



LEE COUNTY BOARD OF COUNTY COMMISSIONERS

LEE COUNTY COMPREHENSIVE PLAN

and

ZONING HEARING AGENDA

Wednesday, August 2, 2017

9:30AM

CPA2016-00007

TIMBER CREEK – TRANSMITTAL

CPA2016-00003

PEPPERLAND RANCH - ADOPTION

DCI2016-00003
Z-17-013

PEPPERLAND RANCH

**NOTICE OF PROPOSED AMENDMENT TO THE
LEE COUNTY COMPREHENSIVE LAND USE PLAN
(TRANSMITTAL HEARING)**

The Lee County Board of County Commissioners will hold a public hearing to consider proposed amendments to the Lee County Comprehensive Land Use Plan (Lee Plan) on Wednesday, August 2, 2017. The hearing will commence at 9:30 a.m., or as soon thereafter as can be heard, in the Board Chambers at 2120 Main Street in Downtown Fort Myers. At the hearing, the Board will consider the proposed amendments for transmittal to the Florida Department of Economic Opportunity:

CPA2016-00007, Timber Creek: Amend the Future Land Use Map to redesignate 628 acres from the Density Reduction/Groundwater Resource and Wetlands future land use categories to the Sub-Outlying Suburban and Wetlands future land use categories. Amend Table 1(b), Year 2030 Allocations, to accommodate additional residential development for the Sub-Outlying Suburban future land use category within the Gateway/Airport Planning Community. Amend the following Lee Plan maps for internal consistency: Map 1, Pages 2 and 4; Map 4; Map 6; Map 7; Map 14; Map 16; Map 17; Map 20; and Map 25. The property is located near the intersection of SR 82 and Daniels Parkway.

This transmittal hearing is the first step in a two step public hearing process to amend the Lee Plan. A second hearing will follow the Department of Economic Opportunity's review of the application.

Documentation for the Proposed Comprehensive Plan Amendment is available at <https://www.leegov.com/dcd/planning/cpa>. This meeting is open to the public. Interested parties may appear at the meeting and be heard with respect to the proposed plan amendment. A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

Lee County will not discriminate against individuals with disabilities. To request an accommodation, contact Joan LaGuardia, (239) 533-2314, Florida Relay Service 711, or jla Guardia@leegov.com, at least five business days in advance.

**NOTICE OF PROPOSED AMENDMENT TO THE
LEE COUNTY COMPREHENSIVE LAND USE PLAN
(ADOPTION HEARING)**

The Lee County Board of County Commissioners will hold a public hearing to consider the adoption of proposed amendments to the Lee County Comprehensive Land Use Plan (Lee Plan) on August 2, 2017. The hearing will commence at 9:30 a.m., or as soon thereafter as can be heard, in the Board Chambers, 2120 Main Street in Downtown Fort Myers.

The Board proposes to adopt an ordinance amending the Lee Plan as follows:

CPA2016-00003 – Pepperland Ranch

Amend Lee Plan Map 17, Southeast DR/GR Residential Overlay, to designate a 637.5+/- acre property along Corkscrew Road as an "Environmental Enhancement and Preservation Community" and Lee Plan Maps 6 and 7 to include the property within the Future Potable Water and Sewer Service areas. The property is located approximately 3 miles east of the intersection of Alico and Corkscrew Roads. If adopted, the requested amendments will increase the maximum permitted density for the property and allow the property to be developed with a residential community, with accessory uses, pending the property being rezoned.

Copies of this Notice and the proposed ordinance are available for inspection or copying during regular business hours at the Minutes Office of the Clerk of Courts of Lee County, located in the Courthouse Administration Building, 2115 Second Street, Fort Myers, Florida. This meeting is open to the public. Interested parties may appear at the meeting and be heard with respect to the proposed plan amendment. A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

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NOTICE OF PUBLIC HEARING

The Lee County Board of County Commissioners will hold a public hearing at 9:30 am on Wednesday, August 2, 2017 in the Board Chambers at 2120 Main St., Ft. Myers, FL, to review the written recommendations made by the Hearing Examiner and make a final decision on the case below.

DCI2016-00003 / PEPPERLAND RANCH

Rezone 637.5± acres from Industrial Planned Development (IPD) to Residential Planned Development (RPD) to permit the development of up to 700 dwelling units and a 50,000 square foot amenity center. Maximum proposed building height is 35 feet for residential buildings and 45 feet for the amenity center. There is also a concurrent application to amend the Lee County Comprehensive Plan, CPA2016-00003, for map amendments to Maps 6, 7, and 17, and approve a Development Agreement, DRI2016-00015. The development proposes connection to public potable water and sanitary sewer service. No development blasting is proposed.

Located at 18500 Corkscrew Road, SE Lee County Planning Community, Lee County, FL.

Copies of the Hearing Examiner's recommendation may be obtained or the file reviewed at the Zoning Section, 1500 Monroe St., Ft. Myers, FL. Telephone 239-533-8585 for additional information.

If you did not appear before the Hearing Examiner or otherwise become a participant for that case in which you wish to testify, the law does not permit you to address the Board of County Commissioners.

Statements before the Board of County Commissioners regarding the zoning case will be strictly limited to testimony presented to the Hearing Examiner, testimony concerning the correctness of the findings of fact or conclusions of law contained in the record, or to allege the discovery of new, relevant information which was not available at the time of the hearing before the Hearing Examiner.

If a participant decides to appeal a decision made by the Board of County Commissioners with respect to any matter considered at this hearing, a verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

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CPA2016-00003

PEPPERLAND
RANCH

Summary Sheet

Pepperland Ranch, CPA2016-03

Request:

Amend Lee Plan Map 17, Southeast DR/GR Residential Overlay, to designate a 637.5 +/- acre property along Corkscrew Road as an "Environmental Enhancement and Preservation Community" and Lee Plan Maps 6 and 7 to include the property within the Future Potable Water and Sewer Service areas.

The property is located approximately 3 miles east of the intersection of Alico and Corkscrew Roads. The requested amendments will allow the property to be developed with a residential community pending the property being rezoned.

Staff Recommendation:

Staff recommends that the Board of County Commissioners **transmit** the proposed amendment to the state reviewing agencies.

LPA Motion:

The LPA recommended that the Board of County Commissioners **transmit** the amendment as recommended by staff.

Transmittal Hearing:

The Board of County Commissioners **transmitted** the proposed amendment as recommended by staff and the LPA.

BRIAN HAMMAN	<u>AYE</u>
LARRY KIKER	<u>AYE</u>
FRANK MANN	<u>AYE</u>
JOHN MANNING	<u>AYE</u>
CECIL L. PENDERGRASS	<u>NAY</u>

Public Concerns:

Eleven members of the public addressed the Board or spoke on the proposed amendment. Concerns expressed by the public included capacity of nearby parks, schools, utilities, and traffic; off-site impacts of stormwater management on properties south of the development; hydrology and surface water flow connectivity; and, human/wildlife interaction.

State Reviewing Agency Objections, Recommendations, and Comments:

Lee County received responses from the following review agencies addressing the transmitted amendment: Florida Department of Environmental Protection; Florida Department of Transportation (FDOT), Florida Fish and Wildlife Conservation Commission (FWC); South Florida Water Management District; Florida Department of Economic Opportunity; and Southwest Florida Regional Planning Council. FDOT offered technical assistance comments and FWC provided recommendations which are discussed in Part IX of the staff report. There were no objections to the proposed amendments.

LEE COUNTY ORDINANCE NO. _____
(Pepperland Ranch Ordinance)
(CPA2016-00003)

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE “LEE PLAN,” ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT PERTAINING TO THE PEPPERLAND RANCH (CPA2016-00003) APPROVED DURING A PUBLIC HEARING; PROVIDING FOR PURPOSE, INTENT, AND SHORT TITLE; AMENDMENTS TO ADOPTED MAPS; LEGAL EFFECT OF “THE LEE PLAN”; PERTAINING TO MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER’S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan (“Lee Plan”) Policy 2.4.1. and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners (“Board”); and,

WHEREAS, the Board, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 provide an opportunity for the public to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency (“LPA”) held a public hearing on the proposed amendment in accordance with Florida Statutes and the Lee County Administrative Code on December 19, 2016; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on March 8, 2017. At that hearing, the Board approved a motion to send, and did later send, proposed amendment pertaining to Pepperland Ranch (CPA2016-00003) to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the March 8, 2017 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies’ written comments; and,

WHEREAS, on August 2, 2017, the Board held a public hearing and adopted the proposed amendment to the Lee Plan set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt map amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the "Pepperland Ranch Ordinance (CPA2016-00003)."**

SECTION TWO: ADOPTION OF COMPREHENSIVE PLAN AMENDMENT

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, which amends Maps 6 and 7, Future Potable Water and Sewer Services areas, and Map 17 Southwest DR/GR Residential Overlay, known as Pepperland Ranch (CPA2016-00003).

The corresponding Staff Reports and Analysis, along with all attachments and application submittals for this amendment are adopted as "Support Documentation" for the Lee Plan. Proposed amendments adopted by this Ordinance are attached as Exhibit A.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

SECTION FOUR: MODIFICATION

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

SECTION FIVE: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION SIX: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the

powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

SECTION SEVEN: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase in order to accomplish this intention; and regardless of whether inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION EIGHT: EFFECTIVE DATE

The plan amendments adopted herein are not effective until 31 days after the State Land Planning Agency notifies the County that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the State Land Planning Agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status.

THE FOREGOING ORDINANCE was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____. The vote was as follows:

John E. Manning	_____
Cecil L Pendergrass	_____
Larry Kiker	_____
Brian Hamman	_____
Frank Mann	_____

DONE AND ADOPTED this 2nd day of August, 2017.

ATTEST:
LINDA DOGGETT, CLERK

LEE COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: _____
Deputy Clerk

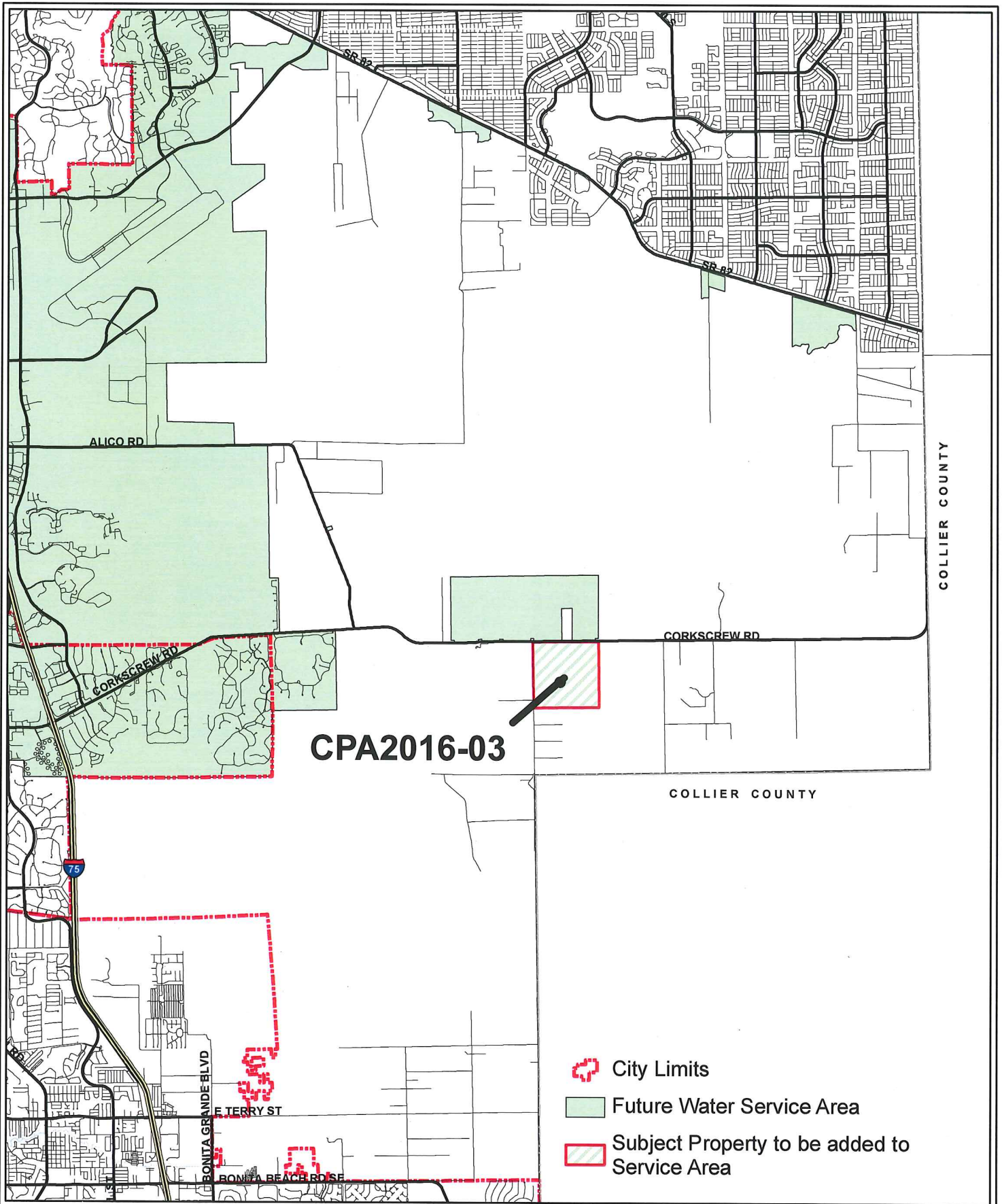
BY: _____
John Manning, Chair

DATE: _____

Approved as to Form for the
Reliance of Lee County Only

County Attorney's Office

Exhibit A: Adopted revisions to Map 6 (Adopted by BOCC 8/2/17)
Exhibit B: Adopted revisions to Map 7 (Adopted by BOCC 8/2/17)
Exhibit C: Adopted revisions to Map 17 (Adopted by BOCC 8/2/17)



Map Generated December 2016
Prepared By Lee County DCD/Planning



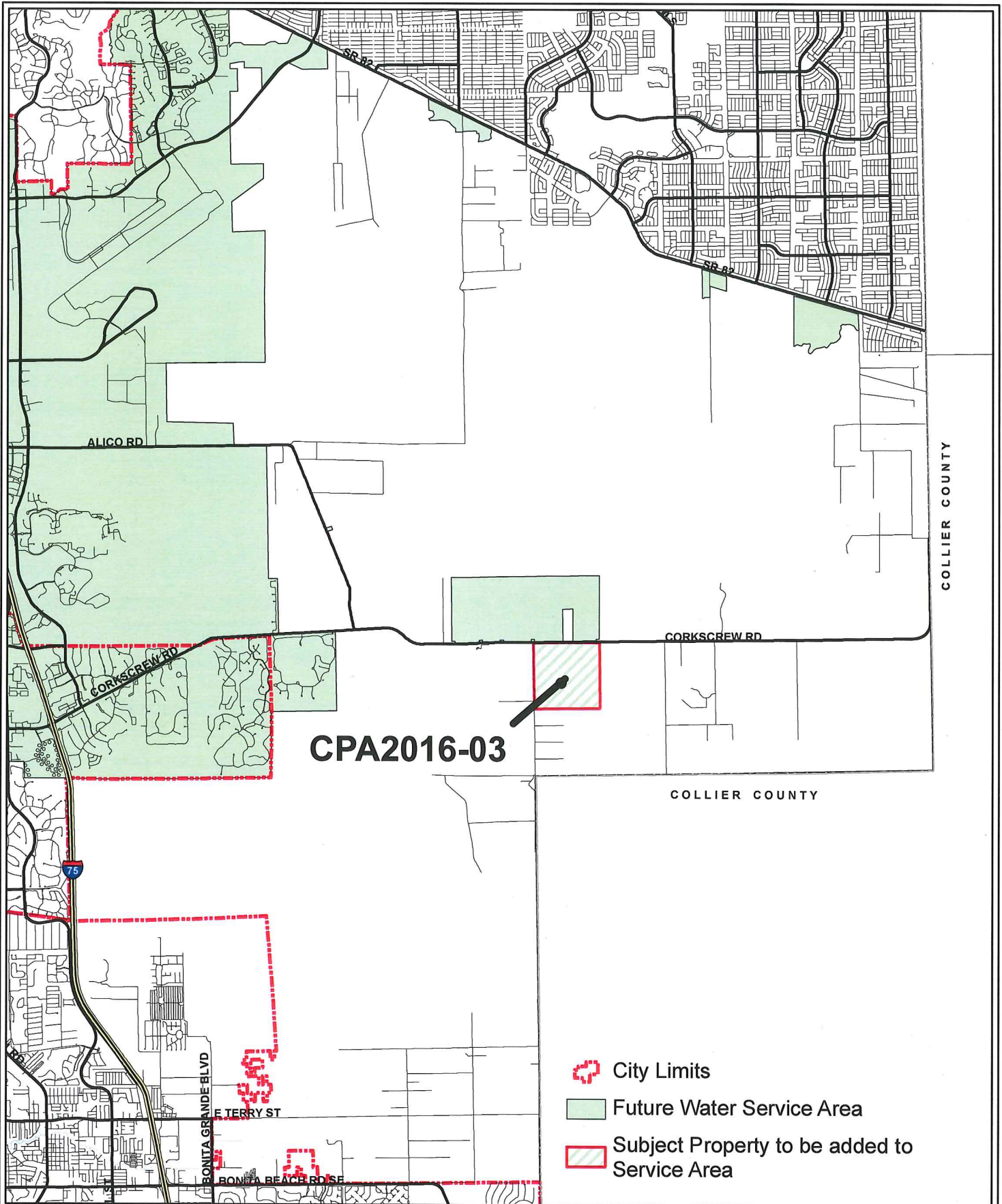
CPA2016-00003 - PEPPERLAND RANCH

LEE PLAN MAP 6

LEE COUNTY UTILITIES

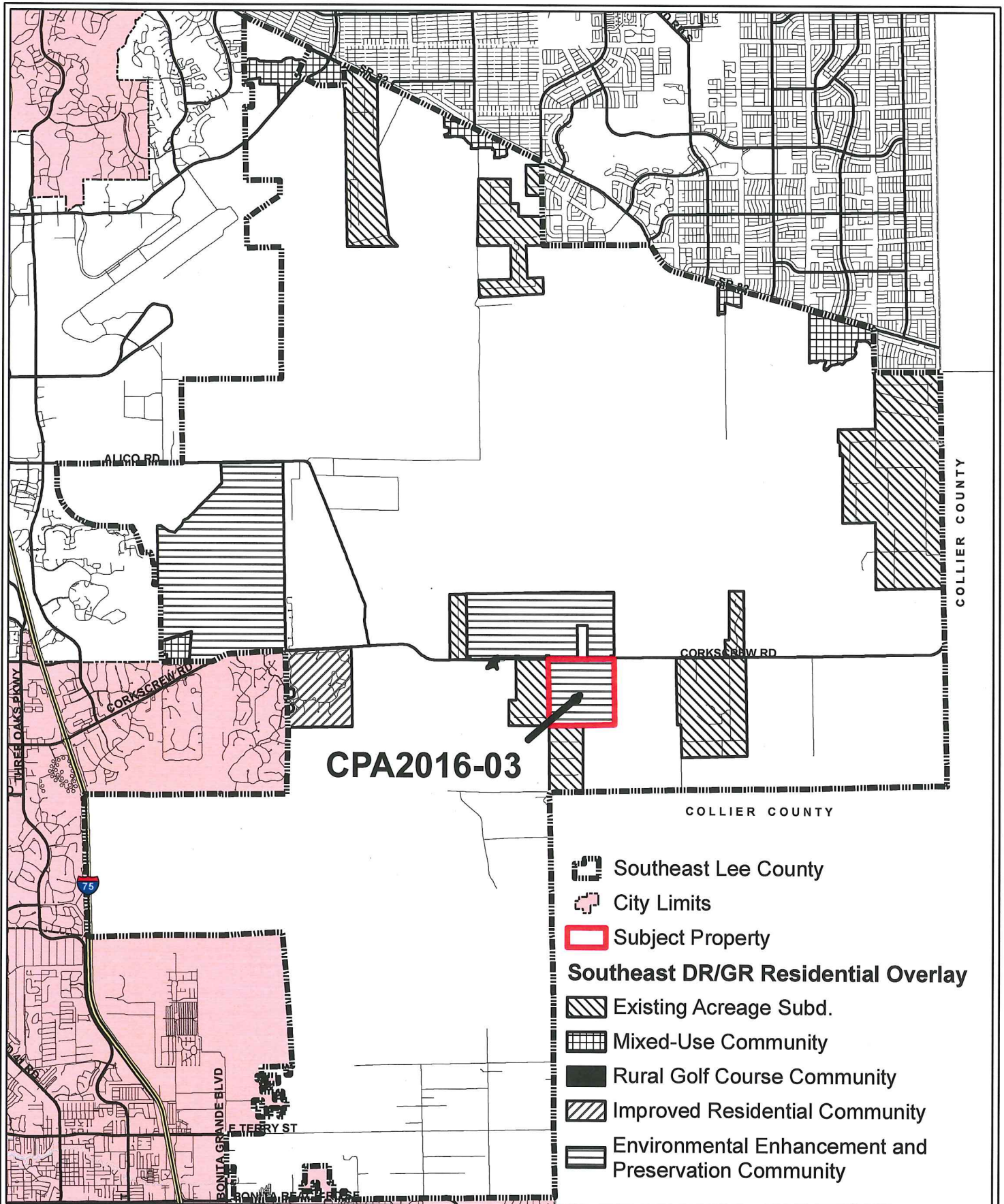
FUTURE WATER SERVICE AREAS

EXHIBIT A



- City Limits
- Future Water Service Area
- Subject Property to be added to Service Area





