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 #LC26000330

LETTER OF TRANSMITTAL

TO:
 Lee County Community Development
 1700 Monroe Street
 Fort Myers, FL 33901

DATE: February 10, 2017 **MDA PROJECT NO.:** 12060

ATTENTION: Becky Sweigert

RE: Centerplace CPA2016-00011 Map/Text Amendment

We are sending you Attached Under separate cover VIA _____ the following items:

Copies	Date	No.	Description
6			Proposed Text Amendments dated January 8, 2017
6			Proposed Text Amendments dated November 17, 2016

These are transmitted as checked below:

- For approval Approved as submitted Resubmit copies for approval
- For your use Approved as noted Submit copies for distribution
- As requested Returned for corrections Return corrected prints
- For review and comment _____
- For bids due _____ Prints returned after loan to M-DA

REMARKS: Should you have any questions or concerns please contact me.
 Thank you.

RECEIVED
 FEB 10 2017

COPY TO: _____ **SIGNED:** COMMUNITY DEVELOPMENT
CPA 2016-00011

 Beth Scott

MORRIS

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CenterPlace

RECEIVED
FEB 10 2017

COMMUNITY DEVELOPMENT

Proposed Text Amendments

January 8, 2017

CPA 2016-00011

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 Florida Gulf Coast University President or their designee.

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 the University Village will not exceed 6,510 dwelling units. 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 October 20, 2010. Clustered densities within the area may reach thirty-five (35) units per acre to accommodate university housing. The overall average intensity of nonresidential development within the University Village will be limited to a maximum floor area ratio of 1.0 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. (Added by Ordinance No. 92-47, Amended by Ordinance No. 94-30, 98-09, 00-22, 10-40)

GOAL 18: UNIVERSITY COMMUNITY. In order to ensure that development within the University Community land use category protects and enhances the ability of Florida's 10th university to provide secondary education as described in the Mission Statement of that institution and to assure that land uses or development activities do not interfere with, disrupt, or impede the efficient operation of that institution the following Objectives and Policies will apply to all

development within the University Community land use category. The Application (Volume 1 of 2) (1992) and the Support Document (Volume 2 of 2) (1992) to the Amendment to the Lee County Comprehensive Plan for the University Community is incorporated by reference herein as a resource and information document. (Added by Ordinance No. 92-47, Amended by Ordinance No. 94-30, 00-22)

OBJECTIVE 18.1: FUTURE LAND USE. In order to ensure that the location and timing of development within the University Community is coordinated with the development of the University and the provision of necessary infrastructure; and, that all associated support development within the University Community is designed to enhance the University; all development within the University Community will be subject to cooperative master planning which must conform to the following policies. (Amended by Ordinance No. 00-22)

POLICY 18.1.1: Lee County will, through public and private economic and business development initiatives, promote the University Community as a catalyst for economic diversification and the promotion of employment throughout Lee County and the Region. Within the University Community land use category, the focus of this endeavor (the emphasis) will be on university related scientific research and high technology development activities. (Amended by Ordinance No. 00-22)

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)

POLICY 18.1.3: Lee County will maintain and as necessary adopt appropriate regulations providing for university housing, including student dormitories and boarding houses. (Amended by Ordinance No. 00-22, 07-12)

POLICY 18.1.4: Lee County will maintain and as necessary adopt regulations further defining how densities for individual parcels within the University Community will be determined. The regulations will address how the total number of units will be tallied to ensure that the overall total number of residential units within the University Village do not exceed 6,510 dwelling units. The regulations will provide a mechanism for clustering densities within the University Community. (Amended by Ordinance No. 00-22, 07-12, 10-40)

POLICY 18.1.5: In order to create a cohesive community, site design within the University Community must utilize alternative modes of transportation such as pedestrian networks, mass transit opportunities, sidewalks, bike paths and similar facilities. Site design must link related land uses through the use of alternative modes of transportation thus reducing automobile traffic within the University Community. The county will work cooperatively with the University on these matters as the University proceeds through the Campus Master Plan Process.

