

February 20, 2014

Peter Blackwell
Department of Community Development
1500 Monroe Street, 2nd Floor
Fort Myers, FL 33902

Re: ESTERO APARTMENTS
CPA2013-00008
CPS Application (Small Scale)

Dear Mr. Blackwell,

This letter is submitted in response to your January 31, 2014 sufficiency letter regarding the above-referenced application. The following responses and attached material are provided to address your comments:

II A. a TYPE, Text Amendment

The proposed request would result in 8.57 acres of Intensive Development category in the Estero Planning District. Lee Plan Table 1(b) does not currently allocate any acreage to this category. Therefore please provide an amended application that proposes a text change to Table 1(b).

Response: The application has been amended to reflect a text change to adjust the Year 2030 Allocations found in Table 1(b). This adjustment transfers residential allocation from Lehigh Acres / Central Urban Future Land Use Category to Estero / Intensive Development Future Land Use Category to accommodate the proposed 8.57-acre multifamily project.

According to the Lee County Local Planning Agency Position Paper on Lehigh Acres (dated December 16, 2011 and attached for reference), Lehigh is one of the largest platted communities in Florida with over 120,000 lots which calculates to a projected population that could exceed 350,000. Today over 70% of Lehigh is designated as Urban Community, with standard density allowed ranging from 2 to 6 units per acre and an actual average density of 0.4 units per acre. One quarter of Lehigh Acres is designated Central Urban (considered the “urban core”), which is intended for residential, commercial, public, quasi-public and light industrial uses. The Central Urban standard allowable density range is 5 to 10 units per acre, however the actual average density is less than one unit per acre.

One of the main obstacles identified for Lehigh Acres within the Position Paper is insufficient commercial uses or facilities to serve the people living in Lehigh Acres. Being the “urban core” for the community, the Central Urban designated lands are suited to accommodate this needed commercial intensity. It is beneficial to the community for land within the Central Urban area to be used for commercial development rather than for continued proliferation of residential housing.

On the other hand, according to the Estero Community Market Assessment by Richard F. Hunt of Peloton Research Partners (a copy of which was included in the original application submittal), Estero is a fast-growing area with readily available urban services, an abundance of commercial land and a shortage of multifamily housing. Thus the transfer of density from the Lehigh Acres Central Urban residential allocation to Estero for needed multifamily residential use is an appropriate shift that is needed to support Estero's growing workforce and to sustain the existing and anticipated commercial uses.

A strikethrough-underline version of Table 1(b) is attached with the adjustment reflecting the shift in allocation from 21 acres of Central Urban designated land in Lehigh to 9 acres of Intensive Development designated land in Estero. This calculation is based on the proposed population increase in Estero of 182 persons generated by assumed density of 15.7 units per acre and community occupancy rate of 0.62 and community persons per household of 2.20. The calculated population of 182 persons would have occupied 21 acres of Central Urban designated land in Lehigh based on assumed density of development within Lehigh's Central Urban area of 3.7 units per acre, with a community occupancy rate of 0.92 persons per unit and 2.52 persons per household. The transfer of residential allocation of 21 acres from Lehigh's Central Urban designation is a negligible amount of the community's 8,200 acres of Central Urban designated land (0.256% thereof), and large parcels can be identified within the Central Urban designated area such as the FGUA Wastewater Treatment Plant including 50 acres of ponds designated Central Urban that will not consume residential development capacity.

II A. b. 1. TYPE, Future Land Use Map Series Amendment

Map amendments require the submittal of a complete list, map, and two sets of mailing labels, for all property within 500 feet of the perimeter of the subject parcel.

The applicant needs to provide two sets of mailing labels for notification purposes. The applicant supplied only photocopies of mailing labels.

Response: Two sets of mailing labels are attached as requested.

The legal description provided by the applicant is insufficient. Please provide:

1. A certified metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line.

Response: The legal description has been modified as requested, and is provided attached.

2. A sketch to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner.

Response: The sketch has been modified as requested, and is provided attached.

No wetlands appear to be present but if the subject property contains wetlands or the proposed amendment includes more than one land use category, please provide a metes and bounds legal description, as described above, in addition to the perimeter boundary of the property for each wetland or future land use category.

Response: The request does not require additional legal description information to delineate wetlands or future land use categories. The subject property is legally cleared and filled, and no wetlands are onsite as verified by the FLUCFCS mapping, provided as an attachment. The subject site is not proposed for multiple future land use categories, a single category of Intensive Development is proposed for the subject site.

IV A. 9. General Information and Maps

If applicant is not the owner, a letter authorizing the applicant to represent the owner.

The applicant has provided an affidavit from the applicant. Please provide an authorization from the landowner.

Response: An affidavit signed by the owner authorizing the applicant and agents to represent the owner is provided as requested, attached.

IV B. 2. c. Public Facilities Impacts.

Provide an Existing and Future Conditions Analysis for Surface Water/Drainage Basins

The applicant has not provided sufficient analysis of surface water and drainage basins on the site. The application refers to an exhibit from the CPD application that is historic and recent aerials of the subject property: This is not sufficient for the application. The application also refers to a proposed modification of the water management district permit. Please provide a depiction of this proposed modification.

Response: The requested surface water and drainage basins analysis is provided, please see attached.

IV B. 2. d. Public Facilities Impacts

Provide an Existing and Future Conditions Analysis for Parks, Recreation, and Open Space

The applicant has not provided sufficient analysis of the impact of the proposed number of residents on parks and recreation. Please provide this.

Response: The requested parks and recreation analysis is provided, please see attached.

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.

Please provide a letter from the service provider for fire protection.

Response: Please see the attached Letter of Availability from the Estero Fire District.

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.

Please provide a letter from the EMS service provider.

Response: Please see the attached Letter of Service Availability from the Division of Emergency Medical Services.

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.

Please provide a letter from the service provider for law enforcement.

Response: Please see the attached Letter of Service Availability 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.

Please provide a letter from the service provider for solid waste.

Response: Please see the attached Letter of Service Availability from the solid waste provider, WastePro.

Please also note:

- The Comprehensive Plan Amendment application is updated to reflect the density calculation of 8.57 acres x 14 units per acre = 119 units (rather than rounded to 120 units). Please see attached.
- A CD containing all submittal documents is also attached.

Sincerely,
JOHNSON ENGINEERING, INC.



cc: Steve Hartsell

Laura DeJohn, AICP
Director of Planning & Landscape Architecture

**New Horizon 2035: Lee Plan Update
Local Planning Agency Position Paper
Lehigh Acres Issue Paper
December 16, 2011**

On March 1, 2011 the Lee County Board of County Commissioners (BoCC) adopted the New Horizon 2035: Evaluation and Appraisal Report (EAR). Many concepts and issues raised in the EAR apply to the Lehigh Acres Planning Community. This community is the sole focus of this position paper.

Background

Lehigh Acres is located in eastern Lee County and encompasses 96 square miles, about 12% of Lee County's land area. Initial development of Lehigh Acres began in the 1950s. Lehigh Acres was originally an 18,000-acre cattle ranch purchase as a tax shelter by Chicago businessman Lee Ratner. The Lehigh Development Corporation platted most of Lehigh Acres into separate single-family lots in the 1960s. As a result, Lehigh Acres is one of the largest platted communities in Florida – over 120,000 lots and a projected population of over 350,000 people.

In 1990, the Lehigh Development Corporation requested that Lee County formally recognize that the platted lands in Lehigh Acres were vested for development rights. In 1992 a stipulation agreement was reached that vested the majority of Lehigh Acres property from meeting concurrency requirements.

Future Land Use Designation

The 1984 Lee Plan identified Lehigh Acres as an urban area and assigned the Future Land Use designation of Urban Community and Central Urban. Mostly, that is still the case today.

Over 70 percent of Lehigh is designated as Urban Community – a category described as having a distinctly urban character with predominant land uses identified as residential, commercial, public, quasi-public, and light industrial uses. Residential standard densities range from two dwelling units an acre to six dwelling units an acre, with a maximum of 10 units an acre. The current average density in Lehigh Acres for those areas designated Urban Community is less than 0.4 dwelling units an acre.

Central Urban is characterized as the “urban core” of the County. This designation covers approximately one quarter of Lehigh Acres and encases much of Lee Boulevard, Joel Boulevard and Homestead Road. Central Urban is intended for residential, commercial, public, quasi-public, and light industrial uses. The standard density range is from five dwelling units per acre to ten dwelling units per acre, and a maximum density of 15 dwelling units an acre. The average density in the Central Urban area of Lehigh Acres is less than one dwelling unit per acre.

Lehigh's Vision

The planning firm Wallace Roberts & Todd prepared the “Lehigh Acres Comprehensive Planning Study” in 2009 – taking on identified challenges including infrastructure shortcomings, such as minimally paved roads in remote sections of the community, lack of water and sewer service throughout the community, and a canal system which prevents connections between communities.

