
DOCUMENTS REFERENCED

IN SUPPORT OF TEXT AMENDMENT
CPA2014-00009

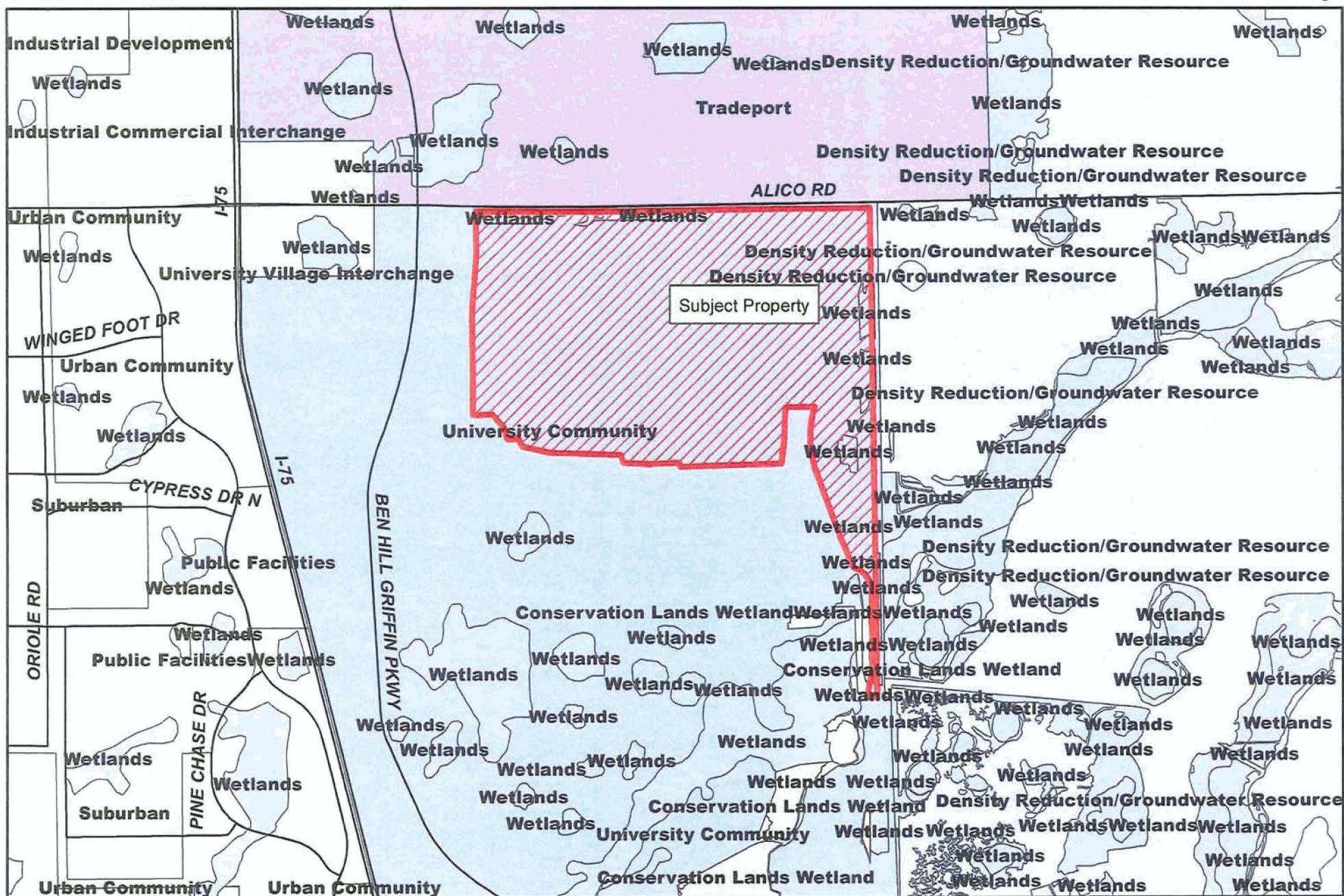
FEBRUARY 23, 2015

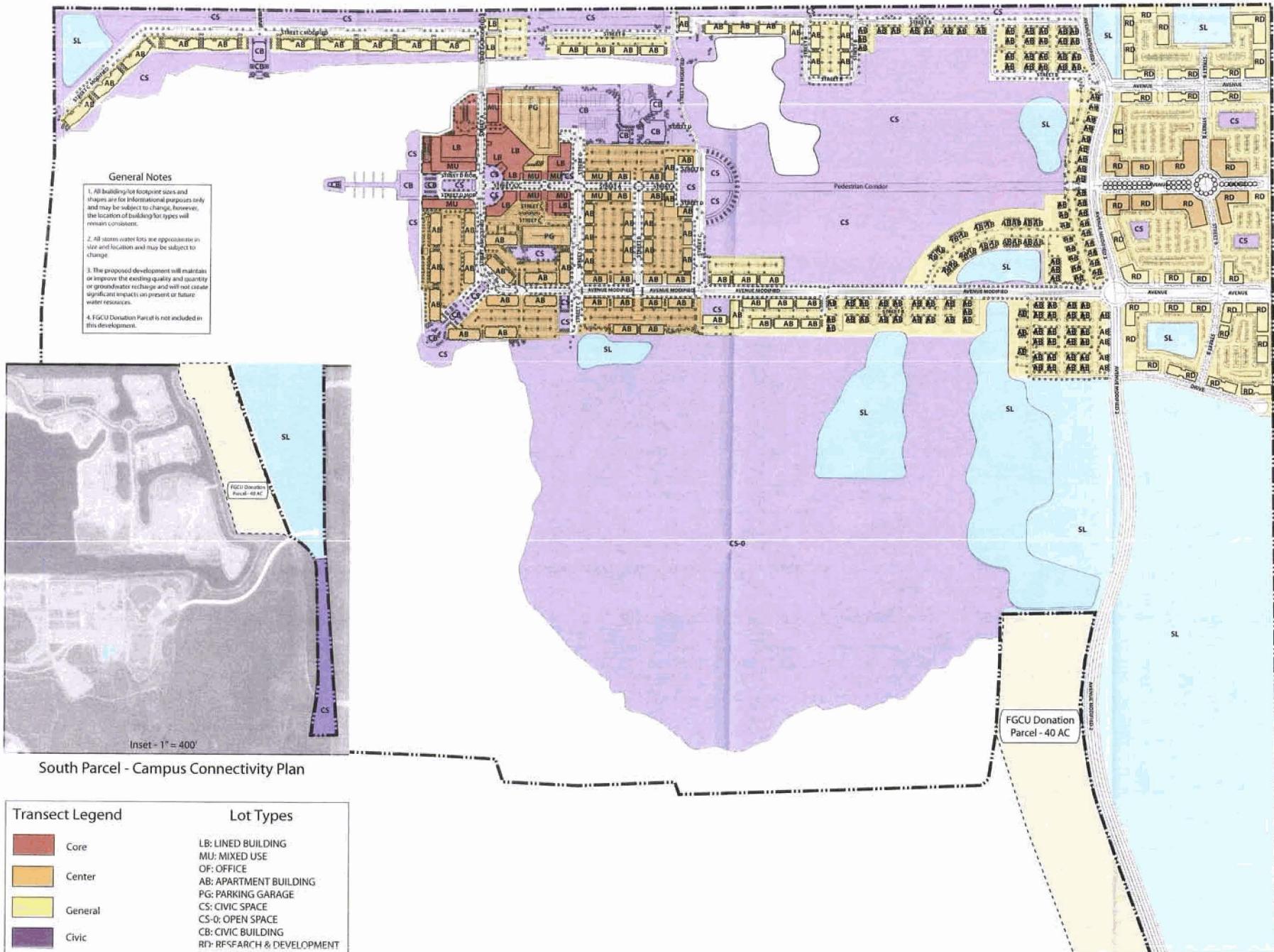
Local Planning Agency
February 23, 2015 Meeting

LEE PLAN AMENDMENT: CPA2014-00009

TABLE OF CONTENTS

MAPS	1
FUTURE LAND USE MAP	1
MAP OF (PROPOSED) CENTERPLACE	2
LEE COUNTY LAND DEVELOPMENT CODE	3
FIGURES OF LOTS FROM CHAPTER 32 OF THE CODE.....	4
LEE COUNTY COMPREHENSIVE PLAN.....	8
SELECTED DEVIATIONS	8
STAFF REPORT FOR DCI2013-00023	9
SELECTED DEVIATIONS	9
TRANSCRIPT OF PROCEEDINGS.....	10
SELECTED TESTIMONY FROM HEARING EXAMINER PROCEEDINGS	11
BOCC ADOPTION DOCUMENT FOR CPA2009-00001	23
SELECTED PAGES FROM THE STAFF REPORT	24





