Commercial intensity 20,000 S.F.

Industrial intensity 0

\* Subject to compliance with Table 1(a) of the Lee Plan.



**Legend**

- Subject Property
- RoadCenterline

**FutureLandUse**

- <all other values>

**LANDUSE**

- Airport
- Central Urban
- Conservation Lands Upland
- Conservation Lands Wetland
- Density Reduction / Groundwater Resource
- General Interchange
- Industrial Commercial Interchange
- Industrial Development
- Open Lands
- Outlying Suburban
- Public Facilities
- Rural
- Suburban
- Tradeport
- University Community
- University Village Interchange
- Urban Community
- Wetlands



**EXHIBIT IV.A.3  
PROPOSED FUTURE LAND USE MAP**

Daniels Parkway

**RESIDENTIAL  
(Single Family &  
Multi Family  
Residential)**

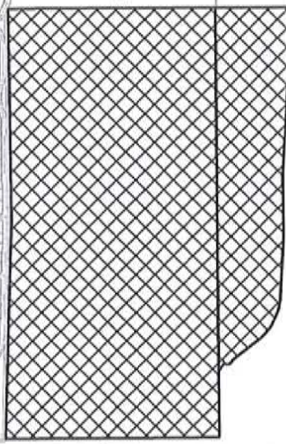
**RESIDENTIAL  
(Single Family &  
Multi Family  
Residential)**

**INDUSTRIAL  
(Warehousing/  
Distribution)**

75

Southwest Florida  
International Airport

**RESIDENTIAL  
(Single Family &  
Multi Family  
Residential)**



**VACANT  
(Grazing  
Land)**

Treeline Avenue

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**INDUSTRIAL / VACANT  
(Light Industrial Business  
Park & Grazing Land)**

**VACANT  
(Grazing  
Land)**


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**VACANT  
(Grazing  
Land)**

**COMMERCIAL  
(Retail)**

Alico Road

Legend

 Subject Property



# EXHIBIT IV.A.4 EXISTING LAND USE MAP

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**IL**  
(Light  
Industrial)

**RPD**  
(Residential  
Planned  
Development)

**RPD**  
(Residential  
Planned  
Development)

**IPD**  
(Industrial  
Planned  
Development)

**MPD**  
(Mixed Use  
Planned  
Development)

**PUD**  
(Planned Unit  
Development)

**AG-2**  
(Agricultural)

Treeline Avenue

**IPD**  
(Industrial  
Planned  
Development)

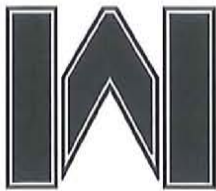
**AG-2**  
(Agricultural)

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Legend  
☒ Subject Property



# EXHIBIT IV.A.5 EXISTING ZONING MAP



## IV.B.2 – Infrastructure Analysis – REVISED PER 2011 CONCURRENCY REPORT

### I. Sanitary Sewer

LOS Standard = 200 GPD/ERC

Existing Land Use – Rural

394 single family du @ 200 GPD = 78,800 GPD

Proposed Land Use – Outlying Suburban

1,182 single family du @ 200 GPD = 236,400 GPD

20,000 s.f. of commercial @ 0.1 GPD per s.f. = 2,000 GPD

Total Proposed Sanitary Sewer Demand = 238,400 GPD

The proposed FLUM amendment results in an increased sanitary sewer demand of 159,600 GPD.

The Fiddlesticks Blvd. Parcel (“Property”) is located in the Lee County Utilities Franchise area and would be served by the Three Oaks Wastewater Treatment Plant (WWTP). The plan has a current capacity of 6.0 MGD. According to the 2011 Lee County Concurrency Report, the projected 2012 daily flows are 2,800,000 GPD. Existing lines will need to be extended and potentially upgraded, to service the Property.