As part of the local Development Order approval for primary infrastructure installation on property within Area 9, of the University Community, the developer must demonstrate that the proposed plan of development supports pedestrian, bicycle and transit opportunities. A multi-modal interconnection between the property and the FGCU campus must be provided at no cost to Lee County, consistent with Lee Plan Policy 18.1.16.7. (Amended by Ordinance No. 94-30, 00-22, 10-40, 14-03)

POLICY 18.1.6: Lee County will facilitate mass transit opportunities connecting the University Community to other parts of the county, in accordance with the goals, objectives, and policies of the Mass Transit element. (Amended by Ordinance No. 94-30, 00-22)

POLICY 18.1.7: A diverse mixture of land uses will be encouraged within the University Community. Compatibility will be addressed through project design, including adequate buffering or other performance measures, therefore allowing adjacent appropriate industrial, residential and commercial land uses where such locations represent good planning. In reviewing zoning requests within the University Community, Lee County will consider noise, odor, visual, security and traffic impacts in determining land use compatibility. Because of the required cooperative master planning with and approval by the Board of Regents, the required compatibility review and the requirement that commercial land uses within the University Village be related to the University, development within the University Community will not be subject to the site location standards set forth in Goal 6 of the Lee Plan. (Amended by Ordinance No. 94-30, 00-22)

POLICY 18.1.8: Agricultural activity including but not limited to tree farms, nurseries, or agricultural research facilities will be permitted within the University Community. (Amended by Ordinance No. 00-22)

POLICY 18.1.9: Prior to the commencement of development within the University Community land use category, an area-wide Conceptual Water Management Master Plan must be submitted to and approved by Lee County and South Florida Water Management District staff. This water management plan will be integrated with the Conceptual Master Plan and be prepared through a cooperative effort between the property owner, Lee County, and South Florida Water Management District. This master plan will ensure that the water management design of any development within the University Community will maintain or improve the currently existing quality and quantity of groundwater recharge. This plan must be consistent with the drainage basin studies that were prepared by Johnson Engineering, and approved by the SFWMD. Lee County will amend the county land development regulations to require all new development to be consistent with the appropriate basin study. Prior to zoning or Development Order approval on any portion of Area 9, the developer must demonstrate through modeling, accepted by Lee County staff, that the proposed development will not create significant impacts on present or future water resources. (Amended by Ordinance No. 94-30, 00-22, 10-40)

POLICY 18.1.10: Development within the University Community land use category will be consistent with the Generalized Land Use Map and the eight area descriptions contained on or between pages 6 through 10 of the University Community Conceptual Master Plan, dated April 1994. The University Community Conceptual Master Plan is hereby amended to include a new Area 9 which is east and north of areas 5 and 8 and bounded on the east side by the Florida Power and Light easement and the north by Alico Road. (Amended by Ordinance No. 94-30, 10-40)

POLICY 18.1.11: If not otherwise addressed by the Conceptual Master Plan, the landowner(s) within the University Village will coordinate infrastructure connections and interconnections, including but not limited to roadways, utilities and water management, with the University Campus through the established Board of Regents' master planning, review and approval process. (Amended by Ordinance No. 00-22, Relocated by Ordinance No. 07-12)

POLICY 18.1.12: To encourage a variety of wildlife habitats and university study sites, special consideration will be given in the Conceptual Master Plan to the preservation of portions of the most pristine and diverse wildlife habitat areas (such as, pine flatwoods, palmetto prairies, and major cypress slough systems) as an incentive to reduce, on a one-for-one basis, open space requirements in other developments within the University Community. The implementation of this policy will occur at the time of zoning and development review. (Amended by Ordinance No. 94-30, 00-22, Relocated by Ordinance No. 07-12, Amended by Ordinance No. 10-40)

POLICY 18.1.13: The use of septic tanks will be prohibited except for temporary septic tanks for model homes, construction trailers, and temporary sales offices. Permanent septic tanks will be limited to rest room facilities in golf courses, existing agricultural operations, or any agricultural operation of twenty five acres or more. (Amended by Ordinance No. 00-22, Relocated by Ordinance No. 07-12)