A number of new strategies were identified including consolidating development patterns by directing growth, reserving land for non-residential uses, guiding infrastructure through a “tier” system, and utilization of more urban and less suburban downtown, neighborhood and community centers.

Based on the study, and the input of the community, the following vision for Lehigh Acres was incorporated into the Lee Plan, including the overarching goal of transforming the community from a platted lands community to a sustainable community of choice.

“A ‘sustainable community of choice’ is comprised of a collection of unique and inviting neighborhoods with involved citizens, a healthy environment, housing and employment opportunities, a full range of public services, and an efficient multi-modal transportation network connecting adjacent uses and neighboring communities. Residents will be encouraged to live a healthy and active lifestyle and will be provided opportunities to connect to the natural environment and their neighbors. This is the community vision of Lehigh Acres.”

GOAL 32: LEHIGH ACRES. *To ensure that continued development and redevelopment within the Lehigh Acres Planning Community converts this largely single use, antiquated pre-platted area into a vibrant residential and commercial community consisting of: safe and secure single family and multi-family neighborhoods; vibrant commercial and employment centers; pedestrian friendly mixed-use activity centers and neighborhood nodes; with adequate green space and recreational opportunities.*

The main obstacles to making the vision come true can be summarized into three main areas: 1. The legacy of a pre-platted community; 2. Too much single-family, no diversity of housing products; and 3. Insufficient commercial uses or facilities, to serve the people living in Lehigh Acres.

Problem Identification

As part of the EAR process in April and May 2010, small-group workshops were held with residents and business owners to learn what issues and topics they wanted to address in the Lee Plan. At the Lehigh Acres workshop on May 5, 2010 many expressed specific concerns in Lehigh Acres, including the need to foster a unique community identity, more opportunities for commercial retail and employment, pedestrian friendliness, the appearance of major roads such as Lee Boulevard, inadequate public services, improved communications with county

government, divisions within the community, code enforcement issues, crime, blight, changing demographics, bad economic conditions, water/sewer utilities (or lack of services).

In 2009, sale prices of homes in Lehigh Acres were 80 percent off their peaks. Foreclosures have soared in the area, as has unemployment. The February 7, 2009 *New York Times* article “In Florida, Despair and Foreclosures” captured a portion of this at the beginning of the nation’s housing and financial crisis. It also noted President Obama visited Southwest Florida during his first 100 days in office, recognizing this was a region at the epicenter of the economic downturn.

Constraints

On October 14, 2011 the Florida Chapter of the American Planning Association sponsored a program – known as *Plat-a-Palooza* addressing platted communities such as Lehigh Acres, Cape Coral and Port Charlotte. Some regulatory challenges were identified including:

1. The State’s definition of ‘antiquated subdivision’ which appears in the Community Planning Act (HB 7207), does not apply to Cape Coral or Lehigh, or most other platted lands communities statewide;
2. Amendment 8 of the Florida Constitution - adopted in 2006 - imposes a restriction upon local governments and redevelopment authorities to use the power of eminent domain for economic redevelopment purposes;
3. There are no long-term revenue sources or organizations to fund the acquisition of platted lands, at the State, local or regional level.
4. Transfers of development rights programs historically have not been successful in the past, and are difficult to administer for both governments and private developers.
5. Difficulty de-platting or purchasing lots with a large number of property owners, some from around the world, and some who have long abandoned their properties.

Solutions

Potential solutions to problems in platted lands communities such as Lehigh Acres are plentiful, but difficult. Charlotte County’s Future Land Use Element, adopted April 26, 2007 admitted there are no “ultimate” solutions but there are tried and true “remedies”.

These include: Direct purchase of platted lots; Direct acquisition of targeted lands; Direct purchase with assistance from the State of Florida; New Zoning Categories; Create an organization to handle consolidation and de-platting; Administrative de-platting; Graduated Impact Fees, Tax deed acquisition, Urban service area strategy.

Happening Today

Progress has been made proposing changes to the Land Development Code to address specific issues identified by the community, such as improved commercial signage, landscaping standards, the proliferation of model homes, addressing food vending, duplex design, and street numbering on buildings.

The second part of this effort will tackle proposed mixed use areas throughout the community. Solutions include using “form based” codes rather than traditional zoning. This will allow a better mix of uses, more intensity, and more efficient use of land in urban areas. It’s a similar approach in the existing Lee County Compact Communities Code – which can be used anywhere in the county. Ensite – a local planning firm – is working with Lee County Planning Division staff on this mixed use strategy in Lehigh Acres, starting with three proposed activity centers.

Discussion

The issue of what should be done to address the specific concerns of the Lehigh Acres Planning Community should be considered throughout the Lee Plan. Following this, how can the Lee Plan be modified to address community needs?

Possible answers to these questions will be the focus of the Local Planning Agency’s (LPA) and the Community Sustainability Advisory Committee meetings. Planning staff will lead a discussion about concerns relating to how to promote the County’s adopted vision and relate it to the Lehigh Acres Planning Community.

1. Are the two urban categories appropriate for virtually all of Lehigh Acres? If not, what are appropriate categories? What densities or heights of building are appropriate?
2. Are the “Three Tiers” identified on the Lehigh Acres maps appropriate? If so, how should they be better utilized?
3. What alternative transportation options should Lehigh Acres promote or focus resources on - transit, bicycles, pedestrian, or all of the above?
4. Should urban services and enhancements - such as road paving - continue in areas like Tier 3?
5. Should policies be enacted to limit residential single-family and duplex development (including septic tanks) in areas like Tier 3?
6. Which identified remedies should be tried? Which should not be pursued at this time? (purchase of platted lots; new Zoning categories; creation of an organization or method to handle consolidation and de-platting; administrative de-platting; graduated impact fees, tax deed acquisition, urban service area strategy)
7. What are the local regulatory barriers to better development in Lehigh Acres, including commercial centers and places of employment? What are the state or Federal regulatory barriers to better development in Lehigh Acres, including commercial centers and places of employment?
8. What elements could be part of Lehigh’s identity as a sustainable community of choice? Are health care, culture, arts, educational institutions, sports, or other themes appropriate?

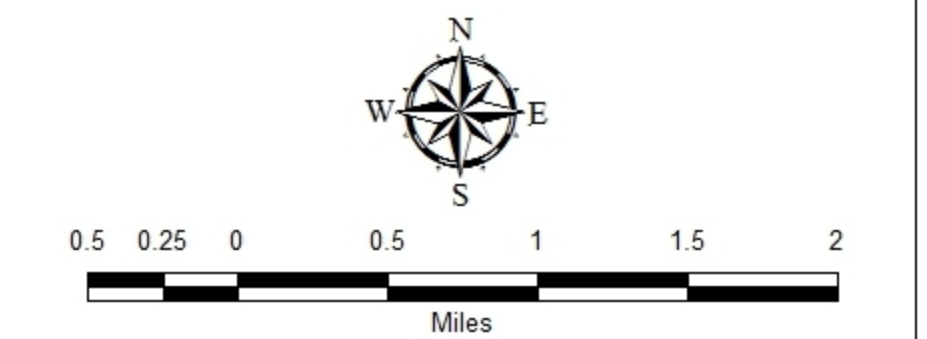
LEHIGH ACRES FUTURE LAND USE MAP

This map is a general representation of the Future Land Use Map as adopted by the Board of County Commissioners on September 17, 1990

ADOPTING ORDINANCE	DATE OF ADOPTION	EFFECTIVE DATE
88-02	1/31/1989	3/1/1989
90-09	3/7/1990	3/14/1990
90-43	9/8/1990	9/17/1990
90-44	9/12/1990	9/17/1990
91-10	4/3/1991	4/10/1991
91-19	7/9/1991	7/18/1991
92-35	8/7/1992	8/18/1992
92-41	9/15/1992	9/21/1992
92-47	10/27/1992	11/8/1992
92-48	10/27/1992	11/8/1992
92-51	12/8/1992	12/21/1992
93-05	2/22/1993	2/28/1993
93-25	9/20/1993	12/4/1994
94-23	8/28/1994	11/14/1994
94-29	10/26/1994	1/9/1995
94-30	11/1/1994	7/25/1995
95-27	12/20/1995	1/20/1996
96-19	10/2/1996	11/2/1996
97-05	3/5/1997	4/2/1997
97-17	8/26/1997	9/30/1997
97-13	8/24/1997	7/2/1997
97-22	11/25/1997	12/28/1997
98-02	1/13/1998	2/13/1998
98-09	8/2/1998	7/31/1998
98-07	4/13/1999	2/4/2000
98-26	11/23/1999	12/25/1999
99-15	11/22/1999	1/18/2000
99-16	11/22/1999	1/18/2000
99-17	11/22/1999	1/18/2000
99-18	11/22/1999	1/18/2000
99-19	11/22/1999	12/23/1999
00-08	5/4/2000	9/8/2000
00-16	8/9/2000	9/8/2000
00-22	11/1/2000	12/8/2000
01-24	12/13/2001	1/13/2002
02-02, 03, 04, 05, 06	1/30/2002	2/27/2002
02-29	10/21/2002	1/9/2003
03-01, 02, 03, 04, 05, 06, 07	1/9/2003	4/1/2003
03-12	5/8/2003	8/6/2003
03-19, 03-20, 03-21	10/28/2003	12/12/2004
03-26	12/15/2003	3/12/2004
04-14	9/20/2004	12/7/2004
04-15	9/22/2004	10/22/2004
05-19, 05-21	10/12/2005	01/09/2006
05-20	10/12/2005	11/15/2006
07-07	4/24/2007	5/24/2007
07-06	4/24/2007	5/24/2007
07-09 thru 07-18	5/18/2007	8/13/2007
08-04	3/11/2008	4/1/2008
08-05	3/11/2008	4/1/2008
09-06 thru 09-17	2/26/2009	4/15/2009
10-10, 11, 12, 15	3/3/2010	8/4/2010