### II. Potable Water

LOS Standard = 250 GPD/ERC

Existing Land Use – Rural

394 single family du @ 250 GPD = 98,500 GPD

Proposed Land Use – Outlying Suburban

1,182 single family du @ 250 GPD = 295,500 GPD

20,000 s.f. of commercial @ 0.12 GPD per s.f. = 2,400 GPD

Total Proposed Potable Water Demand = 297,900 GPD

The proposed FLUM amendment results in an increased potable water demand of 199,400 GPD.

The Property is located in the Lee County Utilities Franchise area and would be served by the Corkscrew Water Treatment Plant (WTP). The plant has a current capacity of 15.0 MGD. According to the 2011 Lee County Concurrency Report, the projected 2012 daily flows are 8,700,000 GPD. Existing lines will need to be extended and potentially upgraded, to service the Property.

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### **III. Surface Water Management**

The Property is located within the Briarcliff-Fiddlesticks Ditch Receiving Body and the Six Mile Cypress Drainage Basin.

LOS Standard = 25 year, 3-day storm event of 24 hours duration.

The Applicant will obtain an Environmental Resource Permit (ERP) from the South Florida Water Management District (SFWMD) prior to Development Order approval to be deemed concurrent.

### **IV. Parks, Recreation and Open Space**

Current Regional Parks LOS Standard = 6 acres per 1,000 seasonal population

Current Community Parks LOS Standard = 0.8 acres per 1,000 permanent population

#### Existing Land Use – Rural

394 single family du @ 2.5 persons/unit = 985 persons

Regional Parks @ 6 acres/1,000 = 5.91 acres required

Community Parks @ 0.8 acres/1,000 = 0.79 acres required

#### Proposed Land Use – Outlying Suburban

1,182 single family du @ 2.5 persons/unit = 2,955 persons

Regional Parks @ 6 acres/1,000 = 17.73 acres required

Community Parks @ 0.8 acres/1,000 = 2.36 acres required

The amendment results in an additional 1.57 acres of Community Parks required. The site is located in the Community Park Benefit District 44, South Fort Myers. According to the 2011 Concurrency Report, there are 198 acres of Community Park within the district, and the District meets the LOS standard of 0.8 acres developed community park acreage through 2016. No additional Community Parks are required as to meet LOS requirements.

The amendment results in an additional 11.82 acres of Regional Parks required. There are currently 7,128 acres of existing Regional Parks currently operated by the County, City, State and Federal government. This acreage is sufficient to meet the "Regulatory Level of Service Standard" of six (6) acres per 1,000 total seasonal population in the County for the year 2011, and will continue to do so at least through the year 2016 as currently projected. In addition, the Regional Park acreage met the "Desired Level of Service Standard" of eight (8) acres per 1,000 total seasonal County population in 2011 and will continue to do so at least through the year 2016 as currently projected. As such, no additional Regional Parks are required as a result of this amendment.

## **V. Public Schools – South Zone, S2**

Current Public Schools LOS Standard = 100% of the Permanent Inventory of Public Schools (FISH) capacity.

### Existing Land Use – Rural

394 single family du @ 0.299 students per household = 118 students

### Proposed Land Use – Outlying Suburban

1,182 single family du @ 0.299 students per household = 353 students

Elementary Schools (Rayma Page, San Carlos, Three Oaks)

Projected 2011-2012 FISH Capacity = 2,603

Available Capacity = 176

Middle Schools (Lexington, Three Oaks)

Projected 2011-2012 FISH Capacity = 2,017

Available Capacity = 286

High Schools (South Fort Myers)

Projected 2010-2011 FISH Capacity = 1,909

Available Capacity = 222

The amendment results in the addition of 235 students. No breakdown is available for elementary, middle or high school ages. Capacity is available according to the Fish Capacities above.