POLICY 18.1.14: The cost for the provision and expansion of facilities for potable water and sanitary sewer that benefits development in the University Community will be borne by those who benefit. Such funding may include (but is not limited to) outright construction by the developer, special taxing or benefit districts, or Uniform Community Development Districts (Chapter 190, F.S.). The cost for these types of improvements will not be born by the county. (Added by Ordinance No. 94-30, Amended by Ordinance No. 00-22, Relocated by Ordinance No. 07-12)

POLICY 18.1.15: The cost for the provision and expansion of facilities necessary to comply with the recommendations of the Estero Basin that benefits development in the University Community will be borne by those who benefit. Such funding may include (but is not limited to) outright construction by the developer, special taxing or benefit districts, or Uniform Community Development Districts (Chapter 190, F.S.). The cost for these types of improvements will not be borne by the county. (Added by Ordinance No. 94-30, Amended by Ordinance No. 00-22, Relocated by Ordinance No. 07-12)

POLICY 18.1.16: For those lands in Area 9, 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 rezoning process and must be consistent with the following development standards:

- 1. Mixed Use:** Development must incorporate a mix of uses (multiple types of residential development along with non-residential development), and be consistent with the intent of Goal 4: Sustainable Development Design of the Lee Plan, Policy 1.1.9 and Goal 18: University Community. Development on Alico West, Area 9, must be rezoned to a Planned Development as specified by the Lee County Land Development Code. The following maximum development parameters per use are approved for Area 9, subject to transportation mitigation requirements:

Residential: a maximum of 1,950 units;

Retail: a maximum of 200,000 square feet;

Office/Research/Development: a maximum of 140,000 square feet; and

Hotel: 250 rooms.

- 2. Density:** To ensure the creation of a development that has sufficient residential mass to support the proposed non-residential intensity, while providing a mixture of housing types to meet the needs and accommodate the varying lifestyles of persons related directly and indirectly to the University as required by policy 18.1.2, the total project shall not exceed a total of 1,950 dwelling units.
- 3. Non-residential Uses:** The Site Location Standards described in Goal 6 of the Lee Plan are not applicable to University Community Area 9. Specific location of non-residential uses, design details, and intensities of non-residential uses will be reviewed during the rezoning process to determine compliance with the requirements of applicable Lee Plan provisions, including but not limited to compatibility, mix of uses, civic spaces, recreation and open space, interconnectivity, and multi-modal design elements.
- 4. Office, Research and Development Facilities:** Research and development facilities and office buildings are encouraged, which will attract the targeted industries as established by the State of Florida and by Lee County to create economic diversity and to create synergy between FGCU and private facilities. As required by policy 18.1.1, the emphasis will be on University related scientific research and high technology development activities but may also include and allow a diversity of activities that support the University and private development within Area 9 in keeping with the predominant land uses as established by Policy 18.2.2.
- 5. Connectivity to FGCU:** To further implement Policy 18.1.5 relative to alternative modes of transportation, Area 9 will be designed with a connection to FGCU. This connection will

be a pedestrian-friendly multi-modal facility, with traffic calming, multi-use paths, and other pedestrian oriented safety features. This connection must be included in the local development order prior to commencement of vertical development.

