ADD2014-00076 Lee County ePlan

WALDROP ENGINEERING
CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS

CYPRESS WALK (FKA COBBLESTONE)
DEVIATIONS & JUSTIFICATIONS NARRATIVE

REVISED JULY 2014

1. **Deviation from LDC Section 10-296(p)(1), which requires dead-end streets to be closed on one end by a circular turnaround, to allow for two (2) dead-end streets without circular turnarounds as shown on the site plan.**

   JUSTIFICATION: The two (2) proposed dead-end streets allow for appropriate vehicular access to the residential units, and are requested due to the unique configuration of the parcel boundary. The proposed design will allow the Applicant to maximize on-site preserve, restoration, and open space areas in excess of the LDC requirements, while facilitating this irregularly shaped development area. Each proposed dead-end street is less than 150 feet in length, and serves a relatively smaller number of lots. The proposed dead-ends are less than the maximum length allowed per FFPC NFPA 1, 18.2.3.4.4. Therefore, approval of the proposed deviation will not negatively impact public health, safety and welfare, and will address the unique site configuration due to permitted on-site preserve areas.

2. **Deviation from LDC Section 10-329(d)(4), which requires lake banks to be sloped at a 6:1 ratio from the top of bank to a water depth of two feet below the dry season water table; to allow for a minimum ratio of 4:1.**

   JUSTIFICATION: The subject property has been permitted and approved through Lee County via active Development Order No. DOS2005-00341. The Project is also subject to an existing South Florida Water Management District Environmental Resource Permit. These permits are being amended to convert the permitted multi-family product type to single-family detached dwellings in accordance with current market demand, and other minor changes to accommodate the Applicant's development program.

   The proposed 4:1 lake bank slope are appropriate for this specific project due to the existing permits and the constrained developable area set forth via the above referenced permits. This is not a "greenfield" project that lacks any constraints imposed by prior work, but rather a project with active permits that both constrain the site, and allow for the construction of lakes with 4:1 slopes per current approvals.

   Specifically, the developable area is constrained by previously permitted preserves totaling 27% of the project area, which exceeds the typical requirement of 20% for a development of this size. (This is due to exclusion of 3.61 acres within existing conservation easements from the indigenous preserve total.)

Attachment "B"

ADD2014-00076 Lee County ePlan

The proposed lake cross section fully addresses LDC Sec. 10-329 (d) (4), which allows for 4:1 bank slopes with approval of an administrative deviation based on satisfactory enhanced slope protection measures, including but not limited to "enhanced herbaceous plantings in combination with an appropriate geosynthetic turf reinforcement mat."

The Applicant is proposing Turf Reinforcement Mat (TRM) along all 4:1 lake bank slopes in combination with 4,600 herbaceous plants. These enhanced plantings are proposed in addition to the code minimum littoral planting requirements, and the increased littorals required per zoning condition 16.

Furthermore, all gutter downspouts will be directed underground and piped to the lake below the dry season water table to avoid concentrated surface discharges onto the lake bank. This condition will be documented on the Development Order plans.

Based on the above description of the existing permits and related development constraints, along with the Applicant's proffered erosion mitigation measures, the Applicant respectfully submits the deviation will not impact public health, safety or welfare.

3. **Deviation from LDC Section 30-152(2)(a)(1)(i), which requires ground-mounted sign located in the median strip of the entrance to be setback a minimum of 15 feet from the right-of-way of the public access road and a minimum of five feet from the edge of the pavement of the entrance and exit lanes, to allow for a 5' setback from the right-of-way.**

JUSTIFICATION: The eastern property line that fronts on Six Mile Cypress Parkway is setback 75+/-feet from the edge of pavement. The above LDC requirement is onerous in this specific case due to the expansive right-of-way along Six Mile Cypress Parkway. Due to the significant setback between the property line and the roadway, the reduced right-of-way setback for the entry sign will not negatively impact public health, safety or welfare, and will help identify the community to visitors and residents.

