ADD2014-00076 Lee County ePlan

WALDROP ENGINEERING
CIVIL ENGINEERING & LAND DEVELOPMENT CONSULTANTS

July 11, 2014

Mr. Tony Palermo, AICP
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

RE: Cypress Walk (FKA Cobblestone)
ADD2014-00076

Dear Mr. Palermo:

Enclosed please find responses to your insufficiency letter dated July 2, 2014. The following information has been provided to assist in the review and approval:

1. One (1) copy of the comment response letter;
2. One (1) copy of the revised Master Concept Plan (11"x17");
3. One (1) copy of the revised Master Concept Plan (24"X36");
4. One (1) copy of the revised Schedule of Deviations & Justifications; and
5. One (1) copy of the revised Conditions.

The following is a list of Lee County comments with our responses in bold:

LC Development Services Comments- Reviewed by:

1. Staff will not support deviation #2 (lake bank slopes) and #10 (turn arounds).

   RESPONSE: Please refer to the revised Deviations & Justifications narrative enclosed. Additional justification has been provided to address the need to maintain 4:1 lake bank slopes as approved per DOS2005-00341.

   In terms of Deviation # 10 for SU truck turnaround, the 27-foot turn radius proposed will allow for a 3-point turn by an 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 providing signage at each entrance to notify delivery trucks that a full turnaround is not provided.

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JUL 11 2014
COMMUNITY DEVELOPMENT

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LC Environmental Sciences Comments- Reviewed by: Beth Workman

1. Must provide 6:1 lake bank slopes.

   RESPONSE: Please refer to the revised Deviations & Justifications narrative enclosed. Additional justification has been provided in regards to the existing site constraints memorialized through various state, local and federal permits, and a detailed description of the erosion control measures through enhanced plantings, TRM and location of gutters/down spouts has been provided.

2. Must provide 10:1 planted littoral shelves.

   RESPONSE: So noted.

3. Must provide enhanced littoral shelves per zoning condition for smaller lake adjacent to the indigenous preserves. The rewrite for the condition states the enhanced littorals will be located in the larger central lake because it is adjacent to the conservation easement. The purpose of the condition was to provide enhanced littoral areas for the lake bank slopes adjacent to the indigenous open space. Please revise condition to include the small lake at the southwestern corner of the project.

   RESPONSE: Please refer to the revised Conditions document attached. The Applicant will provide the enhanced littorals in the southern-most 0.83-acre lake, and 3.33-acre central lake.

4. The open space table on the MCP must change the indigenous open space to 9.75. Currently, it states 9.97.

   RESPONSE: Please refer to the revised MCP. The indigenous open space areas have been corrected in the open space table.

5. Did the conservation easement located at the northeastern corner of the property change in size? The recorded conservation easement looks much wider on the recorded documents. Was an amendment submitted to SFWMD to change the size? Please provide documentation.

   RESPONSE: Yes, the configuration shown on the proposed MCP is approved but not recorded (i.e. the release is approved by SFWMD). It is understood that the Administrative Amendment will be conditioned so that recordation is required by time of Certification of Compliance. The companion Development Order Amendment resubmittal will include documentation of the SFWMD approval.

LC Department of Transportation Comments—Reviewed by: Dan Kirkpatrick

1. DOT does support additional language for the "fee-in-lieu for the sidewalk" on Penzance or "prior to C.C. for the 50th residential structure". Remove both additions.

   RESPONSE: It is understood Staff is meeting internally to address alternative timing for the sidewalk installation. The Applicant is not requesting to remove this condition, but rather modify it to

comply with the required ACOE permitting timeline. Due to the construction of the Six Mile Cypress Parkway improvements, the sidewalk design has significantly changed from what was intended in 2005 when the above condition was approved. As such, the Applicant is seeking additional time to secure the required ACOE permit, while not impacting the launch of sales within the community.

The Applicant is amenable to modifying this condition to any of the following options in order to handle administratively:

1) The developer must construct a 5-foot wide off-site sidewalk within the northern eight (8) feet of the Penzance Boulevard right-of-way prior to the issuance of Certificates of Occupancy for the **20th** residential structures.

   OR

2) The developer must construct a 5-foot wide off-site sidewalk within the northern eight (8) feet of the Penzance Boulevard right-of-way prior to **December 31, 2015** ~~the issuance of Certificates of Occupancy for the 20th residential structures~~.

   OR

3) The developer must construct a 5-foot wide off-site sidewalk within the northern eight (8) feet of the Penzance Boulevard right-of-way **within 90 days of ACOE permit issuance for sidewalk construction** ~~prior to the issuance of Certificates of Occupancy for residential structures~~.

If you have any further questions, please do not hesitate to contact me directly at (239) 405-7777 ext. 207, or alexisc@waldropengineering.com.

Sincerely,

WALDROP ENGINEERING, P.A.