- 6. Pedestrian Friendly Design:** The development will be designed as a pedestrian-friendly community, and in areas targeted and marketed as student housing, along with all retail, office, research and development areas, will include pedestrian oriented design features, including traffic calming, sidewalks on both sides of the road system, and facilities to accommodate the FGCU Eagle Express, Lee Tran, and other alternative modes of transportation.
- 7. Parking:** Parking in Area 9 should be screened and minimized to the furthest extent possible in order to create a walkable community that considers the needs of pedestrians and recognizes the possibility for internal trip capture. Parking may be minimized by using on-street parking, shared parking, or structured parking.
- 8. Residential Uses:** Single-family residential units and zero lot line units, as defined in the Land Development Code, will be limited to not more than 25% of the total approved dwelling units in the planned development.
- 9. Town Square:** Area 9 may contain public and private entertainment venues, including but not limited to facilities such as ~~amphitheaters~~, theaters, bars and cocktail lounges, restaurants, bowling alleys, batting cages, arcades, as well as passive recreation facilities located within or in close proximity to the commercial node of the required Planned Development. All uses must comply with adopted noise abatement and control requirements imposed as part of any zoning approvals to maintain compatibility with existing development.
- 10. Landscaping:** All plantings used in buffers and landscaping must be at least 75 percent native. Irrigation must be provided through a central irrigation system that complies with the Lee County Water Conservation Ordinance. Irrigation control boxes and wells are prohibited on individual residential lots.
- 11. Florida Gulf Coast University Participation:** The owner or agent for Development of Regional Impact or Planned Development rezoning requests must conduct two meetings with the President of FGCU 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. The developer must invite Lee County 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.

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

OBJECTIVE 18.2: UNIVERSITY COMMUNITY SUB-CATEGORIES. The University Community meets an educational infrastructure need for the Southwest Florida five county area by providing the necessary and appropriate land uses to carry out the mission of Florida's 10th University as stated by the Board of Regents. Within the University Community land use category there are two distinct sub-categories: University Campus and the University Village. The University Window overlay is also a part of the University Community land use category. (Amended by Ordinance No. 94-30)

POLICY 18.2.1: The University Campus area provides for the land uses of the University and its related functions. Development within the University Campus will be in accordance with provisions of any development agreement(s) between the Department of Community Affairs and the Board of Regents under the provisions of Chapter 380 F.S. and any other applicable state law. (Amended by Ordinance No. 00-22)

POLICY 18.2.2: The University Village is an area which provides the associated support development and synergism to create a viable University Community. This sub-category allows a mix of land uses related to and justified by the University and its development. Predominant land uses within this area are expected to be residential, commercial, office, public and quasi-public, recreation, and research and development parks. (Amended by Ordinance No. 00-22, 14-03)

POLICY 18.2.3: The University Window Overlay includes the area within 100 feet on both sides of the right-of-way of the following roadway segments:

Ben Hill Griffin Pkwy	From Alico Road to Corkscrew Road
Alico Road	From I-75 to Ben Hill Griffin Pkwy
Corkscrew Road	From I-75 to Ben Hill Griffin Pkwy
Esterro Pkwy	From I-75 to Ben Hill Griffin Pkwy

With input from affected property owners, Lee County and the Florida Gulf Coast University Board of Trustees will develop mutually agreed upon standards for the University Window addressing landscaping, signage and architectural features visible from the designated roadway segments. (Amended by Ordinance No. 00-22, 07-12, 10-40)

TABLE1(a) Summary of Residential Densities

Note 9: Overall average density for the University Village sub-district must not exceed 2.5 du/acre. Clustered densities within the area may reach 35 du/acre to accommodate university housing.

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November 17, 2016

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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 the University Village will not exceed 6,510 dwelling units. 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 October 20, 2010. Clustered densities within the area may reach ~~fifteen~~ thirty-five (35) units per acre to accommodate university housing. The overall average intensity of nonresidential development within the University Village will be limited to a ~~10,000 square feet of building~~ maximum floor area ratio of 1.0 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. (Added by Ordinance No. 92-47, Amended by Ordinance No. 94-30, 98-09, 00-22, 10-40)

GOAL 18: UNIVERSITY COMMUNITY. In order to ensure that development within the University Community land use category protects and enhances the ability of Florida's ~~tenth~~ 10th university to provide secondary education as described in the Mission Statement of that institution and to assure that land uses or development activities do not interfere with, disrupt, or impede the

efficient operation of that institution the following Objectives and Policies will apply to all development within the University Community land use category. The Application (Volume 1 of 2) (1992) and the Support Document (Volume 2 of 2) (1992) to the Amendment to the Lee County Comprehensive Plan for the University Community is incorporated by reference herein as a resource and information document. (Added by Ordinance No. 92-47, Amended by Ordinance No. 94-30, 00-22)