1 0.5 0 1 2
Miles

Map Generated December 2016
Prepared by Lee County DCD/Planning

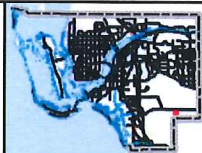


EXHIBIT C

CPA2016-00003 - PEPPERLAND RANCH
LEE PLAN MAP 17
SOUTHEAST DR/GR RESIDENTIAL OVERLAY



COMPREHENSIVE PLAN AMENDMENT

CPA2016-03 PEPPERLAND RANCH

Privately Sponsored Amendment

**Board of County Commissioners
Adoption Hearing Staff Report**

8/2/2017

**STAFF REPORT
COMPREHENSIVE PLAN AMENDMENT
CPA2016-03**

☐

Text Amendment

☒

Map Amendment

	This Document Contains the Following Reviews
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
✓	Staff Response to Review Agencies' Comments
	Board of County Commissioners Hearing for Adoption

Staff Report Publication Date: December 9, 2016

**PART I
APPLICATION SUMMARY**

A. PROJECT NAME:

Pepperland Ranch

B. APPLICANT/REPRESENTATIVES:

Pepperland LLC/ Mr. Brian Farrar
Banks Engineering/Mr. Thomas Lehnert

C. REQUEST:

Amend Lee Plan Map 17, Southeast DR/GR Residential Overlay, to designate a 637.5 +/- acre property along Corkscrew Road as an "Environmental Enhancement and Preservation Community" and Lee Plan Maps 6 and 7 to include the property within the Future Potable Water and Sewer Service areas. The property is located approximately 3 miles east of the intersection of Alico and Corkscrew Roads. The requested amendments will allow the property to be developed with a residential community pending the property being rezoned.

D. CONCURRENT APPLICATION REVIEW:

The Pepperland Ranch comprehensive plan amendment was filed by Pepperland LLC on March 9, 2016. The applicant has also filed a companion rezoning application that is being reviewed concurrently with the plan amendment application by the Lee County Zoning Division.

Florida Statutes Chapter 163.3184(12) provides that “At the request of an applicant, a local government shall consider an application for zoning changes that would be required to properly enact any proposed plan amendment transmitted pursuant to this subsection.” This requires Lee County to take into account the concurrent rezoning request on the subject site, DCI2016-00003.

DCI2016-00003 was filed on March 9, 2016 seeking to rezone 637.5± acres from Industrial Planned Development to Residential Planned Development (RPD) to permit the a residential development with accessory commercial uses.

**PART II
RECOMMENDATION and FINDINGS OF FACT**

A. RECOMMENDATION:

After thorough review and consideration of the numerous factors discussed in the following report, staff is recommending that the following proposed amendments be transmitted to the state reviewing agencies:

- Amend Map 6: Future Water Service Areas to add the subject property;
- Amend Map 7: Future Sewer Service Areas to add the subject property; and
- Amend Map 17: Southeast DR/GR Residential Overlay to add the subject property to the Environmental Enhancement and Preservation Communities Overlay.

Attachment #1 contains the existing and revised maps.

B. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The Density Reduction/Groundwater Resources future land use category was adopted to protect groundwater resources.
- The Environmental Enhancement and Preservation Communities Overlay (the Overlay) targets critical restoration areas, requires enhanced development standards and provides predictable density incentives, furthering the County’s goals for the Southeast DR/GR.
- The Overlay has previously been found to be consistent with Lee Plan Objective 107.1, Policy 1071.1, Policy 107.2.8 and Policy 107.11.4.
- The subject property contains a historic flowway that has been impacted by decades of agricultural uses.

- Restoration of the flowway can be accomplished using the standards provided in the Overlay.
- The density of the subject property, if added to the Overlay, will be limited to no more than one unit per acre, which is considered a non-urban density by the Lee Plan.
- Preservation of wildlife habitat on the subject property will help to connect large areas of publicly owned conservation and other areas of privately preserved and restored lands;
- The proposed amendment will provided continued protection of the DR/GR as an area that can provide substantial groundwater recharge to aquifers suitable for wellfield development.
- No significant impacts on present or future water resources will result from the change (as required by Policy 2.4.2 of the Lee Plan).

PART III PROPERTY INFORMATION

A. PROPERTY CONDITIONS, INFRASTRUCTURE AND SERVICES

1. EXISTING CONDITIONS:

SIZE OF PROPERTY: 637.5± Acres.

PROPERTY LOCATION: The subject property is located on the south side of Corkscrew Road approximately 2.75 miles east of the intersection of Alico Road and Corkscrew Road.

EXISTING USE OF LAND: The property is used for agricultural purposes.

CURRENT ZONING: The property is zoned IPD to accommodate a proposed dirt mine. The dirt mine was never developed.

CURRENT FUTURE LAND USE CATEGORY: Density Reduction/Groundwater Resource (DR/GR) and Wetlands.

2. INFRASTRUCTURE AND SERVICES:

FIRE: Estero Fire and Rescue.

EMS: Lee County EMS service area.

LAW ENFORCEMENT: Lee County Sheriff's Office.

SOLID WASTE: The subject site is located in solid waste Service Area 3.

MASS TRANSIT: LeeTran does not currently serve the subject site.

WATER AND SEWER: The subject site is not currently located within the Lee County Water and Sewer Future Service Areas as identified on Maps 6 and 7 of the Lee Plan. Water and Sewer services are currently being extended to the property that is on the north side of Corkscrew Road, across from the subject property.

B. FUTURE LAND USE DESIGNATION AND PLANNING COMMUNITY:

Density Reduction/Groundwater Resource (DR/GR)

The subject property's future land use category is primarily DR/GR. DR/GR was originally incorporated into the Lee Plan as part of the implementation of the 1990 Stipulated Settlement Agreement between Lee County and the Florida Department of Community Affairs (DCA).

Prior to the adoption of the Stipulated Settlement Agreement, the Lee County Division of Natural Resources proposed to protect the shallow aquifers, in part, with an amendment to the Future Land Use Map. The original proposal was for the creation of a new future land use category for the southeast area of the county called "Groundwater Resource." The amendment proposed a reduction in density from one dwelling unit per acre to one dwelling unit per five acres.

The DCA was concerned with the carrying capacity of the Future Land Use Map in relation to the Planning Horizon of the Lee Plan. Therefore allowable density was further reduced to one dwelling unit per ten acres and the words "Density Reduction" were added to the name of the category.

Southeast Lee County Planning Community

Lee County further delineated appropriate land uses in Southeast Lee County through plan amendment CPA2008-06. This amendment was initiated to provide a balance between several conflicting land uses such as limerock mining, agriculture, residential development, and lands held for conservation purposes.

CPA2008-06 lead to the adoption of Goal 33: Southeast Lee County. Goal 33 reiterat the importance of water resources in the southeast portion of the county and also introduced the protection of natural habitat as part of the planning goal for this portion of the county. Objective 33.2 and 33.3 allow some flexibility to cluster or concentrate development rights in order to protect water resources and wildlife habitats. Increased density through Transferable Density Rights is also contemplated in relation to the goals of the Lee Plan. To date, no TDRs have been created from lands in Southeast DR/GR.

Lee Plan Goal 33 and the subsequent Objectives and Policies were supported by backup documentation that included the July 2008 Dover, Kohl & Partners' Prospects for Southeast Lee County and the July 2009 Dover, Kohl & Partners' Natural Resource Strategies for Southeast Lee County.

The Dover Kohl Study, Natural Resource Strategies for Southeast Lee County introduced the current Priority Restoration Strategies areas that are currently identified on Lee Plan Map 1, Page 4, and also provided that *“conservation goals should include the following to protect and enhance the natural resources within the DR/GR:*

- 1. Maintaining and enhancing the surface and groundwater resources;*
- 2. Avoiding further loss of wetlands, and requiring any loss of wetlands within the DR/GR to be mitigated within the DR/GR;*
- 3. Expanding the existing shallow and sandstone aquifer monitoring well system to be used as a resource management tool;*
- 4. Restoring historic flow-ways;*
- 5. Providing connectivity between larger, regionally significant preserves for mammal and herpefaunal movement;*
- 6. Planning for public potable water well withdrawals to insure natural systems are not harmed;*
- 7. Restoration of historic ecosystems;*
- 8. Maintaining and enhancing woodstork foraging areas; and*
- 9. Maintaining and enhancing agricultural operations.*

In 2015 Lee County adopted the Environmental Enhancement and Preservation Communities Overlay. The Overlay provided a new strategy to achieve the goals for Southeast Lee County articulated during the 2008 amendments to the Lee Plan and supported by the Dover Kohl Studies. The objectives of the Overlay are discussed in Part IV of this report.

C. SURROUNDING PROPERTIES

All of the properties discussed below are located in the DR/GR or Wetlands future land use category. The majority of the properties are zoned AG-2.

West of the subject site is the Six L's Farm large lot single family residential area, zoned AG-2. This neighborhood contains about 20 single family homes as well as additional vacant residential parcels. The proposed restoration plan for Pepperland Ranch will provide substantial development setbacks and restored wildlife habitat adjacent to the Six L's Farm neighborhood. West of the Six Ls Farm neighborhood is the Old Corkscrew Golf Course. The golf course property is zoned PRFPD (Private Recreational Facilities Planned Development).

South of the subject property are additional large lot single-family residences in the Six L's Farm neighborhood and agricultural property that is the subject of a similar privately initiated amendment to the Lee Plan. Currently these properties are all zoned AG-2. The Collier County line and the Audubon Corkscrew Swamp Sanctuary are approximately one mile further south. Southwest of the subject property is the Florida Farm Development Company property which is zoned AG-2 and used for agricultural purposes.

East and south are agricultural properties owned by Pan Terra Holdings. These properties are within the DR/GR and Wetlands future land use categories and are zoned AG-2. The Pan Terra Holding's properties are the subject of concurrent zoning and comprehensive plan amendments similar to this request.

North of the subject property, across Corkscrew Road, is property owned by the Place at Corkscrew LLC (AKA Corkscrew Farms), zoned RPD and property owned by Lee County, zoned AG-2. The Corkscrew Farms property is approximately 1,360 acres and was included in the Environmental Enhancement and Preservation Communities Overlay. The east half of the Corkscrew Farms property, which is directly north of the subject property, primarily consists of lands that will be restored thereby connecting hydrology and wildlife habitat from the Airport Mitigation Park down to Corkscrew Road and ultimately the subject property. The Airport Mitigation Park is in the Conservation Lands future land use category and is zoned AG-2. It is a 7,000 acre conservation area that was established to compensate for the impact of long-term development of the Southwest Florida International Airport and includes the Imperial Marsh, the largest freshwater marsh in Lee County, and connects to the Flint Pen Strand.

PART IV STAFF DISCUSSION AND ANALYSIS

ENVIRONMENTAL ENHANCEMENT AND PRESERVATION OVERLAY:

The requested amendments to the Lee Plan will designate the subject property within the Environmental Enhancement and Preservation Communities Overlay. The Overlay was established based on three objectives:

1. Target strategic areas that can provide critical connections to other conservation lands that serve as the backbone for water resource management and wildlife movement within the DR/GR, consistent with Policy 33.2.3 of the Lee Plan;
2. Require development to be designed with the land, consistent with Goal 4: Sustainable Development Design and numerous other Goals, Objectives, and Policies of the Lee Plan; and,
3. Provide a predictable way to assign appropriate increases in density as an incentive to offset the cost of the improvements needed to achieve the longstanding environmental goals of the Southeast DR/GR.

The Overlay was incorporated into the Lee Plan through the adoption of Policy 33.3.4. Policy 33.3.4 provided a strict boundary for properties that are considered eligible to be included in the Overlay. To be included within the Overlay, an additional amendment to Lee Plan Map 17 is required. As part of any amendment to be included in the Overlay, the applicant must demonstrate that the property is within the established boundary and has the potential to provide important hydrological connections to the Flint Pen Strand and the Stewart Cypress Slough as well as important wildlife habitat connections between existing CREW and Lee County properties.

The first objective of the Environmental Enhancement and Preservation Communities Overlay is to include lands that can provide strategic regional benefits while minimizing new and adverse impacts that would be inconsistent with Lee County's goals for Southeast Lee County as stated in Policy 33.3.4:

POLICY 33.3.4: Properties that provide a significant regional hydrological and wildlife connection have the potential to improve, preserve, and restore regional surface and groundwater resources and indigenous wildlife habitats. These properties, located along Corkscrew and Alico Roads, can provide important hydrological connections to the Flint Pen Strand and the Stewart Cypress Slough as well as important wildlife habitat connections between existing CREW and Lee County properties. As an incentive to improve, preserve, and restore regional surface and groundwater resources and wildlife habitat of state and federally listed species additional densities and accessory commercial uses will be granted if the project is found consistent with and demonstrates through a Planned Development rezoning the following:

1. These lands are within the "Environmental Enhancement and Preservation Communities" overlay as designated on Map 17 of the Plan. Lands eligible for the Environmental Enhancement and Preservation Communities overlay must be consistent with one of the criteria below:
 - a. Lands located west of Lee County 20/20 Imperial Marsh Preserve (Corkscrew Tract), and within one mile north or south of Corkscrew Road.
 - b. Lands located west of the intersection of Alico Road and Corkscrew Road must be located north of Corkscrew Road and south of Alico Road.

The location of the subject property is eligible to be identified on Map 17 as an Environmental Enhancement and Preservation Community because it is within the area identified in Policy 33.3.4(1)(a). Data and analysis provided by the applicant and discussed on pages 9 - 12 of this report demonstrate that the subject property has the ability to provide important hydrological and wildlife habitat connections between existing CREW, Lee County, and other properties designated within the Environmental Enhancement and Preservation Communities Overlay. The location of the subject property is consistent with the requirements of Lee Plan Policy 33.3.4, to be identified on Map 17 as an Environmental Enhancement and Preservation Community.

The 2nd and 3rd objectives of the Overlay will be analyzed as part of the concurrent DCI case, and are briefly discussed in the "Environmental Considerations" section below.

Environmental Considerations:

The subject property is identified in the Lee Plan as a Tier 1 Priority Restoration property. Lee Plan Policy 33.2.2 provides that the Priority Restoration overlay depicts land where protection and/or restoration would be most critical to restore historic surface and groundwater levels and to connect existing corridors or conservation

areas. Tier 1 lands are the highest priority for protection from irreversible land-use changes. By requesting to be added to the Overlay the applicant is opting to utilize the incentive based language that would allow for increased density on the site where the project improves, preserves, and restores regional surface water and groundwater resources and indigenous wildlife habitats. This property will provide connectivity for wildlife movement and restoration of active agricultural into native habitat, consistent with Goal 33. Therefore, given its location and environmental features, as described above, the property provides opportunities to protect, preserve, and restore strategic regional hydrological and wildlife connections consistent with Policy 33.3.4.

Through the concurrent rezoning case the applicant has proposed, and Policy 33.3.4(2) requires, that development of the property will provide the following regional benefits:

- Preservation of all existing native wetlands habitats and approximately 350 acres of land to be placed into a conservation easement. These preserves will include exotic removal, re-grading and replanting/seeding/natural recruitment. Along with common open space and water management conveyance areas and lakes results in 60% open space.
- Enhance, restore and create historic hydric pine, cypress and marsh wetland habitats as well as upland habitats in the approximately 380 acres of preserved lands. This will include restoring historic water levels and hydro-periods in wetlands, removal of exotic species and restoration/creation of wetlands and uplands within existing disturbed agriculture areas. This is a drastic increase over the 20.41 acres of existing indigenous preservation currently on the site.
- Improve critical wildlife connections to nearby public conservation lands to the north and south.
- Preservation of water resources through reductions in water use allocation and the use of native plants to reduce irrigation.
- Restore historic flowways and allow off-site connection of flowways.
- Connection to sewer and water instead of the currently approved well and septic use.

Of the 637.5± acres, only 3% is indigenous vegetation. The remaining areas are used for agricultural purposes and contain row crops, agricultural ditches or roads. The agricultural property provides limited value for wildlife in its current state. With the removal of the agricultural berms, cessation of agricultural irrigation and restoration of 60% of the property to native habitat, the site will provide more value for wildlife by allowing increased opportunities for wood storks to forage or nest and for panthers to hunt, traverse, or den on the property.

A majority of the property is within secondary zone for Florida Panther. The secondary zone are areas adjacent to the primary zones (areas consistently used by panthers) that would most likely be occupied by an expanding panther populations. By ceasing agricultural use and restoring the land to a native landscape this will increase the available habitat for Florida panther. The preliminary site plan for the property provides large areas for wildlife movement through the property and connection to the nearby conservation lands to the north. This is consistent with Objective 33.2.