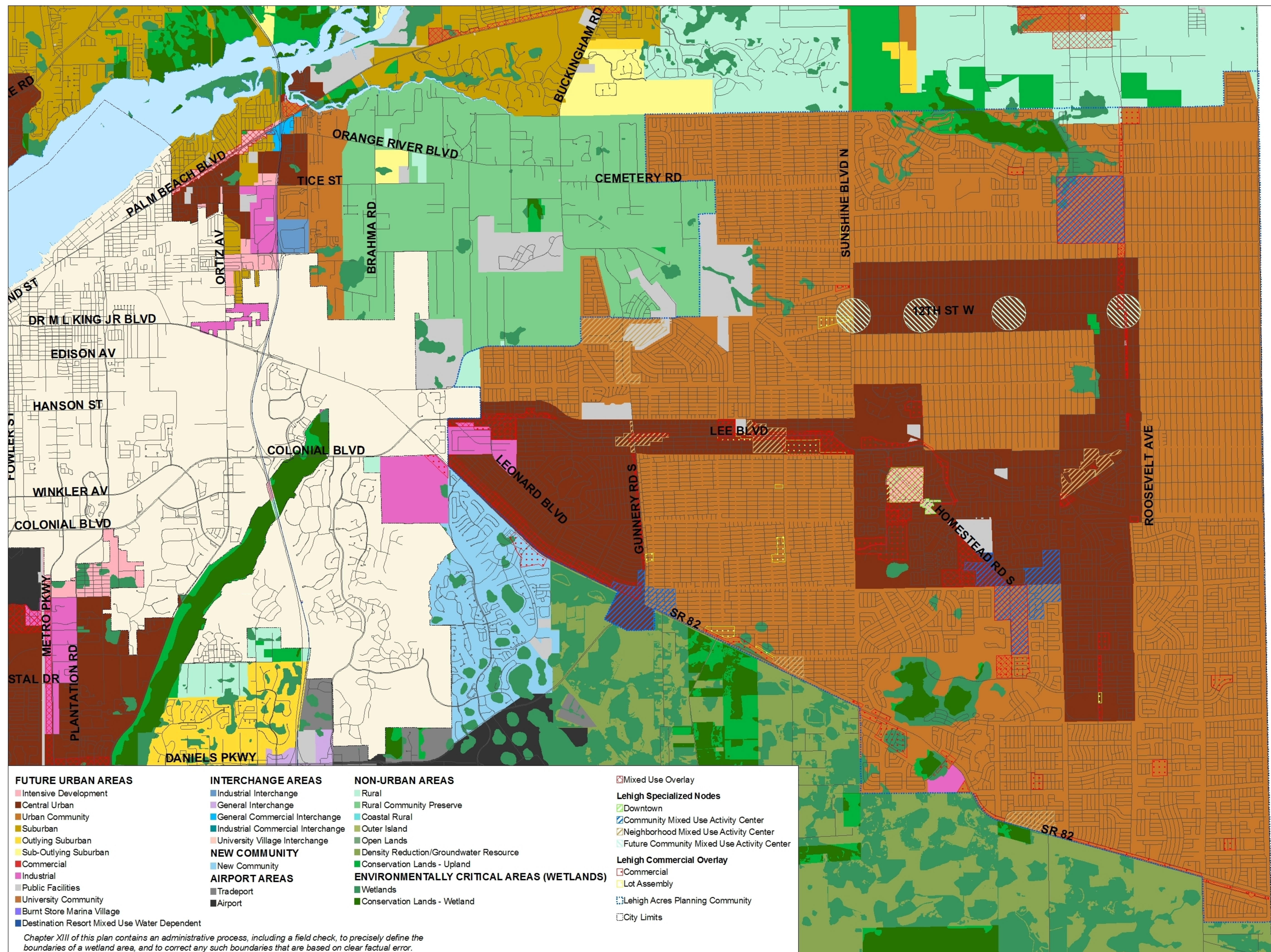
2. Please see the Lee Plan for additional information regarding special restrictions, overlays, or allowances in addition to the requirements of the land use categories.

3. The Planning Communities Map and Acreage Allocation Table (see Map 16 and Table 1(b) and Policies 1.1, 1.1 and 2.2) depicts the proposed distribution, extent, and location of generalized land uses for the year 2030. A acreage totals are provided for land in each Planning Community in unincorporated Lee County.



Map Generated: June 2010
City Limits Current as of Generation Date

Lee Plan Map 1
Page 1 of 8



- FUTURE URBAN AREAS**
- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Sub-Outlying Suburban
- Commercial
- Industrial
- Public Facilities
- University Community
- Burnt Store Marina Village
- Destination Resort Mixed Use Water Dependent
- INTERCHANGE AREAS**
- Industrial Interchange
- General Interchange
- General Commercial Interchange
- Industrial Commercial Interchange
- University Village Interchange
- NEW COMMUNITY**
- New Community
- AIRPORT AREAS**
- Tradeport
- Airport
- NON-URBAN AREAS**
- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Upland
- ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)**
- Wetlands
- Conservation Lands - Wetland
- Mixed Use Overlay
- Lehigh Specialized Nodes**
- Downtown
- Community Mixed Use Activity Center
- Neighborhood Mixed Use Activity Center
- Future Community Mixed Use Activity Center
- Lehigh Commercial Overlay**
- Commercial
- Lot Assembly
- Lehigh Acres Planning Community
- City Limits

Chapter XIII of this plan contains an administrative process, including a field check, to precisely define the boundaries of a wetland area, and to correct any such boundaries that are based on clear factual error.

HENDRY COUNTY

SPECIAL TREATMENT AREAS

Lehigh Acres Community Plan Overlays

Legend

Specialized Mixed Use Nodes

-  Downtown
-  Community Mixed Use Activity Center
-  Neighborhood Mixed Use Activity Center
-  Potential Mixed Use Activity Center

Commercial Overlay Zones

-  Commercial
-  Lot Assembly

Lehigh Acres Tiers

-  Tier 1
-  Tier 2
-  Tier 3

Additional Information

-  Lehigh Acres Planning Community
-  Proposed Lockett Road Alignment
-  12th Street/Lockett Road Connection
-  Major Roads
-  City Limits



Map Generated: July 2010
 City Limits current to date of map generation
 Adoption Date: March 3, 2010
 Effective Date: June 2, 2010
 Adopted by Ordinance No. 10-16