ACrespo

Alexis V. Crespo, AICP, LEED AP
Principal Planner

Enclosures

cc: Michael Greenberg, Neal Communities of Southwest Florida, LLC

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WALDROP ENGINEERING
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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.)

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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

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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.

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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.

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CYPRESS WALK (FKA COBBLESTONE)
PROPOSED CONDITIONS

REVISED JULY 2014

The requested amendments to the approved conditions per Z-05-057 are shown below in bold, strike-through/underline format.

1. No changes
2. a. Schedule of Uses – No changes

b. Site Development Regulations

Single Family
Minimum Lot Areas and Dimensions

Lot Area:	~~**6,500**~~ **4,500** square feet
Lot Width:	~~**65**~~ **45** feet
Lot Depth:	100 feet

Minimum Setbacks

Street (external)	25 feet
Street (internal)	20 feet **/10 feet for side loaded garages/10 feet for secondary street setbacks on corner lots**
Side	~~**10**~~ **5** feet
Rear	10 feet
Water Body	~~**25**~~ **20** feet
Preserve	20 feet
Accessory	~~**Per the LDC**~~ **5 feet**
Minimum Building Separation	~~**20**~~ **10 feet**
Perimeter Setback	25 feet
Maximum height	~~**2 stories/**~~**35 feet**
Maximum Lot Coverage	~~**50**~~ **55 percent**

Multi-family, Townhouse, Coach Homes – No changes

Clubhouse and Amenities – No changes

3. No changes

4. Model Units/Temporary Real Estate Sales

a. The number of model homes or model units will be limited to no more than ~~two~~ **six** within the development at one time.

b. Any model homes or units must be developed within the area identified as "models", "townhouse site" or "model display center" on the approved MCP.

c. ~~**Models cannot be of the same floor plan and each must be a distinctly different design.**~~

c. Model Display Centers or Model Display Groups must be shown on the development order plans. Parking areas for these uses will be buffered with a single-row hedge and tree canopy for parking areas in accordance with the LDC.

d. Real Estate sales are limited to model units, model homes, model display centers, model display groups, the amenity site and clubhouse.

e. Real estate sales will be limited to the sale of lots or units within the development only.

f. Hours of operation for model units and real estate sales are limited to Monday through Sunday, ~~8:00~~ **9:00** a.m. through ~~8:00~~ **9:00** p.m.

g. Model homes and temporary real estate sales will be valid for a period of up to 3 years form the date of issuance of a certificate of occupancy of a model home in accordance with LDC §34-1954(d)(1).

5-9. No changes

11. Prior to local development order approval, the development order must delineate a minimum of ~~1.99~~ **2.01** acres of native indigenous preservation along Six Mile Cypress Parkway, in significant compliance with the MCP.

12. Prior to local development order approval, the development order must delineate a minimum of ~~7.98~~ **7.75** acres of native indigenous wetland preservation, in significant compliance with the MCP.

13. No changes

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14. Prior to local development order approval, the development order must delineate a minimum of 30.25 acres of open space. Of this, a minimum of 9.97 acres, not including any credits, must be provided in the form of native indigenous preservation, in significant compliance with the MCP. The ~~9.97~~ **9.76** acres must be comprised of the ~~1.99~~ **2.01** acres of native indigenous preservation area and ~~7.98~~ **7.75** acres of native indigenous wetland preservation area referenced in Conditions 11 and 12 above.

16. Prior to development order approval, the lakes must be designed to abut the wetland restoration areas in significant compliance with the MCP. The **planted littoral shelf requirement will be provided on the** lake shoreline**s** on the preserve side**s** of **the 0.83+/-acre lake and the 3.33 +/- acre** lake**, which** must be planted with double the required amount of littoral plantings. The plantings must be clustered to provide enhanced foraging areas for wading birds. Table 1 below entitled "Planting List for Littoral Shelf", provides a list of wetland plants native to the Six Mile Cypress Watershed Basin that must be used for the littoral plantings and the plantings specifications. A minimum of four of the six species listed in Table 1 will be planted in **the** littoral zone**s** with a minimum of ~~1,800~~**2,800** plants installed ~~at the preserve side of the 2.26acre lake shoreline and a minimum of 1,000 plants installed at the preserve side of the 1.07 acre lake shoreline~~. The developer must create two draw down pools in the wetland preserve area adjacent to the ~~2.26~~**3.33+/-**acre lake. The area will be graded to create different elevations for enhanced foraging areas. A plan view and cross sectional view of the draw down pools is attached hereto as Exhibit C. Specific dimensions and elevations for the draw down pools will be determined during permitting with South Florida Water Management District. Table 2 below, entitled "Planting List for Draw Down Pools", provides a list of wetland plants native to the Six Mile Cypress Basin that must be used for the draw down pools and the planting specifications. A minimum total of 1,600 plants must be installed in the two draw down pools.