Detailed Regulating Plan

20 June 2014 | Scale: 1" = 200'

ROLLISON DESIGN INTERNATIONAL LLC

1200 south conkling street | suite 408

baltimore | maryland 21228

813-436-0214

rollisondesign@yahoo.com

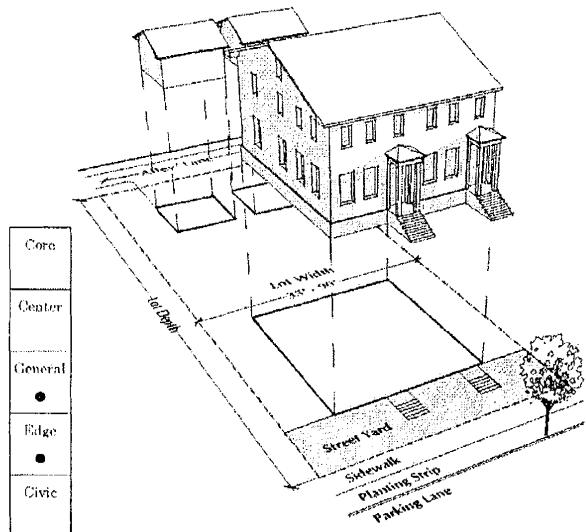
PRIVATE EQUITY GROUP

CenterPlace



**Lee County
Land Development Code
Chapter 32**

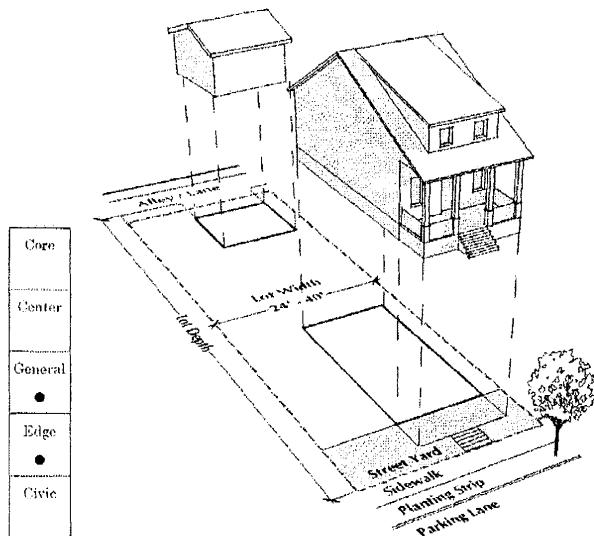
Duplex Lot (DU)



Character Examples



Cottage House Lot (CH)



Character Examples



Figure 32-242(e)

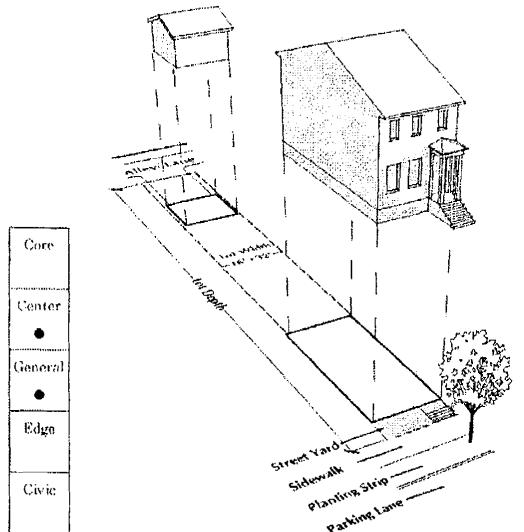
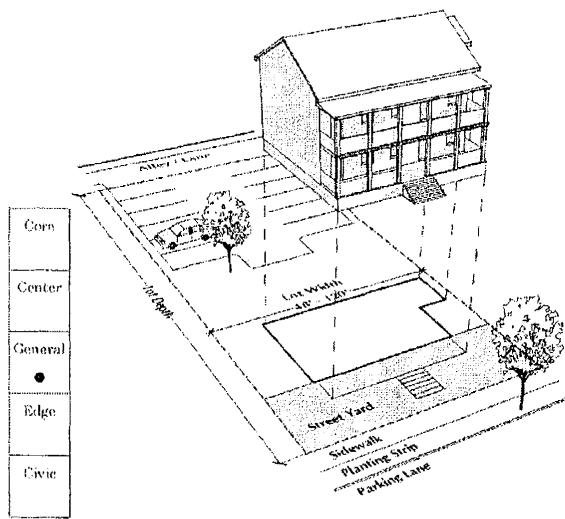
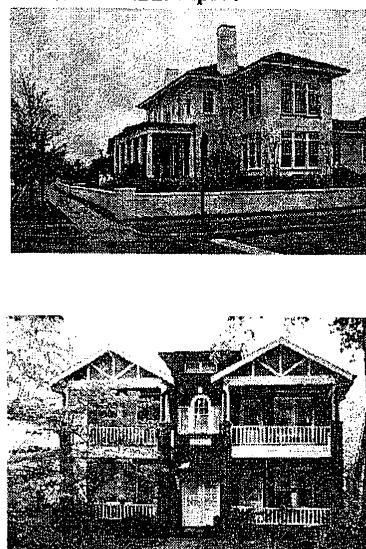
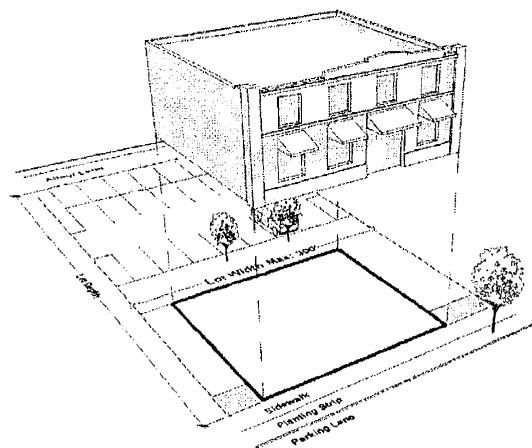
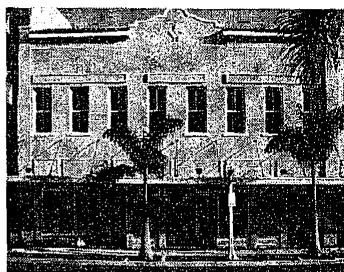
Rowhouse Building Lot (RH)**Character Examples****Apartment House Lot (AH)****Character Examples**

Figure 32-242(d)

Mixed-Use Building Lot (MU)

Core	●
Center	●
General	●
Edge	
Civic	

**Character Examples****Apartment Building Lot (AB)**

Core	●
Center	●
General	●
Edge	
Civic	

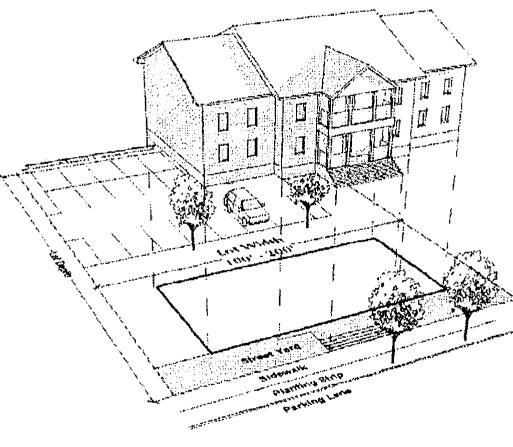
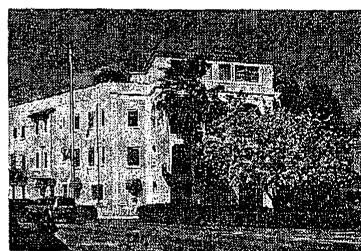
**Character Examples**

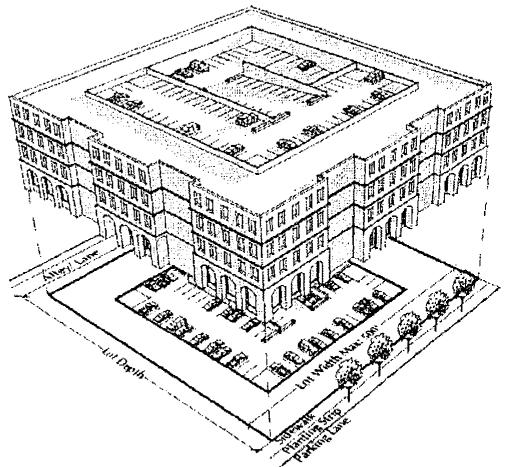
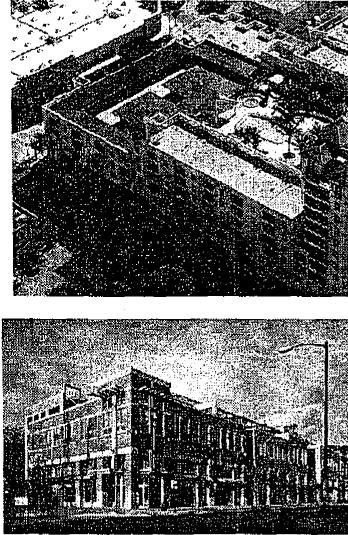
Figure 32-242(b)

Sec. 32-242. - Placement of buildings on lots.