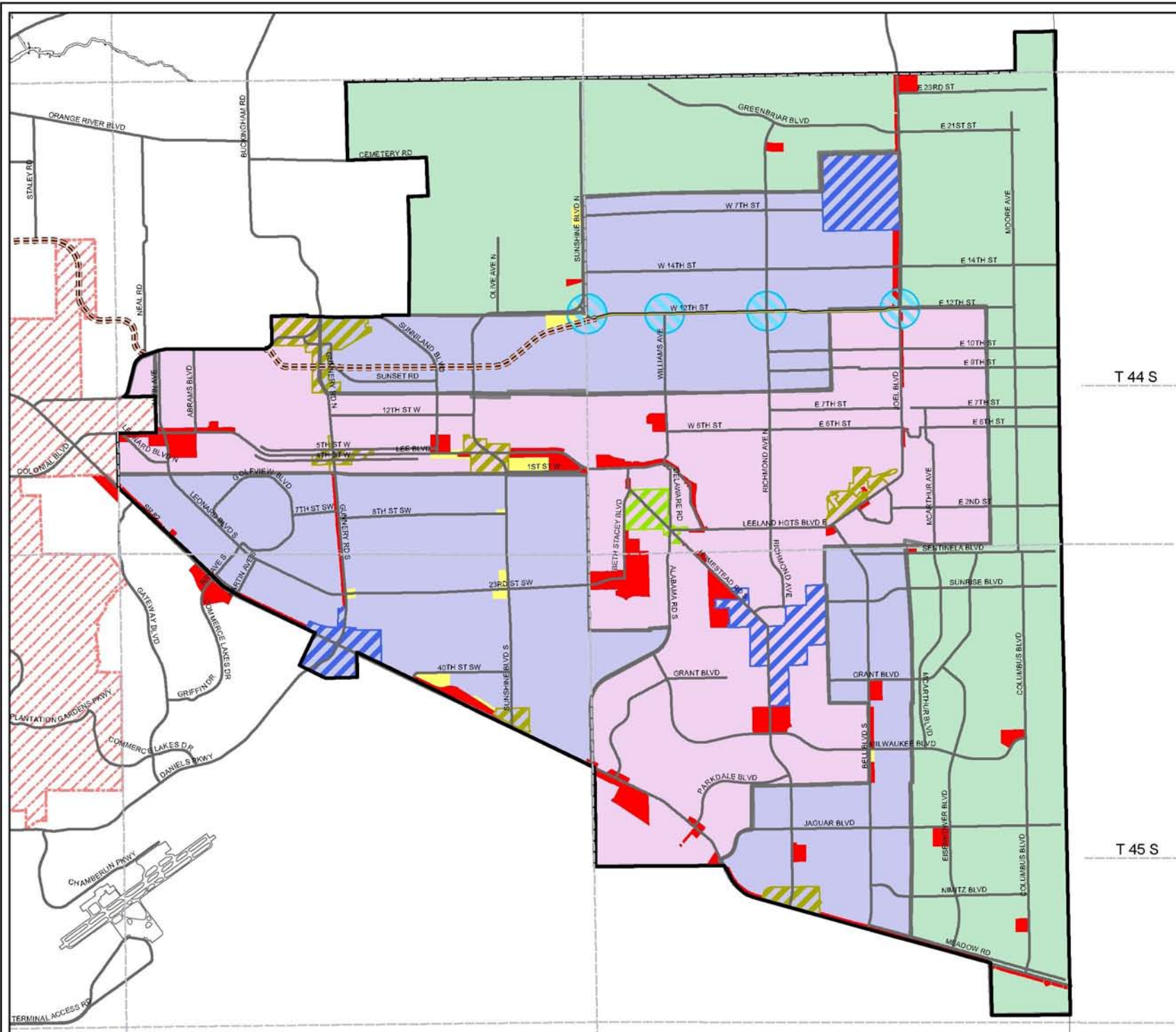


TABLE 1(b)
Year 2030 Allocations

Future Land Use Classification		Lee County Totals	Alva	Boca Grande	Bonita Springs	Fort Myers Shores	Burnt Store	Cape Coral	Captiva	Fort Myers	Fort Myers Beach	Gateway/ Airport	Daniels Parkway
Residential By Future Land Use Category	Intensive Development	1,367	0	0	0	20	0	27	0	250	0	0	0
	Central Urban	14,787	0	0	0	225	0	0	0	230	0	0	0
	Urban Community	18,425	520	485	0	637	0	0	0	0	0	0	0
	Suburban	16,623	0	0	0	1,810	0	0	0	85	0	0	0
	Outlying Suburban	4,105	30	0	0	40	20	2	500	0	0	0	1,700
	Sub-Outlying Suburban	1,548	0	0	0	367	0	0	0	0	0	0	0
	Industrial Development	79	0	0	0	0	0	0	0	39	0	20	0
	Public Facilities	1	0	0	0	0	0	0	1	0	0	0	0
	University Community	850	0	0	0	0	0	0	0	0	0	0	0
	Destination Resort Mixed Use Water Dependent	8	0	0	0	0	0	0	0	0	0	0	0
	Burnt Store Marina Village	4	0	0	0	0	4	0	0	0	0	0	0
	Industrial Interchange	0	0	0	0	0	0	0	0	0	0	0	0
	General Interchange	42	0	0	0	0	0	0	0	0	0	0	2
	General/Commercial Interchange	0	0	0	0	0	0	0	0	0	0	0	0
	Industrial/Commercial Interchange	0	0	0	0	0	0	0	0	0	0	0	0
	University Village Interchange	0	0	0	0	0	0	0	0	0	0	0	0
	New Community	900	0	0	0	0	0	0	0	0	0	900	0
	Airport	0	0	0	0	0	0	0	0	0	0	0	0
	Tradeport	9	0	0	0	0	0	0	0	0	0	9	0
	Rural	8,313	1,948	0	0	1,400	636	0	0	0	0	0	1,500
	Rural Community Preserve	3,100	0	0	0	0	0	0	0	0	0	0	0
	Coastal Rural	1,300	0	0	0	0	0	0	0	0	0	0	0
	Outer Islands	202	5	0	0	1	0	0	150	0	0	0	0
	Open Lands	2,805	250	0	0	0	590	0	0	0	0	0	120
Density Reduction/Groundwater Resource	6,905	711	0	0	0	0	0	0	0	0	94	0	
Conservation Lands Uplands	0	0	0	0	0	0	0	0	0	0	0	0	
Wetlands	0	0	0	0	0	0	0	0	0	0	0	0	
Conservation Lands Wetlands	0	0	0	0	0	0	0	0	0	0	0	0	
Total Residential	81,373	3,464	485	0	4,500	1,250	29	651	604	0	1,023	3,322	
Commercial	12,793	57	52	0	400	50	17	125	150	0	1,100	440	
Industrial	13,801	26	3	0	400	5	26	0	300	0	3,100	10	
Non Regulatory Allocations													
Public	82,252	7,100	421	0	2,000	7,000	20	1,961	350	0	7,500	2,416	
Active Agriculture	17,027	5,100	0	0	550	150	0	0	0	0	0	20	
Passive Agriculture	45,859	13,549	0	0	2,500	109	0	0	0	0	1,491	20	
Conservation (wetlands)	81,948	2,214	611	0	1,142	3,236	133	1,603	748	0	2,809	1,719	
Vacant	22,122	1,953	0	0	226	931	34	0	45	0	300	20	
Total	357,175	33,463	1,572	0	11,718	12,731	259	4,340	2,197	0	17,323	7,967	
Population Distribution*	495,000	5,090	1,531	0	30,861	3,270	225	530	5,744	0	11,582	16,488	

* Population for Unincorporated Area of Lee County

TABLE 1(b)
Year 2030 Allocations

Future Land Use Classification		Iona/ McGregor	San Carlos	Sanibel	South Fort Myers	Pine Island	Lehigh Acres	Southeast Lee County	North Fort Myers	Buckingham	Estero	Bayshore
Residential By Future Land Use Category	Intensive Development	0	0	0	660	3	42	0	365	0	9	0
	Central Urban	375	17	0	3,140	0	8,179 8,200	0	2,600	0	0	0
	Urban Community	850	1,000	0	860	500	13,013	0	0	110	450	0
	Suburban	2,488	1,975	0	1,200	675	0	0	6,690	0	1,700	0
	Outlying Suburban	377	0	0	0	600	0	0	382	0	454	0
	Sub-Outlying Suburban	0	25	0	0	0	0	0	140	66	0	950
	Industrial Development	5	5	0	10	0	0	0	0	0	0	0
	Public Facilities	0	0	0	0	0	0	0	0	0	0	0
	University Community	0	850	0	0	0	0	0	0	0	0	0
	Destination Resort Mixed Use Water Dependent	8	0	0	0	0	0	0	0	0	0	0
	Burnt Store Marina Village	0	0	0	0	0	0	0	0	0	0	0
	Industrial Interchange	0	0	0	0	0	0	0	0	0	0	0
	General Interchange	0	0	0	0	0	0	15	7	0	6	12
	General/Commercial Interchange	0	0	0	0	0	0	0	0	0	0	0
	Industrial/Commercial Interchange	0	0	0	0	0	0	0	0	0	0	0
	University Village Interchange	0	0	0	0	0	0	0	0	0	0	0
	New Community	0	0	0	0	0	0	0	0	0	0	0
	Airport	0	0	0	0	0	0	0	0	0	0	0
	Tradeport	0	0	0	0	0	0	0	0	0	0	0
	Rural	0	90	0	0	190	14	0	500	50	635	1,350
	Rural Community Preserve	0	0	0	0	0	0	0	0	3,100	0	0
	Coastal Rural	0	0	0	0	1,300	0	0	0	0	0	0
	Outer Islands	1	0	0	0	45	0	0	0	0	0	0
	Open Lands	0	0	0	0	0	0	0	45	0	0	1,800
Density Reduction/Groundwater Resource	0	0	0	0	0	0	4,000	0	0	0	2,100	
Conservation Lands Uplands	0	0	0	0	0	0	0	0	0	0	0	
Wetlands	0	0	0	0	0	0	0	0	0	0	0	
Conservation Lands Wetlands	0	0	0	0	0	0	0	0	0	0	0	
Total Residential		4,104	3,962	0	5,870	3,313	21,248 24,269	4,015	10,729	3,326	3,254 3,245	6,212
Commercial		1,100	1,944	0	2,100	226	1,420	68	1,687	18	1,700	139
Industrial		320	450	0	900	64	300	7,246	554	5	87	5
Non Regulatory Allocations												
Public		3,550	3,059	0	3,500	2,100	15,289	12,000	4,000	1,486	7,000	1,500
Active Agriculture		0	0	0	0	2,400	0	7,171	200	411	125	900
Passive Agriculture		0	0	0	0	815	0	18,000	1,556	3,619	200	4,000
Conservation (wetlands)		9,306	2,969	0	188	14,767	1,541	31,359	1,317	336	5,068	882
Vacant		975	594	0	309	3,781	8,106 8,085	470	2,060	1,000	800 -809	530
Total		19,355	12,978	0	12,867	27,466	47,904	80,329	22,103	10,201	18,234	14,168
Population Distribution*		34,538	36,963	0	58,363	13,265	164,699	1,270	70,659	6,117	25,395	8,410