21. The developer must construct a 5-foot wide off-site sidewalk within the northern eight (8) feet of the Penzance Boulevard right-of-way prior to the issuance of Certificate~~s~~ of Occupancy for **the 50th** residential structure~~s~~**.** The sidewalk must be constructed from the project entrance onto Penzance Boulevard to the intersection of Penzance with Ben C. Pratt Six Mile Cypress Parkway. The sidewalk must be maintained in perpetuity by Lee County.

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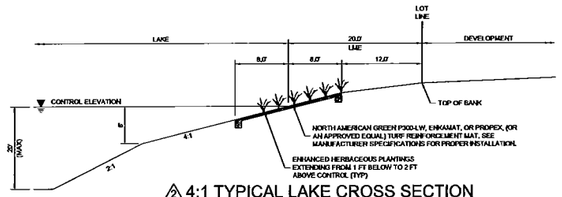

4:1 TYPICAL LAKE CROSS SECTION
(SEE PLANS WHERE APPLICABLE) NTS

LEGEND

	LAKE
	INDIGENOUS PRESERVE
	TURF REINFORCEMENT MAT
	CONSERVATION EASEMENT
#	DEVIATION LOCATIONS
LME	LAKE MAINTENANCE EASEMENT
ROW	RIGHT OF WAY (PRIVATE)
MP	MODEL PARKING
M	MODEL HOME
R	RESIDENTIAL

LAND USE SUMMARY

CATEGORY	ACREAGE
ROW	5.23
RESIDENTIAL	13.77
OPEN SPACE	30.25
TOTAL	49.52

DEVELOPMENT SUMMARY

ACREAGE	49.52 AC
UNIT COUNT	216 DWELLING UNITS
DENSITY	4.4 DU/ACRE
MAXIMUM BUILDING HEIGHT	35 FT

OPEN SPACE & INDIGENOUS PRESERVE CALCULATIONS

REQUIRED:	
OPEN SPACE REQUIRED	30.25 AC
INDIGENOUS PRESERVE REQUIRED	9.76 AC
PROVIDED:	
GENERAL OPEN SPACE PROVIDED	9.48 AC
LAKES	4.86 AC (19.5% X 25%)
INDIGENOUS PRESERVE	7.50 AC (7.01AC X 125%) 9.70 AC (7.75 AC X 125%)
CONSERVATION EASEMENT	3.61 AC
TOTAL OPEN SPACE PROVIDED	30.25 AC

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CYPRESS WALK RPD

CLIENT: NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC

MASTER CONCEPT PLAN

PLAN REVISIONS

0 50 100 200
SCALE IN FEET

SET NUMBER: 372-01-E05

SHEET: 1

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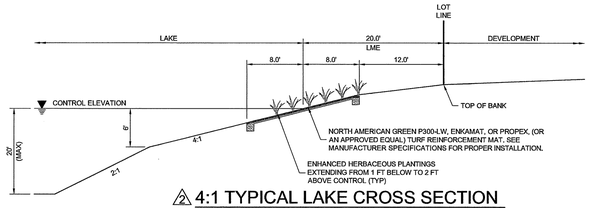

2 4:1 TYPICAL LAKE CROSS SECTION
(SEE PLANS WHERE APPLICABLE) NTS

LEGEND

	LAKE
	INDIGENOUS PRESERVE
	TURF REINFORCEMENT MAT
	CONSERVATION EASEMENT
#	DEVIATION LOCATIONS
LME	LAKE MAINTENANCE EASEMENT
ROW	RIGHT OF WAY (PRIVATE)
MP	MODEL PARKING
M	MODEL HOME
R	RESIDENTIAL

LAND USE SUMMARY

CATEGORY	ACREAGE
ROW	5.23
RESIDENTIAL	13.77
OPEN SPACE	30.25
TOTAL	49.62

DEVELOPMENT SUMMARY

ACREAGE	49.62 AC
UNIT COUNT	216 DWELLING UNITS
DENSITY	4.4 DU/ACRE
MAXIMUM BUILDING HEIGHT	35 FT

OPEN SPACE & INDIGENOUS PRESERVE CALCULATIONS

REQUIRED:	
OPEN SPACE REQUIRED	30.25 AC
INDIGENOUS PRESERVE REQUIRED	9.76 AC
PROVIDED:	
GENERAL OPEN SPACE PROVIDED	9.48 AC
LAKES	4.96 AC (19.85 X 25%)
INDIGENOUS PRESERVE	2.50 AC (2.01AC X 125%) 9.70 AC (7.75 AC X 125%)
CONSERVATION EASEMENT	3.61 AC
TOTAL OPEN SPACE PROVIDED	30.25 AC

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CYPRESS WALK RPD

CLIENT: NEAL COMMUNITIES OF SOUTHWEST FLORIDA, LLC

MASTER CONCEPT PLAN

PLAN REVISIONS

0 50 100 200
SCALE IN FEET

SET NUMBER: 372-01-E05

SHEET : 1

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