



Florida Department of Transportation

RICK SCOTT
GOVERNOR

10041 Daniels Parkway
Fort Myers, FL 33913

MIKE DEW
SECRETARY

July 14, 2017

Mr. Ray Eubanks
Plan Processing Administrator
Department of Economic Opportunity
Caldwell Building
107 East Madison Street, MSC 160
Tallahassee, FL 32399

RE: Lee County 17-4DRI Proposed Comprehensive Plan Amendment (Babcock) State Coordinated Review – FDOT Review Comments and Recommendations

Dear Mr. Eubanks:

The Florida Department of Transportation (FDOT), District One has reviewed the Lee County 17-4 DRI proposed Comprehensive Plan Amendment (CPA), locally named CPA 2016-00013 (Babcock), pursuant to the state coordinated review (SCR) process set forth in section 163.3184 (4), Florida Statutes (F.S.). The following is a summary of the current Lee County 17-4 DRI proposed CPA along with the Department's comments and recommendations related to important state transportation resources and facilities.

CPA OVERVIEW

The CPA proposes to amend the Lee County Comprehensive Plan Future Land Use (FLU) Map and FLU Element to allow a low density, mixed-use development on 4,157± acres of land located directly south of the Lee/Charlotte County Line and east of SR 31, in Lee County, FL. (*reference Figure 1*).

Figure 1: Location and Impacted Roadway Map



FLU Map Amendments

- Amend the FLU Map (Map 1) to change the FLU category of the property from Density Reduction/Groundwater Resource (DR/GR) and Wetlands to New Community and Wetlands
- Amend the Private Recreational Facilities Overlay (Map 4) to remove the subject property from the overlay

FLU ELEMENT TEXT AMENDMENTS

Amend Objectives 1.6, 35.3, 35.4 and 35.11 (new Objective and Policies 35.11.1, 35.11.2 and 35.11.3), Policies 1.6.1 and 35.3.4 (new Policy), Goal 35, Policy 114.1.1, and Tables 1(a) and 1(b) to allow a maximum density of 1 dwelling unit per 2.5 acres (1,662 dwelling units), nonresidential uses at a 0.15 floor area ratio (FAR) (1,170,000 square feet) and provide requirements for clustered development, environmental enhancements and permanent conservation.

The following summarizes the major highlights of the proposed text amendments:

- Objective 1.6 and Policy 1.6.1 provide a maximum density of 1 DU per 2.5 acres of uplands for property outside the Gateway/Airport Planning Community, establish a minimum size requirement of 2,000 acres for property to be designated New Community and provide a cross reference to development parameters for property designated New Community within the North Olga Community Planning area
- Goal 35, Objectives 35.3 and 35.4 and new Policy 35.3.4 reference the uses allowed under new Objective 35.11
- New Objective 35.11 establishes the New Community FLU category within the North Olga Community as follows:
 - New Policy 35.11.1 specifies the maximum density of one DU per 2.5 acres
 - New Policy 35.11.2 specifies the maximum permitted FAR of 0.15 for nonresidential uses
 - New Policy 35.11.3 specifies the conditions of a Planned Development Rezoning regarding Environmental Enhancements, Water Quality and Hydrological Enhancements, Infrastructure Enhancements and Community Character
- Policy 114.1.1 allows owners of wetlands adjacent to the New Community FLU category to transfer densities to developable contiguous uplands per Footnotes 9b and 9c of Table 1(a), Summary of Residential Densities
- Table 1(a), Summary of Residential Densities, limits residential densities on the New Community FLU category within the North Olga Community to one DU per 2.5 acres
- Table 1(b), Year 2030 Allocations, revises the allocations of development permitted within each FLU category to reflect the Babcock development in Lee County

FDOT COMMENTS

FDOT is responsible for preserving and maintaining the functional operation of the State Highway System (SHS) and the focus the review is related to major transportation issues that would create an adverse impact to transportation facilities of state importance and identification of measures to eliminate, reduce, or mitigate such adverse impacts in accordance with sections 163.3161(3) and 163.3184(4), F.S. Important SHS facilities include the Strategic Intermodal System (SIS) and certain significant regional resources and corridors as identified in the Lee County Metropolitan Planning Organization (MPO) 2040 Long Range Transportation Plan (LRTP).

Based on our review FDOT has three main comments regarding the proposed amendments; 5-year planning horizon, data input and analysis and transportation methodology - intersections. Measures recommended by the Department to eliminate, reduce, or mitigate the impact of the proposed amendment are also provided. Agency comments, if not addressed, may result in a challenge to an adopted amendment.

FDOT Comment #1 – Planning Horizon:

Pursuant to 163.3177(5)(a), F.S., any comprehensive plan amendment traffic analysis is required to cover at least two planning periods; short-term (5-Year Capital Improvements Element) and long-term planning horizons to determine the effect of the land use change. The statute also states that additional planning periods for land use amendments shall be permissible and accepted as part of the planning process.

FDOT finds the transmitted CPA package is not consistent with section 163.3177(5)(a), F.S. because the submitted amendment only includes analysis of one planning period (the long-term (2040) conditions). Since the required short-term 5-year planning period traffic analysis is not included, the effect of the proposed development on nearby SHS facilities, including SR 31, SR 78, SR 80, and I-75 cannot be fully evaluated. This creates concern the proposed development may adversely impact important state resources within the short-term planning horizon as well as at build-out (2026).

Resolution:

FDOT recommends that the short-term (5-year) traffic analysis required pursuant to 163.3177(5)(a) be provided with the CPA package and build-out (2026) analysis in order to identify impacts of the proposed development to the SHS. Significant and adverse impacts should include appropriate mitigation measures along with a proportionate share calculation for each solution.