* Population for Unincorporated Area of Lee County

164,517

25,577



Lee County Board of County Commissioners
 Department of Community Development
 Division of Planning
 Post Office Box 398
 Fort Myers, FL 33902-0398
 Telephone: (239) 533-8585
 FAX: (239) 485-8344

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D: _____ REC'D BY: _____

APPLICATION FEE: _____ TIDEMARK NO: _____

THE FOLLOWING VERIFIED:

Zoning Commissioner District
 Designation on FLUM

(To be completed by Planning Staff)

Plan Amendment Cycle: Normal Small Scale DRI Emergency

Request No: _____

APPLICANT – PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Up to 90 additional copies will be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages. Staff will notify the applicant prior to each hearing or mail out.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

Laura DeJohn
 Signature of Owner or Authorized Representative

12-20-13
 Date

Laura DeJohn, AICP
 Printed Name of Owner or Authorized Representative

I. APPLICANT/AGENT/OWNER INFORMATION

Applicant: Focus Development Group, LLC c/o Jeffery A. Graef, Managing Member

Address: 3960 Airport Road, Suite 9

City, State, Zip: Boca Raton, Florida

Phone Number: (561) 755-7170

Fax Number: (561) 948-2100

Email: jgraef@focusdevelopmentgroup.com

Agent*: Steven C. Hartsell, Esq.

Address: PO Drawer 1507

City, State, Zip: Fort Myers, Florida 33902

Phone Number: (239) 336-6244

Fax Number: _____

Email: stevehartsell@paveselaw.com

Owner(s) of Record: Appalachian Oil Company

Address: 12734 Kenwood Lane, Suite 35

City, State, Zip: Fort Myers, Florida 33907

Phone Number: (239) 278-5900

Fax Number: (239) 278-3179

Email: _____

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

Laura DeJohn, AICP. Johnson Engineering, Inc. 2122 Johnson Street, Fort Myers, FL. 33901 239-334-0046. ldejohn@johnsoneng.com

Ted B Treesh. TR Transportation Consultants, Inc. 2726 Oak Ridge Ct. Suite 503, Fort Myers, FL 33901. 239-292-6746. tbt@trtrans.net

* This will be the person contacted for all business relative to the application.

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

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. An additional set of mailing labels is required if your request includes a change to the Future Land Use Map (Map 1, page 1). 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):

The Applicant seeks to change the Subject Parcel's designation on the Future Land Use Map from General Interchange to Intensive Development, and to amend Table 1(b) accordingly, in order to allow for 136 multifamily dwelling units with a density of 15.87 dwelling units per acre.

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

A. Property Location:

1. Site Address: 10471 Corkscrew Commons Drive, Estero, FL 33928

2. STRAP(s): 35-46-25-30-00000.0020

B. Property Information:

Total Acreage of Property: 8.57

Total Acreage included in Request: 8.57

Total Uplands: 8.57

Total Wetlands: 0

Current Zoning: CPD

Current Future Land Use Designation: General Interchange

Area of each Existing Future Land Use Category: 8.57 acres

Existing Land Use: Vacant

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: N/A

Airport Noise Zone 2 or 3: N/A

Acquisition Area: N/A

Joint Planning Agreement Area (adjoining other jurisdictional lands): N/A

Community Redevelopment Area: N/A

D. Proposed change for the subject property:

Proposed change to Intensive Development Future Land Use designation.

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density	N/A
Commercial intensity	Development Order approved for 60,211 s.f. of retail and 7,454 s.f. of restaurant.
Industrial intensity	N/A

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density	119 units at 14 du/acre, 188 units at 22 du/acre with bonus density
Commercial intensity	Development Order approved for 60,211 s.f. of retail and 7,454 s.f. of restaurant.
Industrial intensity	N/A

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats.)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
2. Provide a current Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Provide a proposed Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
4. Map and describe existing land uses (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.

5. Map and describe existing zoning of the subject property and surrounding properties.
6. The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.
7. A copy of the deed(s) for the property subject to the requested change.
8. An aerial map showing the subject property and surrounding properties.
9. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);
- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;

- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediate development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
 - b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;
Projected 2030 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);
 - c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
 - d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.
2. Provide an existing and future conditions analysis for (see Policy 95.1.3):
 - a. Sanitary Sewer
 - b. Potable Water
 - c. Surface Water/Drainage Basins
 - d. Parks, Recreation, and Open Space
 - e. Public Schools.

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

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;
- Projected 2030 LOS under existing designation;
- Projected 2030 LOS under proposed designation;
- Existing infrastructure, if any, in the immediate area with the potential to serve the subject property.
- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).
- Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water.

In addition to the above analysis for Potable Water:

- Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.
- Include the current demand and the projected demand under the existing designation, and the projected demand under the proposed designation.

- Include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.
 - Include any other water conservation measures that will be applied to the site (see Goal 54).
3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
 - a. Fire protection with adequate response times;
 - b. Emergency medical service (EMS) provisions;
 - c. Law enforcement;
 - d. Solid Waste;
 - e. Mass Transit; and
 - f. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating the property boundaries on the Flood Insurance Rate Map effective August 2008.
5. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
6. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2030 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)
 - a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
 - b. Provide data and analysis required by Policy 2.4.4,
 - c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.
2. Requests moving lands from a Non-Urban Area to a Future Urban Area
 - a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.
3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.
4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.

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.

Item 1: Fee Schedule

Map Amendment Flat Fee	\$2,000.00 each
Map Amendment > 20 Acres	\$2,000.00 and \$20.00 per 10 acres
Small Scale Amendment (10 acres or less)	\$1,500.00 each
Text Amendment Flat Fee	\$2,500.00 each

AFFIDAVIT

I, Jeffrey A. Graef, Managing Member, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

FOCUS DEVELOPMENT GROUP, LLC

Signature of Applicant

12/16/13

Date

Jeffrey A. Graef, Managing Member

Printed Name of Applicant

STATE OF
COUNTY OF

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 12/16/13 (date) by Jeffrey A. Graef (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

Signature of Notary Public

(Name typed, printed or stamped)



ERIC L. GLAZER
MY COMMISSION # EE 007011
EXPIRES: November 7, 2014
Bonded Thru Budget Notary Services



26-46-25-00-00001.0000
LEE COUNTY DIST SCHOOL BOARD
2855 COLONIAL BLVD
FORT MYERS, FL 33966

35-46-25-32-00000.0010
CORKSCREW OF ESTERO LLC
HARVERY SHELDON ADVANCED INS
3250 N 29TH AVE
HOLLYWOOD, FL 33020

35-46-25-30-00000.0050
RIB CITY ESTERO INC
1342 COLONIAL BLVD STE B10
FORT MYERS, FL 33907

35-46-25-32-0000F.0000
ARGONAUT HOLDINGS INC
200 RENAISSANCE MC 482-B38-C96
DETROIT, MI 48265

35-46-25-30-00000.0060
SOUTHERN MANAGEMENT CORP
324 SW 16TH ST
BELLE GLADE, FL 33430

35-46-25-34-00000.011R
APPALACHIAN OIL CORP
8534 E KEMPER RD
CINCINNA TI, OH 45249

35-46-25-30-00000.0070
CCB VILLC
11628 OLD BALLAS RD STE 200
CREVE COEUR, MO 63141

35-46-25-34-00000.0 12R
RLJ III - EM FORT MYERS LLC
3 BETHESDA METRO CENTER # 1000
BETHESDA, MD 20814

35-46-25-30-00000.0130
RLJ III - EM FORT MYERS LLC
3 BETHESDA METRO CENTER # 1000
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ESTERO INTERSTATE COMMERCE
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FORT MYERS, FL 33907

35-46-25-30-000L 1.00CE
ESTERO INTERSTATE COMMERCE
12734 KENWOOD LANE STE 35
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17 RIDGE DR
NAPLES, FL 34108

35-46-25-30-000C 1.00CE
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FORT MYERS, FL 33907