## **VI. Solid Waste –Waste to Energy (WTE) Facility**

Current LOS Standard = 7 lbs./day/capita

Current Facility Capacity = 1,836 tons/day (3,672,000 lbs./day)

### Existing Land Use – Rural

394 single family du @ 2.5 persons/unit = 985 persons

985 persons @ 7lbs./day = 6,895 lbs./day (3.44 tons/day)

### Proposed Land Use – Outlying Suburban

1,182 single family du @ 2.5 persons/unit = 2,955 persons

2,955 persons @ 7 lbs./day = 20,685 lbs./day (10.34 tons/day)

The amendment results in an increased solid waste generation of 13,790 lbs./day (6.85 tons/day).





**LEE COUNTY**  
SOUTHWEST FLORIDA  
BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 533-8532

John E. Manning December 2, 2011  
*District One*

Brian Bigelow Alexis Crespo  
*District Two* Waldrop Engineering, P.A.  
Ray Judah 28100 Bonita Grande Dr. #305  
*District Three* Bonita Springs, FL 34135

Tammy Hall  
*District Four*

Frank Mann  
*District Five*

Karen B. Hawes  
*County Manager*

Diana M. Parker  
*County Hearing Examiner*

**RE: Potable Water and Wastewater Availability  
Fiddlestick Blvd Parcels  
Strap #: 34-45-25-00-00001.0000 and 34-45-25-00-00002.0000**

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Dear Ms. Crespo:

Potable water and sanitary sewer lines are in operation along Fiddlestick Blvd north of the subject properties. In order to provide service to the subject parcels, developer funded system enhancements such as line extensions and off-site improvements will be required.

Your firm has indicated that this project will consist of 1,182 single family residential units with an estimated flow demand of approximately 295,500 gallons per day and 20,000 sq. ft. commercial shopping center with an estimated flow demand of approximately 2,000 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure and off-site improvements to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our Corkscrew Water Treatment Plant.

Sanitary sewer service will be provided by the City of Ft Myers So Wastewater Treatment Plant. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

Prior to beginning design work on this project, please schedule a meeting with Thom Osterhout to determine the best point of connection and discuss requirements for construction.

This letter is not a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, this letter of availability of Water and Wastewater service to be utilized for request for comprehensive plan amendment for this project Only. Individual letters of availability will be required to obtaining building permits.

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic  
Technician Senior  
UTILITIES ENGINEERING

CPA 2011-00020



# LEE COUNTY

Southwest Florida  
BOARD OF COUNTY COMMISSIONERS

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District One

Brian Bigelow  
District Two

Ray Judah  
District Three

Tammy Hall  
District Four

Frank Mann  
District Five

Karen B. Hawes  
County Manager

Diana M. Parker  
County Hearing  
Examiner

November 23<sup>rd</sup> 2011

Alexis Crispo  
Principle Planner  
Waldrop Engineering, P.A.

**RE: Fiddlesticks Boulevard Comprehensive Plan Amendment Letter of Parks Service Availability**

Both regional and community parks have two levels of service standards as prescribed in the Lee Plan and reported by the 2011 Concurrency Report. These two sets of standards are referred to as the "level of service" (LOS) and the "desired level of service" (DLOS). The current regional park inventory is 7,128 acres and the Lee Plan prescribed service standards of 6 acres (LOS) and 8 acres (DLOS) of developed regional park open to the public per 1,000 total seasonal county population are currently being met through 2016. The Fiddlesticks Blvd proposed amendment is in the community park benefit district 44-South Fort Myers. South Fort Myers Community park district 44 has a current inventory of 198 acres of developed community park open to the public. District 44 meets the (LOS) of 0.8 acres of developed community park acreage per 1,000 permanent population in the district through 2016. District 44 currently does not meet the (DLOS) of 2 acres of community park per 1,000 permanent population in the district and is not projected to meet this standard through 2016. Lee County currently does not meet the desired level of service standard for Boat Ramps of one boat ramp lane with adequate parking per 12,500 people based on seasonal population and will not meet this level of service as currently projected through 2016.

