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Fort Myers, Florida 33902

Wayne Gaither
Lee County DCD
P.O. Box 398
Fort Myers, FL 33902

COMMUNITY DEVELOPMENT

March 1, 2006

Re: Case Number CPA 2006-00001, the Fountains Comprehensive Plan Amendment (CPA)

Dear Mr. Gaither,

The Responsible Growth Management Coalition (RGMC) has several concerns regarding this proposed comprehensive plan amendment to the Lee Plan. We offer the following objections for your perusal.

Objections:

Location of Amendment

It is the RGMC's fervent belief that the proposed amendment, and the impacts associated with said amendment are inappropriate given the location of the subject property. This location is inappropriate in that the vast majority of the subject property currently is designated Density Reduction/Groundwater Recharge (DR/GR), and by definition, is unsuitable for urbanized development. The protection of DR/GR lands within Lee County is well-established given the County's forward-leaning thinking in terms of protecting its future water supplies. The following excerpt is from Policy 2.4.3 of the Lee Plan:

"Future Land Use Map Amendments to the existing DR/GR areas south of SR 82 east of I-75, excluding areas designated by the Port Authority as needed for airport expansion, which increase the current allowable density or intensity of land use will be discouraged by the county. It is Lee County's policy not to approve further urban designations there for the same reasons that supported its 1990 decision to establish this category."

Some acreage within the subject property has already been designated Central Urban, appropriately sited at the intersection of SR 82 and Daniels/Gunnery Road in accordance with universally accepted urban and commercial node standards and sound planning. Therefore, it is of concern to the RGMC that the applicant, in essence, wishes to expand this urban node onto the DR/GR-designated properties, in spite of well-documented environmental sensitivities, as represented by Florida Panther habitat and jurisdictional wetlands found on-site.

Utility Infrastructure concerns

Another objection to this proposed amendment is based on the fact that the area is located outside of the Future Water Service Area and Future Sanitary Sewer Service Areas. The purpose of these service areas is to provide an unofficial urban service boundary, within which future growth should be directed. Given the immense amount of non-residential development proposed (900,000 square feet of office/retail, 1.5 million square feet of distribution/warehouse), some guidance from the Lee Plan is necessary. For example, Policy 6.1.4 states:

“Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and *programmed public services and facilities.*”
(Emphasis added)

Given that the subject property is located outside of the aforementioned utility service areas, it would appear that the proposal is inconsistent with Policy 6.1.4. For that matter it is uncertain whether the County will have utilities provided to this area before the applicant’s final phase of development, to be completed in 2017. Even if utilities were extended to the site, at the cost of the developer, the issue that needs to be addressed is that such developer-initiated extensions have a negative effect on the equitable and efficient provision of potable water and wastewater utilities. To summarize, while the western portion of the proposed amendment lies adjacent to these service areas, the larger portion east of Daniels and south of SR 82 is not, and the further expansion of urban uses in that specific area would be indicative of sprawl.

Intensity of the Proposed Amendment:

Another objection of the proposed amendment is that the various elements, whether they are residential or non-residential in nature, are entirely too intense. Should the entire proposal be adopted, with the proposed densities and intensities intact, there would be a negative impact upon the environmental health of not only the subject property, but the adjacent DR/GR lands to the south and east. As you know, the very development of this property, such as the development of impervious surfaces represented by streets and driveways as well as the unavoidable fracturing of natural wildlife corridors and drainage ways would result in environmental degradation of these properties. Furthermore, Conservation 20/20 lands (Wild Turkey Strand Preserve) are located adjacent to the proposal – it would be unfortunate for these lands, purchased with public funds with the intent of preservation, to be despoiled by inappropriate, premature, and overly intensive development.

Simultaneity of Comprehensive Plan Amendment to Development of Regional Impact

The RGMC debates the wisdom of the connection of the Fountains CPA to a single, specific development, particularly when said development is of sufficient size and scope as to require approval via the Development of Regional Impact process. It is the opinion of the RGMC that applications such as the Comprehensive Plan Amendment, Future

Land Use Map Amendment, and Development of Regional Impact should be reviewed separately from each other, especially when differing governing boards (i.e. the Board of County Commissioners, the Regional Planning Council) are involved. What would happen if the proposed CPA is rejected, but the DRI is approved or vice-versa?

Conclusion

In summary, the Responsible Growth Management Coalition has reviewed the Fountains Comprehensive Plan Amendment and has found it lacking. The location of the proposed amendment, intensity proposed for the future development of the site, the lack of available utility infrastructure and our concerns regarding the "fast-tracking" of this development has led the RGMC to believe that this proposal is not consistent with sound growth management principles. Furthermore, the RGMC takes exception to the applicant's apparent belief that the issues dealing with the DR/GR designation for this property gives the applicant carte blanche for intensive development. In other words, the fact that the water ponds instead of percolates on the property, doesn't mean that said property is appropriate for urbanized development.

The RGMC would like to offer some recommendations in regards to the Fountains CPA. These recommendations include:

- Denial of the proposed Comprehensive Plan Amendment. Development of the subject property should be consistent with the existing Central Urban future land use classification. If it is found that the Density Reduction/Groundwater Recharge designation is inappropriate for the subject property, as the applicant suggests, then we suggest that the Rural future land use classification be utilized given the ecological sensitivity of the property.
- Rezoning of the property to a Planned Development. The required concept plan in such a rezoning would give interested parties as well as the general public further confidence that the intent of the development would be consistent with the result.

We strongly feel that the current proposal should be denied by the Lee County Board of County Commissioners. We thank you again for allowing us to express our concerns, in order to work together in providing a balance between growth and sustainability.

Sincerely,



David A. Urich
President, Responsible Growth Management Coalition