35-46-25-30-00000.004A
GINLAR PROPERTIES LLC
4631 GLENEAGLES LINKS CT
ESTERO, FL 33928

RECEIVED
FEB 20 2014
COMMUNITY DEVELOPMENT





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ESTERO, FL 33928

2013-00008

RECEIVED
FEB 20 2014
COMMUNITY DEVELOPMENT





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35-46-25-30-000L 1.00CE
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4631 GLENEAGLES LINKS CT
ESTERO, FL 33928



C:\2013\20139560-000\Surveying\Sketches\20139560 - Lots 2-4 Sketch.dwg (BX11-SHEET2) tjd Feb 06, 2014 - 9:01am

TRACT C-1
35-46-25-30-000C1.00CE
(OR 1454, PG 1828)

LOT 13
35-46-25-30-00000.0130
(INSTR. NO. 2010000160894)

(35' WIDE RIGHT-OF-WAY)

LOT 10
35-46-25-34-00000.012R
(INSTR. NO. 2010000160894)

R=282.50'
L=155.07'
C=153.13'
CB=N21°30'35"E
Δ=31°27'05"

LOT 5
35-46-25-30-00000.0050
(INSTR. NO. 2011000076823)

LOT 1
26-46-25-30-00000.0010
(INSTR. NO. 2006000164065)

PLATTED LOT LINE
PART OF LOT 2
N89°32'48"E 287.76'

R=90.00'
L=82.88'
C=79.98'
CB=N32°09'54"E
Δ=52°45'37"

PART OF LOT 2

S89°44'18"W 397.61'
PLATTED LOT LINE
LOT 2
LOT 3

LOT 3
ESTERO COMMERCE INTERSTATE PARK
(PLAT BOOK 73, PAGES 11 & 12)

35-46-25-30-00000.0020
(OR 1454, PG 1828)

S89°45'15"W 465.78'
PLATTED LOT LINE
LOT 3
LOT 4

PART OF LOT 4

35-46-25-30-00000.004A
(OR 1454, PG 1828)

PLATTED LOT LINE
LOT 4
LOT 5

S77°38'13"W 189.33'

POC DESC.
NE CORNER LOT 2
S09°40'27"E
50.65'
POB DESC.



INTERSTATE 75

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF ESTERO INTERSTATE PARK (PLAT BOOK 73, PAGES 11 & 12)
2. THIS SKETCH DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON THE SUBJECT PARCEL.
3. PARCEL CONTAINS 373,375 SQUARE FEET OR 8.57 ACRES, MORE OR LESS.
4. DESCRIPTION ATTACHED, SEE SHEET 2 OF 2.

THIS IS NOT A SURVEY

MICHAEL W. NORMAN (FOR THE FIRM LB-642)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 4500

DATE SIGNED: **FEB 06 2014**
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

SKETCH TO ACCOMPANY DESCRIPTION

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
02/03/14	20139560	35-46-25	1"=120'	1 OF 2



February 3, 2014

DESCRIPTION

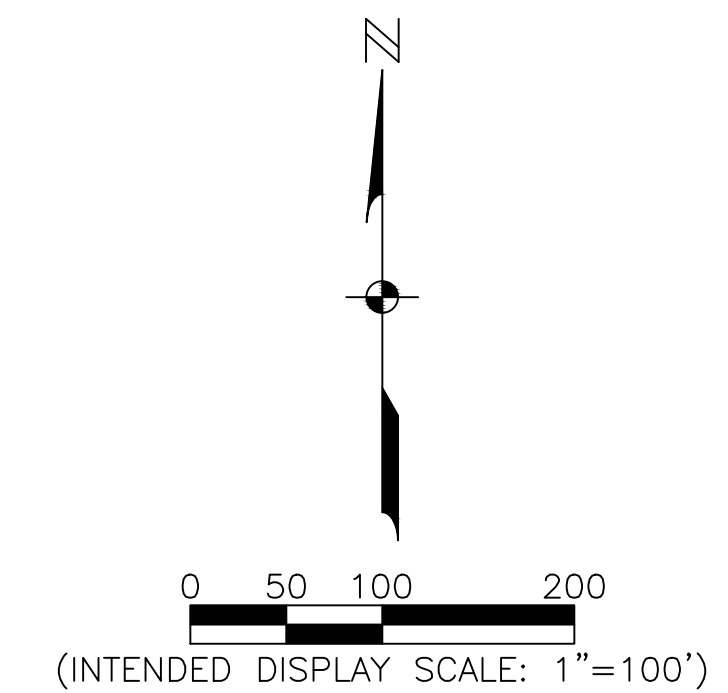
**PART OF LOT 2, LOT 3 AND PART OF LOT 4
ESTERO INTERSTATE COMMERCE PARK
PLAT BOOK 73, PAGES 11-12, PUBLIC RECORDS OF LEE COUNTY, FLORIDA
SECTION 35, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA**

A tract or parcel of land being part of Lot 2, all of Lot 3 and Part of Lot 4, Estero Interstate Commerce Park, recorded in Plat Book 73, Pages 11 and 12, Public Records of Lee County, Florida, lying in Section 35, Township 46 South, Range 25 East, Lee County, Florida, being more particularly described as follows:

Commencing at the northeast corner of Lot 2 of said plat; thence South 09° 40' 27" East along the east line of said plat 50.65 feet to an intersection with a line that is 50.00 feet south of (as measured on a perpendicular) and parallel with the north line of said Lot 2 and the Point of Beginning.

From said Point of Beginning the following bearings and distances along the east and south line of said plat: South 09° 40' 27" East for 25.16 feet; South 08° 13' 36" East for 409.51 feet; South 06° 33' 40" East for 298.39 feet; South 32° 35' 13" West for 272.20 feet; South 77° 38' 13" West for 189.33 feet; thence North 16° 44' 06" West departing the south line of said plat, for 266.39 feet; thence North 61° 44' 29" West for 138.63 feet to an intersection with a non-tangent curve being the east right-of-way line of Corkscrew Commons Drive (35 feet wide); thence northeasterly along said curved east right-of-way to the left of radius 282.50 feet (delta 31° 27' 05") (chord bearing North 21° 30' 35" East) (chord 153.13 feet) for 155.07 feet; thence North 05° 47' 04" East along said east right-of-way for 465.59 feet to a point of curvature; thence northeasterly along said easterly curved right-of-way to the right of radius 90.00 feet (delta 52° 45' 37") (chord bearing North 32° 09' 54" East) (chord 79.98 feet) for 82.88 feet to an intersection with a line that is 50.00 feet south of (as measured on a perpendicular) and parallel with the north line of said Lot 2; thence North 89° 32' 48" East departing said easterly right-of-way and along said line for 287.79 feet to the Point of Beginning.

Bearings mentioned hereon are based on the west line of Lot 2, of Estero Interstate Commerce Park, recorded in Plat Book 73, Pages 11-12, Public Records of Lee County, Florida to bear North 05° 47' 04" East.



FLUCFCS CODE	DESCRIPTION	USACOE STATUS	STATE STATUS
740	Previously Cleared (Permitted) Disturbed Land	N	N
742	Stormwater Management Pond	OSW	OSW

LEGEND	
N	NON JURISDICTIONAL
	EXISTING SFWMD CONSERVATION EASEMENT
OSW	OTHER SURFACE WATER

- NOTES:
1. NOMENCLATURE AND DELINEATIONS AS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATIONS SYSTEMS (FLUCFCS), (FDOT, 1999).
 2. THE FLUCFCS LINES AND ACREAGES HAVE BEEN ESTIMATED FROM A 2013 MRSID DIGITAL AERIAL IMAGE AND ARE APPROXIMATE.
 3. PREVIOUS CLEARING AND FILLING PERMITTED UNDER SFWMD PERMIT NO. 36-03865-P AND LEE COUNTY DOS2000-00045.
 4. EXISTING CONSERVATION WASEMENT GRANTED TO THE SFWMD AND RECORDED IN LEE COUNTY, OR BK 03535 PG. 1227.
 5. THERE ARE NO JURISDICTIONAL WETLANDS, AQUIFER RECHARGE AREAS, OR RARE & UNIQUE UPLANDS LOCATED OUTSIDE OF THE CONSERVATION EASEMENT.

REVISIONS	DESCRIPTION	DATE
NO.		

DATE: DECEMBER 2013
PROJECT NO. 20139560-000
FILE NO. 35-46-25
SCALE: 1" = 100'

FLUCFCS MAP

SHEET NUMBER

EXHIBIT 22 & 23

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned does hereby swear or affirm that he is the fee simple title holder and owner of record of the fee simple title holders and owners of record of property commonly known as 35-46-25-30-00000.0020 / 10471 Corkscrew Commons Drive, Estero, FL 33928.