Lee County currently has an adopted formula and objective based park impact fee which charges development to pay a one-time, up-front, proportionate fair share of the capital costs of new park facilities. Please refer to the currently adopted park impact fee schedule for the park impact fee calculations and payments required by new development.

Should you have any additional requests or questions please do not hesitate in contacting me.

Daniel J. Calvert  
Coordinator Planning  
Lee County Parks & Recreation  
3410 Palm Beach Blvd  
Fort Myers Florida 33916  
[dcalvert@leegov.com](mailto:dcalvert@leegov.com)

Enclosure: [2011 Lee County Concurrency Report, Parks & Recreation tables.]



**SOUTH TRAIL  
FIRE PROTECTION & RESCUE  
SERVICE DISTRICT**

*"Compassion, Commitment, Courage"*

Business (239) 433-0080  
FAX (239) 433-1941  
Prevention Division (239) 482-8030  
FAX (239) 433-2185

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*Assistant Chief*

October 4, 2011

Alexis V. Crespo, AICP, LEED AP  
Waldrop Engineering  
28100 Bonita Grande Dr. #305  
Bonita Springs, FL 34135

**Re: Fiddlesticks Boulevard – Comprehensive Plan Amendment Letter of Service Availability**

Dear Ms. Crespo:

I am in receipt of your letter dated September 26, 2011 regarding your application for a Comprehensive Plan Amendment for 394+/- acres of property located along Fiddlesticks Blvd. in central Lee County. In your letter, you requested a response from our agency regarding the ability of our agency to serve this future project.

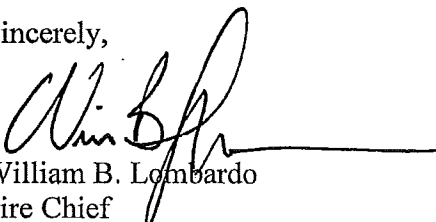
According to your letter, "The proposed population build out is estimated at 2,955 (maximum of 1,182 dwelling units X 2.5 persons per unit)", with a proposed build out date of 2021.

Below is my response to your request:

**Existing facilities, staffing, and equipment:** I am confident that our present facilities, staffing, and equipment will be adequate to serve this future project.

Should you require further information or clarification on anything contained herein, please do not hesitate to contact my office.

Sincerely,

  
William B. Lombardo  
Fire Chief



Lee County  
Southwest Florida

**Statement of Initial Review**

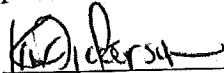
Lee County Emergency Medical Services (LCEMS) has performed a preliminary review of the project referenced herein. Based upon the limited amount of information provided, LCEMS has concerns with the ability to provide service to this project.

The Comprehensive Plan Amendment for Fiddlesticks Boulevard proposes a population at build out estimated at 2,955 (maximum of 1,182 dwelling units x 2.5 persons per unit). In addition, it is proposed to develop approximately 20,000 s.f. of commercial within the project.

The closest ambulance servicing this location is LCEMS Station 23, located at 9700 Treeline Avenue, Fort Myers, which is approximately 7.5 miles away. Our response time to this location is 13+ minutes, which does not meet our core service level response standards of 8:59 minutes or less in 90% of the total emergency responses for life-threatening calls as required by Lee County Ordinance #08-16.

In the event that Station 23 is busy on a response, the next closest station is LCEMS Station 1, located at 2100 Crystal Drive, Fort Myers, and is approximately 7.5 miles away.

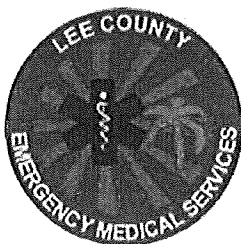
This statement does not indicate that any plans have been received, it just identifies that Lee County EMS has concerns with the ability to provide service to this area. Current resources prohibit establishing and staffing an EMS station closer to this development.