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POLICY 18.1.1: Lee County will, through public and private economic and business development initiatives, promote the University Community as a catalyst for economic diversification and the promotion of employment throughout Lee County and the Region. Within the University Community land use category, the focus of this endeavor (the emphasis) will be on university related scientific research and high technology development activities. (Amended by Ordinance No. 00-22)

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POLICY 18.1.3: Lee County will maintain and as necessary adopt appropriate regulations providing for university housing, including student dormitories and boarding houses. (Amended by Ordinance No. 00-22, 07-12)

POLICY 18.1.4: Lee County will maintain and as necessary adopt regulations further defining how densities for individual parcels within the University Community will be determined. The regulations will address how the total number of units will be tallied to ensure that the overall total number of residential units within the University Village do not exceed 6,510 dwelling units. The regulations will provide a mechanism for clustering densities within the University Community. (Amended by Ordinance No. 00-22, 07-12, 10-40)

POLICY 18.1.5: In order to create a cohesive community, site design within the University Community must utilize alternative modes of transportation such as pedestrian networks, mass transit opportunities, sidewalks, bike paths and similar facilities. Site design must link related land uses through the use of alternative modes of transportation thus reducing automobile traffic within the University Community. The county will work cooperatively with the University on these matters as the University proceeds through the Campus Master Plan Process.

~~Prior to~~ As part of the local Development Order approval for primary infrastructure installation on property within Area 9, of the University Community, the developer must demonstrate that the proposed plan of development supports pedestrian, bicycle and transit opportunities. A multi-modal interconnection between the property and the FGCU campus must be provided at no cost to Lee County, consistent with Lee Plan Policy 18.1.16.7. The owner/developers must dedicate the right of way for the 951 extension between Alico Road and Corkscrew Road to Lee County prior to rezoning approval. The value of the right of way on the date of dedication must not reflect the added value of the lands changed from DR/GR to University Community by virtue of CPA 2009-01. The county will issue road impact fee credits for the dedication. (Amended by Ordinance No. 94-30, 00-22, 10-40, 14-03)

POLICY 18.1.6: Lee County will facilitate mass transit opportunities connecting the University Community to other parts of the county, in accordance with the goals, objectives, and policies of the Mass Transit element. (Amended by Ordinance No. 94-30, 00-22)

POLICY 18.1.7: A diverse mixture of land uses will be encouraged within the University Community. Compatibility will be addressed through project design, including adequate buffering or other performance measures, therefore allowing adjacent appropriate industrial, residential and commercial land uses where such locations represent good planning. In reviewing zoning requests within the University Community, Lee County will consider noise, odor, visual, security and traffic impacts in determining land use compatibility. Because of the required cooperative master planning with and approval by the Board of Regents, the required compatibility review and the requirement that commercial land uses within the University Village be related to the University, development within the University Community will not be subject to the site location standards set forth in Goal 6 of the Lee Plan. (Amended by Ordinance No. 94-30, 00-22)

~~**POLICY 18.1.8:** All currently permitted mining activities within the University Community area will be allowed to continue until such time as the university opens.~~ Agricultural activity including but not limited to tree farms, nurseries, or agricultural research facilities will be permitted within the University Community. (Amended by Ordinance No. 00-22)

POLICY 18.1.9: Prior to the commencement of development within the University Community land use category, an area-wide Conceptual Water Management Master Plan must be submitted to and approved by Lee County and South Florida Water Management District staff. This water management plan will be integrated with the Conceptual Master Plan and be prepared through a cooperative effort between the property owner, Lee County, and South Florida Water Management District. This master plan will ensure that the water management design of any development within the University Community will maintain or improve the currently existing quality and quantity of groundwater recharge. This plan must be consistent with the drainage basin studies that were prepared by Johnson Engineering, and approved by the SFWMD. Lee County will amend the county land development regulations to require all new development to be consistent with the appropriate basin study.