Lot types and proper building placement for each lot type are illustrated in figures 32-242(a)–(g). Some of the property development regulations from table 32-243 are shown on these figures; refer to table 32-243 for complete details. Character examples are provided for each lot type for illustrative purposes only; the dimensions in table 32-243 control for regulatory purposes.

Lined Building Lot (LB)

Core	●
Center	●
General	
Edge	

**Character Examples****Pedestal Building Lot (PB)**

Core	●
Center	●
General	
Edge	

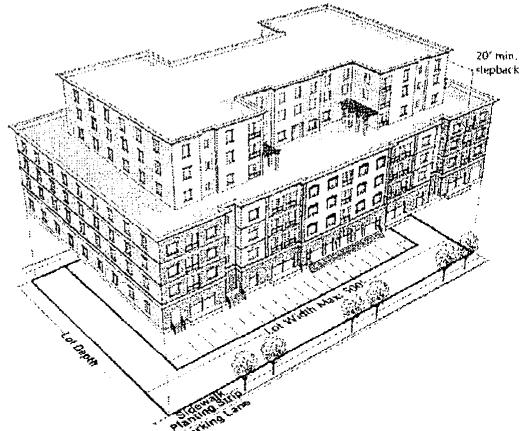
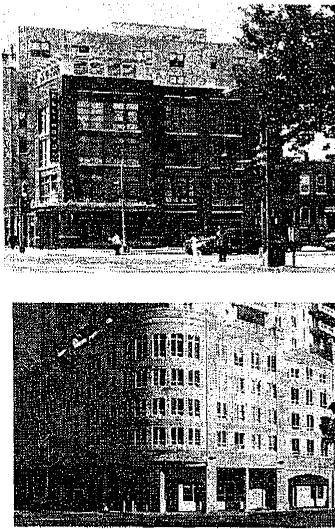
**Character Examples**

Figure 32-242(a)

Lee Plan Text References

TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) - A form of development that creates mixed-use, mixed-income neighborhoods that are compact, diverse and walkable. (Added by Ordinance No. 07-14)

POLICY 18.1.2: The University Community will provide a mix of housing types with densities sufficient to meet the needs of and designed to accommodate the varying lifestyles of students, faculty, administration, other university personnel and employees of the associated support development. (Amended by Ordinance No. 00-22)

1. **Mixed Use:** Development must be in the Traditional Neighborhood Development form, as defined in the Glossary section of the Lee Plan, and consistent with the intent of Goal 4: Sustainable Development Design of the Lee Plan.

2. **Main Street Town Center:** The development must provide an area for a main street town center that is supportive of FGCU, with mixed use development employing the Traditional Neighborhood Development (TND) form as defined in the glossary of the Plan. This portion of the development must contain mixed use buildings but may also contain some single use buildings. The Town Center must be a minimum of 25 Gross Acres. The minimum Residential Units within the area defined as the Town Center will be 200.

POLICY 1.5.1: Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with Goal 114 of this plan. The maximum density is one dwelling unit per twenty acres (1 du/20 acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan. (Amended by Ordinance No. 94-30)

POLICY 114.1.1: Development in wetlands is limited to very low density residential uses and uses of a recreational, open space, or conservation nature that are compatible with wetland functions. The maximum density in the Wetlands category is one unit per 20 acres, except that one single family residence will be permitted on lots meeting the standards in Chapter XIII of this plan.

POLICY 114.1.2: The county's wetlands protection regulations will be consistent with the following:

4. Every reasonable effort will be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. On- or off-site mitigation will only be permitted in accordance with applicable state standards.

Referenced from the DCI2013-00023 Staff Report

14. Deviation from Number of Building Floors

Deviation from Section 32-243 which requires lined building lots to have a minimum height of 2 stories to allow 30% of the retail lined building lots to have one story.

Staff recommends **approval** of this deviation. The request for one story buildings is to be able to provide a stepped height transition into the CenterPlace development from Alico Road and from the adjacent, surrounding 2 story multi-family residential to the Town Center.

18. Deviation from Minimum dwelling Units

Deviation from Section 32-274(4)b. which requires at least 10 dwelling units per acre within all Core Transect Zones to allow no dwelling units.

Staff recommends **approval** of this deviation. CenterPlace has been designed to consider the interaction between uses, residents, and visitors at the build out of the project. The Core Transect has been designed to represent the most intense uses within the proposed project. The Core Transect has been designed consistent with traditional neighborhood development to promote on-street activities, gathering spaces, and public access.

28. Deviation to Allow no Residential in Mixed Use Building Lots

Deviation from Section 32-241(d)(3) which defines a Mixed Use Building Lot as a lot located and designed to accommodate a multi-story building with multiple dwellings in upper stories and various commercial uses in any story to allow no dwelling units in the upper stories.

Staff recommends **approval** of this deviation. The Core and Center Transects have been designed to represent the more intense uses. The Central Core is proposed to capture most intense uses on-site and the buildings as proposed do not mix uses vertically. Rather various commercial uses will occur vertically within a mixed use building. This proposal is still consistent with traditional neighborhood development and will promote on-street activities, gathering spaces, and public access. To ensure these activities do not disturb the proposed residents, the Apartment Buildings are proposed proximate to the Core but buffered from the activities within the Core by placement and orientation.

Excerpts Referenced

1

1	LEE COUNTY HEARING EXAMINER
2	VOLUME I OF III PAGES 1-269
3	CASE NO. DCI2013-00023
4	APPLICANT: ALICO WEST FUND, LLC IN REFERENCE TO CENTERPLACE
5	
6	Transcript of Proceedings before Donna Marie
7	Collins, Deputy Hearing Examiner, 1500 Monroe
8	Street, Fort Myers, Florida, on July 23, 2014,
9	commencing at 9:00 a.m.; July 24, 2014, commencing
10	at 9:00 a.m.; and July 25, 2014, commencing at
11	1:30 p.m.
12	
13	APPEARANCES:
14	MICHAEL D. JACOB, Assistant County Attorney Lee County, Florida
15	CHAHRAM BADAMTCHIAN, AICP, Senior Planner Division of Zoning
16	CHARLES J. BASINAIT, Attorney at Law, Henderson, Franklin, Starnes & Holt, P.A.
17	
18	
19	
20	
21	
22	MARTINA REPORTING SERVICES Courtney Building, Suite 201 2069 First Street Fort Myers, Florida 33901 OFFICE (239) 334-6545 FAX (239) 332-2913
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	Page
3	Day one, 7-23-14 7
4	Day two, 7-24-14 270
4	Day three, 7-25-14 515
5	* * *
7	INDEX OF SPEAKERS
8	
9	On behalf of the Applicant
10	Charles Basinait, Attorney at Law Henderson, Franklin, Starnes & Holt, P.A. 14
11	Mike Rollison, President/CEO, Rollison Design International, LLC 33
13	Nancy Payton, Southwest Florida Field Representative, Florida Wildlife Federation 75
14	Steve Magiera, Vice President for Administrative Services and Finances, FGCU 78
16	Tom Mayo, Director of Facilities Planning, FGCU 83
17	JJ Basso, President of Grandezza Master Property Owners Association 86
19	Roger Strelow, Managing Principal, 3S Environmental & Energy Strategies LLC 88
20	Mark Gillis, Senior Vice President, David Plummer and Associates. 98
22	Ken Passarella, President, Passarella & Associates, Inc. 113
23	Kirk Martin, PG, President, Water Sciences Associates, Inc. 135
25	

<u>INDEX OF SPEAKERS (Continued)</u>		<u>Page</u>
3	<u>On behalf of the Applicant (Continued)</u>	
4	Carl Barraco, PE, President, Barraco & Associates, Inc.	174
5	Reid Fellows, PE, TR Transportation Consultants, Inc.	194
6	Gary Siebein, FASA, AIA, Principal Siebein Associates, Inc.	214
7	David Depew, PhD, AICP, LEED AP, President, Morris-Depew Associates, Inc.	270
8	Kirk Martin, PG, President, Water Sciences Associates, Inc.	387
9	<u>On behalf of the Staff</u>	
10	Chahram Badamchian, AICP, Senior Planner, Department of Community Development	404
11	Rob Price, Senior Engineer, Development Services	409
12	Brandon Dunn, Senior Planner, Department of Community Development	425
13	Susie Derheimer, Planner, Environmental Sciences	436
14	<u>On behalf of Paul and Bridget Loftus</u>	
15	James Crowley, Attorney, Gunster Law Firm	440
16	<u>On behalf of the Public</u>	
17	Richard Trent Ebersole, PE McMahon Associates	449
18	Marvin Merves Resident, 10450 Via Belestri Drive	457

JULY 24, 2014, DAY TWO OF HEARING

HEARING EXAMINER: Please, everyone again, if you can't hear or you're having any trouble hearing or understanding, please raise your hand so we can address that immediately.