GROUNDWATER: The subject property is located at the south of the Lee County Utilities Corkscrew Wellfield. Compared to the current agricultural land use, the proposed amendment will reduce impacts on groundwater resources by using potable water supply provided by Lee County Utilities. The proposed centralized irrigation system will be designed to meet the requirements of the Lee County "Water Conservation Ordinance".

SURFACE WATER: The proposed restoration plan will preserve an onsite wetland area located on the northwestern section of the property and restore on-site wetlands by incorporating them into recreated flow ways. The restoration plan will also provide a flow way interconnect for proposed future connection along the northern and south eastern portions of the project to help relieve some of the flooding of adjacent properties.

WATER QUALITY: Water quality is a major concern on this project due to its close vicinity to the public water supply system. The applicant has agreed to provide additional treatment of surface water prior to discharging to water management lakes. This will be reviewed as part of the concurrent rezoning.

One of the conservation goals listed in the Dover Kohl study was to maintain and enhance surface and groundwater resources. This goal is achieved by using lake water for irrigation, providing potable water from Lee County Utilities, elimination of septic systems, and restoration of flow ways through the property.

The following items will need to be addressed and resolved during the Zoning approval process in order to assure the proposed amendments and resulting development will create no significant impacts on present or future water resources:

- Flowway restoration and maintenance plan.
- Flowway and Outfall Easement agreement.
- Potential contamination of public water supply system due to construction or operational activities on the project site.
- Design of the water management system to mimic the functions of the natural system.
- Maintain historic flow through the property and avoid flooding of adjacent properties.
- Setback requirements of Chapter 62-532 with regard to sanitary sewer lines from public water supply system.
- Compliance with Wellfield Protection Ordinance.

Growth Management:

Policies 2.4.2 and 2.4.3 specifically address amendments that would increase the allowable density or intensity of land uses within the Southeast DR/GR. Policy 2.4.2 requires the Board of County Commissioners make a formal finding that “no significant impacts on present or future water resources will result from the change.” To assist in making this finding, Policy 2.4.3 has additional requirements for any amendment that will increase the density or intensity of the DR/GR future land use category. The four pieces of additional required data are discussed in the following paragraphs.

Policy 2.4.3 specifically states that “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.” However, Policy 2.4.3 also provides four specific requirements for applicants seeking such an amendment as follows:

1. *analyze the proposed allowable land uses to determine the availability of irrigation and domestic water sources; and,*
2. *identify potential irrigation and domestic water sources, consistent with the Regional Water Supply Plan. Since regional water suppliers cannot obtain permits consistent with the planning time frame of the Lee Plan, water sources do not have to be currently permitted and available, but they must be reasonably capable of being permitted; and,*
3. *present data and analysis that the proposed land uses will not cause any significant harm to present and future public water resources; and,*
4. *supply data and analysis specifically addressing the urban sprawl criteria listed in Rule 9J- 5.006(5) (g), (h), (i) and (j), FAC.*

As proposed by the applicant, the source of the domestic water is Lee County Utilities, eliminating the need for multiple private wells which would drawdown from the potable water tables below the property. Irrigation water for the residential units would be supplied by a master irrigation system that will draw from the existing wells. The master irrigation system will allow greater control of irrigation water resulting in less use than would be allowed by individual private wells. The Division of Natural Resources has found that “*no significant impacts on present or future water resources are expected as a result from the change.*” (See memo from the Division of Natural Resources)

Rule 9J-5, as identified in Policy 2.4.3(4), has been eliminated by the State of Florida. However, Chapter 163.3177(6)(a)(9) of the Florida Statutes provides guidance as to what constitutes urban sprawl. The statutes state that the evaluation of the presence of sprawl shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether urban sprawl exist. Because the subject property has been identified as a Tier 1 restoration property the maximum density that may be approved with the Overlay’s standards is 1

unit per acre. When viewed within the context of features and characteristics unique to Lee County it should be noted that densities at one unit or less per acre are considered to be “non-urban” by the Lee Plan. Therefore the Overlay and specifically the proposed amendment will not change the Lee Plan in a way that promotes, allows, or designates significant amounts of urban development to occur in rural areas, because development allowed by the Overlay is considered to be non-urban.

PART V INFRASTRUCTURE AND SERVICES

TRANSPORTATION/TRAFFIC CIRCULATION IMPACTS:

In accordance with the agreed upon methodology for the CPA long range 20+ year analysis, the applicant utilized output from the 2040 Lee County Metropolitan Planning Organization (MPO) Long Range Transportation Plan (LRTP) model output volumes as background traffic. The LRTP model data was developed based on 2010 United States Census data which was collected prior to the approval of the CPA and DCI applications for WildBlue and Corkscrew Farms in the Environmental Enhancement and Preservation Communities Overlay (Overlay). The applicant manually added the project traffic and the traffic projections from WildBlue and Corkscrew Farms based on the approved applications.

CPA2016-00003 LOS Summary

Roadway Segment	From	To	# of lanes in the MPO LRTP	2040 LOS	
				Background traffic	With the project, Corkscrew Farms and WildBlue
Alico Road	Corkscrew Road	Airport Haul Road	2	B	C
Alico Road	Airport Haul Road	Ben Hill Griffin Parkway	4	B	B
Corkscrew Road	Collier County line	project entrance	2	B	B
Corkscrew Road	project entrance	Corkscrew Farms	2	B	C
Corkscrew Road	Corkscrew Farms	Alico Road	2	B	E
Corkscrew Road	Alico Road	Bella Terra	4	C	C
Corkscrew Road	Bella Terra	WildBlue	4	C	C
Corkscrew Road	WildBlue	Ben Hill Griffin Parkway	4	C	F

Corkscrew Road from the WildBlue entrance to Ben Hill Griffin Parkway is shown to have a future LOS "F", both with the 4-laning in the MPO LRTP, and with all three projects. The segment of Corkscrew Road from the WildBlue western entrance to Ben Hill Griffin Parkway is approximately six miles from the subject property and outside of the three mile radius study area. It is possible that the subject project may have a proportionate share obligation for addition of motor vehicle capacity to Corkscrew Road. Staff is also simultaneously reviewing CPA2016-00009/DCI2016-00018 (Verdana). The applications are proposing 1,460 residential dwelling units and 60,000 SF of retail.

Further analysis of the potential proportionate share obligations of developments in the Overlay, and potential improvements to address roadways, surface water flow and wildlife movement, will be conducted in the Corkscrew Road traffic study. The scope of services for the study is being developed by a consultant and is scheduled for completion in January 2017. The full Corkscrew Road traffic study is anticipated to be implemented in 2017.

SCHOOL IMPACTS:

Capacities for elementary seats are not an issue within the Concurrency Service Area (CSA). For middle and high school, the development adds to the projected deficit within the CSA, however, there are sufficient seats available to serve the need within the contiguous CSA.

SOLID WASTE COLLECTION SERVICE:

The Lee County Solid Waste is capable of providing solid waste collection service for the proposed project. Disposal of solid waste from this development will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill.

MASS TRANSIT SERVICE:

- Currently, the closest route (Route 60) to the identified parcel is greater than seven miles away.
- This property is outside of the ¼ mile fixed route buffer and the ¾ mile ADA Service Corridor.
- The current Transit Development Plan (TDP) does not identify for the expansion of LeeTran's transit service in this area as a need within the 10-year horizon of the document.

EMERGENCY MEDICAL SERVICES (EMS):

Lee County EMS has concerns about being able to accommodate the additional development proposed on the subject property. They have stated that:

We have two EMS stations that are approximately 7 miles from the proposed entrance off Corkscrew: Station 21 and Station 25.

An evaluation of current response times along Corkscrew Road in that vicinity, as well as drive time modeling, suggests we will not be able to meet existing service standards as required in County Ordinance 08-16. Therefore, we have concerns about our ability to provide service to this new development.

The applicant will be required to address this deficiency as part of the concurrent DCI case as required by Policy 33.3.4(2)(m) of the Lee Plan.

POLICE SERVICE:

The proposed Lee Plan amendment does not affect the ability of the Lee County Sheriff's Office to provide core services as this time. Service will be provided primarily from the South District Office in Bonita Springs.

FIRE PROTECTION SERVICE:

The Estero Fire Rescue Service District is able to serve the proposed development. An additional fire station is planned for the general areas of the subject property in 3 – 5 years.

UTILITIES SERVICE:

There is adequate capacity to serve the proposed development as follows.

Potable Water:

LCU's current total combined water treatment capacity is 45.9 million gallons per day (MGD). The Green Meadows Water Treatment Plant (WTP) is in the process of being expanded from 9.00 MGD to 14.00 MGD which will bring the total combined treatment capacity of the water system to 50.9 MGD. The projected water system demand included in LCU's Integrated Water Resource Master Plan indicates a total water system demand of 37.04 MGD annual average daily flow (AADF) in the year 2030. This represents a surplus capacity of 13.86 MGD. The 2015 annual average daily demand in LCU's water system was 23.41 MGD. The 2015 maximum month average daily demand in LCU's water system was 27.25 MGD. Based on the information presented above there is sufficient water treatment capacity to serve the proposed development.

Sanitary Sewer:

The current permitted treatment capacity of the Three Oaks Wastewater Treatment Plant (WWTP) is 6.0 MGD. The current annual average daily flow to the Three Oaks WWTP is 3.15 MGD. There currently is capacity at the Three Oaks WWTP to provide service to the proposed development. Regarding sufficient treatment capacity in the future, the following should be noted. LCU has recently completed a study of the Three Oaks WWTP service area which included a flow projection to the facility. This study was completed by a Consultant. The flow projection for this study was based on the Three Oaks WWTP future service area at the time the projection was completed.

The Pepperland Ranch project is currently not located within the Three Oaks WWTP future service area, therefore, the wastewater flow projected from the Pepperland

Ranch development (140,000 gallons per day) was not included in the flow projection performed in the study referenced above. Utilizing the flow projection performed during the study referenced above the effect the Pepperland development projected flow will have on the available capacity at the Three Oaks WWTP can be determined. The flow projection was revised to add the flow generated from Pepperland Ranch as well as comprehensive plan amendments approved after the projection was performed. It was assumed that the Pepperland Ranch project would be fully built out by the year 2020. The revised projection indicates that the annual average daily flow to the Three Oaks WWTP will not exceed the permitted capacity until the year 2028.

Because the wastewater flow to the Three Oaks WWTP is projected to exceed the permitted capacity in the future, LCU has initiated a study to identify options for treatment of wastewater flows that are projected to be generated within the Three Oaks WWTP service area. This study is currently underway.

Lee County Utilities full memo dated November 28, 2016 is attached.

PART VI CONCLUSIONS

The applicant has provided materials that demonstrate regional hydrological and wildlife connectivity can be provided through the restoration of the existing agricultural fields consistent with Goals, Objectives, and Policies identified in the Lee Plan, including Policy 2.4.2 and 2.4.3 which require a finding that no significant impacts on present or future water resources will result from the change.

The subject property contains a historic flowway that has been impacted by decades of agricultural uses. Restoration of the flowway can be accomplished using the standards provided in the Overlay. Preservation of wildlife habitat on the subject property will help to connect large areas of publicly owned conservation and other areas of privately preserved and restored lands. The requested Comprehensive Plan Amendment is to allow higher residential densities in turn for the restoration of historic flowways and wildlife habitat on property identified by the Lee Plan as a Tier 1 restoration area.

**PART VII
LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: December 19, 2016

A. LOCAL PLANNING AGENCY REVIEW:

The applicant and their representatives gave a detailed presentation for the proposed amendments which covered consistency with the Lee Plan, wildlife habitat, hydrology, stormwater management, and transportation. Members of the LPA asked several questions about the sites hydrology, habitat restoration schedule, utilities, water management, panther zones, and status of Lee County studies on transportation and utilities. The applicant's representatives provided detailed responses.

Following the applicant's presentation staff gave a brief presentation including a project overview, staff findings, and recommendation that the proposed amendments be transmitted to the state for review.

Eleven members of the public addressed the LPA concerning the proposed amendment. Concerns expressed by the public included off-site impacts of stormwater management on properties south of the development, road and utilities capacity, hydrology and surface water flow, and access to 6L's Farm Road. One member of the public noted that having a residential development in this location assured him that the property would not be developed as a mine.

During the LPA discussion some members expressed concern about traffic, and asked for clarification from staff and the applicant on utilities, traffic, hydrology, and water management. Several members stated that while they shared these concerns, they are zoning level concerns and did not affect the project's consistency with the Lee Plan.

A motion was made to recommend that the Board of County Commissioners transmit the amendment. The motion was passed by a 3 to 2 vote.

B. SUMMARY OF LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT:

- 1. RECOMMENDATION:** The LPA recommended that the Board of County Commissioners transmit the amendment to the Lee Plan as proposed by staff.
- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the basis and recommended findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	NAY
JOHN CASSANI	NAY
DENNIS CHURCH	AYE
JIM GREEN	AYE
STAN STOUDE	ABSENT
ROGER STRELOW	ABSENT
GARY TASMAN	AYE

**PART VIII
BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: March 8, 2016

A. BOARD REVIEW:

Staff gave a brief presentation on the proposed amendment. The presentation provided staff's findings of fact and recommendation to transmit and the recommendation of the LPA to transmit the proposed amendment.

The applicant and the applicant's agents provided a brief introduction to the project and requested that the Board of County Commissioners support the proposed amendment. Following the applicants presentation the commissioners asked about restoration of the flowway through the property, traffic and history of Corkscrew Road and if there were concerns of flooding in the area.

The commissioners asked for clarification from staff and the applicant concerning capacity of utilities, Emergency Medical Services, and about the ongoing Corkscrew Road Traffic Study and willingness to pay their proportionate share of transportation improvements.

Eleven members of the public addressed the Board or spoke on the proposed amendment. Concerns expressed by the public included capacity of nearby parks, schools, utilities, and traffic; off-site impacts of stormwater management on properties south of the development; hydrology and surface water flow connectivity; and, human/wildlife interaction.

A motion was made to transmit the proposed amendment. The motion was called and passed 4-1.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board of County Commissioners *transmitted* the proposed amendment as recommended by staff and the Local Planning Agency.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board of County Commissioners accepted the findings of fact as advanced by staff and the Local Planning Agency.

C. VOTE:

BRIAN HAMMAN	AYE
LARRY KIKER	AYE
FRANK MANN	AYE
JOHN MANNING	AYE
CECIL L. PENDERGRASS	NAY

PART IX
STATE REVIEWING AGENCIES OBJECTIONS,
RECOMMENDATIONS AND COMMENTS

Comments from the State Reviewing Agencies were due to Lee County by April 16, 2017.

A. OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

Lee County received responses from the following review agencies addressing the transmitted amendment:

- Florida Department of Economic Opportunity,
- Florida Department of Environmental Protection,
- Florida Department of Transportation,
- Florida Fish and Wildlife Conservation Commission
- South Florida Water Management District, and
- Southwest Florida Regional Planning Council.

There were no objections to the proposed amendments.

Comments and recommendations were made by the Florida Department of Transportation, the Florida Fish and Wildlife Conservation Commission, and the Southwest Florida Regional Planning Council.

Florida Department of Transportation (Florida DOT):

Comment #1:

Per Lee Plan Policy 33.3.4(3.a), as a Tier I restoration property under the Environmental Enhancement and Preservation Community overlay, the maximum development that can occur on the site is one DU/Acre, which results in 637 DUs. However, the amendment references 700 DUs, which is an increase of 63 DUs. Please clarify the required density for this amendment.

Lee County staff has addressed this question with FDOT staff and clarified that the applicant, through the zoning process, has requested the ability to build up to 700 residential dwelling units through the density incentive provided in Policy 33.3.4(3)(e). This provision allows properties within the Overlay to transfer density into the overlay areas through the rezoning process from properties within Southeast Lee County DR/GR and Wetland future land use categories on a one-to-one basis.

Technical Assistance Comment #1

As previously noted, the cumulative developments will add a large number of residential developments (over 4,500 DUs) to the area along Corkscrew Road

(east of 1-75). These developments will generate a significant amount of local and single automobile vehicle trips. FDOT is concerned that these local trips could have adverse impacts on 1-75, and offers the following suggestion for the County to revisit the need for a north/south roadway, east of 1-75; which would aid in relieving local trip impacts on 1-75.

Technical Assistance Comment #2:

The various developments approved and planned along Corkscrew Road are large residential areas. FDOT notes that these developments do not include specific language regarding the use of multimodal transportation alternatives (pedestrian, bicycle and transit use). Pedestrian and bicycle paths/trails and a robust transit network can help to decrease overall passenger vehicle trips on local and State/SIS roadways. The use of multimodal alternatives aid in mitigating potential transportation impacts, promote safety and economic development, and improve quality of life for all communities in the County. This context sensitive approach promotes healthy, safe, and economically viable communities that encourages quality of life, incorporating all modes of transportation.

FDOT welcomes the opportunity to partner with, and provide technical assistance to Lee County to minimize potential future transportation impacts on nearby State and SIS transportation facilities, and offers several initiatives that complement the goals expressed in the County's Comprehensive Plan, such as "Complete Streets", modern roundabouts², and a commitment to bicycle and pedestrian safety³.

Lee County staff appreciates the technical guidance provided by Florida Department of Transportation.

General Comment for Lee County:

FDOT is aware of and supports Lee County in conducting the traffic study identified under Policy 38.1.9 (EECPO Traffic Study), which includes cumulative traffic impacts of approved developments and planned developments under review, including WildBlue, Corkscrew Farms, Verdana and the subject to this amendment (Pepperland Ranch).

Per the Scope of Services for the EECPO Traffic Study, the segment of 1-75 from Corkscrew Road to Alico Road is included as part of the study area roadways. In order to fully understand the traffic impacts on State/SIS facilities resulting from the cumulative development, FDOT recommends that the boundaries of the EECPO Traffic Study be expanded to include the following State/SIS facilities:

- ***I-75 from Bonita Beach Road to Corkscrew Road***
- ***SR 82 from Corkscrew Road to Daniels Parkway***

Lee County staff continues to coordinate with FDOT concerning the EECPO Traffic Study. The most recent correspondence occurred on July 6, 2017 and addressed this FDOT comment (attached). Lee County Staff will continue to work with FDOT through the completion of the EECPO Traffic Study.

Florida Fish and Wildlife Conservation Commission (FWC):

The Florida Fish and Wildlife Conservation Commission did not have any objections to the proposed amendment, but provided a letter dated October 14, 2016 that was provided in a related commenting process for a project related to this amendment. The recommendations contained in this letter are specific to the subject site and address protected species and prescribed burns that will be used to maintain vegetative communities on the conservation areas.

Lee County staff appreciates the recommendations provided by the Florida Fish and Wildlife Conservation Commission and will consider their recommendations through zoning conditions.