~~Development of Regional Impact, zoning and Development Order approvals within the University Community Area 9 must provide an environmental assessment that includes a fines relocation/disposal plan to be implemented at the time of development of the property. Prior to zoning or Development Order approval on any portion of Area 9, the developer must demonstrate through modeling, accepted by Lee County staff, that the proposed development will not create significant impacts on present or future water resources. (Amended by Ordinance No. 94-30, 00-22, 10-40)~~

POLICY 18.1.10: Development within the University Community land use category will be consistent with the Generalized Land Use Map and the eight area descriptions contained on or between pages 6 through 10 of the University Community Conceptual Master Plan, dated April 1994. The University Community Conceptual Master Plan is hereby amended to include a new Area 9 which is east and north of areas 5 and 8 and bounded on the east side by the Florida Power and Light easement and the north by Alico Road. (Amended by Ordinance No. 94-30, 10-40)

POLICY 18.1.11: If not otherwise addressed by the Conceptual Master Plan, the landowner(s) within the University Village will coordinate infrastructure connections and interconnections, including but not limited to roadways, utilities and water management, with the University Campus through the established Board of Regents' master planning, review and approval process. (Amended by Ordinance No. 00-22, Relocated by Ordinance No. 07-12)

POLICY 18.1.12: To encourage a variety of wildlife habitats and university study sites, special consideration will be given in the Conceptual Master Plan to the preservation of portions of the most pristine and diverse wildlife habitat areas (such as, pine flatwoods, palmetto prairies, and major cypress slough systems) as an incentive to reduce, on a one-for-one basis, open space requirements in other developments within the University Community. The implementation of this policy will occur at the time of zoning and development review. ~~The development of the lands in Area 9 at the county's request, may include the construction of a rookery island, funded by the developer, within the existing mining lake that separates the Area 9 property from the Miromar Lakes residential community. The rookery island would provide wildlife habitat and would be made available to FGCU for use as an environmental study site.~~ (Amended by Ordinance No. 94-30, 00-22, Relocated by Ordinance No. 07-12, Amended by Ordinance No. 10-40)

POLICY 18.1.13: The use of septic tanks will be prohibited except for temporary septic tanks for model homes, construction trailers, and temporary sales offices. Permanent septic tanks will be limited to rest room facilities in golf courses, existing agricultural operations, or any agricultural operation of twenty five acres or more. (Amended by Ordinance No. 00-22, Relocated by Ordinance No. 07-12)

POLICY 18.1.14: The cost for the provision and expansion of facilities for potable water and sanitary sewer that benefits development in the University Community will be borne by those who benefit. Such funding may include (but is not limited to) outright construction by the

developer, special taxing or benefit districts, or Uniform Community Development Districts (Chapter 190, F.S.). The cost for these types of improvements will not be born by the county. (Added by Ordinance No. 94-30, Amended by Ordinance No. 00-22, Relocated by Ordinance No. 07-12)

POLICY 18.1.15: The cost for the provision and expansion of facilities necessary to comply with the recommendations of the Estero Basin that benefits development in the University Community will be borne by those who benefit. Such funding may include (but is not limited to) outright construction by the developer, special taxing or benefit districts, or Uniform Community Development Districts (Chapter 190, F.S.). The cost for these types of improvements will not be borne by the county. (Added by Ordinance No. 94-30, Amended by Ordinance No. 00-22, Relocated by Ordinance No. 07-12)

POLICY 18.1.16: For those lands in Area 9, 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 rezoning process and must be consistent with the following development standards:

- 1. Mixed Use:** Development must incorporate a mix of uses (multiple types of residential development along with non-residential development), be in the Traditional Neighborhood Development form, as defined in the Glossary section of the Lee Plan, and be consistent with the intent of Goal 4: Sustainable Development Design of the Lee Plan, Policy 1.1.9 and Goal 18: University Community. 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:

~~Residential: Minimum 800 Units, a maximum of 1,950 units;~~

~~Retail: Minimum 400,000 square feet, a maximum of 200,000 square feet 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.);~~