Good morning, Donna Marie Collins, Hearing Examiner. Today is the second day of hearing in the CenterPlace case. The date is July 24th, 2014.

MR. BASINAIT: Good morning.

HEARING EXAMINER: Good morning.

MR. BASINAIT: We have David Depew as our next witness.

MR. DEPEW: Good morning, madam hearing examiner. I was sworn yesterday. I assume I'm still under oath.

HEARING EXAMINER: Yes.

MR. DEPEW: My name is David Depew. I am a planner. I'm representing the applicant. My

resume is on file, and I appear before you today in my guise as an expert in planning and zoning

issues which I have been certified in as an expert in this forum on many occasions in the past and would seek such certification once more.

HEARING EXAMINER: Okay. Proceed.

(Mr. Depew still speaking; below)

1 as part of the county's future through this
2 process.

3 We talked at some length about the site plans
4 that are associated with this. I want to make a
5 couple of points about these, and what I would
6 like to do that as well is ask the hearing
7 examiner as you're looking at this to keep in mind
8 the Chapter 32 requirements.

9 This is really the first large project that's
10 come in under Chapter 32, and as such, and we'll
11 get into this in a little bit more detail, as
12 such, it's exposed some of the challenges
13 associated with Chapter 32, and as such, the
14 interesting elements of Chapter 32 that we've been
15 working through with staff over time have, I
16 think, created a unique awareness on the part of
17 not only the applicant but also the staff of some
18 of the elements of Chapter 32 that are going to
19 ultimately be addressed over time.

20 First and probably most significant in terms
21 of how Chapter 32 relates to this particular
22 project is that Chapter 32 and the compact
23 community code is oriented towards single family,
24 and much of the effort in Chapter 32 to describe
25 the land form that is intended to evolve deals

9

(Mr. Depew still speaking; below)

1 with different kinds of single family
2 configurations with regard to lots and alleys and
3 detached garages and rear-entry residences and lot
4 sizes and lot perimeters and front porches and
5 front yard setbacks, things like that, so the
6 residential component is slanted very strongly
7 toward single family.

8 This project doesn't have any single family in
9 it at the moment. This is all multi-family in one
10 form or another, and in fact, the comprehensive
11 plan provisions, which again, we'll talk about in
12 a little bit more detail, I'm just trying to set
13 the stage for some of this, the comprehensive plan
14 components associated with this project have a
15 serious restriction on the amount of single family
16 that you can put on this project. They strongly
17 orient it towards multi-family.

18 When we first put this together under the
19 comprehensive plan amendment back in 2009 and
20 2010, that wasn't fully appreciated, I think, but
21 what's happened as a result of that is that -- and
22 happily, everybody agreed that the language in the
23 designation suggested that deviations might indeed
24 be necessary, but what's happened as we worked
25 through this, and I would commend staff, they've

10

(Mr. Depew is still speaking; below)

13

1 development itself along with the geometry of the
 2 lake, you see the development itself stretching
 3 here along Alico Road, then clustering around the
 4 town center area, and ultimately coming over here
 5 to the research and development area with a
 6 variety of different residential types, and yet by
 7 doing this, even though it has stretched out a
 8 bit, we've also attempted to provide very strong
 9 interconnections from a variety of sources, both
 10 pedestrian connections and bicycle connections,
 11 but also shuttle and transit connections as well
 12 as automobile connections.

13 The Chapter 32 requires a series of plans that
 14 ultimately control what development is going to
 15 take place on a subject property, and it does that
 16 by putting in various types of transects. In this
 17 instance, we have a core transect which is this
 18 red color. We have a center transect which is
 19 this orange, and then we have a general transect
 20 which is the yellow.

21 We've had to add the R and D, sorry, that's a
 22 civic one there. We've had to -- I'll go back to
 23 regulating plan. Whoops. We talk about -- we're
 24 going to talk about the R and D, but we've got a
 25 civic transect, and then finally we have a storm

20

(Mr. Depew still speaking; below)

1 and go through these as quickly as I can. A lot
 2 of these we're going to spend a lot of time
 3 on. These two, they're fairly standard.

4 The illustrative plan and the detailed
 5 regulating plan, I believe we've got new dates on
 6 those, but, you know, again, we'll use whatever
 7 the latest dates are, and clearly, this is the
 8 development application here of limitation of the
 9 development.

10 The conditions talk about the schedule of
 11 uses. I talked about the certain kinds of
 12 buildings. The schedule of uses, and this is
 13 what's so different about Chapter 32. Instead of
 14 saying we're going to have and have this long list
 15 of uses, what they do is they tell you certain
 16 kinds of buildings have certain kinds of uses, so
 17 that's why it looks like this, and again, Chapter
 18 32, there's a table in there, and it basically
 19 says, you know, for line buildings, you get all
 20 the uses in RM-2 and CC and blah, blah, and all
 21 these different things, so that's how they've got
 22 them done rather than have them set out like they
 23 do in Chapter 34 with these long tables with
 24 different kind of uses in them.

25 So what I've tried to do here is just simply

21

(Mr. Depew still speaking; below)

1 go on what staff has been saying, but I've also,
 2 when we get to apartment buildings, attempted to
 3 modify those uses somewhat and drop down, and I
 4 believe that the staff is in agreement with us,
 5 drop some of the uses that you would normally see
 6 in an apartment building type of setting out of
 7 that particular type of use.

8 So for lined buildings, which are generally
 9 the buildings that you'll find in the core and
 10 center transects, the uses that are intended to go
 11 in those, and remember that we're promoting these
 12 mixed uses, are all the RM-2 uses, attached
 13 dwelling units, live/work units, all uses allowed
 14 in community commercial, hotel/motel, all uses
 15 allowed in CF-2 and all uses allowed in CF-3.
 16 CF-2 being community facilities two and community
 17 facilities three.

18 Similarly, in the mixed use buildings, it's
 19 the same, almost the same set of uses. It drops
 20 out the hotel/motel uses. I'm sorry, it leaves in
 21 hotel/motel uses, but -- so it's all the same set
 22 of uses, so there's really not much difference in
 23 terms of line buildings and mixed use buildings,
 24 and again, those are the buildings you find in the
 25 core and center transects, so, you know, those are

28

(Mr. Depew still speaking; below)

1 regulations as part of the set of conditions that
 2 you're going to be reviewing, and again, what's
 3 happened in Chapter 32 is they give you a chart
 4 that provides you with all the various different
 5 types of uses and the various lot areas, lot
 6 widths, frontage percentages, lot coverage, and
 7 all the other characteristics that you see across
 8 here on this particular table.

9 This has been modified in order to use the
 10 uses that we proposed in this particular project,
 11 so we have the line, the mixed use, the apartment,
 12 R and D, and all of the various uses that you see
 13 there on that table, and then what we've done is
 14 we've come across the table and provided
 15 characteristics for each one of the elements that
 16 you see on the table as you go through.

17 And what this is intended to do is to go along
 18 with all the various uses and tell you how
 19 ultimately you're going to develop this particular
 20 piece of property, and in this particular
 21 instance, we show the core, the center, and the
 22 general transects as to where things are going.

23 We've also included the research and
 24 development lots and civic buildings and all the
 25 other stuff over here under lot type, and so

(Mr. Depew still speaking; below)

29

1 that's where -- what happens is you start to blend
 2 back together the elements of these steps for
 3 different plans and show how the development is
 4 going to look ultimately in anyone of the given
 5 transects or anyone of the given lot types, and so
 6 --

7 HEARING EXAMINER: There's a reduction in the
 8 height, I understand, in the core and center area?

9 MS. MONTGOMERY: Please speak into the
 10 microphone again, please.

11 MR. DEPEW: Yes, ma'am. There's a reduction
 12 in height in a couple of the transects, and
 13 there's an increase in height in one or two of the
 14 transects as well.

15 So if you compare this to the chart that's in
 16 Chapter 32, it's a little bit different when you
 17 get over into these areas here, especially in
 18 these two, the core and center for the lined
 19 building and I believe the mixed use building, and
 20 then when you get to the apartment building in the
 21 general transect, it's a little bit taller. So
 22 that's -- those are the basic differences.

23 Additionally, as you see, we've got an
 24 asterisk in a couple of the locations, and those
 25 areas we're talking about the potential of up to

48

1 opportunity, not just for me, but for the county,
 2 for the developer, all parties involved. I was
 3 immediately interested in it.