  
\_\_\_\_\_  
(Signature)

Chief / Deputy Director of Public Safety  
(Title)

Kim Dickerson  
(Printed Name)

December 6, 2011  
(Date)



**Kim Dickerson, EMT-P, RN, MBA**  
Deputy Director, Lee County Public Safety  
Chief, Lee County Emergency Medical Services  
14752 Ben Pratt/Six Mile Cypress Parkway  
Fort Myers, FL 33912  
Phone: 239-335-1661  
Fax: 239-335-1671  
Email: [kdickerson@leegov.com](mailto:kdickerson@leegov.com)  
Website: [www.lee-ems.com](http://www.lee-ems.com)



**LEE COUNTY**  
S O U T H W E S T F L O R I D A

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*County Hearing Examiner*

November 29, 2011

Alexis V. Crespo  
Principle Planner  
Waldrop Engineering  
28100 Bonita Grande Dr.  
Bonita Springs, FL 34135

**SUBJECT: Fiddlesticks Boulevard – Comprehensive Plan Amendment**

Dear Ms. Crespo:

The Lee County Solid Waste Division is capable of providing solid waste collection service for the residential project located along Fiddlesticks Blvd. through our franchised hauling contractors. Disposal of the solid waste from this development will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Plans have been made, allowing for growth, to maintain long-term disposal capacity at these facilities.

The Solid Waste Ordinance (11-27, Section 21) and the Lee County Land Development Code, Chapter 10, Section 10-261 have requirements for providing on-site space for placement and servicing of certain multi-family and commercial solid waste containers. Please review these requirements when planning the project. Additionally, please review the Solid Waste Ordinance (11-27, Section 7) which defines those residential dwelling units that are eligible to receive curbside residential collection service. If you have any questions, please call me at (239) 533-8000.

Sincerely,

William T. Newman  
Operations Manager  
Solid Waste Division



LEE COUNTY  
SOUTHWEST FLORIDA

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*County Hearing Examiner*

Ms. Alexis Crespo, AICP, LEED AP  
Waldrop Engineering  
28100 Bonita Grande Drive #305  
Bonita Springs, FL 34135

November 23, 2011

Subject: Fiddlesticks Boulevard Comprehensive Plan Amendment

Dear Ms. Crespo:

This letter is to advise you that the above referenced property is not located on or proximate to any existing or proposed LeeTran route. As such, we conclude that LeeTran is not able to provide service to this future project. Without service availability, under current Lee County Code, the project developer would not be required to construct or place any transit amenities in support of the above referenced property.

Should you have any questions, or need additional documentation, please do not hesitate to contact me at (239) 533-0333 or by e-mail at [drudge@leegov.com](mailto:drudge@leegov.com).

Sincerely,

Daniel Rudge  
Principal Planner

CC: File

**ZONE "X"**

RECEIVED  
DEC 14 2011  
COMMUNITY DEVELOPMENT

**ZONE "X"**

**ZONE "X"**



**ZONE "X"**

**CPA 2011-00020**

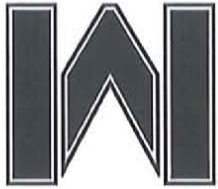
**Legend**

Subject Property

**ZONE "X"**



**EXHIBIT IV.C.4  
FLOOD INSURANCE RATE MAP**



## IV.E.4 – Lee Plan Consistency & Amendment Justification Narrative

The Applicant is requesting approval of a Future Land Use Map (FLUM) Amendment to remove the 394+/-acre property from the Rural and Wetlands FLU Categories and re-designate the property as Outlying Suburban and Wetlands. The Outlying Suburban designation currently terminates at the northern property line and encompasses the Olde Hickory and Legends Golf and Country Clubs to the north and northwest, respectively. Approval of this request will allow for the logical extension of the existing development pattern in this urbanized portion of the County, and will permit clustered, infill development to accommodate future population growth in an area serviced by existing public infrastructure.