Southwest Florida Regional Planning Council (Staff Comments):

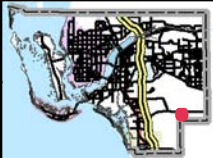
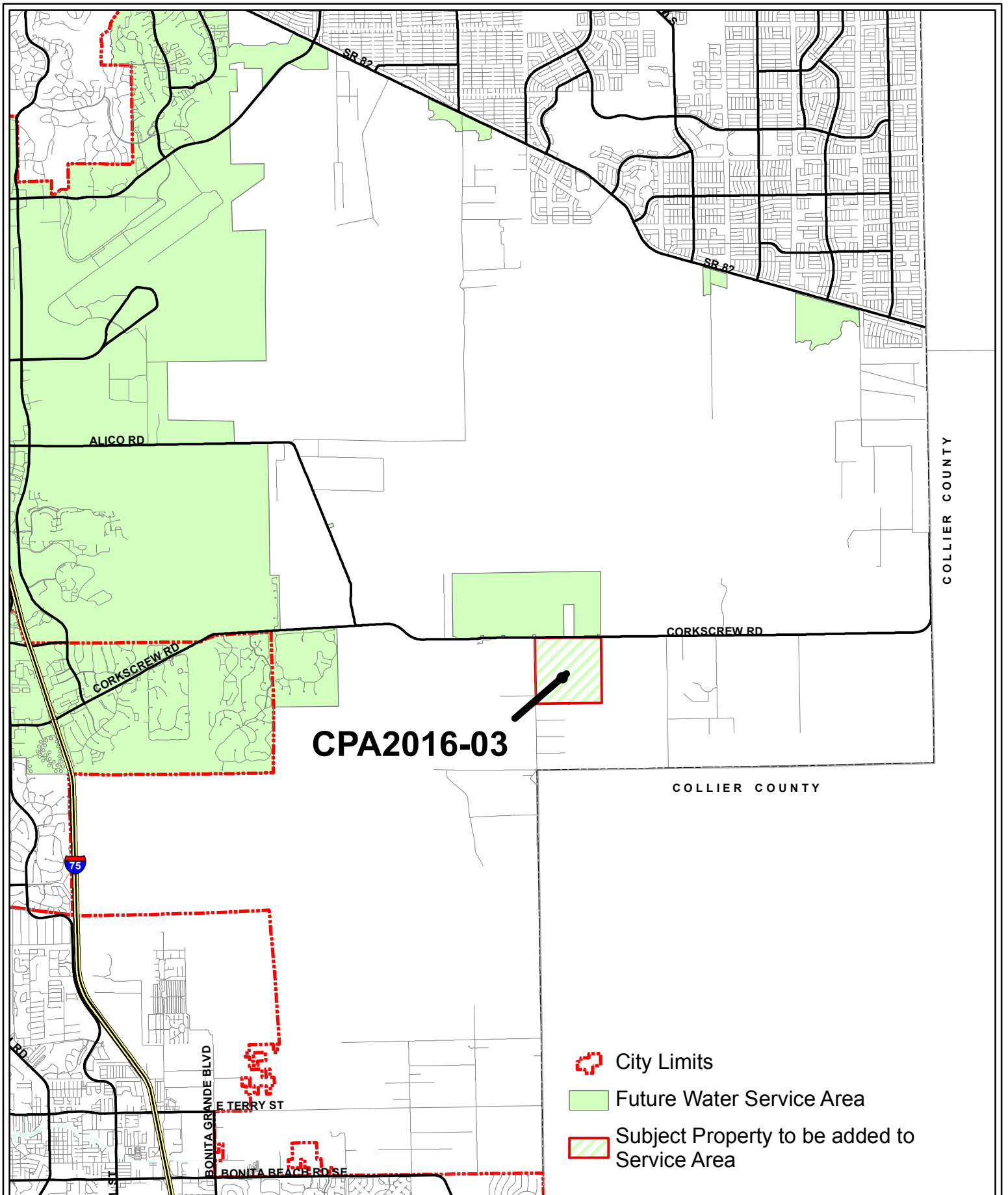
The Southwest Florida Regional Planning Council (RPC) provided staff comments on April 18, 2017. The RPC staff comments included the comments provided by FDOT and FWC. The RPC staff also recommended that the request should be found regionally significant with regards to location. The comments went on to say that although the RPC staff felt there were regional impacts the amendment would “not produce extra-jurisdictional impacts that are inconsistent with the Comprehensive Plan of other local governments.”

Staff appreciates the comments from the Regional Planning Council. As stated above, Lee County staff has been coordinating with the Florida DOT and will address FWC comments through zoning conditions.

Staff also notes that Policy 33.3.4(2)(I) requires that development within the Overlay that exceeds the standard density of DR/GR (1du/10acre) and Wetlands (1du/20acres) must “connect to public water and sewer service.”

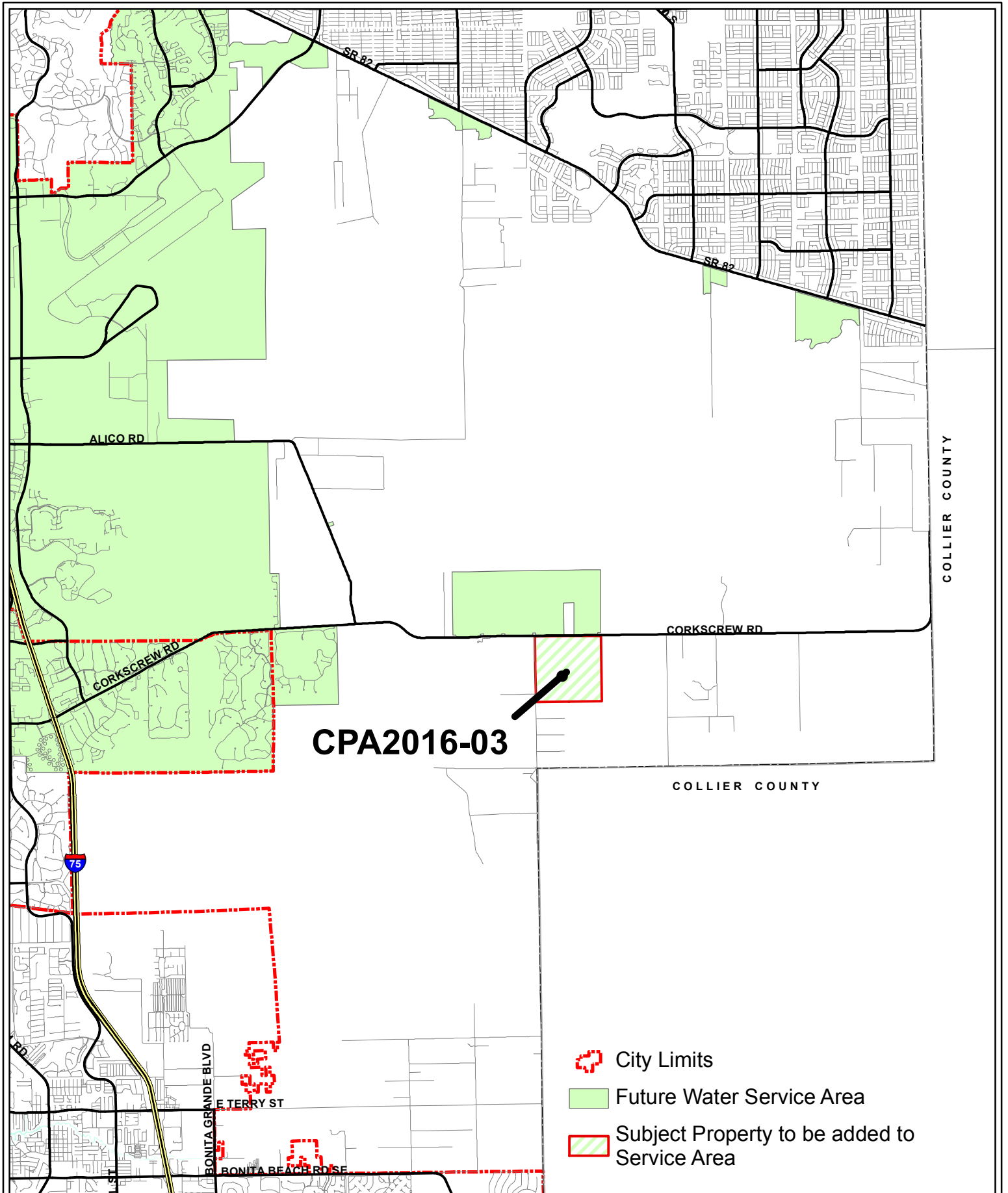
B. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners **adopt** the amendments to the Lee Plan as provided in Attachment 1.



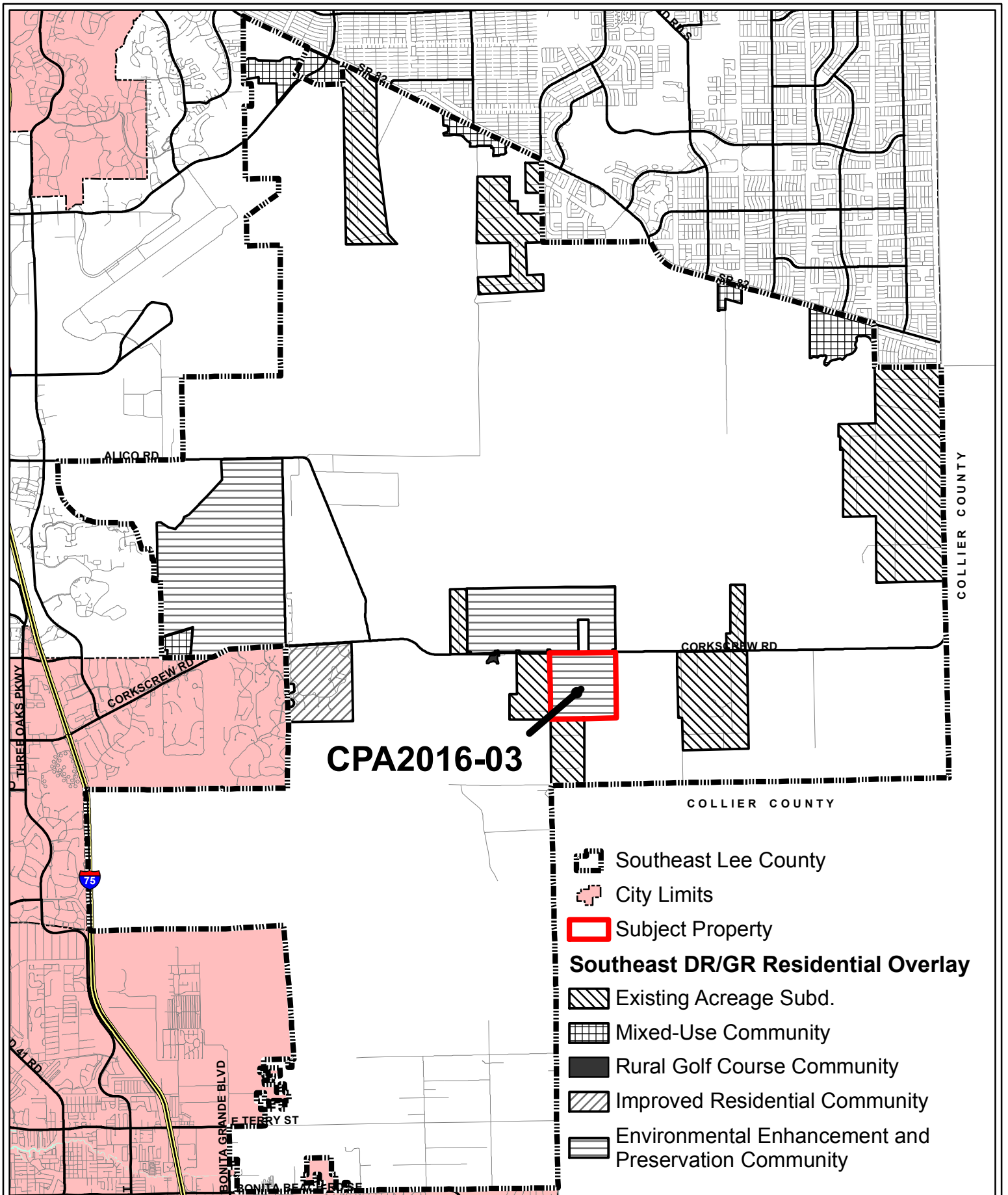
Map Generated December 2016
Prepared By Lee County DCD/Planning

CPA2016-00003 - PEPPERLAND RANCH
LEE PLAN MAP 6
 LEE COUNTY UTILITIES
 FUTURE WATER SERVICE AREAS



Map Generated December 2016
Prepared By Lee County DCD/Planning

CPA2016-00003 - PEPPERLAND RANCH
LEE PLAN MAP 7
LEE COUNTY UTILITIES
FUTURE SEWER SERVICE AREAS



STAFF COMMENTS



John E. Manning
District One

Cecil L. Pendergrass
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

March 4, 2016

Matthew Noble
ANoblePlan, LLC
1842 Seafan Circle
North Fort Myers, FL 33903

Re: Initial development review for Pepperland Ranch

Mr. Noble,

I am in receipt of your email dated February 26, 2016, requesting a letter to determine the adequacy of existing and proposed services for the development of Pepperland Ranch, located off Corkscrew Road. The property is referenced as STRAP 30-46-27-00-00001.0000.

Lee County Emergency Medical Services is the primary EMS transport agency responsible for coverage at the address you have provided. We have two EMS stations that are approximately 7 miles from the proposed entrance off Corkscrew Road: Station 21 and Station 25.

An evaluation of current response times along Corkscrew Road in that vicinity, as well as drive time modeling, suggests we will not be able to meet existing service standards as required in County Ordinance 08-16. Therefore, we have concerns about our ability to provide service to this new development.

Should the plans or access to the property change, a new analysis of this impact would be required.

If you have any questions, please contact me at (239) 533-3961.

Sincerely,

A handwritten signature in blue ink, appearing to read "Benjamin Abes".

Benjamin Abes
Interim Chief
Division of Emergency Medical Services



THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966 ♦ WWW.LEESCHOOLS.NET

DAWN M HUFF
LONG-RANGE PLANNER
Planning, Growth & School Capacity
Phone: 239-337-8142
FAX: 239-335-1460

STEVEN K. TEUBER
CHAIRMAN, DISTRICT 4
MARY FISCHER
VICE CHAIRMAN, DISTRICT 1
JEANNE S. DOZIER
DISTRICT 2
CATHLEEN O'DANIEL MORGAN
DISTRICT 3
PAMELA H. LARIVIERE
DISTRICT 5
GREGORY K. ADKINS, ED. D.
SUPERINTENDENT
KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

March 10, 2016

Brandon Dunn, Senior Planner
Lee County Division of Planning
1500 Monroe Street
Fort Myers, Florida 33902-0398

RE: CPA2016-00003
Pepperland Ranch

Dear Mr. Dunn:

This letter is in response to your request for comments dated March 10, 2016 for the Pepperland Ranch in regard to educational impact. This project is located in the South Choice Zone, Sub Zone 3.

The request is for a plan amendment to accommodate 700 dwelling units. There is no clarification as to the type of unit therefore single-family will be utilized for the purpose of determining capacity. With regard to the inter-local agreement for school concurrency, the generation rates are created from the type of dwelling unit and further broken down by grade level.

For single-family homes, the generation rate is .295 and further broken down by grade level into the following, .147 for elementary, .071 for middle and .077 for high. A total of 207 school-aged children would be generated and utilized for the purpose of determining sufficient capacity to serve the development. The Concurrency Analysis attached, displays the impact of this development. Capacities for elementary seats is not an issue within the Concurrency Service Area (CSA). For middle and high school, the development adds to the projected deficit for the CSA, however, there are sufficient seats available to serve the need within the contiguous CSA.

Thank you for your attention to this issue. If I may be of further assistance, please call.

Sincerely,

Dawn Huff

Dawn Huff,
Long Range Planner

LEE COUNTY SCHOOL DISTRICT'S SCHOOL CONCURRENCY ANALYSIS

REVIEWING AUTHORITY Lee School District
NAME/CASE NUMBER Pepperland Ranch/CPA2016-00003
OWNER/AGENT Pepperland LLC
ITEM DESCRIPTION various amendments; all impacts in South CSA, sub area S3

LOCATION On the south side of Corkscrew Rd, 7+ miles east of I-75
ACRES 630
CURRENT FLU Density Reduction/Groundwater Resource (DRGR)/ Wetlands (W)
CURRENT ZONING Industrial Planned Development (IPD)

PROPOSED DWELLING UNITS BY TYPE

Single Family	Multi Family	Mobile Home
700	0	0

STUDENT GENERATION

Student Generation Rates			
SF	MF	MH	Projected Students
Elementary School	0.147		102.90
Middle School	0.071		49.70
High School	0.077		53.90
Source: Lee County School District, March 10, 2016 letter			

CSA SCHOOL NAME 2019/20

	CSA Capacity (1)	CSA Projected Enrollment (2)	CSA Available Capacity	Projected Impact of Project	Available Capacity W/Impact	LOS is 100% Perm FISH Capacity	Adjacent CSA Available Capacity w/Impact
South CSA, Elementary	12,413	10,726	1,687	103	1584	87%	
South CSA, Middle	5,621	5,803	-182	50	-232	104%	
South CSA, High	7,070	7,947	-877	54	-931	113%	

(1) Permanent Capacity as defined in the Interlocal Agreement and adopted in the five (5) years of the School District's Five Year Plan
 (2) Projected Enrollment per the five (5) years of the School District's Five Year Plan plus any reserved capacity (development has a valid finding of capacity)
 (3) Available Adjacent CSA capacity is subject to adjacency criteria as outlined in the Interlocal Agreement and the School District's School Concurrency Manual

Prepared by:

Dawn Huff, Long Range Planner

Memo

To: Brandon Dunn, Principal Planner - Planning
Alvin "Chip" Block, Principal Planner - Zoning

From: Andy Getch, P.E., Manager
Infrastructure Planning

Date: November 14, 2016

Subject: Pepperland (CPA2016-00003/DCI2016-00003)

LCD CD Infrastructure Planning and Development Services staff has reviewed the traffic analysis in the subject application for public hearing. The applicant's consultant has submitted a combined traffic analysis for the CPA and DCI cases.

The subject property has frontage on Corkscrew Road. The two project access points depicted on the Master Concept Plan meet Land Development Code (LDC) Section 10-285 intersection separation requirements along Corkscrew Road, a county maintained minor arterial roadway. The traffic analysis indicates 700 dwelling units for this property. The analysis estimates a total weekday PM peak hour trip generation of 605.

The DCI submittal buildout is coincident with the 5 year short range analysis requirement for the CPA. The analysis indicates the level of service (LOS) on all the study area roadway segments within a 3 mile radius are anticipated to operate at or better than the adopted LOS standard in year 2022.

DCI2016-00003 LOS Summary

Roadway Segment	From	To	2022 LOS	
			Without the project	With the project
Alico Road	Corkscrew Road	Airport Haul Road	A	B
Alico Road	Airport Haul Road	Ben Hill Griffin Parkway	B	C
Corkscrew Road	Collier County line	project entrance	B	B
Corkscrew Road	project entrance	Alico Road	B	C
Corkscrew Road	Alico Road	Ben Hill Griffin Parkway	D	E

The intersection analyses for the year 2022 at build-out showed LOS “C” at the east site access intersection with Corkscrew Road, and LOS “E” at the west site access intersection with Corkscrew Road during p.m. peak hour conditions. The analysis showed LOS “C” without the project and a projected LOS “F” with the project for the intersection of Corkscrew Road at Alico Road. The intersection of Corkscrew Road at Ben Hill Griffin Parkway is estimated to operate at LOS “E” in 2022 both without and with project traffic.