4 I understood that the code was new. I read
 5 through the code cover to cover, I'll say multiple
 6 times, and read a lot of things within that code
 7 that I've read in many other codes before. There
 8 were some differences.

9 Knowing that the county had just adopted this
 10 code, we had several, I'll call, meeting slash
 11 workshops with the county at various stages of the
 12 evolution of the plan, and during those meetings,
 13 I tried my best to communicate that there were
 14 some issues with the code in terms of things that
 15 were missing, things that we needed to address to
 16 make our project even more successful. So I think
 17 in certain regards, we've actually helped improve,
 18 you know, improve upon the code in the design of
 19 our project.

20 This slide really speaks to my first meeting
 21 with the client actually here in Fort Myers, and
 22 these were some images that I had pulled very
 23 early on in the design process, probably before
 24 pen even went to paper to talk about the urban
 25 design considerations. Knowing we had to design

(Mr. Depew still speaking; below)

50

1 center, and we think we've tried to do that in
 2 accordance with that.

3 These town center minimum areas and units,
 4 again, are out of the comprehensive plan. We
 5 believe we've met all of these criteria, and we
 6 think that this is all a part of the design that
 7 we ended up having to implement on this particular
 8 site, and you know, frankly it's one of the
 9 reasons that project looks like it does because
 10 these particular criteria are in there.

11 The single family and zero lot line number
 12 limitations. As I indicated to you in my
 13 prefatory remarks, the single-family residential
 14 and zero lot line units are limited to 195 units
 15 out of the total. So we've got 1,950 units and
 16 195 of them can be single family. Well, we don't
 17 have any single family in here at this point, so
 18 but you see what happens when you get -- when you
 19 look at that Chapter 32, you'll see there's an
 20 awful lot of effort that's been expended on
 21 showing how you're going to fit single family
 22 cottage style, Celebration, Watercolor, Seaside
 23 type units into a compact community.

24 We don't have that in this thing. It's not
 25 that kind of animal. It's a different sort of

(Mr. Depew still speaking; below)

51

1 animal, and the design is reflective of that, and
 2 candidly, the number of deviations that are
 3 requested are reflective of that as well, and of
 4 the fact that the compact community code, which is
 5 really the first major project that's come in
 6 under that, and we're still evolving that.

7 So excavation of fines. Again, this is all
 8 about protecting water quality. Discharge into
 9 the attenuation lake is prohibited, and anything
 10 that we -- anything we excavate of fine materials
 11 have to be handled properly and not discharged
 12 into the attenuation lakes.

13 Dedicate 951 extension. There was some
 14 discussion about this because the original
 15 language on this was about all the way down to
 16 Corkscrew Road, but this project doesn't control
 17 all the way down the Corkscrew Road, so all we can
 18 do is give you to the end of the project, and
 19 that's -- so that's what that does.

20 We talked about perimeter setback and
 21 buffering requirements, and the condition requires
 22 a 45-foot building setback on the northwest corner
 23 of the site where it abuts Miromar Lakes. I'm
 24 relatively certain you're going to get some
 25 testimony about that later today, but that's this

(Mr. Depew is still speaking; below)

74

1 intended as part of the location of these
 2 transects and of the compact code.

3 29 requires four different lot types within
 4 the general and center lot types with no one lot
 5 type representing more than 60 percent. What
 6 we're doing is trying to modify this so that we
 7 have three different lot types in the general and
 8 center transect, and we think this is consistent
 9 with what's going on.

10 Again, the inherent bias towards the detached
 11 single-family development that you find in Chapter
 12 32 causes a development like this that has
 13 basically only multi-family, not single family, to
 14 lack one of the lot types that you would normally
 15 anticipate or normally was anticipated by the
 16 drafters of Chapter 32, and as such, we simply
 17 have to request a deviation to only have three
 18 different lot types in the general and center
 19 transects because we don't have enough lot types
 20 in those areas based on the fact that it's only
 21 multi-family.

22 Almost done with this part.

23 Deviation 30 is one to allow 20 percent of the
 24 individual lake and shoreline to consist of
 25 bulkheads, riprap, geotex tubes, or other

(Mr. Depew is still speaking; below)

97

1 talked about this, and the fines management plan
 2 is to be implemented as part of the development of
 3 the property.

4 The CenterPlace has worked very closely with
 5 staff. There were really more meetings than I can
 6 remember with staff and with natural resources
 7 staff specifically to make sure that we do not
 8 create any negative impacts on present or future
 9 water resources.

10 For Policy 18.1.10, the design has been
 11 undertaken consistent with the FGCU master plan.
 12 We believe that all the various criteria that you
 13 can find in the master plan will address those
 14 issues.

15 18.1.11. We have clearly made infrastructure
 16 connections and interconnections between
 17 CenterPlace and FGCU. We have had a number of
 18 meetings coordinating those interconnections with
 19 the university, and you've heard from
 20 representatives of the university already.

21 We are not providing any septic tanks
 22 consistent with 18.1.13.

23 We are providing extension of utilities at our
 24 -- on our dime consistent with 18.1.4.

25 At 18.1.15, we are attempting to comply as we

137

1 because you're a low talker

2 MR. BADAMTCHIAN: Sorry. I'll try to speak
3 louder.

4 Good afternoon, my name is Chahram
5 Badamtchian. I'm from the county zoning. I was
6 recognized as expert in zoning and land use
7 issues. I would like to be recognized as such at
8 this time.

9 HEARING EXAMINER: Yes, please proceed.

10 MR. BASINAIT: No objection.

11 MR. BADAMTCHIAN: Thank you. Well, I was
12 prepared to have a slide show with 96 slides, but
13 unfortunately, you ruled that we should not bring
14 up issues already discussed, so it's going to be
15 very brief.

16 This is a rezone to compact planned
17 development. This is the second rezone compact
18 planned development in Lee County. The first one
19 was three-quarter of an acre in size.
20 Unfortunately, I was the planner on that one, and
21 that's the reason I'm the planner on this one.
22 And this one is 886 acres.

23 HEARING EXAMINER: I could see why. They're
24 so similar.

25 MR. BADAMTCHIAN: And as was already

138

1 mentioned, they're asking for 1,950 residential
2 dwelling units, 250 hotel rooms, and 246,400
3 square feet of commercial retail, 100,000 square
4 feet of office, and 300,000 square feet of
5 research and development.

6 The master concept plan that goes with the
7 regular zoning is not applicable here, so we have
8 illustrative plans, and we have detailed
9 regulating plans, and we have basically transects
10 that was already explained, so I'm not going to
11 labor over it.

12 They are proposing five different transects
13 and nine different lot types, and they are
14 requesting this in the form of a compact
15 development because of the Lee Plan amendment
16 which required them to develop this project as a
17 transit oriented or traditional neighborhood
18 design. And that's why they are going with the
19 compact community.

20 When staff reviewed this request, they are
21 asking for 31 deviations and most of them because
22 of our code has some glitches and some issues. It
23 was never tested for a large project, and after
24 this, we may need to amend our code a little bit
25 to make it work properly. That's the reason for

158

1 MR. DUNN: There's been some discussion about
 2 how this is a unique set of provisions within the
 3 plan, and I kind of would like to explain why, why
 4 this is different.

5 Prior to CPA 2009-01 or ordinance 10-40, the
 6 subject property was in the DR/GR. Utilizing the
 7 DR/GR future land use category, the subject
 8 property could have been approved for
 9 approximately 88 single-family dwelling units and
 10 no commercial.

11 When the applicant initially approached staff
 12 about the proposed redesignation to university
 13 community, staff identified this as an opportunity
 14 to achieve some of the goals of the university
 15 community that had not been realized by the then
 16 -- this is back in 2009/2010 -- existing plan
 17 development.

18 Staff also had two general concerns. These
 19 are big picture concerns. There were some other
 20 concerns, but the big picture concerns really
 21 helped shape the Lee Plan amendments that were
 22 adopted by ordinance 10-40. These include the
 23 development -- that the development would take the
 24 same form as other development within the
 25 university community, and therefore, not truly

(Mr. Dunn still speaking; below)

159

1 provide the associated support development for
 2 FGCU that Lee County was looking for, and also,
 3 that the subject property was at the time located
 4 in the DR/GR.

5 It was these two concerns that necessitated
 6 the expansive Lee Plan amendments to address the
 7 concerns that the majority of the -- to address
 8 these concerns. The majority of the amendments,
 9 specifically Policy 18.1.16, deal with the subject
 10 site's design and impacts to the Lee County's
 11 water resources.

12 The design related provisions included
 13 specific requirements for parking design,
 14 multimodal interconnections, maximums and minimums
 15 for different uses such as commercial and
 16 residential, a limitation on single-family homes,
 17 a prohibition on a golf course, and a requirement
 18 to utilize compact PD rezoning.