The property described herein is the subject of an application for zoning and comprehensive plan amendment. I hereby designate Jeffrey A. Graef, Managing Member, Focus Development LLC to act as applicant and Steve Hartsell, Pavese Law Firm and Johnson Engineering, Inc. to act as agents in the course of seeking the necessary approvals. This authority includes but is not limited to assisting in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and comprehensive plan amendment approval on the site.

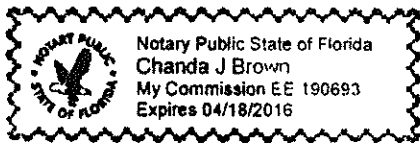
Appalachian Oil Corp

Patricia Carroll
Owner (signature)

PATRICIA CARROLL
Printed Name, Title

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 2/11/2014 (date) by Pat Carroll (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.



Chanda J Brown
Signature of Notary Public
Chanda J Brown

**Focus Development Group Estero Apartments
Comprehensive Plan Amendment**

Exhibit IV.B.2.

Existing and Future Conditions Analysis

WATER

Existing Conditions

Presently Lee County Utilities owns a 10-inch water main that is located along the east side of Corkscrew Commons Drive.

Plant Capacity

The Corkscrew Water Treatment Plant serves the project site. Presently this plant is designed for 15 Million Gallons per Day (MGD) of production. Per the Lee County Concurrency Report (2011), the projected Peak Month Daily usage is approximately 8.7 MGD. Therefore, there is an estimated surplus capacity of 6.3 MGD.

The existing South Florida Water Management District (SFWMD) consumptive water use permit #36-00003-W (which covers the Olga, Green Meadows and Corkscrew plants) states that the permitted allocation is 30.37 MGD of raw water during a maximum month. Per the Lee County Concurrency Report, a total of 17.3 MGD of finished water was actually produced by the three water treatment plants during 2010.

Future Conditions

For this project, the ideal connection point(s) would be along Corkscrew Commons Drive. It is recommended to loop the water main internally or externally to allow for redundancy within the system.

The Factors shown within Table 1 are provided from Lee County Utilities Operations Manual.

Table 1: Proposed Water and Wastewater Flows

Unit Type	Units	Factor (GPD/Unit)	Average Daily Flow (GPD)	Average Daily Flow (GPM)	Peak Factor	Peak Day Flow (GPM)
Multi-family	136	200	27,200	19	3.5	66

Minimum Level of Service

As stated within “The Lee Plan,” (Policy 95.1.3)

Minimum Acceptable Level of Service (LOS):

Within certificated, franchised, or designated service areas only: supply and treatment capacity of 250 gallons per day per Equivalent Residential Connection (ERC) for the peak month, except that facilities serving only mobile home residential structures must have a capacity of 187.5 gallons per day, and facilities serving only travel trailer residential structures must have a capacity of 150

**Focus Development Group Estero Apartments
Comprehensive Plan Amendment**

Exhibit IV.B.2.

Existing and Future Conditions Analysis

gallons per day. Where a private water utility has provided an alternate standard for application within its certificated or franchised area, and that standard has been adopted into this comprehensive plan, that will be the standard to be used for concurrency management in the respective certificated or franchised area.

Presently the County meets the minimum LOS for the Green Meadows Water Treatment Plant, there is a surplus of 25,200 ERC's of additional flow based on 6.3 MGD of available capacity. Per the 'Bureau of Economic Business Research' Lee County is projected to grow by approximately 50% by 2030 in population.

The anticipated 27,200 GPD for this project adds approximately 109 ERC to the treatment facility. It appears that the present plant capacity should be able to accommodate this project.

SANITARY SEWER

Existing Conditions

Presently Lee County Utilities owns the gravity sewer system that is laid along Corkscrew Commons Drive and is directed south to Lift Station 7795. Flow from this lift station is directed to the west along Corkscrew and then north on Three Oaks Parkway, ultimately discharging into the Three Oaks Wastewater Treatment Plant (WWTP)

Future Conditions

It is recommended to core a hole into one of the existing manholes along Corkscrew Commons Drive and extend the gravity sewer onsite. Based on testing performed on Lift Station 7795 from June 10, 2013 through June 17, 2013 it appears there is sufficient capacity to direct the 66 GPM to this station.

Minimum Level of Service

As stated within "The Lee Plan," (Policy 95.1.3)

Minimum Acceptable Level of Service:

Within certificated, franchised, or designated service areas only: average treatment and disposal capacity of 200 gallons per day per Equivalent Residential Connection (ERC) for the peak month, except that facilities serving only mobile home residential structures must have a capacity of 150 gallons per day, and facilities serving only travel trailer residential structures must have a capacity of 120 gallons per day. Where a private sewer utility has provided an alternate standard for application within its certificated or franchised area, and that standard has been adopted into this comprehensive plan, that will be the standard to be

**Focus Development Group Estero Apartments
Comprehensive Plan Amendment**

Exhibit IV.B.2.

Existing and Future Conditions Analysis

used for concurrency management in the respective certificated or franchised area.

Presently the County meets the minimum LOS for the Three Oaks WWTP; there is a surplus of 16,000 ERC's (3.2 MGD) of additional flow based on 6.0 MGD minus 2.8 MGD (per projections in Lee County Concurrency Report 2012) of available capacity.

The anticipated 27,200 GPD for this project adds approximately 109 ERC to the treatment facility. It appears that the present plant capacity should be able to accommodate this project.

RECLAIMED WATER

Presently there is a recorded Agreement for the Delivery and Use of Reclaimed Effluent Water (Instrument# 2007000343669, Page 18) to this subject property. This agreement states that Lee County will provide an average of 0.006 MGD to the point of delivery located on the south end of the subject property.

SURFACE WATER/DRAINAGE BASINS

An exhibit showing historic and current flowways is provided as Exhibit 24 with the CPD Amendment Application that is filed concurrently with this Comprehensive Plan Amendment Application. The subject site is located where a master surface water management system has been permitted previously by the South Florida Water Management District.

Environmental Resource Permit (ERP) 36-03865-P was approved in October 2000 under application number 991105-27. This permit approved construction of a master surface water management system serving the entire 47.5 acre project known as Estero Interstate Commerce Park. The master surface water management system provides the necessary water quality and attenuation for the entire 47.5 acre project. Each individual lot is limited to a maximum impervious cover of 70%. In addition, each lot is required to provide at least 1/2" of onsite dry pretreatment prior to discharging into the backbone system. For parcels exceeding the 70% threshold, full onsite water quality and attenuation will be required for the additional impervious cover.

A subsequent modification to ERP 36-03865-P was approved under application number 070320-20 for the subject 8.57 acre site to accommodate a proposed retail center that has not been constructed. The proposed project will supersede the modifications proposed in application number 070320-20.

**Focus Development Group Estero Apartments
Comprehensive Plan Amendment**

Exhibit IV.B.2.

Existing and Future Conditions Analysis

ERP 36-03865-P will be modified to accommodate the proposed multifamily development and will meet all the requirements of the existing ERP. Modification of the ERP will include submitting calculations which show the project will provide the required on-site dry pretreatment prior to discharge into the master surface water management system (master system). The proposed project will not exceed the maximum 70% impervious surface as required by the existing ERP. The existing master system provides the required attenuation of the 25 year 3 day storm event and therefore discharge from the proposed project is not limited prior to conveyance to the master system.

The existing ERP also provides the following stipulation for projects exceeding the 70% impervious coverage. "For parcels exceeding the 70% threshold, full onsite water quality and attenuation will be required for the additional impervious cover." The proposed project will either be constructed within the allowable impervious coverage or provide the additional treatment as required by the permit.

The project will also be designed meet all design elevations permitted in ERP 36-03865-P. The following table provides the flood stages and design elevations of the permit.

FLOOD PROTECTION REQUIREMENTS

ROAD & PARKING LOT DESIGN:

5 YR-1 DAY RAINFALL (IN.)	5.20
5 YR-1 DAY FLOOD STAGE (FT. NGVD)	16.48
MIN. ROAD CENTERLINE ELEVATION (FT. NGVD)	17.60
MIN. PARKING CROWN ELEVATION (FT. NGVD)	17.60

PERIMETER GRADING DESIGN:

25 YR-3 DAY RAINFALL (IN.)	10.87
25 YR-3 DAY FLOOD STAGE (FT. NGVD)	17.26
MIN. PERIMETER GRADE ELEVATION	17.50

BUILDING FINISH FLOOR DESIGN:

100 YR-3 DAY RAINFALL (IN.)	13.45
100 YR-3 DAY FLOOD STAGE	17.78
MIN. FINISH FLOOR ELEVATION (FT. NGVD)	19.50

PARKS, RECREATION AND OPEN SPACE

Existing Condition – Regional Parks

The surrounding community has adequate levels of service related to parks and recreation. Specific community facilities available and adequate to serve the project exist within close proximity, including: Estero Community Park within 1.4 miles, and schools that provide opportunity for recreation including Pinewoods

**Focus Development Group Estero Apartments
Comprehensive Plan Amendment**

Exhibit IV.B.2.