In accordance with the agreed upon methodology for the CPA long range 20+ year analysis, the applicant utilized output from the 2040 Lee County Metropolitan Planning Organization (MPO) Long Range Transportation Plan (LRTP) model output volumes as background traffic. The LRTP model data was developed based on 2010 United States Census data which was collected prior to the approval of the CPA and DCI applications for WildBlue and Corkscrew Farms in the Environmental Enhancement Communities Preservation Overlay (EECPO). The applicant manually added the project traffic and the traffic projections from WildBlue and Corkscrew Farms based on the approved applications as agreed upon in the methodology.

CPA2016-00003 LOS Summary

Roadway Segment	From	To	# of lanes in the MPO LRTP	2040 LOS	
				Background traffic	With the project, Corkscrew Farms and WildBlue
Alico Road	Corkscrew Road	Airport Haul Road	2	B	C
Alico Road	Airport Haul Road	Ben Hill Griffin Parkway	4	B	B
Corkscrew Road	Collier County line	project entrance	2	B	B
Corkscrew Road	project entrance	Corkscrew Farms	2	B	C
Corkscrew Road	Corkscrew Farms	Alico Road	2	B	E
Corkscrew Road	Alico Road	Bella Terra	4	C	C
Corkscrew Road	Bella Terra	WildBlue	4	C	C
Corkscrew Road	WildBlue	Ben Hill Griffin Parkway	4	C	F

Corkscrew Road from the WildBlue entrance to Ben Hill Griffin Parkway is shown to have a future LOS “F”, both with the 4-laning in the MPO LRTP, and with all three projects. The segment of Corkscrew Road from the WildBlue western entrance to Ben Hill Griffin Parkway is approximately six miles from the subject property and outside of the three mile radius study area. It is possible that the subject project may have a proportionate share obligation for addition of motor vehicle capacity to Corkscrew Road.

Staff is also simultaneously reviewing CPA2016-00009/DCI2016-00018 (Verdana). The applications are proposing 1,460 residential dwelling units and 60,000 SF of retail.

Further analysis of the potential proportionate share obligations of developments in the EECPO, and potential improvements to address roadways, surface water flow and wildlife movement, will be conducted in the EEPKO (aka Corkscrew Road traffic) study. The scope of services for the study is being developed by a consultant and is scheduled for completion in January 2017. The full EECPO traffic study is anticipated to be implemented in 2017.

Cc: Marcus Evans
Lili Wu

**MEMORANDUM
FROM
PUBLIC WORKS
Natural Resources Division**

Date: November 18, 2016

TO: Mikki Rozdolski
Director, Planning Division

From: Roland Ottolini
Director, Natural Resources
Division

SUBJECT: CPA2016-00003 Pepperland Ranch Plan Amendment

The subject property is located on Corkscrew Road east of the intersection of Alico and Corkscrew Roads. The applicant is requesting to build 700 dwelling units on the 637.5 +/- acre parcel. The site is located in the DRGR land use and Wetlands categories within the Southeast Lee County Planning Community. The subject site is identified in the Lee Plan as a Tier 1 Priority Restoration property. The proposed project would remove the potential of future fill mining at the subject site.

GROUNDWATER: The subject site is located at the south of the Lee County Utilities Corkscrew Wellfield. In fact, one third of the northern portion of the property is located within wellfield protections zones. The current use on the property is agriculture. There are a number of existing permitted wells for agriculture use. Most of those wells will be properly abandoned or possibly utilized as monitoring wells. Natural Resources staff has reviewed the information provided by the applicant including the Groundwater Analysis for the subject site, prepared by Water Science Associates. Compared to the current agricultural land use, the proposed amendment will reduce impacts on groundwater resources by using potable water supply provided by Lee County Utilities. The proposed centralized irrigation system utilizes on site lakes replenished by the newly constructed wells on an as necessary basis. This system will be designed to meet the requirements of the Lee County "Water Conservation Ordinance".

SURFACE WATER: The subject site is located south of mitigation or conservation lands owned by other agencies. The residential community located west of the subject property along 6L's Farm Road experiences flooding from time to time. Farm ditches have been excavated within and around the property altering historical surface water drainage and runoff patterns. The proposed restoration plan will preserve an onsite wetland area located on the northwestern section of the property. The master concept plan attempts to restore on-site wetlands by incorporating them into recreated flow ways. The restoration plan will also provide a flow way interconnect for proposed future connection along the northern and south eastern portions of the project to help relieve some of the flooding of adjacent properties. In addition, the proposed development pods are chosen in a way to accommodate and enhance flow ways to mimic historic flow and to provide wildlife habitat.

WATER QUALITY: Water quality is a major concern on this project due to its close vicinity to the public water supply system. The applicant has agreed to provide additional treatment of surface water prior to discharging to water management lakes.

One of the conservation goals listed in the Dover Kohl study was to maintain and enhance surface and groundwater resources. This goal is achieved by using lake water for irrigation, providing potable water from Lee County Utilities, elimination of septic systems, and restoration of flow ways through the property. Further, incorporation of a monitoring well network will provide a tool for managing the natural system and work towards achieving other goals listed in the Dover Kohl study.

The following items shall be addressed and resolved during the Zoning approval process:

- 1) Flow way restoration and maintenance plan.
- 2) Flowway and Outfall Easement agreement.
- 3) Potential contamination of public water supply system due to construction or operational activities on the project site.
- 4) Design of the water management system to mimic the functions of the natural system.
- 5) Maintain historic flow through the property and avoid flooding of adjacent properties.
- 6) Setback requirements of Chapter 62-532 with regard to sanitary sewer lines from public water supply system.
- 7) Compliance with Wellfield Protection Ordinance.

Based on the information provided and given the above concerns are to be addressed in the subsequent approval processes, the Lee County Division of Natural Resources finds that no significant impacts on present or future water resources are expected as a result from the change. Therefore, the Division of Natural Resources staff recommends that the Board of County Commissioners make a formal finding that no significant impacts on present or future water resources are expected as a result from changing the Future Land Use Category, as required in Lee Plan Policy 2.4.2 and Policy 2.4.3. This memo does not intend to relieve the applicant from complying with any other part of the Lee Plan.



Lee County Southwest Florida

INTEROFFICE MEMORANDUM PUBLIC WORKS UTILITIES

DATE: November 28, 2016

TO: Brandon Dunn

FROM: Howard Wegis

SUBJECT: CPA2016-00003 Pepperland Ranch/LCU Treatment Capacity to Provide Service

This memo is intended to supplement information previously provided to the Lee County Planning Division, regarding Lee County Utilities' (LCU) available potable water and sanitary sewer treatment capacity to provide service to the proposed Pepperland Ranch development. More specifically, it is intended to supplement information provided in the form of a sufficiency review checklist sent to Brandon Dunn via e-mail on June 6, 2016.

Potable Water:

LCU's current total combined water treatment capacity is 45.9 million gallons per day (MGD). The Green Meadows Water Treatment Plant (WTP) is in the process of being expanded from 9.00 MGD to 14.00 MGD which will bring the total combined treatment capacity of the water system to 50.9 MGD. The projected water system demand included in LCU's Integrated Water Resource Master Plan indicates a total water system demand of 37.04 MGD annual average daily flow (AADF) in the year 2030. This represents a surplus capacity of 13.86 MGD. The 2015 annual average daily demand in LCU's water system was 23.41 MGD. The 2015 maximum month average daily demand in LCU's water system was 27.25 MGD. Based on the information presented above there is sufficient water treatment capacity to serve the proposed development.

Sanitary Sewer:

The current permitted treatment capacity of the Three Oaks Wastewater Treatment Plant (WWTP) is 6.0 MGD. The current annual average daily flow to the Three Oaks WWTP is 3.15 MGD. There currently is capacity at the Three Oaks WWTP to provide service to the proposed development. Regarding sufficient treatment capacity in the future, the following should be noted. LCU has recently completed a study of the Three Oaks WWTP service area which included a flow projection to the facility. This study was completed by a Consultant. The flow projection for this study was based on the Three Oaks WWTP future service area at the time the projection was completed.

November 28, 2016
Brandon Dunn
Page Two

The Pepperland Ranch project is currently not located within the Three Oaks WWTP future service area, therefore, the wastewater flow projected from the Pepperland Ranch development (140,000 gallons per day) was not included in the flow projection performed in the study referenced above. Utilizing the flow projection performed during the study referenced above the effect the Pepperland development projected flow will have on the available capacity at the Three Oaks WWTP can be determined. The flow projection was revised to add the flow generated from Pepperland Ranch as well as comprehensive plan amendments approved after the projection was performed. It was assumed that the Pepperland Ranch project would be fully built out by the year 2020. The revised projection indicates that the annual average daily flow to the Three Oaks WWTP will not exceed the permitted capacity until the year 2028.

Because the wastewater flow to the Three Oaks WWTP is projected to exceed the permitted capacity in the future, LCU has initiated a study to identify options for treatment of wastewater flows that are projected to be generated within the Three Oaks WWTP service area. This study is currently underway.

cc: Tom Mamott, DLCU
Rand Edelstein, DLCU
Nathan Beals, DLCU

STATE AGENCY REVIEW COMMENTS
FOR
CPA2016-00003 PEPPERLAND RANCH

- X Department of Economic Opportunity
 - Department of Agriculture and Consumer Services
 - Department of Education
- X Department of Environmental Protection
 - Florida Department of State
- X Florida Fish and Wildlife Conservation Commission
- X FDOT District Office
- X South Florida Regional Planning Council
- X South Florida Water Management District

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

April 7, 2017

The Honorable John Manning, Chairman
Lee County Board of County Commissioners
Post Office Box 398
Fort Myers, Florida 33902-0398

Dear Chairman Manning:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for Lee County (Amendment No. 17-1ESR), which was received on March 17, 2017. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comments related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendment if adopted.

The County is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the County. If other reviewing agencies provide comments, we recommend the County consider appropriate changes to the amendment based on those comments. If unresolved, such reviewing agency comments could form the basis for a challenge to the amendment after adoption.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
[www.twitter.com/FLDEO](https://twitter.com/FLDEO) | www.facebook.com/FLDEO

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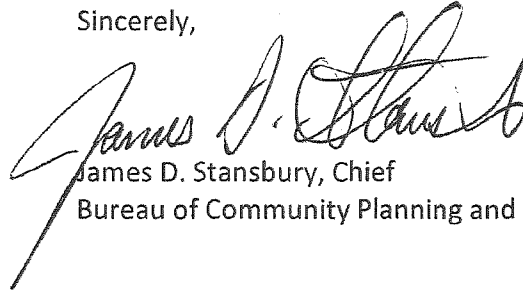
The Honorable John Manning, Chairman

April 7, 2017

Page 2 of 2

If you have any questions concerning this review, please contact Scott Rogers, Planning Analyst, at (850) 717-8510, or by email at scott.rogers@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a large initial "J" and "S".

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JS/sr

Enclosure: Procedures for Adoption

cc: David Loveland, Director, Lee County Department of Community Development
Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the Department of Economic Opportunity and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ Department of Economic Opportunity identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, in **color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Department of Economic Opportunity notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Economic Opportunity or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

_____ List of additional changes made in the adopted amendment that the Department of Economic Opportunity did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the Department of Economic Opportunity in response to the comment letter from the Department of Economic Opportunity.

Miller, Janet

From: Rozdolski, Mikki
Sent: Monday, April 10, 2017 11:45 AM
To: Miller, Janet; Dunn, Brandon
Subject: Fwd: DEO Response Letter
Attachments: LEE CO. 17-1ESR (A).pdf; ATT00001.htm

Mikki

Sent from my iPhone

Begin forwarded message:

From: "Loveland, David" <DLoveland@leegov.com>
Date: April 10, 2017 at 10:09:10 AM EDT
To: "Rozdolski, Mikki" <MRozdolski@leegov.com>
Subject: FW: DEO Response Letter

FYI

David M. Loveland, AICP
Director
Lee County Dept. of Community Development
1500 Monroe Street
Fort Myers, FL 33901
Office Phone: (239)533-8509
Cell Phone: (239)839-1988
DLoveland@leegov.com

From: DEO Amendment Correspondence [<mailto:deoamendmentcorrespondence@deo.myflorida.com>]
Sent: Monday, April 10, 2017 9:42 AM
To: Dist1, John Manning; Loveland, David; ext-Wuerstle, Margaret (swfrpc.org)
Cc: Rogers, Scott
Subject: FW: DEO Response Letter

Please disregard the Lee County letter that was emailed to you on Friday, April 7, 2017. Please accept this letter as the correct Adopted Lee Co. 17-1ESR Amendment. If you have any questions, please contact Scott Rogers at (850)717-8510.

Please see attached correspondence from the Department of Economic Opportunity regarding the above comprehensive plan amendment. In addition to this electronic message, a paper copy of the letter is being mailed to the addressee. Paper copies of the attached correspondence are available upon request. Please contact the Department planner identified in the attached letter if you have any questions or concerns. Thank You.

This email communication may contain confidential information protected from disclosure by privacy laws and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, this is notice to you that any dissemination, distribution or copying of this

communication or any attachment to it may be a violation of federal and state privacy laws. If you have received this email in error, please notify the sender immediately by return email and delete this message. Please note that Florida has a broad public records law, and that all correspondence to DEO via email may be subject to disclosure. Under Florida law email addresses are public records.

This email communication may contain confidential information protected from disclosure by privacy laws and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, this is notice to you that any dissemination, distribution or copying of this communication or any attachment to it may be a violation of federal and state privacy laws. If you have received this email in error, please notify the sender immediately by return email and delete this message. Please note that Florida has a broad public records law, and that all correspondence to me via email may be subject to disclosure. Under Florida law email addresses are public records.

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Miller, Janet

From: Dunn, Brandon
Sent: Wednesday, April 05, 2017 2:25 PM
To: Rozdolski, Mikki; Miller, Janet
Subject: FW: Lee County 17-1ESR Proposed

Please see mail below from Florida DEP.

Brandon D. Dunn, Principal Planner
Lee County Department of Community Development
Planning Section
bdunn@leegov.com
239.533.8585

From: Plan_Review [<mailto:Plan.Review@dep.state.fl.us>]
Sent: Wednesday, April 05, 2017 9:28 AM
To: Dunn, Brandon; DCPexternalagencycomments
Cc: Plan_Review
Subject: Lee County 17-1ESR Proposed

To: Brandon Dunn, Principal Planner

Re: Lee County 17-1ESR – Expedited Review of Proposed Comprehensive Plan Amendment

**Please note the new contact information below.*

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Feel free to contact me at Suzanne.e.ray@dep.state.fl.us or (850) 717-9037 for assistance or additional information. Please send all amendments, both proposed and adopted, to plan.review@dep.state.fl.us or

Florida Department of Environmental Protection
Office of Intergovernmental Programs, Plan Review
2600 Blair Stone Rd. MS 47
Tallahassee, Florida 32399-2400

Miller, Janet

From: Dunn, Brandon
Sent: Tuesday, March 28, 2017 10:08 AM
To: Miller, Janet; Sweigert, Rebecca
Cc: Rozdolski, Mikki
Subject: FW: Lee County 17-1ESR (CPA2016-00003)
Attachments: Pepperland Ranch_31025_101416.pdf

Here is FWC's letter.

Becky, will you forward this to Shane.

Brandon D. Dunn, Principal Planner

Lee County Department of Community Development
Planning Section
bdunn@leegov.com
239.533.8585

From: Hight, Jason [<mailto:Jason.Hight@MyFWC.com>]
Sent: Tuesday, March 28, 2017 9:59 AM
To: DCPexternalagencycomments@deo.myflorida.com; Dunn, Brandon
Cc: Keltner, James; Wallace, Traci; Chabre, Jane
Subject: Lee County 17-1ESR (CPA2016-00003)

Dear Mr. Dunn:

Florida Fish and Wildlife Conservation Commission (FWC) staff have reviewed the project referenced above. We previously provided comments and recommendations through a related commenting process for a project related to this amendment (see attached). Our previous comments and recommendations for fish and wildlife resources and any potential impacts from this project remain the same.

If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at FWCConservationPlanningServices@MyFWC.com. If you have specific technical questions, please contact Jim Keltner at (239) 332-6972 x9209 or by email at James.Keltner@MyFWC.com.

Thank you,

Jason Hight
Biological Administrator II
Office of Conservation Planning Services
Division of Habitat and Species Conservation
620 S. Meridian Street, MS 5B5
Tallahassee, FL 32399-1600
(850) 228-2055

Lee County 17-1ESR_32668



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and Wildlife
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Hearing/speech-impaired:
(800) 955-8771 (T)
(800) 955-8770 (V)

MyFWC.com

October 14, 2016

Jewelene Harris
South Florida Water Management District
2301 McGregor Boulevard
Fort Myers, FL 33901
jharris@sfwmd.gov

RE: Pepperland Ranch, South Florida Water Management District (SFWMD)
Environmental Resource Permit (ERP) Application #160520-30, Lee County

Dear Ms. Harris:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the above-referenced permit application. We provide the following comments and recommendations as technical assistance during your review of the ERP application under Chapter 373, Florida Statutes (F.S.), and in accordance with FWC's authorities under Chapter 379, F.S.

Project Description

The applicant is seeking a permit modification to construct a stormwater management system that would serve 700 single-family homes, a clubhouse facility, and associated infrastructure on approximately 638 acres located approximately 3.0 miles east of the Alico Road and Corkscrew Road intersection, immediately south of Corkscrew Road in Lee County. The dominant land covers on the proposed site consist of row crops, fallow crops, berms, cypress, shrub wetland, and other surface waters. Based on the proposed site plan, the applicant intends to impact 9.43 acres of other surface waters. The applicant is proposing to enhance and preserve 51.3 acres of on-site wetlands and restore 298.79 acres of agricultural lands.

Potentially Affected Resources

According to the *Protected Species Survey* (Rev. September 2016) by Passarella & Associates, Inc., submitted in support of the permit application, a listed species survey was conducted in February and May 2016. Based on the results of this survey, Florida sandhill crane (*Grus canadensis pratensis*, State Threatened [ST]), little blue heron (*Egretta caerulea*, State Species of Special Concern [SSC]), roseate spoonbill (*Ajaja ajaja*, SSC), snowy egret (*Egretta thula*, SSC), tricolored heron (*Egretta tricolor*, SSC), white ibis (*Eudocimus albus*, SSC), wood stork (*Mycteria americana*, Federally Threatened [FT]), Audubon's crested caracara (*Polyborus plancus audubonii*, FT), and bald eagle (*Haliaeetus leucocephalus*) were documented on the proposed project site.