19 Although it should be noted that significant
 20 deviations from Chapter 32, the compact PD may be
 21 granted based on Policy 18.1.16.1 in order to
 22 accommodate the proposed development.

23 There were other design things that were also
 24 identified within the plans.

25 The provisions that addressed impacts to Lee

1 program.

2 MR. BADAMTCHIAN: You're talking about those
3 1,100 and something.

4 MR. ELGIN: 1,140 in phase one, yes.

5 MR. BADAMTCHIAN: The remainder, there's no
6 footnote saying rental housing.

7 MR. ELGIN: There is a footnote that says
8 rental housing. Would you like me? I mean, I'm
9 just reading from the application.

10 If there's another definition to apartment
11 that's not footnoted rental housing, then I'll be
12 more than happy to hear that and clarify my
13 comments earlier that led me to that conclusion.

14 MR. BADAMTCHIAN: The footnote says student
15 housing, has a number next to it. At the bottom,
16 it says rental housing. Then it has multi-family
17 and townhouse, multi-family, and those do not have
18 the note saying rental housing. Only that student
19 housing has rental.

20 MR. ELGIN: But student housing is listed as
21 1,140, multi-family is at 320, and town center
22 multi-family is at 165, so if student housing is
23 1,140, I'm not sure what you're suggesting.

24 MR. BADAMTCHIAN: What I'm saying, it's not a
25 rental community. Because it has a large student

1 housing, large number of student housing, but the
2 remainder is not -- is not designated as rental
3 housing.

4 MR. ELGIN: Looking at that schedule, could
5 you tell me what the percentage of student housing
6 would be on the project? I don't know the answer
7 to that. If I've read it inappropriately, then I
8 apologize, but I'd like you to clarify what I've
9 read and what that number is. I don't know.

10 MR. BADAMTCHIAN: I would say 55, 60 percent
11 student housing, but the remaining 40 --

12 MR. ELGIN: Which is 1,140 out of the 1,950
13 which is denoted as rental housing.

14 MR. BADAMTCHIAN: Correct. Those are the
15 student housing. I'm talking about the remaining
16 eight, nine hundred units.

17 MR. ELGIN: Okay.

18 MR. BADAMTCHIAN: There's no footnote saying
19 those are student housing or rental housing.

20 HEARING EXAMINER: Chahram, this might be
21 something that would be better addressed during
22 your rebuttal.

23 MR. BADAMTCHIAN: It's not a rental community
24 per se. It's a community with student housing.

25 MR. ELGIN: If you're over 50 percent, would

1 MR. BASINAIT: Dave, skip over that. I think
2 we have sufficient testimony in the record of
3 that.

4 MR. DEPEW: I'm going to skip on to the next
5 element. That's natural resources. We've had
6 plenty of talk about that. Again, I think we're
7 not going to address any of those because we've
8 already talked about that. I'll let that
9 particular slide stand for itself.

10 We've had a fair amount of talk about the
11 noise and the amplified music. I don't think I
12 need to go into that. We have made some
13 modifications as a result of the input, but in
14 some of those other elements, we think that the
15 restrictions proposed by Miromar and some of the
16 residents are simply not reflective of the current
17 student profiles that are found at FGCU.

18 Additionally, the lighting, we've modified
19 some of the lighting by limiting the elevated
20 beach to 12 feet and the pier lighting to 42
21 inches. Some of the other elements, we think,
22 simply do not consider the elements that are
23 confined -- found in --

24 HEARING EXAMINER: Did you skip a slide?

25 MR. DEPEW: I'm sorry?

**BoCC
ADOPTION
DOCUMENT
FOR
CPA2009-00001**

**CPA2009-01
ALICO WEST
PRIVATELY SPONSORED
AMENDMENT TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**Privately Sponsored Application
and Staff Analysis**

BoCC Adoption Document

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 533-8585*

October 20, 2010

**PART III - LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: May 24, 2010

A. LOCAL PLANNING AGENCY REVIEW

Staff gave a presentation to the Local Planning Agency concerning the proposed Lee Plan Amendment. Staff stated that this was a difficult decision because the proposed amendment was to redesignate DR/GR lands to University Community. However staff stated that this site was unique which would allow this site to be differentiated from other properties within the DR/GR and also provided opportunities that would not be available on other properties now or in the future. Members of the Local Planning Agency asked questions of staff and made comments about improvements that could be made to the proposed amendment. This was followed with a presentation by the applicant's consultants, which detailed the applicant's proposal and discussed issues that the applicant was not in agreement with staff. These included the proposed policies limiting the Retail Uses and Parking. One member of the LPA asked why this project should not be required to use the TDR program that was being developed in the DR/GR lands. Other general comments were made by members of the Local Planning Agency.

Two members of the public addressed the Local Planning Agency concerning this amendment. They expressed concerns included chipping away at the DR/GR, and the costs that the county may incur due to the proposed project.

Following the public comments, general discussion ensued between the members of the Local Planning Agency. These comments included the generous benefits that the applicant would receive from these entitlements and the minimum benefits that the county would receive if the proposed amendment were to be adopted. Also discussed were the unresolved issues of retail development and parking. The Local Planning Agency requested that the applicant and staff continue to work on the retail uses and parking issues and provide additional findings of fact about the benefit to Florida Gulf Coast University, the University Community density, and impacts to the water recharge value. A motion was made to continue this item until June 7, 2010 to allow time for resolution of these issues.

DATE OF PUBLIC HEARING: June 7, 2010

A. LOCAL PLANNING AGENCY REVIEW

Staff presented a modified recommendation and findings of fact to the Local Planning agency. The modified recommendation included revised provisions for the parking and retail use requirements, as well as a few additional changes that were made to be consistent with other aspects of the Lee Plan. One member of the public addressed the LPA and expressed concern about the effect the proposal would have on water recharge rates of the property.

Following the public comment the members of the Local Planning Agency asked questions of staff and provided general comments about the proposal. One member of the LPA suggested that the public participation provision should be modified to require that the Florida Gulf Coast University invite staff to the meetings that are required prior to development of the site. Staff agrees with this concept, as it would assure that development of the site would take the anticipated form. However, staff would recommend that the meetings, as written in the proposed text amendments are the responsibility of the developer, therefore staff is proposing the following modifications to the public participation provision in strikethrough and double underline:

15. **Florida Gulf Coast University Participation:** The owner or agent for any Development of Regional Impact or Planned Development rezoning request must conduct two meetings with the President of FGCU and/or his designees and will provide detailed information to such representatives at those meetings relating to the Site Plan and Master Concept Plan for any proposed development within Area 9, Alico West. The developer must invite Lee County encourages zoning and planning staff to participate in such meetings. These meetings must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space and providing security measures as needed. Subsequent to this meeting, the applicant must provide County staff with a meeting summary document that contains the following information: the date, time, and location of the meetings, list of attendees; a summary of the concerns or issues that were raised at the meetings; and a proposal of how the applicant will respond to any issues that were raised.

One member of the Local Planning agency recommended that the proposed development should be subject to the Compact Communities provisions that are currently being advanced by Lee County, this was later included in the motion. Staff concurs with this, and proposes that the Compact Communities request could be accommodated with the following revisions to the mixed use provision of the proposed text amendments:

1. **Mixed Use:** Development must be in the Traditional Neighborhood Development form, as defined in the Glossary section of the Lee Plan, and consistent with the intent of Goal 4: Sustainable Development Design of the Lee Plan. Development on Alico West, Area 9, must be rezoned to a Compact Planned Development as specified by the Lee County Land Development Code.

The LPA suggested that if the development was developed in a compact form that lands that were unused could be reverted to DR/GR and Wetlands during the Development of Regional Impact (DRI) process to lessen the affect of removing lands from the DR/GR. Staff understands the view of the LPA, but believes that these issues will be addressed during the review and approval of the required Development of Regional Impact and will be sufficiently addressed by the DRI development order.

A motion was made to recommend that the Board of County Commissioners transmit the proposed amendment as recommended by staff. The motion failed 3-4.

A second motion was made to recommend that the Board of County Commissioners transmit the amendment with staff's recommendations; the LPA recommendations, including the modified provisions shown above; and modify the future land use categories following the adoption of the DRI. The motion passed 5-2.

An additional motion was made that directed staff to convey to the Board of County Commissioners the need for a policy to articulate mitigation measures that should be required when removing lands from the DR/GR. The motion passed 5-2.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The Local Planning Agency recommends that the Board of County Commissioners transmit the amendment with staff's recommendations, including modified provisions for compact communities, have Florida Gulf Coast University include County staff in site development meetings, and modify the future land use categories following adoption of the DRI.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The Local Planning Agency accepted the findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	AYE
CINDY BUTLER	AYE
CARIE CALL	AYE
WAYNE DALTRY	AYE
JIM GREEN	AYE
MITCH HUTCHCRAFT	NAY
RONALD INGE	NAY

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: June 16, 2010

A. BOARD REVIEW:

Staff provided a brief presentation addressing the proposed comprehensive plan amendment. This was followed by a presentation from the Applicant's consultants, and a representative from the Florida Gulf Coast University. The applicant proposed two policy revisions as related to staff recommendation. These included revisions to Policy 1.1.9 of the Lee Plan and revisions to proposed Policy 18.1.16, paragraph 1 and a new paragraph 16. The latter two both addressed and were meant to replace the requirement to comply with the Compact Communities Code.