FDOT Comment #2 – Data, Input and Analysis:

FDOT finds the transmitted CPA package is not consistent with sections 163.3177(3)(a)3 and 163.3177(6)(a)8, F.S. The traffic study supporting this application does not adequately reflect future land uses and programmed future improvements. As an

example, the revised development program (emailed to FDOT on May 26, 2017) no longer includes 42 amateur sports fields and shows that hotel rooms will be reduced from 1,500 to 600 rooms. In addition, the widening of SR 31 from SR 80 to SR 78 included in the Lee County MPO's Long Range Transportation Plan Cost Feasible Plan was not factored into the study.

In October, 2016 Lee County requested a courtesy review of the draft CPA and original CPA traffic study (dated September 27, 2016) from FDOT. As part of this review several inconsistencies between this CPA package, the original report and the revised CPA application, including the accompanying staff report and traffic study, were identified. These inconsistencies are summarized in the following Table 1:

Table 1: Development Program Comparison

Category	Development Program (10/14/2016)	Revised Development Program		
		Application (4/27/2017)	Staff Report (6/7/2017)	Traffic Analysis (12/5/2016)
Residential Dwelling Units (DUs)	1,680	1,630	1,662	1,630
Non-Residential Square Feet (SF)	1,220,000	1,170,000	1,170,000	1,170,000
Hotel Rooms	1,500	1,500	N/A ³	1,500
Amateur Sports Fields	42	42	0	42
Acres	4,204.7	4,157.2	4,157.2	4,200
Land Use	Includes an Overlay ¹ modifying the densities and intensities allowed under the DR/GR ² FLU Category	Change from DR/ GR ² and Wetlands FLU to New Community and Wetlands	Change from DR/ GR ² and Wetlands FLU to New Community and Wetlands	Includes an Overlay ¹ modifying the densities and intensities allowed under the DR/GR ² FLU Category
FAR for Nonresidential	0.25	0.25	0.15	N/A ³

- 1) Environmental Enhancement & Economic Development Overlay specific to the North Olga Community.
- 2) DR/GR = Density Reduction/Groundwater (DR/GR).
- 3) Not Available – Not specified in the revised application

Resolution:

FDOT prepared a traffic study memorandum (enclosed) which details the noted deficiencies in data inputs and analysis. FDOT staff is available to discuss these technical issues with the applicant so that we can adequately determine the extent of the proposed development program's short and long term impacts and ensure that the future land use map is based on an accurate analysis of the availability of facilities and services, pursuant to 163.3177(3)(a)3, and 163.3177(6)(a)8, F.S.

FDOT Comment #3 – Intersection Methodology:

FDOT provided comments and recommendations on September 29, 2016 for the transportation methodology to be utilized in analysis of the proposed development and its effect on the SHS roadway network. One of the recommendations was to include intersection analysis in the CPA transportation analysis. On October 28, 2016, FDOT again recommended intersection analysis be included as part of the CPA transportation analysis a part of the courtesy review and technical assistance provided to Lee County. To date, intersection traffic analyses for the CPA have not been provided by the applicant.

Resolution:

To ensure safe and efficient access to the SHS, FDOT recommends intersection analysis be included for the short-term (2021) and build-out (2026) horizons as part of the study. Significant and adverse impacts should include appropriate mitigation measures along with a proportionate share calculation for each solution.

- a. Include all project entrances along SR 31 (both for BRC DRI and Babcock CPA) in the intersection analysis along with a map showing all project entrances along SR 31
- b. Intersection turning movement counts (TMCs) utilized for this study should be no more than one-year old
- c. All signalized and major un-signalized intersections (including SR 31 @ SR 80 in Lee County and SR 31 @ CR 74 in Charlotte County) on significant roadways should be included in the intersection analysis
- d. Utilize a minimum 2% heavy vehicle percentage for analysis of future traffic conditions even if existing traffic count data shows heavy vehicle percentages of less than 2%
- e. Provide a clear and precise explanation of the methodology to be used in identifying adversities and proposed remedy mitigation along signalized and un-signalized study intersections in the CPA Transportation Methodology. This methodology should include the following:
 - Intersections that are anticipated to operate overall at, or below, the adopted LOS performance standard
 - Intersection movements and approaches that are anticipated to operate at a v/c ratio > 1.0 or LOS E or worse
- f. Include the I-75 @ SR 78/Bayshore Road interchange and conduct a queue analysis for all intersection movements operating at LOS E or F in both short-term (2021) and build out (2026) analyses to confirm that blockage does not occur and to identify any improvements needed to accommodate queued vehicles. Please

base all storage length calculations on FDOT Plans Preparation Manual (PPM) procedures

FDOT District One staff will continue to work with Lee County staff and the applicant to address our comments and ensure impacts to the SHS and SIS facilities of state importance are adequately mitigated prior to submittal of the final amendment package. Please contact Lawrence Massey at (239) 225-1980 or Sarah Catala at (239) 225-1981 with any questions or concerns.

Sincerely,



Laura Herrscher
Intermodal Systems Development Administrator

LH:sc

Enclosure

C: LK Nandam, P.E., Florida Department of Transportation
Steve Walls, Florida Department of Transportation
Lawrence Massey, Florida Department of Transportation
Sarah Catala, Florida Department of Transportation
Richard Shine, Esq., Florida Department of Transportation
Carmen Monroy, Florida Department of Transportation
Dana Reiding, Florida Department of Transportation
Andy Getch, P.E., Lee County Department of Community Development
David Loveland, AICP, Lee County Department of Community Development
Margaret Wuerstle, Southwest Florida Regional Planning Council
Ray Eubanks, Florida Department of Economic Opportunity
Brenda Winningham, Florida Department of Economic Opportunity
Gary Nelson, Babcock Property Holdings, LLC