~~Office/Research/Development: Minimum 400,000 square feet, a maximum of 140,000 918,000 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;~~

~~Donation Site to University: Minimum 40,000 Square feet; and~~

~~Hotel: Minimum 0 rooms, maximum 250 rooms.~~

~~3.2. Density:~~ To ensure the creation of a development that has sufficient residential mass to support the proposed ~~main street town center~~ non-residential intensity, while providing a mixture of housing types to meet the needs and accommodate the varying lifestyles of persons related directly and indirectly to the University as required by policy 18.1.2, the total project ~~net density within the residential component area of Area 9 must be a minimum of 5 units per acre, but shall not to exceed a total of 1,950 dwelling units.~~

~~4.3. Retail Uses; Non-residential Uses:~~ The total retail floor for Area 9 will not exceed a maximum of 543,000 square feet. Retail uses should be approximately sized to enhance FGCU and private residential development in the area. While individual structures may be larger in size, the maximum floor area limitations for single user retail stores are as follows:

~~a. One (1) grocery store may be constructed to a maximum of 45,00~~

~~b. Up to two (2) retail stores may be constructed not exceeding a total of 60,000 square feet per store, with no more than 30,000 square feet per floor;~~

~~c. Up to three (3) retail stores may be constructed not exceeding 30,000 square feet per store; and~~

~~d. At build out, at least 50 % of all finished retail square footage must be utilized by retail stores smaller than 10,000 square feet but may be contained in multi-use buildings.~~

The Site Location Standards described in Goal 6 of the Lee Plan are not applicable to University Community Area 9. Specific location of non-residential uses, design details, and intensities of non-residential uses will be reviewed during the rezoning process to determine compliance with the requirements of applicable Lee Plan provisions, including but not limited to compatibility, mix of uses, civic spaces, recreation and open space, interconnectivity, and multi-modal design elements.

5.4. Office, Research and Development Facilities: Research and development facilities and office buildings are encouraged, which will attract the targeted industries as established by the State of Florida and by Lee County to create economic diversity and to create synergy between FGCU and private facilities. As required by policy 18.1.1, the emphasis will be on University related scientific research and high technology development activities but may also include and allow a diversity of activities that support the University and private development within Area 9 in keeping with the predominant land uses as established by Policy 18.2.2.

7.5. Connectivity to FGCU: To further implement Policy 18.1.5 relative to alternative modes of transportation, Area 9 will be designed with a connection to ~~the easterly portion~~ FGCU. This connection will be a pedestrian-friendly multi-modal facility, with traffic calming, multi-use paths, and ~~student safety features~~ other pedestrian oriented safety

features. This connection must be included in the local development order prior to commencement of vertical development on Area 9 this connection must be in place.

8.6. Pedestrian Friendly Design: The development will be designed as a pedestrian-friendly community ~~with student safety features, and in areas targeted and marketed as student housing, along with all retail, office, research and development areas,~~ will include pedestrian oriented design features, including traffic calming, sidewalks on both sides of the road system, and facilities to accommodate the FGCU Eagle Express, Lee Tran, and other alternative modes of transportation.

10.7. Parking: Parking in Area 9 should be screened and minimized to the furthest extent possible in order to create a walkable community that considers the needs of pedestrians and recognizes the possibility for internal trip capture. Parking may be minimized by using on-street parking, shared parking, or structured parking. ~~All parking must be consistent with the requirements identified below:~~

~~A. Within the Town Center/Core Area of Area 9 parking requirements are as follows:~~

- ~~1. A minimum of 50% of the required parking will be contained in parking structures.~~
- ~~2. A maximum of 25% of the parking required for the Town Center/Core Area may be surface parking lots, in an area no greater than 10 acres. The 10 acres will not include any water management features of the development.~~
- ~~3. A minimum of 25% of the required parking would be on street parking in a TND design.~~
- ~~4. Off street surface parking must be located to minimize the presence of the surface parking facility by shielding the parking areas with liner buildings, courtyards and buffers. Further, the developer is encouraged to reduce the amount of surface parking by designing the development in a manner that promotes shared parking agreements, mixed uses, internal trip capture, and alternative modes of transportation such as transit, biking and walking, whenever possible.~~