There were 12 members of the public who addressed the Board of County Commissioners concerning the proposed amendment. The members of the public were evenly divided on this project, with six against the development and six who favored the development. The most cited reasons for opposition of the development was removal of DR/GR lands and environmental reasons. The most cited reasons for support of the development was benefits to FGCU and environmental reasons.

The Board of County Commissioners started off their discussion on the item by showing support for the type of development proposed, but also expressed concern regarding the removal of lands from the DR/GR.

One Commissioner stated that several additional requirements were needed. These included a commitment by the applicant for conservation easements across the property to the east. The second requirement was a donation of 75 feet for right-of-way on the south side of Alico Road. Another suggested requirement for the property would be to store stormwater for the improvements that would be made to Alico Road and potential County Road 951. The Commission supported the applicant-proposed revision to Policy 1.1.9, which would prohibit any further transfer of dwelling units that had been allocated to the University Community land use category to adjacent DR/GR lands.

Staff expressed support for the revision proposed by the applicant to Lee Plan Policy 1.1.9. The Policy, with the applicants proposed revisions shown in double underline, would read as follows:

POLICY 1.1.9: The University Community land use category provides for Florida's 10th University, Florida Gulf Coast University (FGCU), and for associated support development. The location and timing of development within this area must be coordinated with the development of the University and the provision of necessary infrastructure. All development within the University Community must be designed to enhance and support the University. In addition to all other applicable regulations, development within the University Community will be subject to cooperative master planning with, and approval by, the Board of Regents of the State University System Florida Gulf Coast University Board of Trustees.

Prior to development in the University Community land use category, there will be established a Conceptual Master Plan which includes a generalized land use plan and a multi-objective water management plan. These plans will be developed through a cooperative effort between the property owner, Lee County, and South Florida Water Management District.

STAFF REPORT FOR
CPA2009-01

Lee Plan Amendment CPA2014-00009

October 13, 2010
PAGE 42 OF 52

Page 42

Within the University Community are two distinct sub-categories: University Campus and the University Village. The University Window overlay, although not a true sub-category, is a distinct component of the total university environment. Together these functions provide the opportunity for a diversity of viable mixed use centers. Overall residential development within average density for the University Village will not exceed 6,510 dwelling units^{2.5 units per acre}. None of the 6,510 dwelling units may be used on or transferred to lands located outside of the University Community land use boundaries as they exist on (insert here the date of adoption of CPA 2009-01). Clustered densities within the area may reach fifteen units per acre to accommodate university housing. The overall average intensity of non-residential development within the University Village will be limited to 10,000 square feet of building area per non-residential acre allowed pursuant to Map 16 and Table I(b). Specific policies related to the University Community are included within the Lee Plan under Goal 18.

Staff was asked by the Board of County Commissioners if the language suggested by the applicant concerning the compact communities would work. Staff stated that the changes proposed by the applicant to the Compact Communities requirement were not necessary due to the flexibility built into Lee County's Compact Communities Code. Staff expressed support for the recommendation made by the LPA. The Board requested that staff revise proposed Lee Plan Policy 18.1.16 Paragraph 1, to clarify that significant deviations may be necessary, as follows:

- 1. Mixed Use:** Development must be in the Traditional Neighborhood Development form, as defined in the Glossary section of the Lee Plan, and consistent with the intent of Goal 4: Sustainable Development Design of the Lee Plan. Development on Alico West, Area 9, must be rezoned to a Compact Planned Development as specified by the Lee County Land Development Code, recognizing there may be significant deviations to accommodate the proposed development.

The Board of County Commissioners also requested that the landscaping requirements include a requirement to have no less than 75 percent native vegetation.

There was a motion to transmit the proposed amendment including: 1) revisions to Policy 1.1.9 and proposed Policy 18.1.16, paragraph 1; 2) a requirement for the developer to donate 75 feet of right-of-way along the property's boundary along Alico Road; 3) a requirement for the site to accommodate the stormwater runoff associated with future improvements to Alico Road and future County Road 951; and, 4) a requirement that 75 percent of the xeriscape landscaping must consist of native species.

One member did not support the motion expressing concern over removing lands from the DR/GR.

The Motion was approved 3 to 1.

B. CHANGES REQUESTED BY THE BOARD OF COUNTY COMMISSIONERS

To accommodate the changes that were transmitted by the Board of County Commissioners, staff is making the changes, shown with double underline, to the proposed amendment, as shown below:

POLICY 1.1.9: The University Community land use category provides for Florida's 10th University, Florida Gulf Coast University (FGCU), and for associated support development. The location and timing of development within this area must be coordinated with the development of the University and the provision of necessary infrastructure. All development within the University

STAFF REPORT FOR
CPA2009-01

Lee Plan Amendment CPA2014-00009

October 13, 2010
PAGE 43 OF 52

Page 43

Community must be designed to enhance and support the University. In addition to all other applicable regulations, development within the University Community will be subject to cooperative master planning with, and approval by, the Board of Regents of the State University System Florida Gulf Coast University Board of Trustees.

Prior to development in the University Community land use category, there will be established a Conceptual Master Plan which includes a generalized land use plan and a multi-objective water management plan. These plans will be developed through a cooperative effort between the property owner, Lee County, and South Florida Water Management District.

Within the University Community are two distinct sub-categories: University Campus and the University Village. The University Window overlay, although not a true sub-category, is a distinct component of the total university environment. Together these functions provide the opportunity for a diversity of viable mixed use centers. Overall residential development within average density for the University Village will not exceed 6,510 dwelling units/2.5 units per acre. None of the 6,510 dwelling units may be used on or transferred to lands located outside of the University Community land use boundaries as they exist on (insert here the date of adoption of CPA 2009-01). Clustered densities within the area may reach fifteen units per acre to accommodate university housing. The overall average intensity of non-residential development within the University Village will be limited to 10,000 square feet of building area per non-residential acre allowed pursuant to Map 16 and Table 1(b). Specific policies related to the University Community are included within the Lee Plan under Goal 18.

POLICY 18.1.16: For those lands in Area 9, Alico West, all development must be designed to enhance and support the University. All rezonings in this area must include a specific finding that the proposed uses qualify as Associated Support Development, as that term is defined in the glossary. The final design and components will be determined as part of the DRI/rezoning process and must be consistent with the following development standards:

1. **Mixed Use:** Development must be in the Traditional Neighborhood Development form, as defined in the Glossary section of the Lee Plan, and consistent with the intent of Goal 4: Sustainable Development Design of the Lee Plan. Development on Alico West, Area 9, must be rezoned to a Compact Planned Development as specified by the Lee County Land Development Code, recognizing there may be significant deviations to accommodate the proposed development.

No changes are proposed to paragraphs 2 through 12.

13. **Landscaping:** All plantings used in buffers and landscaping must be installed using xeriscape principles. Xeriscape principles include water conservation through drought-tolerant landscaping, the use of appropriate plant material, mulching, and the reduction of turf areas. All development must hook-up to water re-use lines when they become available. At least 75 percent of all landscaping must be native landscaping.

No changes are proposed to paragraphs 14 and 15.

16. **Stormwater Retention for adjacent transportation facilities:** Area 9, Alico West will accommodate stormwater detention/retention requirements for the Alico Road widening and County Road 951 extension adjacent to the property, if constructed.

POLICY 38.1.8: The County may pursue a joint funding mechanism (such as an MSTU/MSBU) to pay for the widening of Alico Road east of Ben Hill Griffin Parkway to encourage economic development in the Alico Road area. Properties that generate traffic on the segment of Alico Road east of Ben Hill Griffin Parkway that have not already fully mitigated traffic impacts will be required to participate in the funding mechanism. Participation will be creditable against future road impact fee or DRI proportionate share obligations consistent with County regulations. Property that was subject to CPA2009-01 will donate 75 feet of right-of-way along the entire frontage of Alico Road. The donation of right-of-way along Alico Road will not be creditable against road impact fees or DRI proportionate share obligations.

C. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

The Board of County Commissioners transmitted the proposed amendment including the revisions decided above.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The Board of County Commissioners accepted the findings of fact as advanced by staff and the LPA.