Existing and Future Conditions Analysis

Elementary School within 2.1 miles, Bonita Springs Charter Middle School within 6.9 miles, and Estero High School within 2.1 miles.

Policy 95.1.3 of the Lee Plan establishes minimum acceptable level of service standards for regional parks at 6 acres of developed regional park land open for public use per 1,000 total seasonal county population. The 2013 estimated functional population of Lee County was 759,173 based on BEBR Estimates. At that functional population estimate, the need for regional park acreage to meet minimum level of service standards calculates to 4,555.04 acres.

According to the Lee County 2013 Concurrency Report, there are 7,220 acres of existing Regional Parks currently operated by the County, City, State and Federal governments.

Minimum level of service standards are currently met and exceeded for Regional Parks.

Future Condition – Regional Parks

The proposed addition of 136 dwelling units with up to 2.34 persons per household (*source*: BEBR estimated persons per household for Lee County, 2013) is equivalent to a need of 1.92 acres of Regional Park. This persons per household factor is conservative given the development is proposed to contain approximately 44 one-bedroom units (or 32% to be one-bedroom units), which are likely to accommodate one or two persons per household.

The proposed Estero Apartments calculates to a regional park need of 1.92 acres, so the existing facilities are more than adequate to satisfy the level of service needed for the proposed development. The existing supply shall meet the minimum level of service standard as well as the “Desired Future Level of Service Standard” for the population through 2018, as stated in the 2013 Lee County Concurrency Report.

Existing Condition – Community Parks and Recreation Centers

Policy 95.1.3 of the Lee Plan establishes minimum acceptable level of service standard for community parks at 0.8 acres of developed standard community parks open for public use per 1,000 permanent population, unincorporated county only. The subject site is within the Estero/San Carlos/Three Oaks Community Park Benefit District. The 2013 Lee County Concurrency Report lists Estero Community Park and Rec Center, Karl Drews Community Center and Park, San Carlos Pool, and Three Oaks Community Park, totaling 113 acres within this Benefit District. Also listed are two existing community parks jointly used with the School District: Estero High School and San Carlos Elementary School, totaling 19 acres. The cumulative total of 132 acres is approximately triple the minimum level of service requirement for the Benefit District.

**Focus Development Group Estero Apartments
Comprehensive Plan Amendment**

Exhibit IV.B.2.

Existing and Future Conditions Analysis

The Estero Community Park located within 1.4 miles of the subject site encompasses 65 acres. At 65 acres, Estero Community Park is adequate to serve a population of up to 81,250 permanent residents according to the minimum level of service standard.

Within the Census-designated boundary for Estero, the 2010 permanent population was 22,612, which generated a minimum community park demand equivalent to 18.09 acres based on LOS of 0.8 acres per 1,000 permanent population.

The Estero Community Park contains a 40,000 square foot community recreation center. Objective 83.2 of the Lee Plan states that Lee County will provide four Community Recreation Centers of 25,000 square feet or more to provide for the need of unincorporated Lee County residents. The recreation center at Estero Community Park is an adequate facility, well exceeding the minimum size by 15,000 square feet.

Future Condition – Community Parks and Recreation Centers

The Estero Planning Community population distribution per Table 1(b) Year 2030 Allocations is 25,395, which generates a minimum community park demand of 20.32 acres. The proposed addition of 136 dwelling units with up to 2.34 persons per household (*source*: BEBR estimated persons per household for Lee County, 2013) is equivalent to a need of 0.26 acres of Community Park. This persons per household factor is conservative given the development is proposed to contain approximately 44 one-bedroom units (or 32% to be one-bedroom units), which are likely to accommodate one or two persons per household.

The Estero Community Park exceeds minimum level of service standards for community parks for the Planning Community of Estero by over 20 acres. The proposed Estero Apartments calculates to a community park need of 0.26 acres, so the existing facilities are more than adequate to satisfy the level of service needed for the proposed development.

The recreation center at Estero Community Park satisfies the community's need for a recreation center and exceeds the minimum size by 15,000 square feet, therefore it should appropriately provide for the recreation center needs generated by the proposed 136 multifamily units.

The 2013 Lee County Concurrency Report reflects that the Estero/San Carlos/Three Oaks Community Park Benefit District has resources to meet the minimum level of service standards, as well as the "Desired Future Level of Service Standard" for Community Parks through 2018, and those resources will accommodate additional population well into the future.

**Focus Development Group Estero Apartments
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Exhibit IV.B.2.

Existing and Future Conditions Analysis

In addition to the above referenced public park and recreation facilities, an area of 3.43 acres, or 40% of the subject site, will be Open Space that residents will be able to access on site.

PUBLIC SCHOOLS

A letter to Lee County dated January 13, 2014 determining the adequacy of school facilities for the subject property was issued by The School District of Lee County, indicating the level of service is adequate to accommodate school children of the proposed 136-unit multifamily development.



Estero Fire Rescue
21500 Three Oaks Parkway
Estero, Florida 33928
(239) 390.8000
(239) 390.8020 (Fax)
www.esterofire.org

December 30, 2013

Lisa Baughman,
Johnson Engineering, Inc.
2122 Johnson Street
P.O. Box 1550
Fort Myers, Florida 33902

Re: Letter of Availability

Ms. Baughman,

This letter will serve as evidence that Estero Fire Rescue is the service provider for fire suppression services for the property located at 10471 Corkscrew Commons Drive.

This letter will also serve as notice that Estero Fire Rescue has adequate facilities in order to provide the services at this location.

Should you have any questions feel free to contact me at 239-390-8000.

Respectfully,

Phillip Green
Division Chief of Prevention



LEE COUNTY
SOUTHWEST FLORIDA
BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

January 13, 2014

Cecil L. Pendergrass
District Two

**Lisa Baughman
Johnson Engineering
2122 Johnson St.
Fort Myers, FL 33902**

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Re: Letter of Service Availability

Roger Desjarlais
County Manager

Ms. Baughman,

Richard Wm. Wesch
County Attorney

I am in receipt of your letter dated Dec. 20, 2013, requesting a Letter of Service Availability for the development of property at 10471 Corkscrew Commons Drive.

Donna Marie Collins
Hearing Examiner

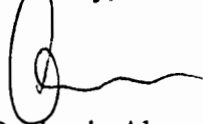
Lee County Emergency Medical Services is the primary EMS transport agency responsible for coverage at the address you have provided. Because we currently serve this area and have a sufficient response data sample, we modeled response times in this vicinity to simulate the anticipated demand and response.

The three primary ambulances to this address are Medic 21, located 0.9 miles south; Medic 25, located 3.1 miles northeast; and Medic 9, located 5.2 miles northwest. All three of these locations are projected to be able to meet existing service standards, as required in County Ordinance 08-16, and no additional impacts are anticipated at this time.

It is our opinion that the service availability for the proposed development of this property is adequate at this time. Should the plans change, specifically the density, a new analysis of this impact would be required.

If you have any questions, please contact me at (239) 533-3961.

Sincerely,



**Benjamin Abes
Deputy Chief, Operations
Division of Emergency Medical Services**

Mike Scott
Office of the Sheriff



State of Florida
County of Lee

Jan. 7, 2014

Lisa Baughman
Johnson Engineering
2122 Johnson St.
Fort Myers, FL 33901

Reference to Project: Estero Interstate Commerce Park CPD

Ms. Baughman,

The proposed amendment to change the land use designation of 8.57 acres within the Estero Planning Community with a street address of 10471 Corkscrew Commons Drive would not affect the ability of the Lee County Sheriff's Office to provide core levels of service at this time.

The change would permit the development of 136 multi-family units on property that was previously approved for retail and restaurant use.

Law enforcement services will be provided from our Delta District office in Bonita Springs. At the time of application for a development order, we request that the applicant provide a Crime Prevention Through Environmental Design (CPTED) report done by the applicant and given to the Lee County Sheriff's Office for review and comments.

Please address further correspondence to me at the address listed below. Please contact Kevin Farrell, Community Program Coordinator of the Crime Prevention Unit, at 477-1635 with any questions.

Respectfully,

Major Kathryn Rairden
Lee County Sheriff's Office
14750 Six Mile Cypress Parkway
Fort Myers, FL 33912





February 13, 2014

Johnson Engineering
Post Office Box 1550
Fort Myers, Florida 33902

RE: Trash Service
Estero Planning Community Comprehensive Plan Amendment – 10471 Corkscrew
Commons Drive

Dear Sir:

Please be advised that Waste Pro provides weekly trash and recycling service to 10471 Corkscrew Commons Drive, Estero, Florida. In addition, please be advised that Lee County Solid Waste Incinerator has sufficient capacity to dispose of solid waste.

Sincerely yours,

A handwritten signature in black ink that reads "Paul Flores". The signature is written in a cursive style with a large, sweeping initial "P".

Paul Flores
Division Manager
Waste Pro USA