Per Table 1(b) "Planning Community Year 2030 Allocations", there are 1,700 acres of Outlying Suburban Future Land Use available for residential development within the Daniels Planning Community. Therefore, the proposed 394-acre FLUM amendment is in compliance with the 2030 residential allocation for this area.

As indicated in the Infrastructure Analysis, attached as Exhibit IV.B.2, the projected population of the FLUM amendment is 2,805 persons (1,122 du @ 2.5 persons/unit). Additionally, the amendment includes 20,000 s.f. of commercial uses to provide future residents with local goods and services.

The following is an analysis of how the proposed Amendment is consistent with the goals, policies and objectives of the Lee Plan, State Comprehensive Plan (SCP), and the Strategic Regional Policy Plan (SRPP).

### I. Lee Plan Consistency

**Policy 1.1.6:** *The Outlying Suburban areas are characterized by their peripheral location in relation to established urban areas. In general, these areas are rural in nature or contain existing low-density development. Some, but not all, of the requisite infrastructure needed for higher density development is generally planned or in place. It is intended that these areas will develop at lower residential densities than other Future Urban Areas. As in the Suburban areas, higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to three dwelling units per acre (3 du/acre). Bonus densities are not allowed.*

In compliance with this policy, the subject property is located in a developed area of the County with available public infrastructure to support future growth. This portion of the county consists of established residential communities, industrial development, and is in close proximity to I-75 and the Southwest Florida International Airport. Therefore, the Property and its surrounds are no longer characterized as rural, and the Property is consistent with the description of an Outlying Suburban area.

Table 1.1 below further defines the surrounding Future Land Use designations, zoning districts and land uses.

RECEIVED  
DEC 14 2011  
COMMUNITY DEVELOPMENT

CPA 2011-00020



**Table 1.1: Inventory of Surrounding Lands**

DIRECTION	FUTURE LAND USE	ZONING DISTRICT	EXISTING LAND USE
North	Outlying Suburban	Residential Planned Development (RPD)	Multi-Family Residential/Golf Course (Olde Hickory Golf & Country Club)
South	Industrial Development	Industrial Planned Development (IPD)	Industrial/Vacant
East	Tradeport	Agriculture (AG-2)	I-75/Vacant
West	Rural	Planned Unit Development (PUD)	Single-Family Residential/Golf Course (Fiddlesticks Golf & Country Club)

**Objective 2.2:** *Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance.*

The proposed amendment will allow for the development of a vacant property entirely surrounded by suburban and urban levels of development, with available public infrastructure in place. Additionally, development will be clustered within the uplands of the Property to the furthest extent possible, thereby creating a compact development pattern that is contiguous to similar, established communities.

**OBJECTIVE 2.7:** *Historic resources will be identified and protected pursuant to the Historic Preservation element and the county's Historic Preservation Ordinance.*

In compliance with this policy, the Applicant has secured a letter from the Florida Master Site File indicating that no recorded historical or archaeological resources exist on the property.

**POLICY 2.12.1:** *The County encourages and promotes clustered, mixed use development within certain Future Urban Area land use categories to spur cluster development and smart growth within those areas of Lee County where sufficient infrastructure exists to support development, as well as continue to improve the economic well-being of the County; provide for diversified land development; and provide for cohesive, viable, well-integrated, and pedestrian and transit oriented projects. This is intended to encourage development to be consistent with Smart Growth principles.*

As outlined in this application, the Applicant is seeking approval of this FLUM amendment to allow for the development of a residential community with a neighborhood commercial component. The diversified development program will allow for lower vehicle miles travelled (VMT) through the provision of local goods and services in close proximity to residential units.

**POLICY 5.1.5:** *Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where*

*no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments.*

The proposed FLUM amendment will support and protect the existing development pattern along Fiddlesticks Blvd. in direct compliance with this policy. The proposal for a residential community with a neighborhood commercial component will be similar in both character and density to the established, surrounding Planned Developments (Olde Hickory, Fiddlesticks, and The Legends). Furthermore, specific design standards and the mix of uses will be further defined through the Planned Development rezoning process to ensure the protection of surrounding communities.