FWC staff conducted a geographic information system (GIS) analysis of the project area. Our analysis confirmed the information from the *Protected Species Survey* and also found that the project area is located near, within, or adjacent to:

- One or more wood stork nesting colony core foraging areas (CFA). The CFA constitutes an 18.6-mile radius around the nesting colony.
- U.S. Fish and Wildlife Service (USFWS) Consultation Area for the following federally listed species:
 - Florida scrub-jay (*Aphelocoma coerulescens*, FT)
 - Red-cockaded woodpecker (*Picoides borealis*, Federally Endangered [FE])
 - Everglade snail kite (*Rostrhamus sociabilis plumbeus*, FE)
 - Florida panther (*Felis concolor coryi*, FE) - Primary Zone
 - Florida bonneted bat (*Eumops floridanus*, FE)
- Potential habitat for state- and federally listed species:
 - Eastern indigo snake (*Drymarchon corais couperi*, FT)
 - Big Cypress fox squirrel (*Sciurus niger avicennia*, ST)
 - Sherman's short-tailed shrew (*Blarina shermani*, SSC)
 - Everglades mink (*Neovison vison evergladensis*, ST)
- Potential habitat for the Florida black bear (*Ursus americanus floridanus*) - South Bear Management Unit

Comments and Recommendations

The applicant submitted a *Protected Species Management and Human-Wildlife Coexistence Plan* (PSMP) (Rev. September 2016) for the Pepperland Ranch project. This plan addresses conservation, avoidance, minimization, and potential mitigation measures for the Eastern indigo snake, American alligator (*Alligator mississippiensis*, FT because of similarity of appearance), Audubon's crested caracara, Florida bonneted bat, Big Cypress fox squirrel, Florida black bear, Florida panther, wood stork, and listed wading birds. According to the PSMP, the applicant intends to conserve approximately 351 acres on-site comprised of 200 acres of wetlands and 151 acres of uplands following completion of the mitigation activities. The preserve areas will be managed for listed species occurring or potentially occurring on-site based on habitat type. The applicant intends to place a conservation easement over the conservation areas or other equivalent deed restriction with approval granted to Lee County.

In addition, a 4'x10' box culvert wildlife crossing will be installed where the north-south entrance road bisects the preserve areas to maintain the connectivity as a wildlife corridor. The project's site design also includes a six-foot chain link fence around the residential areas to deter large mammal access. Signs identifying the preserve as a "nature preserve area" are anticipated to be placed around preserve areas and should include language stating "No dumping allowed". Signs will be no closer than 10 feet from residential property. The applicant proposes to conduct periodic seminars with

future residents to further educate the community about the preservation areas, wetland benefits, human wildlife coexistence, and the benefits of prescribed fire.

The habitat management, avoidance, minimization, and mitigation measures proposed generally follow accepted guidelines and practices for those species mentioned above. The FWC offers the following recommendations to enhance the intent of the PSMP.

Florida Sandhill Crane

As noted in the PSMP, Florida sandhill cranes have been documented on the proposed site. The freshwater emergent marshes in the northern part of the project area may provide potential nesting habitat for this species. The site plan indicates potential development may fall within 400 feet of potentially suitable Florida sandhill crane nesting habitat. If construction will occur within 400 feet of an active Florida sandhill crane nest, we recommend that the applicant contact FWC staff identified below to discuss potential permitting needs.

Big Cypress Fox Squirrel

As noted in the PSMP, Big Cypress fox squirrel (BCFS) may potentially utilize the habitats found onsite and the applicant proposes to restore approximately 151 acres of suitable fox squirrel habitat. Big Cypress fox squirrels typically nest between October and February and from April to August. If construction or restoration activities occur within 125 feet of a nest tree, then steps should be taken to determine if the nest is active. The applicant should then coordinate with FWC staff to discuss permitting alternatives.

Everglades Mink

The project site is within the accepted current range of the Everglades mink. The Everglades mink does not avoid human activity and frequently makes use of man-made structures such as canals and levees (FWC 2013). FWC has developed a Species Action Plan for the Everglades Mink which can be accessed at the following web address: <http://myfwc.com/media/2738256/Everglades-Mink-Species-Action-Plan-Final-Draft.pdf>. The population size and trend is unknown for the Everglades mink and has been inferred from limited data. We recommend that the applicant coordinate with FWC staff if mink are observed onsite to determine if the proposed activities may affect Everglades mink.

Prescribed Burning

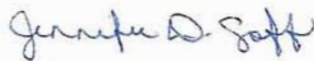
According to the PSMP, prescribed burning will be used to maintain the native vegetative communities in the conservation areas. FWC recommends that the applicant also include provisions for a community covenant that would ensure the ability to perform prescribed burns on fire-dependent plant communities within the preserved areas, as well as inform prospective home buyers that prescribed burning is an acceptable practice for land management and provide educational materials on what residents can expect during prescribed burns.

Federal Species

This site may also contain habitat suitable for the other federally listed species identified above. We recommend the applicant coordinate with USFWS South Florida Ecological Services Office (ESO) as necessary for information regarding potential impacts to these species and the need for additional conservation, avoidance, minimization, and potential mitigation measures. The USFWS South Florida Ecological Services Office (ESO) can be contacted at (772) 562-3909.

We appreciate the opportunity to review this project. If you need any further assistance, please do not hesitate to contact Jane Chabre either by phone at (850) 410-5367 or by email at FWCCConservationPlanningServices@MyFWC.com. If you have specific technical questions regarding the content of this letter, please contact Mark Schulz at (863) 648-3820 or by email at Mark.Schulz@MyFWC.com.

Sincerely,



Jennifer D. Goff
Land Use Planning Program Administrator
Office of Conservation Planning Services

jdg/mas
ENV 1-12-2
Pepperland Ranch_31025_101416

cc: David Underhill, Banks Engineering, dunderhill@bankseng.com
Shane Johnson, Passarella & Associates, Inc., shanej@passarella.net

Reference Cited

FWC. 2013. A species action plan for the Everglades mink. Tallahassee, Florida.

Kellam, J., D. Jansen, A. Johnson, and R. Arwood. 2013. Big Cypress fox squirrel home range and habitat use in cypress dome swamp and pine forest mosaic habitats. Final report. National Park Service, Big Cypress National Preserve, Ochopee, FL. 27 pp. Available at http://www.nps.gov/bicy/naturescience/upload/Kellam-et-al-2013-Big-Cypress-Fox-Squirrel-Home-Range-and-Habitat-Use-in-Cypress-Dome-Swamp-and-Pine-Forest-Mosaic-Habitats_-REVISED-March-2014.pdf.



Florida Department of Transportation

RICK SCOTT
GOVERNOR

10041 Daniels Parkway
Fort Myers, FL 33913

RACHEL D. CONE
INTERIM SECRETARY

April 21, 2017

Brandon Dunn, Principal Planner
Lee County Planning Section
P.O. Box 398
Fort Myers, Florida 33902-0398

RE: Lee County 17-1ESR Proposed Comprehensive Plan Amendment (Expedited State Review Process) – FDOT Technical Assistance Comments

Dear Mr. Dunn:

The Florida Department of Transportation (FDOT), District One, has reviewed the Lee County 17-1ESR Proposed Comprehensive Plan Map Amendment (CPA). The CPA proposal package was transmitted under the Expedited State Review process by the Lee County Board of County Commissioners in accordance with the requirements of Florida Statutes Chapter 163. FDOT offers the following technical assistance comments.

The Lee County 17-1ESR CPA, locally known as CPA2016-00003, proposes to Amend Lee Plan Map 17 (Southeast Density Reduction/Groundwater Resources (DR/GR) Residential Overlay), to designate a 637.5± acre property along Corkscrew Road as an "Environmental Enhancement and Preservation Community." The CPA also includes amendments to Lee Plan Maps 6 and 7 to add the property within the Future Potable Water and Sewer Service areas. The subject property is located at the southeast quadrant of the intersection of Corkscrew Road and Six Ls Farm Road, approximately 3 miles east of the Alico Road/Corkscrew Roads intersection.



The requested overlay will allow the property to be developed with a residential community (700 residential dwelling units), pending the property being rezoned. According to the staff report, the Applicant has filed a companion rezoning application that is being reviewed concurrently with the plan amendment application by the Lee County Zoning Division.

According to the adopted FLU designation of DR/GR, the maximum development that could occur on the 637.5± acres is 63 single family dwelling units (1 DU/10 Acres), which would result in approximately 687 daily trips or 69 p.m. peak hour trips. The 700 residential dwelling units would result in approximately 6,292 daily trips or 605 p.m. peak hour trips;

resulting in a net increase of 5,605 daily trips or 536 p.m. peak hour trips. The following table summarizes the trip generation for the proposed development based on the adopted FLU and proposed overlay, as well as the change in trips as a result of the amendment.

TRIP GENERATION AS PROPOSED FOR CPA2016-0003

Scenario	Land Use Designation	Maximum Allowed Density / Intensity	Land Use Code	Size of Development		Daily Trips ¹	PM Peak Hour Trips ¹
				Acres	Allowed Development		
Adopted	DR/GR	1 DU/10 Acres	210	637.5	63 DUs	687	69
Proposed	RES	NA	210	637.5	700 DUs	6,292	605
Change in Trips						+5,605	+536

¹ Trip generation based on the rates and equations obtained in the ITE Trip Generation Manual (9th Edition)

As seen in the following tables, a planning level analysis was prepared to establish whether State roadways in the vicinity of the project will operate at their adopted level of service (LOS) standards during the existing (2015), short-term (2021), and long-term (2040) horizon year conditions.

YEAR 2015 EXISTING ROADWAY CONDITIONS

Roadway	From	To	SIS/ESIS?	LOS Std. ¹	2015 Daily Conditions				
					No. of Lanes	Service Volume	Volume ²	LOS	Acceptable?
I-75	CR 865/Bonita Beach Rd	CR 850/Corkscrew Rd	SIS	D	6	111,800	91,500	C	Yes
I-75	CR 850/Corkscrew Rd	Alico Rd	SIS	D	6	111,800	93,000	C	Yes

1. Adopted LOS Standard obtained from Lee County.

2. 2015 Volumes obtained from 2015 FDOT District One LOS Spreadsheet

YEAR 2021 SHORT-TERM HORIZON ROADWAY CONDITIONS

Roadway	From	To	2021 Daily Conditions (E+C)								
			No. of ¹ Lanes	LOS ² Std.	Service Volume	Back-ground Volume ³	Project Distribu-tion ⁴	Project Trips	Total Volume	LOS	Accept-able?
I-75	CR 865/Bonita Beach Rd	CR 850/Corkscrew Rd	6	D	111,800	105,400	12.0%	673	106,073	D	Yes
I-75	CR 850/Corkscrew Rd	Alico Rd	6	D	111,800	104,300	8.0%	448	104,748	D	Yes

1. Number of Lanes (based on E+C Condition) obtained from 2015 FDOT District One LOS Spreadsheet

2. Adopted LOS Standard obtained from Lee County

3. The short-term planning horizon year 2021 background volume was obtained based on historical trend analysis.

4. Project Trip Distribution was obtained from the traffic study provided by the Applicant.

YEAR 2040 LONG-TERM HORIZON ROADWAY CONDITIONS

Roadway	From	To	2040 Daily Conditions								
			No. of ¹ Lanes	LOS ² Std.	Service Volume	Back- ground Volume ³	Project Distribu- tion ⁴	Project Trips	Total Volume	LOS	Accept- able?
I-75	CR 865/ Bonita Beach Rd	CR 850/ Corkscrew Rd	6	D	111,800	149,200	12.0%	673	149,873	F	No
I-75	CR 850/ Corkscrew Rd	Alico Rd	6	D	111,800	149,200	8.0%	448	149,648	F	No

1. Number of Lanes from 2040 District One Regional Planning Cost Feasible Model
2. Adopted LOS Standard obtained from Lee County
3. The long-term planning horizon year 2040 background volume was obtained based on historical trend analysis.
4. Project Trip Distribution was obtained from the traffic study provided by the Applicant.

Based on the planning level analysis, the State and Strategic Intermodal Systems (SIS) roadways located within the vicinity of the project are expected to operate at acceptable levels of service (LOS) under existing (2015) and short-term (2021) conditions with the project. The segment of I-75 from CR 865/Bonita Beach Road to Terminal Access Road is expected to exceed the LOS standard by year 2040, both with and without the project.

The Lee County Metropolitan Planning Organization (MPO) 2040 Long-Range Transportation Plan (LRTP) Needs Plan Projects, includes I-75 from Collier County Line to Luckett Road (which includes the impacted segment) for widening from 6-lanes to 8-lanes. The 2040 LRTP also includes the I-75/Corkscrew Farms Road interchange improvement project.

In addition to this proposed CPA, several larger developments have recently been approved, or are being reviewed in this area, including WildBlue (approved), Corkscrew Farms (approved) and Verdana (under review). Due to the potential traffic impacts of these and other nearby developments, the traffic conditions along Corkscrew Farms Road is being cumulatively studied per Lee Plan Policy 38.1.9 (Environmental Enhancement Communities Preservation Overlay (EECPO) traffic study). Per Policy 38.1.9, and a Lee County memo dated November 14, 2016 named "Pepperland (CPA2016-00003/DC12016-00003)", the study is scheduled for completion and implementation in 2017.

FDOT Comment #1:

Per Lee Plan Policy 33.3.4(3.a), as a Tier 1 restoration property under the Environmental Enhancement and Preservation Community overlay, the maximum development that can occur on the site is one DU/Acre, which results in 637 DUs. However, the amendment references 700 DUs, which is an increase of 63 DUs. Please clarify the required density for this amendment.

FDOT Technical Assistance Comment #1:

As previously noted, the cumulative developments will add a large number of residential developments (over 4,500 DUs) to the area along Corkscrew Road (east of I-75). These developments will generate a significant amount of local and single automobile vehicle trips. FDOT is concerned that these local trips could have adverse impacts on I-75, and offers the following suggestion for the County to revisit the need for a north/south roadway, east of I-75; which would aid in relieving local trip impacts on I-75.

FDOT Technical Assistance Comment #2:

The various developments approved and planned along Corkscrew Road are large residential areas. FDOT notes that these developments do not include specific language regarding the use of multimodal transportation alternatives (pedestrian, bicycle and transit use). Pedestrian and bicycle paths/trails and a robust transit network can help to decrease overall passenger vehicle trips on local and State/SIS roadways. The use of multimodal alternatives aid in mitigating potential transportation impacts, promote safety and economic development, and improve quality of life for all communities in the County. This context sensitive approach promotes healthy, safe, and economically viable communities that encourages quality of life, incorporating all modes of transportation.

FDOT welcomes the opportunity to partner with, and provide technical assistance to Lee County to minimize potential future transportation impacts on nearby State and SIS transportation facilities, and offers several initiatives that complement the goals expressed in the County's Comprehensive Plan, such as "Complete Streets"¹, modern roundabouts², and a commitment to bicycle and pedestrian safety³.

FDOT General Comment for Lee County:

FDOT is aware of and supports Lee County in conducting the traffic study identified under Policy 38.1.9 (EECPO Traffic Study), which includes cumulative traffic impacts of approved developments and planned developments under review, including WildBlue, Corkscrew Farms, Verdana and the subject to this amendment (Pepperland Ranch).

Per the Scope of Services for the EECPO Traffic Study, the segment of I-75 from Corkscrew Road to Alico Road is included as part of the study area roadways. In order to fully understand the traffic impacts on State/SIS facilities resulting from the cumulative development, FDOT recommends that the boundaries of the EECPO Traffic Study be expanded to include the following State/SIS facilities:

- I- 75 from Bonita Beach Road to Corkscrew Road***
- SR 82 from Corkscrew Road to Daniels Parkway***

¹ <http://www.flcompletestreets.com/>

² <http://www.dot.state.fl.us/rddesign/Roundabouts/Default.shtm>

³ <http://www.alerttodayflorida.com/>

Thank you for providing FDOT with the opportunity to review and comment on the proposed amendment. If you have any questions or need to discuss these comments further, please contact me at (239) 225-1981 or sarah.catala@dot.state.fl.us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sarah Catala', with a horizontal line extending to the right.

Sarah Catala
SIS/Growth Management Coordinator
FDOT District One

CC: *Mr. Ray Eubanks, Florida Department of Economic Opportunity*

From: Getch, Andrew
Sent: Monday, July 10, 2017 9:36 AM
To: Dunn, Brandon
Cc: Loveland, David
Subject: FW: EEPO Study

FYI

Andy Getch, P.E.
Section Manager, Infrastructure Planning
Lee County Department of Community Development
2nd floor
[1500 Monroe Street](#)
[Fort Myers, Florida 33901](#)
direct line [\(239\) 533-8510](#)
DCD department line [\(239\) 533-8585](#)
FAX [\(239\) 485-8344](#)
AGetch@leegov.com

From: Getch, Andrew
Sent: Thursday, July 06, 2017 3:22 PM
To: 'Catala, Sarah'
Cc: Greg Root; Babuji Ambikapathy (BAmbikapathy@VHB.com)
Subject: RE: EEPO Study

Hi Sarah,

After coordinating with our consultant please find the following responses corresponding to the comment numbers:

- 1.) The FDOT provided synopsis reports will be used to derive the existing (2016) a.m. and p.m. peak hour volumes for I-75 and SR 82.
- 2.) The preliminary future year background traffic volumes for SR 82 and I-75 will be derived with the use of a historical growth trend analysis based on five or more years of historic count data obtained from the FDOT's Florida Traffic Counts Online website.
- 3.) The preliminary traffic analysis tabulates the project traffic volumes derived and documented in the individual Traffic Impact Studies prepared previously for WildBlue, Corkscrew Farms, Pepperland and Verdana and adds them to projected background traffic. The segments of I-75 from Bonita Beach Road to Corkscrew Road, and SR 82 from Corkscrew Road to Daniels Parkway were outside the respective Zoning TIS study areas, as a result no project traffic volumes were estimated in the individual Zoning TIS, or tabulated in the spreadsheet. A next step is to use the District One Districtwide model (D1RPM) from the I-75/Corkscrew Road Interchange Study for percentage distribution and assignment of WildBlue, Corkscrew Farms/The Place, Pepperland, and Verdana traffic as well as estimation of future level of service. The upcoming analysis will include the requested segments of I-75 and SR-82.

Thank you for your comments. I look forward to continued cooperation on this project and coordination with FDOT staff and the I-75/Corkscrew Road interchange evaluation.

Andy Getch, P.E.
Section Manager, Infrastructure Planning
Lee County Department of Community Development

2nd floor
[1500 Monroe Street](#)
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direct line [\(239\) 533-8510](#)
DCD department line [\(239\) 533-8585](#)
FAX [\(239\) 485-8344](#)
AGetch@leegov.com

From: Catala, Sarah [<mailto:Sarah.Catala@dot.state.fl.us>]
Sent: Wednesday, June 28, 2017 9:05 AM
To: Getch, Andrew
Subject: RE: EEPO Study

Hi Andy:

Thank you for providing the most recent EEPO study analysis. FDOT staff reviewed the analysis and offer the following comments (ahead of the meeting on July 10th):

1. FDOT recommends to use the enclosed synopsis reports from FDOT count stations along I-75 and SR 82 to derive the existing 2016 AM and PM peak hour volumes.
2. Historic growth trends should be calculated based upon five (5) or more years of historic count data provided by the Florida Transportation Information (FTI) DVD for I-75 and SR 82 instead of using an annual growth rate of 1.0% to derive the year 2022 background AM and PM peak hour peak direction volumes.
3. Consistent with our FDOT letter dated 9/22/15 (enclosed) on the Lee County 15-3ESR Adopted Comprehensive Plan Amendment, FDOT recommends the study to include I-75 from Bonita Beach Road to Alico Road and SR 82 from Corkscrew Road to Daniels Parkway as study area roadway segments. We believe this will provide a more comprehensive overview of the how the network may be impacted in the future.