~~B. Within the remainder of the Area 9 on-street parking may be provided to offset off-street parking requirements. Off street parking must be located to minimize the presence of any surface parking facilities by shielding such parking with liner buildings, courtyards~~

~~C. Deviations from the number of parking spaces required by the Land Development Code may be appropriate in Area 9.~~

8.11. Residential Uses: Single-family residential units and zero lot line units, as defined in the Land Development Code, will be limited to not more than 25% of the total approved

~~dwelling 195 units in the planned development. All single-family residential units and zero lot line units must be constructed on lots smaller than 6,500 square feet.~~

~~**12.9. Entertainment District Town Square:** Area 9 may contain public and private entertainment venues, including but not limited to facilities such as amphitheaters, theaters, bars and cocktail lounges, restaurants, bowling alleys, batting cages, arcades, as well as passive recreation facilities located within or in close proximity to the commercial node of the required Planned Development. All uses must comply with adopted noise abatement and control requirements imposed as part of any zoning approvals to maintain compatibility with existing development.~~

~~**13.10. 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. Irrigation must be provided through a central irrigation system that complies with the Lee County Water Conservation Ordinance. Irrigation control boxes and wells are prohibited on individual residential lots.~~

~~**15.11. Florida Gulf Coast University Participation:** The owner or agent for Development of Regional Impact or Planned Development rezoning requests must conduct two meetings with the President of FGCU 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. The developer must invite Lee County 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.~~

~~**16.12. Stormwater Retention for adjacent transportation facilities:** Area 9 will accommodate stormwater detention/retention requirements for the Alico Road widening and County Road 951 extension adjacent to the property, if constructed.~~

OBJECTIVE 18.2: UNIVERSITY COMMUNITY SUB-CATEGORIES. The University Community meets an educational infrastructure need for the Southwest Florida five county area by providing the necessary and appropriate land uses to carry out the mission of Florida's 10th University as stated by the Board of Regents. Within the University Community land use category there are two distinct sub-categories: University Campus and the University Village.

The University Window overlay is also a part of the University Community land use category. (Amended by Ordinance No. 94-30)

POLICY 18.2.1: The University Campus area provides for the land uses of the University and its related functions. Development within the University Campus will be in accordance with provisions of any development agreement(s) between the Department of Community Affairs and the Board of Regents under the provisions of Chapter 380 F.S. and any other applicable state law. (Amended by Ordinance No. 00-22)

POLICY 18.2.2: The University Village is an area which provides the associated support development and synergism to create a viable University Community. This sub-category allows a mix of land uses related to and justified by the University and its development. Predominant land uses within this area are expected to be residential, commercial, office, public and quasi-public, recreation, and research and development parks. (Amended by Ordinance No. 00-22, 14-03)

POLICY 18.2.3: The University Window Overlay includes the area within 100 feet on both sides of the right-of-way of the following roadway segments:

Treeline Avenue <u>Ben Hill Griffin Pkwy</u>	From Alico Road to Corkscrew Road
Alico Road	From I-75 to Ben Hill Griffin Pkwy
Corkscrew Road	From I-75 to Ben Hill Griffin Pkwy
Koreshan Boulevard <u>Esterro Pkwy</u>	From I-75 to Ben Hill Griffin Pkwy

With input from affected property owners, Lee County and the Florida Gulf Coast University Board of Trustees will develop mutually agreed upon standards for the University Window addressing landscaping, signage and architectural features visible from the designated roadway segments. (Amended by Ordinance No. 00-22, 07-12, 10-40)

TABLE1(a) Summary of Residential Densities

Note 9: Overall average density for the University Village sub-district must not exceed 2.5 du/acre. Clustered densities within the area may reach ~~15~~ 35 du/acre to accommodate university housing.