D. VOTE:

BRIAN BIGELOW	NAY
TAMMARA HALL	AYE
VACANT	
RAY JUDAH	AYE
FRANKLIN B. MANN	AYE

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: August 27, 2010

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

The Florida Department of Community Affairs (DCA) Objection, Recommendation, and Comments (ORC) Report contained the following concerning this proposed amendment:

The proposed amendment includes the following: (1) change 919.5 acres (Alico West parcel) on the Future Land Use Map (FLUM) from Density Reduction/Groundwater Resource (DR/GR) to University Community; (2) text amendments to the Future Land Use Element and Transportation Element; (3) amendments to FLUM Maps 6 and 7 to include the subject parcel in the Lee County future water service area and future sewer service area; and (4) amendment to FLUM Map 16 to move the subject parcel from the Southeast Lee County Planning Community into the San Carlos Planning Community. The Department raises the following objections to the proposed Amendment CPA2009-01:

1. Objection (Land Use): *The proposed amendment Future Land Use Element Policy 18.1.16 requires that development on the subject Alico West property must provide an area for a main street town center that is supportive of Florida Gulf Coast University with mixed use development. The proposed amendment allows a mix of residential and non-residential uses (retail, research and development, and office) within the 350 acre developable portion of the Alico West parcel. Proposed Policy 18.1.6 does not establish meaningful and predictable guidelines and standards defining the minimum size (acres) of the main street town center, the percentage distribution of mix among the land uses within the main street town center, and the percentage distribution of mix among the land uses for the overall 350 acre developable portion.*

Rules 95-5.005(6); 9J-5.006(3)(c) 1; and 9J-5.006(4)(c), Florida Administrative Code (F.A.C.); and Section 163.3 177(6)(a), Florida Statutes (F.S.).

Recommendation: *Revise the policy to establish meaningful and predictable guidelines and standards defining: (1) the minimum size (acres) of the main street town center; (2) the percentage distribution of mix among the land uses within the main street town center; and (3) the percentage distribution of mix among the land uses for the overall 350 acre developable portion.*

2. Objection (Planning Communities: FLUM Allocation Table 1(b)): *The Lee County Comprehensive Plan divides the County into Planning Communities as depicted on FLUM Map 16 (Planning Communities), and the currently adopted Future Land Use Element Policy 1.7.6 establishes an Acreage Allocation Table 1(b) which identifies the total number of acres in each Planning Community and allocates acreage amounts of residential, commercial, and industrial development for year 2030 for each Planning Community. The amendment proposes to move the subject Alico West parcel from the Southeast Lee County Planning Community into the San Carlos Planning Community by amending FLUM Map 16. However, the amendment does not propose to amend the Acreage Allocation Table 1(b) to revise the total number of acres in the Southeast Lee County Planning Community and San Carlos Planning Community to reflect the proposed FLUM*

STAFF REPORT FOR
CPA2009-01

Lee Plan Amendment CPA2014-00009

October 13, 2010
PAGE 46 OF 52

Page 46

Lee Plan Amendment CPA2014-00009

Rules 9J-5.005(2)(a), (j), and (6); 9J-5.006(2)(a), and (3)(b)1.; 93-5.016(l)(a), (2), (3)(b)1., and (4)(a) and (b); 95-5.019(2), (3), (4), and (5)(b)2, F.A.C.; and Sections 163.3 177(6)(a), (6)(b), and (6)(Cj); and 163.3 177(2), (3), (a)? and (10)(e), F.S.

Recommendation: *Support the amendment with a transportation analysis based on the maximum development potential of the amendment (and growth in background trips) that addresses the transportation facilities that are needed to achieve and maintain the adopted level of service standards of roads and demonstrates coordination of any needed transportation facility improvements with the Transportation Element, Capital Improvements Element, plans and programs of the Florida Department of Transportation, and the Metropolitan Planning Organization Long Range Transportation Plan and Transportation Improvement Program. Revise the amendment, Future Transportation Map, and Capital Improvements Element (Five year Schedule of Capital Improvements, and policies if needed) to be supported by and consistent with the data and analysis. If road improvements are needed to address deficiencies in the short-term (five-year) planning time frame, the improvements should be included in the Capital Improvements Element Five-year Schedule of Capital Improvements. If public facilities are projected to be deficient in the long-term planning time frame, the County should maintain in the adopted portion of the Capital Improvements Element a list of the improvements that are projected to be needed in the planning time frame but beyond the five years covered by the adopted Capital Improvements Schedule. This list need not include any cost estimates for the improvements. The County must use this list when it adopts the mandatory annual update of the Capital Improvements Schedule. Improvements needed to achieve and maintain adopted level of service standards within the next five years should be moved from the list into the financially feasible five-year schedule, along with a cost estimate.*

B. STAFF RESPONSE

The applicant submitted a response that included additional analysis and revised language to address the concerns raised by DCA. Staff assisted the applicant with the response to ensure that DCA's concerns were addressed and to ensure that the site is developed as a Mixed Use Center serving the university community. The full response to DCA is attached to the Staff Report, entitled "Response to Objections, Recommendations and Comments for Lee County Amendment 10-2, Alico West CPA." A summary of the Response is provided below. The applicant's proposed policy revisions have been slightly modified to remove the word "shall" and replaces them with another word such as will or must where appropriate.

DCA's first concern is that Policy 18.1.16 does not establish meaningful and predictable guidelines and standards to define the main street town center and the overall development. The applicant and staff have collaborated to address this concern by adding language to proposed Policy 18.1.16.1. The additional language establishes the minimum and maximum development permitted on the Alico West property. Proposed Policy 18.1.16.1 has been revised as follows:

1. Mixed Use: *Development must be in the Traditional Neighborhood Development form, as defined in the Glossary section of the Lee Plan, and consistent with the intent of Goal 4: Sustainable Development Design of the Lee Plan. Development on Alico West, Area 9, must be rezoned to a Compact Planned Development as specified by the Lee County Land Development Code, recognizing there may be significant deviations to accommodate the proposed development. The following minimum and maximum development parameters per use are approved for Area 9, subject to transportation mitigation requirements;*

STAFF REPORT FOR
CPA2009-01
Lee Plan Amendment CPA2014-00009

October 13, 2010
PAGE 48 OF 52

Page 47

<u>Residential</u>	Minimum 800 units, maximum 1,950 units;
<u>Retail</u>	Minimum 200,000 square feet, maximum 543,000 square feet (Retail maximum may be reduced, to no less than the 200,000 square feet, to allow additional Office or Research and Development square feet at a 1 to 1 rate.);
<u>Office/Research/ Development</u>	Minimum 400,000 square feet, maximum of 918,000 square feet (additional Office/Research/Development square feet may be added to the maximum if the maximum retail is reduced as described in the Retail parameters above);
<u>Donation Site to University</u>	Minimum 40,000 square feet, maximum 400,000 square feet; and
<u>Hotel</u>	Minimum 0 rooms, maximum 250 rooms.

The applicant has revised Proposed Policy 18.1.16.2: Main Street Town Center to identify the percentage mix of commercial uses within the Main Street Town Center, as requested by the DCA. Proposed Policy 18.1.16.2 has been revised as follows:

2. **Main Street Town Center:** The development must provide an area for a main street town center that is supportive of FGCU, with mixed use development employing the Traditional Neighborhood Development (TND) form as defined in the glossary of the Plan. This portion of the development must contain mixed use buildings but may also contain some single use buildings. The Town Center must be a minimum of 25 Gross Acres. The minimum Residential Units within the area defined as the Town Center will be 200. Commercial Uses, including retail, office, employment, institutional or civic uses within the Town Center must provide a minimum total of 125,000 square feet. Coupled with the applicable Policy Framework, the required minimum percentage of non-residential land uses in the Town Center will be as follows:

<u>Retail /Commercial:</u>	50% MIN
<u>Office / Employment:</u>	25% MIN
<u>Public, Institutional & Civic:</u>	5% MIN

DCA's second concern is that the amendment did not revise Acreage Allocation Table 1(b) to reflect the proposed FLUM amendment. DCA found that the proposed amendment would cause an internal inconsistency between Policy 1.7.6 and the Acreage Allocation Table 1(b) unless the number of acres in the Southeast Lee County and the San Carlos Planning Communities were revised. Staff has acknowledged that this needs to be corrected, or there would be an internal inconsistency. Staff provided a response to the applicant with the necessary revisions to Table 1(b) of the Lee Plan. The plan amendment has been revised to reflect adjustments to the acreage totals to address DCA's second objection.

Planning Community Year 2030 Allocations Table – Table 1(b) has now been revised to re-allocate 920 acres from the Southeast Lee County to the San Carlos Planning Community. The Conservation (wetlands) allocation will be adjusted by moving 171 acres from the Southeast Lee County to the San

BRIAN BIGELOW	NAY
TAMMARA HALL	AYE
RAY JUDAH	AYE
FRANKLIN B. MANN	AYE
JOHN MANNING	AYE