Regards,

Sarah Catala, FDOT
District One Strategic Intermodal System (SIS) Coordinator
Growth Management Coordinator
Southwest Area Office
10041 Daniels Parkway
Fort Myers, FL 33913
Direct Line: 239.225.1981
Cell: 239.671.6247



From: Getch, Andrew [<mailto:AGetch@leegov.com>]
Sent: Monday, June 26, 2017 1:20 PM

To: Catala, Sarah
Subject: FW: EEPO Study

Hi Sarah,
Here is the most recent traffic analysis submittal as requested.

Andy Getch, P.E.
Section Manager, Infrastructure Planning
Lee County Department of Community Development
2nd floor
[1500 Monroe Street](#)
[Fort Myers, Florida 33901](#)
direct line [\(239\) 533-8510](#)
DCD department line [\(239\) 533-8585](#)
FAX [\(239\) 485-8344](#)
AGetch@leegov.com

From: Getch, Andrew
Sent: Wednesday, June 14, 2017 11:43 AM
To: 'Ted Treesh'; 'Mark Gillis'
Cc: Loveland, David; 'Greg Root'; Dunn, Brandon; Evans, Marcus; Wu, Lili; Murphy, David
Subject: FW: EEPO Study

As requested, please find attached the current draft of the development trip distribution and LOS analysis. Let Greg and I know if you would like to provide input on distribution of zoning traffic beyond the study area, or any other comments you may have.

Andy Getch, P.E.
Section Manager, Infrastructure Planning
Lee County Department of Community Development
2nd floor
[1500 Monroe Street](#)
[Fort Myers, Florida 33901](#)
direct line [\(239\) 533-8510](#)
DCD department line [\(239\) 533-8585](#)
FAX [\(239\) 485-8344](#)
AGetch@leegov.com

From: Greg Root [<mailto:groot@aimengr.com>]
Sent: Monday, June 12, 2017 6:36 PM
To: Getch, Andrew
Subject: EEPO Study

Hello Andy –

Attached are two spreadsheets. The 2nd tab in the first spreadsheet summarizes the distribution of a.m. and p.m. peak hour project traffic volumes for WildBlue, Corkscrew Farms, Pepperland and Verdana. These roadway segment peak hour volumes were obtained from the individual Traffic Impact Studies conducted for these four developments. This table also summarizes the cumulative a.m. and p.m. peak hour traffic volumes for all four projects for each roadway segment. The four Traffic Impact Studies did not include the same total number of roadway segments, therefore, some of the roadway segments in this spreadsheet have zero volumes for one or more of the four future developments. For example, Corkscrew Farms, Pepperland and Verdana did not include the segment of Alico Road from Three Oaks

Parkway to I-75 and Pepperland and Verdana did not include the segment of Corkscrew Road from Three Oaks Parkway to I-75. These roadway segments are highlighted using a peach color. Some of the “total” project volumes (i.e., all four projects combined) are also highlighted using this peach color to denote that these are incomplete totals. The peak (and off-peak) travel directions for most of the roadway segments are the same for all four future developments; however, there are a few roadway segments where this is not the case. The segments where the peak and off-peak travel directions are different for different future developments are highlighted in purple. These include Alico Road from the WildBlue entrance to Green Meadows Road and the portion of Corkscrew Road from the WildBlue eastern entrance to the Verdana entrance.

The 1st tab in the second spreadsheet contains the 2022 a.m. and p.m. peak hour background traffic volumes. The preliminary estimates of these volumes were obtained by applying growth rates to the existing (2016) a.m. and p.m. peak hour volumes. A 2.0% per year growth rate was used for Ben Hill Griffin Parkway, Corkscrew Road (from Ben Hill Griffin Parkway to Bella Terra Boulevard) and Alico Road from Ben Hill Griffin Parkway to Airport haul Road. A 1.0% per year growth rate was used for all other roadway segments. These are the exact same growth rates that were used to derive the background traffic volumes for the Verdana traffic study. The 2nd and 3rd tabs in the second spreadsheet summarize the 2022 background traffic volumes, combined project traffic volumes and total 2022 traffic volumes for the a.m. and p.m. peak hours, respectively. These tabs also summarize the 2022 peak direction volume-to peak direction service volume ratios. Most of the peak hour peak direction service volumes are the same ones that were used to conduct the existing conditions LOS analysis, however, a couple of these are different. A peak hour peak direction service volume of 2,000 vph was used for the segment of Alico Road from Ben Hill Griffin Parkway to Airport Haul Road to account for the future four-laning of this roadway segment. A peak hour peak direction service volume of 3,240 vph was used for the two segments on SR 82 between Homestead Road and the Hendry County line to account for the four-laning of this roadway that is currently under construction.

A review of these spreadsheets indicates that the portion of Corkscrew Road from Three Oaks Parkway to the Pepperland entrance is projected to operate at LOS F in the year 2022 (i.e., the volume/maximum LOS E service volume ratios for these segments are greater than 1.00). This indicates that the portion of Corkscrew Road between Three Oaks Parkway and Ben Hill Griffin Parkway will need to be widened to six lanes. In addition, these results indicate that the portion of Corkscrew Road between Ben Hill Griffin Parkway and Bella Terra Boulevard may also need to be widened to six lanes (since all of the peak hour peak direction volumes on these segments are greater than 2,000 vph). These results also indicate that the portion of Corkscrew Road between Bella Terra Boulevard and the Pepperland entrance will need to be widened to four lanes by the year 2022. Please take a look at all this when you have some time and let me know your thoughts. Some of these results may end up changing based on the results of the travel demand modeling. The overcapacity conditions on the portion of Corkscrew Road between I-75 and Alico Road will likely result in additional vehicles using the portion of Alico Road from Corkscrew Road to I-75. Depending on the magnitude of the shift in traffic volume from Corkscrew Road to Alico Road, the portion of Corkscrew Road from Ben Hill Griffin Parkway to Alico Road may only need to be widened to four lanes. Since there are no alternative roadways to Corkscrew Road east of Alico Road, it seems very likely that the travel demand model results will also indicate the need for four lanes on the portion of Corkscrew Road from Alico Road to the Pepperland entrance.

greg

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

This communication and any attachments to this are confidential and intended only for the recipient(s). Any other use,

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Fort Myers, FL 33907



P: 239.938.1813 | F: 239.938.1817
www.swfipc.org

RECEIVED
APR 20 2017
COMMUNITY DEVELOPMENT

April 18, 2017

Ms. Mikki Rozdolski
Planning Manager
Department of Community Development
P.O. Box 398
Fort Myers, Florida 33902-0398

Re: Lee County CPA2016-00003/DEO 17-1ESR

Dear Ms. Rozdolski:

The staff of the Southwest Florida Regional Planning Council has reviewed the proposed amendment (DEO 17-1ESR) to the Lee County Comprehensive Plan. The review was performed according to the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

The Council will review the proposed amendment and the staff recommendations at its May 18, 2017 meeting. Council staff is recommending that the request be found regionally significant with regards to location. Council staff is also recommending that the proposed changes are conditionally consistent with the SRPP and do not produce extra-jurisdictional impacts that are inconsistent with the Comprehensive Plans of other local governments. The conditions are as follows:

1. Lee County follows the recommendations of the Florida Fish and Wildlife Conservation Commission (FWC).
2. Lee County Utilities commits to providing wastewater treatment to the proposed development.

A copy of the official staff report explaining the Council staff's recommendation is attached. If Council action differs from the staff recommendation, we will notify you.

Sincerely,

Southwest Florida Regional Planning Council

Margaret Wuerstle, AICP
Executive Director

MW/DEC
Attachment

Cc: Mr. Eubanks, Administrator, Plan Review and Processing, Department of Economic Development



LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENTS LEE COUNTY

The Council staff has reviewed the proposed evaluation and appraisal based amendments to the Lee County Comprehensive Plan (DEO 17-1ESR). These amendments were developed under the Local Government Comprehensive Planning and Land Development Regulation Act. A synopsis of the requirements of the Act and Council responsibilities is provided as Attachment I. Comments are provided in Attachment II. Site location maps can be reviewed in Attachment III.

Staff review of the proposed amendments was based on whether they were likely to be of regional concern. This was determined through assessment of the following factors:

1. Location--in or near a regional resource or regional activity center, such that it impacts the regional resource or facility; on or within one mile of a county boundary; generally applied to sites of five acres or more; size alone is not necessarily a determinant of regional significance;
2. Magnitude--equal to or greater than the threshold for a Development of Regional Impact of the same type (a DRI-related amendment is considered regionally significant); and
3. Character--of a unique type or use, a use of regional significance, or a change in the local comprehensive plan that could be applied throughout the local jurisdiction; updates, editorial revisions, etc. are not regionally significant.

A summary of the results of the review follows:

Factors of Regional Significance

<u>Proposed</u> <u>Amendment</u>	<u>Location</u>	<u>Magnitude</u>	<u>Character</u>	<u>Consistent</u>
DEO 17-1ESR	Yes	No	No	(1) Regionally significant (2) Conditionally consistent with SRPP

RECOMMENDED ACTION:

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Lee County

04/2017

COMMUNITY PLANNING ACT

Local Government Comprehensive Plans

The Act requires each municipal and county government to prepare a comprehensive plan that must include at least the following nine elements:

1. Future Land Use Element;
2. Traffic Circulation Element;
A local government with all or part of its jurisdiction within the urbanized area of a Metropolitan Planning Organization shall prepare and adopt a transportation element to replace the traffic circulation; mass transit; and ports, aviation, and related facilities elements. [9J-5.019(1), FAC]
3. General Sanitary Sewer, Solid Waste, Drainage, and Potable Water and Natural Groundwater Aquifer Recharge Element;
4. Conservation Element;
5. Recreation and Open Space Element;
6. Housing Element;
7. Coastal Management Element for coastal jurisdictions;
8. Intergovernmental Coordination Element; and
9. Capital Improvements Element.

The local government may add optional elements (e. g., community design, redevelopment, safety, historical and scenic preservation, and economic).

All local governments in Southwest Florida have adopted revised plans:

Charlotte County, Punta Gorda

Collier County, Everglades City, Marco Island, Naples

Glades County, Moore Haven

Hendry County, Clewiston, LaBelle

Lee County, Bonita Springs, Cape Coral, Fort Myers, Fort Myers Beach, Sanibel

Sarasota County, Longboat Key, North Port, Sarasota, Venice

COMPREHENSIVE PLAN AMENDMENTS

A local government may amend its plan at any time during the calendar year. Six copies of the amendment are sent to the Department of Economic Opportunity (DEO) for review. A copy is also sent to the Regional Planning Council, the Water Management District, the Florida Department of Transportation, and the Florida Department of Environmental Protection.

The proposed amendments will be reviewed by DEO in two situations. In the first, there must be a written request to DEO. The request for review must be received within forty-five days after transmittal of the proposed amendment. Reviews can be requested by one of the following:

- the local government that transmits the amendment,
- the regional planning council, or
- an affected person.

In the second situation, DEO can decide to review the proposed amendment without a request. In that case, DEO must give notice within thirty days of transmittal.

Within five working days after deciding to conduct a review, DEO may forward copies to various reviewing agencies, including the Regional Planning Council.

Regional Planning Council Review

The Regional Planning Council must submit its comments in writing within thirty days of receipt of the proposed amendment from DEO. It must specify any objections and may make recommendations for changes. The review of the proposed amendment by the Regional Planning Council must be limited to "effects on regional resources or facilities identified in the Strategic Regional Policy Plan and extra-jurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government".

After receipt of comments from the Regional Planning Council and other reviewing agencies, DEO has thirty days to conduct its own review and determine compliance with state law. Within that thirty-day period, DEO transmits its written comments to the local government.

NOTE: THE ABOVE IS A SIMPLIFIED VERSION OF THE LAW. REFER TO THE STATUTE (CH. 163, FS) FOR DETAILS.

LEE COUNTY COMPREHENSIVE PLAN AMENDMENT (DEO 17-1ESR)**Summary of Proposed Amendment**

Lee County DEO 17-1ESR proposes to amend Lee Plan Map 17, Southeast DR/GR Residential Overlay, to designate a 637.5 +/- acre property along Corkscrew Road as an "Environmental Enhancement and Preservation Community" and Lee Plan Map 6 and 7 to include the property within the Future Potable Water and Sewer Service areas. The property is located approximately 3 miles east of the intersection of Alico and Corkscrew Roads. The requested amendments will allow the property to be developed with a residential community (Pepperland Ranch) pending the property being rezoned. The property acreage is 51.31 acres of wetlands and 586.19 acres of uplands. The current maximum allowable development for this property is 1 dwelling unit per 10 acres. The proposed amendment would allow for a maximum of 1 dwelling unit per acre to be developed in the 637.5 acres.

The Density Reduction/Groundwater Resources (DR/GR) future land use category was adopted to protect groundwater resources. The Environmental Enhancement and Preservation Communities Overlay targets critical restoration areas, requires enhanced development standards, and provides predictable density incentives, furthering the County's goals for the Southeast DR/GR. The Overlay has previously been found to be consistent with Lee Plan Objective 107.1, Policy 1071.1, Policy 107.2.8 and Policy 107.11.4. In 2015, the amendments that allowed WildBlue and Corkscrew Farms developments were adopted. Both of these developments are significantly larger than the proposed Pepperland Ranch.

The subject property contains a historic flowway that has been impacted by decades of agricultural uses. Restoration of the flowway can be accomplished using the standards provided in the Overlay. The proposed amendment will provide continued protection of the DR/GR as an area that can provide substantial groundwater recharge to aquifers suitable for wellfield development. No significant impacts on present or future water resources will result from the change. Preservation of wildlife habitat on the subject property will help to connect large areas of publicly owned conservation and other areas of privately preserved and restored lands. The County states that this project will create the following ecological benefits:

- Preservation, enhancement, and restoration of 350± acres of indigenous habitat
- Preservation of 100% of the project's existing indigenous vegetation
- Restoration of historic hydrologic conditions to the greatest extent practicable
- Enhance and restore surface and ground water resources
- Eliminate farming activities
- Improve water quality
- 55% of the total project area will be preserved and placed under conservation easement
- Restoration of historic flow-ways
- Provide increased wildlife habitat and connection to adjacent conservation lands
- Preservation of 100% of existing wetlands
- Long-term maintenance in perpetuity of preserve areas
- Restoration of historic ecosystems

- Increased foraging habitat for wading birds

The County provided the following summary on water levels and recharge:

- Current water levels highly impacted by agricultural dewatering and irrigation
- Proposed water management system is designed to mimic historic conditions
- Proposed water level controls based on:
 - Historic biologic indicators
 - Over 20 years of nearby monitoring
- Allowable discharges reduced by 50%
- Annual water use reduced by over 60%
- Dry season water use reduced by over 90%
- Modeled water level increase of >5 feet at project center and >2 feet at boundaries
- Groundwater recharge increased by over 300 million gallons annually

The County also promises that this project will increase regional connectivity. Currently the subject property provides no direct connection to regional surface water systems. The project provides for restoration of historic onsite flowway and provides potential connection to all known adjacent flowways.

Regional Impacts

Attached are comments from the SWFRPC's environmental planning staff concerning water, utilities, and wildlife resources.

The South Florida Water Management District determined that the proposed changes do not appear to adversely impact the water resources in this area; therefore, the District has no comments on the proposed amendment package.

Council staff has reviewed the requested changes and finds that the Project is regionally significant with regards to location. The DR/GR is an ecologically important area and this amendment package requests increased residential density in that area. Staff recommends conditional approval of these amendments. The conditions are:

1. Lee County follows the recommendations of the Florida Fish and Wildlife Conservation Commission (FWC) which are outlined in the following environmental report.
2. Lee County Utilities commits to providing wastewater treatment to the proposed development.

Extra-Jurisdictional Impacts

Council staff has reviewed the requested changes and finds that the requested Comprehensive Plan amendments do not directly produce any significant extra-jurisdictional impacts that would be inconsistent with the Comprehensive Plan of any other local government within the region.

Conclusion

Staff recommends that this project be found regionally significant with regards to location and recommend approval given that the two conditions above are met.

Recommended Action

Approve staff comments. Authorize staff to forward comments to the Department of Economic Opportunity and Lee County.

Comments on proposed amendment package by James Beever, SWFRPC

The Pepperland Ranch proposal is to Amend Lee Plan Map 17, Southeast DR/GR Residential Overlay, to designate a 637.5 +/- acre property along Corkscrew Road as an "Environmental Enhancement and Preservation Community" and Lee Plan Maps 6 and 7 to include the property within the Future Potable Water and Sewer Service areas. The property is located approximately 3 miles east of the intersection of Alico and Corkscrew Roads. The requested amendments will allow the property to be developed with a residential community pending the property being rezoned.

The subject property is identified in the Lee Plan as a Tier 1 Priority Restoration property. Lee Plan Policy 33.2.2 provides that the Priority Restoration overlay depicts land where protection and/or restoration would be most critical to restore historic surface and groundwater levels and to connect existing corridors or conservation areas. Tier 1 lands are the highest priority for protection from irreversible land-use changes. By requesting to be added to the Overlay the applicant is opting to utilize the incentive based language that would allow for increased density on the site where the project improves, preserves, and restores regional surface water and groundwater resources and indigenous wildlife habitats.

The applicant has provided materials that demonstrate regional hydrological and wildlife connectivity can be provided through the restoration of the existing agricultural fields consistent with Goals, Objectives, and Policies identified in the Lee Plan, including Policy 2.4.2 and 2.4.3 which require a finding that no significant impacts on present or future water resources will result from the change.

The subject property contains a historic flowway that has been impacted by decades of agricultural uses. Restoration of the flowway can be accomplished using the standards provided in the Overlay. Preservation of wildlife habitat on the subject property will help to connect large areas of publicly owned conservation and other areas of privately preserved and restored lands. The requested Comprehensive Plan Amendment is to allow higher residential densities in turn for the restoration of historic flowways and wildlife habitat on property identified by the Lee Plan as a Tier 1 restoration area.

This project proposes to provide connectivity for wildlife movement and restoration of active agricultural into native habitat, consistent with Goal 33. The applicant and the County state that given its location and environmental features the property provides opportunities to protect, preserve, and restore strategic regional hydrological and wildlife connections consistent with Policy 33.3.4. Through the concurrent rezoning case the applicant has proposed, and Policy 33.3.4(2) requires, that development of the property will provide the following regional benefits:

- Preservation of all existing native wetlands habitats and approximately 350 acres of land to be placed into a conservation easement. These preserves will include exotic removal, re-grading and replanting/seeding/natural recruitment. Along with common open space and water management conveyance areas and lakes results in 60% open space.

- Enhance, restore and create historic hydric pine, cypress and marsh wetland habitats as well as upland habitats in the approximately 380 acres of preserved lands. This will include restoring historic water levels and hydro-periods in wetlands, removal of exotic species and restoration/creation of wetlands and uplands within existing disturbed agriculture areas. This is a drastic increase over the 20.41 acres of existing indigenous preservation currently on the site.
- Improve critical wildlife connections to nearby public conservation lands to the north and south. Preservation of water resources through reductions in water use allocation and
- the use of native plants to reduce irrigation.
- Restore historic flowways and allow off-site connection of flowways.
- Connection to sewer and water instead of the currently approved well and septic use.

