



Department of Community Development
Zoning Division
Environmental Review

MEMORANDUM

Date: July 11, 2016
To: Chahram Badhamtchian, Senior Planner
From: Beth Workman, Environmental Planner
239.533.8793
EWorkman@leegov.com
Subject: YBFH Real Estate LLC
ADD2016-00090

The applicant has submitted an application for an Administrative Amendment (ADD) to change the access points for parcels "O" and "P", changes to the preserve and buffer located in parcel "P" with an addition of a lake, and a deviation from Land Development Code Section 10-416(c)(2).

The 250 acre site was originally rezoned from AG-2 to IPD in 2004 (Z-04-055). The zoning resolution approved conditions relevant to the three wetlands, northern buffer enhancements, and approval of deviation 1 pertaining to the height of the buildings proposed on the site. Environmental Sciences (ES) zoning staff have reviewed the parcel "P" changes to the preserve buffering, addition of a lake and the added deviation from LDC 10-416(c)(2) and offer the following analysis and conditions:

PARCEL "P" PRESERVE, BUFFER, AND LAKE

Preserve and Lake

The applicant is not reducing the wetland preserve acreage located in parcel "P". The only change is to add a lake to the western side of the wetland preserve. The Z-04-055 zoning resolution provided a condition requiring a FLUCCS map be submitted at time of local development order for the three larger wetlands on the overall 250 acre project. The subject parcels contain one of the three wetlands. The applicant is adding a lake to the western side of the existing wetland with a planted littoral shelf providing the transition from the wetland to the lake. The planted littoral shelf must be designed to meet the LDC. The surface water management system will be designed to treat the water runoff in the dry detentions before discharge into the lake and then eventually utilizing the wetland for water storage. In order to ensure the treatment of storm water runoff and the survival of the indigenous wetlands, ES zoning staff provide the following conditions:

Prior to development order approval, the landscape and engineering plans must show a 0.99 acre wetland preserve.



Department of Community Development
Zoning Division
Environmental Review

MEMORANDUM

Prior to development order approval, the indigenous management plan must provide the before and after water depths in the wetland, provide restoration plant species that will survive these water depths, and a five year monitoring plan that includes baseline photo station map with photo station photos.

Prior to development order approval, all dry detention areas proposed on parcel "O" and "P" must provide *Spartina patens* installed two foot on center and specified in a one gallon container size on the landscape plans.

Prior to the issuance of a Certificate of Compliance, the applicant must provide a time zero monitoring report to begin the five year monitoring schedule that includes photo station map, photo station photos, a narrative stating the health of the wetland, the restoration species, and any wetland restoration plant species that have been replaced in order to keep the project in compliance with approved development order.

Preserve Common Open Space Area

The applicant stated in the ADD application that a preserve buffer was required and that due to the addition of the lake this buffer would not be able to be met. The Z-04-055 was approved with Deviation 1 that requested 65 feet above minimum flood elevation and five habitable floors instead of LDC required 45 feet above minimum flood elevation with on more than three habitable floors. The deviation was approved with conditions (a) and (b).

Condition (a) pertained to the wetland preserves stating that the applicant must provide 9 acres of common open space surrounding the wetland preserves and that these areas must be planted with native vegetation, specifically 50 native trees and 100 native shrubs, mulched, irrigated, and counted toward the general tree requirement. This condition did not specify that the common open space must be around the entire preserve but only that cumulatively 9 acres of common open space must be provided. This condition must be met if the buildings are 65 feet above minimum flood elevation with no more than three habitable floors. ES zoning staff asked if the proposed buildings would meet code or utilize the deviation. The applicant responded that the buildings would not be 65 feet above flood elevation. Therefore, the 9 acres of common open space does not need to be met and is a moot point.

Condition (b) pertained to an enhanced Type D buffer along Alico Road and doesn't apply to the subject property.



Department of Community Development
Zoning Division
Environmental Review

MEMORANDUM

LDC 10-416(C) (2) DEVIATION PARKING CANOPY TREES

The applicant has requested a deviation from LDC 10-416(c) (2) that states all parking areas must be internally landscaped to provide visual relief and cooling effects and to channelize and define logical areas for pedestrian and vehicular circulation, as follows: At least one parking canopy trees per 250 square feet of required internal planting area and no parking space may be more than 200 feet from a tree planted in a permeable island, peninsula or median of 18 foot minimum width TO ALLOW elimination of the 200 foot spacing.

The applicant states that due to the proposed use of the industrial site the parking canopy islands and trees would end up damaged from the larger trucks that will be maneuvering the site to access the storage units and open storage areas. The enhancement offered is to provide equal or greater number of canopy trees in the pervious areas East and West of the paved area, in the perimeter berm along Lee Road and in the buffer around the preserve.

ES staff understands that tree canopies will be damaged and parking island curbing will be crushed by the vehicles utilizing this project. The enhancements offered by the applicant focus on one area of the development and do not try to utilize the other green space areas to scatter the cooling effect of the parking canopy trees which is the sole purpose of the LDC requirement. ES zoning staff provide the following conditions for approval of the deviation:

Prior to development order approval for parcels "O" and "P", the parking canopy trees for the parking spaces supporting the offices must be in substantial compliance with LDC 10-416 (c)(2)(a-g). The landscape plans must provide a parking canopy tree calculation only for the parking supporting the offices. All other vehicle use areas are waived from this requirement.

Prior to development order approval for parcels "O" and "P", a 15 foot wide buffer must be provided along the east and west property lines with ten (10) trees per 100 linear feet and a double staggered hedge. Palms are limited to 75% of the required trees and the vegetation must be 100% native. The dry detention plantings cannot be used to meet the double hedge and the trees cannot be used to meet the general tree requirement.



Department of Community Development
Zoning Division
Environmental Review

MEMORANDUM

Attachments (X)