***POLICY 6.1.4:*** *Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities.*

The proposed neighborhood commercial component permitted per the Outlying Suburban Future Land Use Designation is tentatively planned for the southeastern corner of the property. These non-residential uses will be strategically located near the I-75 and Three Oaks Extension frontage to buffer proposed residential uses. Additionally, locating the commercial component away from the established residential communities in the immediate area will further ensure compatibility with the existing development pattern.

***OBJECTIVE 114.1:*** *The natural functions of wetlands and wetland systems will be protected and conserved through the enforcement of the county's wetland protection regulations and the goals, objectives, and policies in this plan. "Wetlands" include all of those lands, whether shown on the Future Land Use Map or not, that are identified as wetlands in accordance with F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended by F.S. 373.4211.*

The Applicant and consultant team are in the process of determining the extent and quality of existing wetlands on the Property. Future submittals will provide additional environmental data in compliance with this policy. Furthermore, it is understood that all future development activities and approvals will comply with the goals, objectives and policies governing wetlands, including the residential densities outlined in Table 1(a) of the Lee Plan.

***POLICY 115.1.2:*** *New development and additions to existing development must not degrade surface and ground water quality.*

Prior to future development activities on the Property, the Applicant will obtain the requisite Environmental Resource Permit (ERP) from the South Florida Water Management District, and all other applicable state agencies. Therefore, the proposed amendment will be in compliance with this policy.

## **II. Adjacent Local Governments**

The subject property is located entirely within Lee County and does not abut any other jurisdictions. Therefore, the proposed amendment will not affect other local governments.

### III. State Comprehensive Plan

The following area goals and policies from the State Comprehensive Plan that are generally applicable to the Fiddlesticks Blvd. Parcel.

***Water Resources.*** Florida shall assure the availability of an adequate supply of water for all competing uses deemed reasonable and beneficial and shall maintain the functions of natural systems and the overall present level of surface and ground water quality. Florida shall improve and restore the quality of waters not presently meeting water quality standards.

In compliance with this goal, this application will be reviewed by Lee County to ensure the availability of potable water for future residents, as well as the protection of surface water and groundwater in terms of both quality and quantity.

***Natural Systems & Recreational Lands.*** Florida shall protect and acquire unique natural habitats and ecological systems, such as wetlands, tropical hardwood hammocks, palm hammocks, and virgin longleaf pine forests, and restore degraded natural systems to a functional condition.

Through the forthcoming rezoning and environmental resource permitting process the amendment will ensure adequate protection of natural habitats and wetlands located on the property. Furthermore, development will be clustered on uplands to the furthest extent possible to ensure preservation of environmentally sensitive areas.

***Land Use.*** In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner.

As indicated above, the proposed amendment will allow for the development of a vacant property entirely surrounded by suburban and urban levels of development with available public infrastructure in place. Therefore, approval of this request will direct new development to an infill location as encouraged by this goal.

***Transportation.*** Florida shall direct future transportation improvements to aid in the management of growth and shall have a state transportation system that integrates highway, air, mass transit and transportation

The project will provide for a bicycle and pedestrian network internal to the site, as well as a neighborhood commercial component to reduced dependence on automobile travel and reduce overall energy demands. Additionally, the Applicant has indicated their cooperation in the extension of Three Oaks Parkway along the eastern portion of the property, which will further improve the county's transportation system.

#### **IV. Regional Policy Plan Consistency**

The following are goals within the Strategic Regional Policy Plan (SRPP) that are generally applicable to the Property.