4. **Deviation from LDC Sec. 30-152(2)(b), which allows one additional permanent wall or ground-mounted sign for identification purposes only along each boundary line of the development which exceeds 2,000 feet in length, to allow one (1) identification sign at the corners of Ben C Pratt Six Mile Cypress Parkway and Penzance Blvd. not to exceed 32 square feet per sign. The sign content will be limited to the community name and community logo.**

JUSTIFICATION: The Applicant is requesting an additional sign at the corner of an arterial and collector roadway to enhance visibility of the project. Six Mile Cypress Parkway is a four-lane arterial roadway with maximum travel speed of 50 m.p.h. The RPD has approximately 1,300 lineal feet, or ¼ mile of frontage on Six Mile Cypress Parkway. Projects with 2,000 lineal feet of frontage and over 25 units are permitted an additional identification sign up to 105 square feet in area. Due to the reduced frontage, the Applicant is requesting a 32 square foot sign. The additional sign will assist in identifying the community and is an appropriate scale considering

ADD2014-00076 Lee County ePlan

the amount of frontage on an arterial roadway. Lastly, the property line is setback 75+/- feet from the edge of pavement of Six Mile Cypress Parkway. This expansive setback also supports the Applicant's request for an additional identification sign, in order to increase the community's visibility.

5. **Deviation from LDC Sec. 30-152(2)(a), which limits signage to the development name and applicable recreational facilities, to allow the developer name on permanent residential entrance signs.**

   JUSTIFICATION: The Applicant is proposing to list their name/logo on the permanent entrance signs below the development name. This format is consistent with the standard Neal Communities has implemented in their projects across Southwest Florida, including Villa Palmeras and Estero Place on Three Oaks Parkway, and is integral to marketing their brand in Lee County. The logo will not detract from the visual appeal of the entry sign, and provides a symbol of quality for prospective buyers. This deviation has been approved in other communities across Lee County, such as the Neal Communities developments listed above, as well as Colonial Oaks on Three Oaks Parkway and The Reserve on Estero Parkway (see Exhibit A attached). Both examples exemplify the County's willingness to allow the developer name on the signage when requested as part of a Planned Development. As such the proposed deviation will not negatively impact public health, safety or welfare.

6. **Deviation from LDC Sec. 34-1748(5), which requires a paved turn-around, having a turning radius sufficient to accommodate a U-turn for a single unit truck (SU) vehicle as specified in the AASHTO Green Book current addition on the ingress side of the gate or gatehouse, to allow for a 27-foot minimum turn radius.**

   JUSTIFICATION: Due to the design constraints of the existing preserves, some of which are under conservation easement, there is not adequate room at the entrances to accommodate the full turn radius for SU vehicles.

   The 27-foot turn radius proposed will allow for a 3-point turn by a SU truck. There is adequate room for passenger vehicles to turn around at the proposed entrance gates, and emergency vehicles will have transponders to enter through the gates as needed.

   Additionally, the Client will utilize the Envera gate access system which provides access 24 hours a day/7 days per week through a phone system available to all vehicles entering and exiting the site.

   The Applicant is amenable to conditioning approval on the deviation upon provision of signage at each entry notifying delivery/SU trucks that a full turnaround is not provided.

   For these reasons, approval of this deviation will not negatively impact public health, safety or welfare.

Attachment "B"

ADD2014-00076 Lee County ePlan

7. **Deviation from LDC Section 30-152(2)d.2., which allows a maximum sign height of ten (10) feet for permanent residential signs, to allow for a maximum height of twelve (12) feet.**

   The Applicant is requesting additional signage height to enhance visibility of the project and provide additional design flexibility for the entry monument signage. The signage will be setback significantly from the Six Mile Cypress Parkway edge of pavement, thereby precluding impacts to public health, safety or welfare. This deviation is similar to other deviations approved for master-planned communities, and is a nominal increase to the allowable height (20%). The Applicant will utilize a common architectural theme for all signs, both internal to the community and at the entrance to ensure an attractive and cohesive development.

Attachment "B"