##### ***Housing Element***

*Goal 2: Southwest Florida will develop (or redevelop) communities that are livable and offer residents a wide range of housing and employment opportunities.*

The proposed amendment will allow for the development of a mixed-use community with a range of housing types and neighborhood commercial uses within walking distance of residential development areas. While it is anticipated that the neighborhood center will be geared towards daily goods and services rather than office uses, it will inevitably provide some employment opportunities for residents within the community and/or nearby areas.

##### ***Natural Resources Element***

*Goal 4: Livable communities designed to improve quality of life and provide for the sustainability of our natural resources.*

The proposed amendment, and forthcoming rezoning and environmental resource permitting processes will ensure protection of the site's natural resources. Additionally, the Applicant is actively managing the property for agricultural uses and has undertaken best practice land management, including the removal of exotic vegetation.

##### ***Regional Transportation***

*Goal 2: Livable communities designed to affect behavior, improve quality of life and responsive to community needs.*

As outlined above, the Applicant is seeking approval of this FLUM amendment to allow for the development of a residential community with a neighborhood commercial component. The diversified development program will allow for lower vehicle miles travelled (VMT) through the provision of local goods and services in close proximity to residential units. Additionally, pedestrian and bicycle infrastructure within the site will serve as an amenity for future residents.

#### **V. Sprawl Analysis**

The proposed amendment does not constitute urban sprawl, as the property is bound on all sides by existing and approved development, and is in proximity to available public infrastructure.

The property abuts I-75 to the east, a six-lane state freeway, as defined by Administrative Code 11-1, Exhibit 1. Further east of the interstate is the Southwest Florida International Airport. The Property's proximity to these major transportation nodes clearly indicates that the current Rural FLU designation is no longer applicable or appropriate.

Additionally, the property is bound by existing, established residential developments to the north, northwest and west; as well as a mix of industrial uses to the south. Therefore, the proposed amendment

will allow for true infill development, and does not constitute a “leap frog” development pattern where new development occurs in rural, largely undeveloped areas of a jurisdiction unserved by public infrastructure.

In addition to the infill nature of the proposed amendment, there are existing public utilities and roadways available to service the proposed amendment. Specifically, the Property has direct access to Fiddlesticks Blvd., a 2-lane county-maintained collector roadway. The Property will also be intersected by the future Three Oaks Parkway Extension, a planned 4-lane divided arterial roadway.

Capacity is available in nearby water and wastewater treatment plants, as evidenced in the attached Infrastructure Analysis. Existing utility lines will need to be extended from adjacent properties to service future development on the Property. It is understood that these extensions and any associated upgrades to the lines will be required by the Applicant.

Therefore, based on the available public utilities, major existing and planned roadways adjacent to and/or bisecting the Property, as well as the surrounding development pattern, this amendment does not constitute urban sprawl.

## **VI. Sound Planning Principles**

The proposed amendment will address several sound planning principles that are currently of interest to Lee County. In direct compliance with the New Horizon 2035 Comprehensive Plan Update, the amendment will allow for infill development within a suburban portion of the County that is currently serviced by public infrastructure. As presented above, the Property is surrounded by existing and approved developments, ranging from low and medium density residential communities to industrial developments and the Southwest Florida International Airport. Therefore, approval of this amendment will direct new development and accommodate population growth within an appropriate area of the County with the requisite level of public services.

Additionally, the future community will be clustered on the property’s uplands, as determined through the Environmental Resource Permitting process, thereby incorporating environmental protection into the overall site design.

Lastly, the amendment will also include a neighborhood commercial component, which will provide local goods and services to residents and commuters along the future Three Oaks Parkway extension. By providing for a local commercial component, vehicle miles traveled (VMT) are effectively reduced which provides a positive environmental impact, as well as serves to decrease roadway congestion. New Horizon 2035 has a strong focus on mixed use development patterns and improving upon the existing single-use subdivisions inherent to Lee County.

Based on the above principles, the proposed Future Land Use Map amendment represents sound planning and the opportunity for a mixed-use infill development in an appropriate area of the County.