Of the 637.5± acres, only 3% is indigenous vegetation. The remaining areas are used for agricultural purposes and contain row crops, agricultural ditches or roads. The agricultural property provides limited value for wildlife in its current state. With the removal of the agricultural berms, cessation of agricultural irrigation and restoration of 60% of the property to native habitat, the site will provide more value for wildlife by allowing increased opportunities for wood storks and other wading birds to forage or nest and for panthers and other wide-ranging species to hunt, traverse, or den on the property.

GROUNDWATER: The subject site is located at the south of the Lee County Utilities Corkscrew Wellfield. In fact, one third of the northern portion of the property is located within wellfield protections zones. The current use on the property is agriculture. There are a number of existing permitted wells for agriculture use. Most of those wells will be properly abandoned or possibly utilized as monitoring wells. Lee County Natural Resources staff has reviewed the information provided by the applicant including the Groundwater Analysis for the subject site, prepared by Water Science Associates. Compared to the current agricultural land use, the proposed amendment will reduce impacts on groundwater resources by using potable water supply provided by Lee County Utilities. The proposed centralized irrigation system utilizes on site lakes replenished by the newly constructed wells on an as necessary basis. This system will be designed to meet the requirements of the Lee County "Water Conservation Ordinance".

SURFACE WATER:

The subject site is located south of mitigation or conservation lands owned by other agencies. The residential community located west of the subject property along 6L's Farm Road experiences flooding from time to time. Farm ditches have been excavated within and around the property altering historical surface water drainage and runoff patterns. The proposed restoration plan will preserve an onsite wetland area located on the northwestern section of the property. The master concept plan attempts to restore on-site wetlands by incorporating them into recreated flow ways. The restoration plan will also provide a flow way interconnect for proposed future connection along the northern and south eastern portions of the project to help relieve some of the flooding of adjacent properties. In addition, the proposed

development pods are chosen in a way to accommodate and enhance flow ways to mimic historic flow and to provide wildlife habitat.

WATER QUALITY:

Water quality is a major concern on this project due to its close vicinity to the public water supply system. The applicant has agreed to provide additional treatment of surface water prior to discharging to water management lakes. One of the conservation goals listed in the Dover Kohl study was to maintain and enhance surface and groundwater resources. This goal is achieved by using lake water for irrigation, providing potable water from Lee County Utilities, elimination of septic systems, and restoration of flow ways through the property. Further, incorporation of a monitoring well network will provide a tool for managing the natural system and work towards achieving other goals listed in the Dover Kohl study.

The following items shall be addressed and resolved during the Zoning approval process:

- 1) Flow way restoration and maintenance plan.
- 2) Flowway and Outfall Easement agreement.
- 3) Potential contamination of public water supply system due to construction or operational activities on the project site.
- 4) Design of the water management system to mimic the functions of the natural system.
- 5) Maintain historic flow through the property and avoid flooding of adjacent properties.
- 6) Setback requirements of Chapter 62-532 with regard to sanitary sewer lines from public water supply system.
- 7) Compliance with Wellfield Protection Ordinance.

Based on the information provided and given the above concerns are to be addressed in the subsequent approval processes, the Lee County Division of Natural Resources finds that no significant impacts on present or future water resources are expected as a result from the change. Therefore, the Division of Natural Resources staff recommends that the Board of County Commissioners make a formal finding that no significant impacts on present or future water resources are expected as a result from changing the Future Land Use Category, as required in Lee Plan Policy 2.4.2 and Policy 2.4.3. This memo does not intend to relieve the applicant from complying with any other part of the Lee Plan.

POTABLE WATER:

LCU' s current total combined water treatment capacity is 45.9 million gallons per day (MGD). The Green Meadows Water Treatment Plant (WTP) is in the process of being expanded from 9.00 MGD to 14.00 MGD which will bring the total combined treatment capacity of the water

system to 50.9MGD, The projected water system demand included in LW's Integrated Water Resource Master Plan dictates a total water system demand of 37.04 MGD annual average daily flow (AADF) in the year 2030. This represents a surplus capacity of 13.86 MGD. The 2015 annual average daily demand in LCU's water system was 23.41 MGD. The 2015 maximum month average daily demand in LCU's water system was 27.25 MGD. Based on the information presented above there is sufficient water treatment capacity to serve the proposed development.

SANITARY SEWER:

The current permitted treatment capacity of the Three Oaks Wastewater Treatment Plant (WWTP) is 6.0 MGD. The current average daily flow to the Three Oaks WWTP is 3.15 MGD. There currently is capacity at the Three Oaks WWTP to provide service to the proposed development. Regarding sufficient treatment capacity in the future, the following should be noted. LCU has recently completed a study of the Three Oaks WWTP service area which included a flow projection to the Facility. This study was completed by a Consultant. The flow projection for this study was based on the Three Oaks WWTP future service area at the time the projection was completed.

The Pepperland Ranch project is currently not located within the Three Oaks WWTP future service area, therefore, the wastewater flow projected from the Pepperland Ranch development (140,000 gallons per day) was not included in the flow projection performed in the study referenced above. Utilizing the flow projection performed during the study referenced above the effect the Pepperland development projected flow will have on the available capacity at the Three Oaks WWTP can be determined. The flow projection was revised to add the flow generated from Pepperland Ranch as well as comprehensive plan amendments approved for the projection was performed. It was assumed that the Pepperland Ranch project would be fully built out by the year 2020. The revised projection indicates that the annual average daily flow to the Three Oaks WWTP will not exceed the permitted capacity until the year 2028. Because the wastewater flow to the Three Oaks WWTP is projected to exceed the permitted capacity in the future, Lee County Utilities has initiated a study to identify options for treatment of wastewater flows that are projected to be generated within the Three Oaks WTPs service area. This study is currently underway. Therefore there is no guarantee at this time that Pepperland Ranch will have central wastewater treatment.

WETLANDS AND WILDLIFE:

The applicant is seeking a permit modification to construct a stormwater management system that would serve 700 single-family homes, a clubhouse facility, and associated infrastructure on approximately 638 acres located approximately 3.0 miles east of the Alico Road and Corkscrew Road intersection, immediately south of Corkscrew Road in Lee County. The dominant land covers on the proposed site consist of row crops, fallow crops, berms, cypress, shrub wetland, and other surface waters. Based on the proposed site plan, the applicant intends to impact 9.43 acres of other surface waters. The applicant is proposing to enhance and preserve 51.3 acres of on-site wetlands and restore 298.79 acres of agricultural lands.

Potentially Affected Resources

According to the *Protected Species Survey* (Rev. September 2016) by Passarella & Associates, Inc., submitted in support of the permit application, a listed species survey was conducted in February and May 2016. Based on the results of this survey, Florida sandhill crane (*Grus canadensis pratensis*, State Threatened [ST]), little blue heron (*Egretta caerulea*, State Species of Special Concern [SSC]), roseate spoonbill (*Ajaja ajaja*, SSC), snowy egret (*Egretta thula*, SSC), tricolored heron (*Egretta tricolor*, SSC), white ibis (*Eudocimus albus*, SSC), wood stork (*Mycteria americana*, Federally Threatened [FT]), Audubon's crested caracara (*Polyborus plancus audubonii*, FT), and bald eagle (*Haliaeetus leucocephalus*) were documented on the proposed project site.

FWC staff conducted a geographic information system (GIS) analysis of the project area. Our analysis confirmed the information from the *Protected Species Survey* and also found that the project area is located near, within, or adjacent to:

☐ One or more wood stork nesting colony core foraging areas (CFA). The CFA constitutes an 18.6 mile radius around the nesting colony.

☐ U.S. Fish and Wildlife Service (USFWS) Consultation Area for the following federally listed species:

- Florida scrub-jay (*Aphelocoma coerulescens*, FT)
- Red-cockaded woodpecker (*Picoides borealis*, Federally Endangered [FE])
- Everglade snail kite (*Rostrhamus sociabilis plumbeus*, FE)
- Florida panther (*Felis concolor coryi*, FE) - Primary Zone
- Florida bonneted bat (*Eumops floridanus*, FE)

☐ Potential habitat for state and federally listed species:

- Eastern indigo snake (*Drymarchon corais couperi*, FT)
- Big Cypress fox squirrel (*Sciurus niger avicennia*, ST)
- Sherman's short-tailed shrew (*Blarina shermani*, SSC)
- Everglades mink (*Neovison vison evergladensis*, ST)

☐ Potential habitat for the Florida black bear (*Ursus americanus floridanus*) - South Bear Management Unit

The applicant submitted a *Protected Species Management and Human-Wildlife Coexistence Plan* (PSMP) (Rev. September 2016) for the Pepperland Ranch project. This plan addresses conservation, avoidance, minimization, and potential mitigation measures for the Eastern indigo snake, American alligator (*Alligator mississippiensis*, FT because of similarity of appearance), Audubon's crested caracara, Florida bonneted bat, Big Cypress fox squirrel, Florida black bear, Florida panther, wood stork, and listed wading birds. According to the PSMP, the applicant intends to conserve approximately 351 acres on-site comprised of 200 acres of wetlands and 151 acres of uplands following completion of the mitigation activities. The preserve areas will be managed for listed species occurring or potentially occurring on-site based on habitat type. The applicant intends to place a conservation easement over the conservation areas or other equivalent deed restriction with approval granted to Lee County.

In addition, a 4'x10' box culvert wildlife crossing will be installed where the north-south entrance road bisects the preserve areas to maintain the connectivity as a wildlife corridor. The project's site design also includes a six-foot chain link fence around the residential areas to deter large mammal access. Signs identifying the preserve as a "nature preserve area" are anticipated to be placed around preserve areas and should include language stating "No dumping allowed". Signs will be no closer than 10 feet from residential property. The applicant proposes to conduct periodic seminars with future residents to further educate the community about the preservation areas, wetland benefits, human wildlife coexistence, and the benefits of prescribed fire. The habitat management, avoidance, minimization, and mitigation measures proposed generally follow accepted guidelines and practices for those species mentioned above. The FWC offered the following recommendations to enhance the intent of the PSMP.

Florida Sandhill Crane

As noted in the PSMP, Florida sandhill cranes have been documented on the proposed site. The freshwater emergent marshes in the northern part of the project area may provide potential nesting habitat for this species. The site plan indicates potential development may fall within 400 feet of potentially suitable Florida sandhill crane nesting habitat. If construction will occur within 400 feet of an active Florida sandhill crane nest, we recommend that the applicant contact FWC staff identified below to discuss potential permitting needs.

Big Cypress Fox Squirrel

As noted in the PSMP, Big Cypress fox squirrel (BCFS) may potentially utilize the habitats found onsite and the applicant proposes to restore approximately 151 acres of suitable fox squirrel habitat. Big Cypress fox squirrels typically nest between October and February and from April to August. If construction or restoration activities occur within 125 feet of a nest tree, then steps should be taken to determine if the nest is active. The applicant should then coordinate with FWC staff to discuss permitting alternatives.

Everglades Mink

The project site is within the accepted current range of the Everglades mink. The Everglades mink does not avoid human activity and frequently makes use of man-made structures such as canals and levees (FWC 2013). FWC has developed a Species Action Plan for the Everglades Mink which can be accessed at the following web address: <http://myfwc.com/media/2738256/Everglades-Mink-Species-Action-Plan-Final-Draft.pdf>. The population size and trend is unknown for the Everglades mink and has been inferred from limited data. We recommend that the applicant coordinate with FWC staff if mink are observed onsite to determine if the proposed activities may affect Everglades mink.

Prescribed Burning

According to the PSMP, prescribed burning will be used to maintain the native vegetative communities in the conservation areas. FWC recommends that the applicant also include provisions for a community covenant that would ensure the ability to perform prescribed burns on fire-dependent plant communities within the preserved areas, as well as inform prospective

home buyers that prescribed burning is an acceptable practice for land management and provide educational materials on what residents can expect during prescribed burns.

Federal Listed Species

This site may also contain habitat suitable for the other federally listed species identified above. We recommend the applicant coordinate with USFWS South Florida Ecological Services Office (ESO) as necessary for information regarding potential impacts to these species and the need for additional conservation, avoidance, minimization, and potential mitigation measures. The USFWS South Florida Ecological Services Office (ESO) can be contacted at (772) 562-3909.

The applicant has provided materials that demonstrate regional hydrological and wildlife connectivity can be provided through the restoration of the existing agricultural fields consistent with Goals, Objectives, and Policies identified in the Lee Plan, including Policy 2.4.2 and 2.4.3 which require a finding that no significant impacts on present or future water resources will result from the change.

The subject property contains a historic flowway that has been impacted by decades of agricultural uses. Restoration of the flowway can be accomplished using the standards provided in the Overlay. Preservation of wildlife habitat on the subject property will help to connect large areas of publicly owned conservation and other areas of privately preserved and restored lands. The requested Comprehensive Plan Amendment is to allow higher residential densities in turn for the restoration of historic flowways and wildlife habitat on property identified by the Lee Plan as a Tier 1 restoration area.

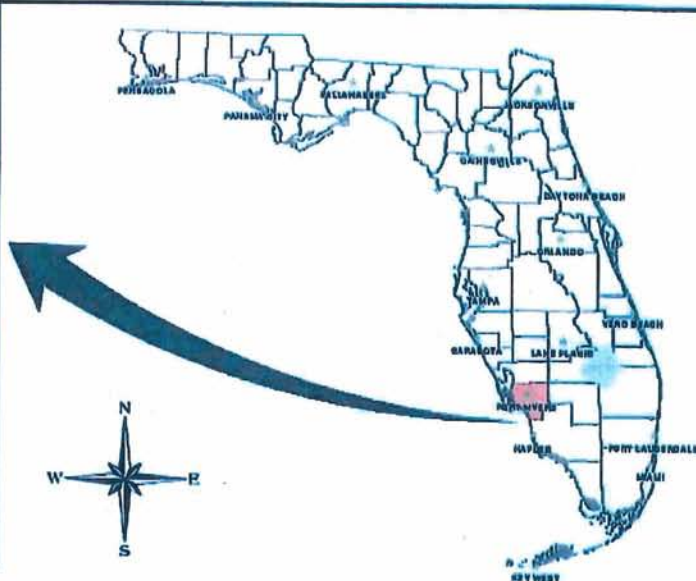
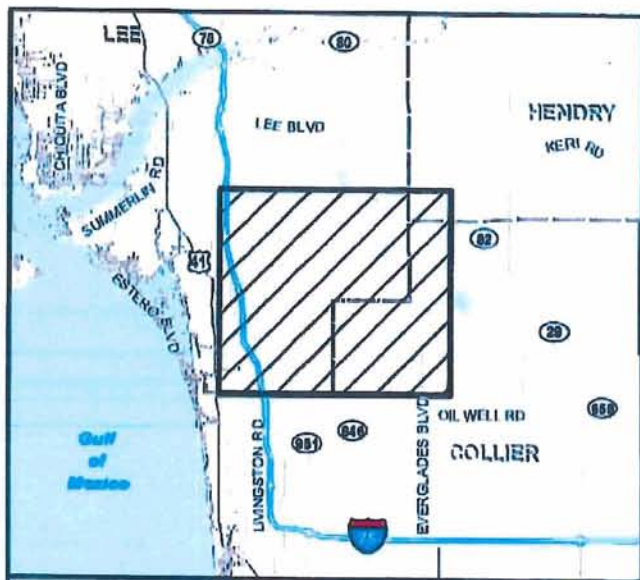
MAPS

Lee County

DEO 17-1ESR

Growth Management Plan

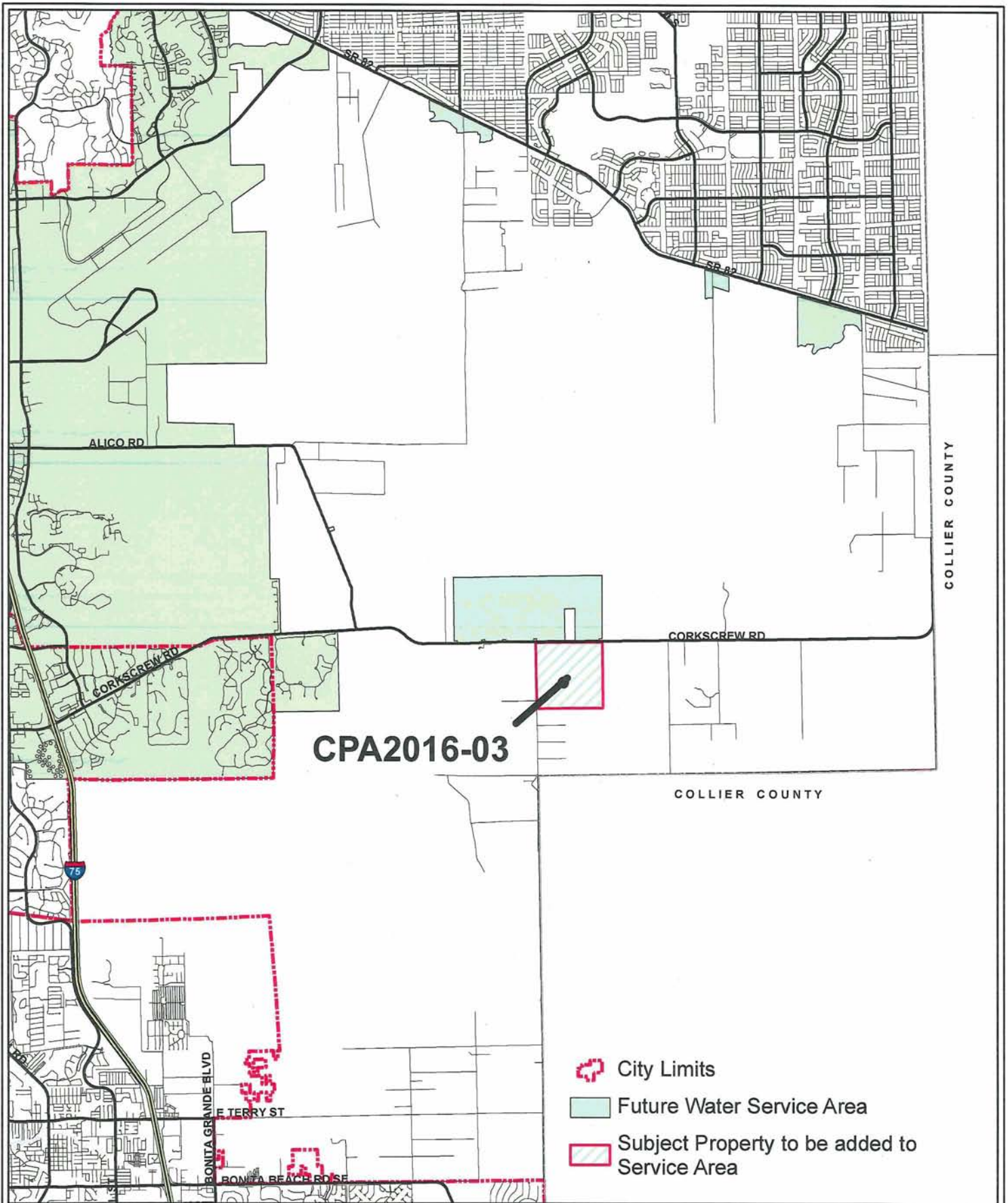
Comprehensive Plan Amendment



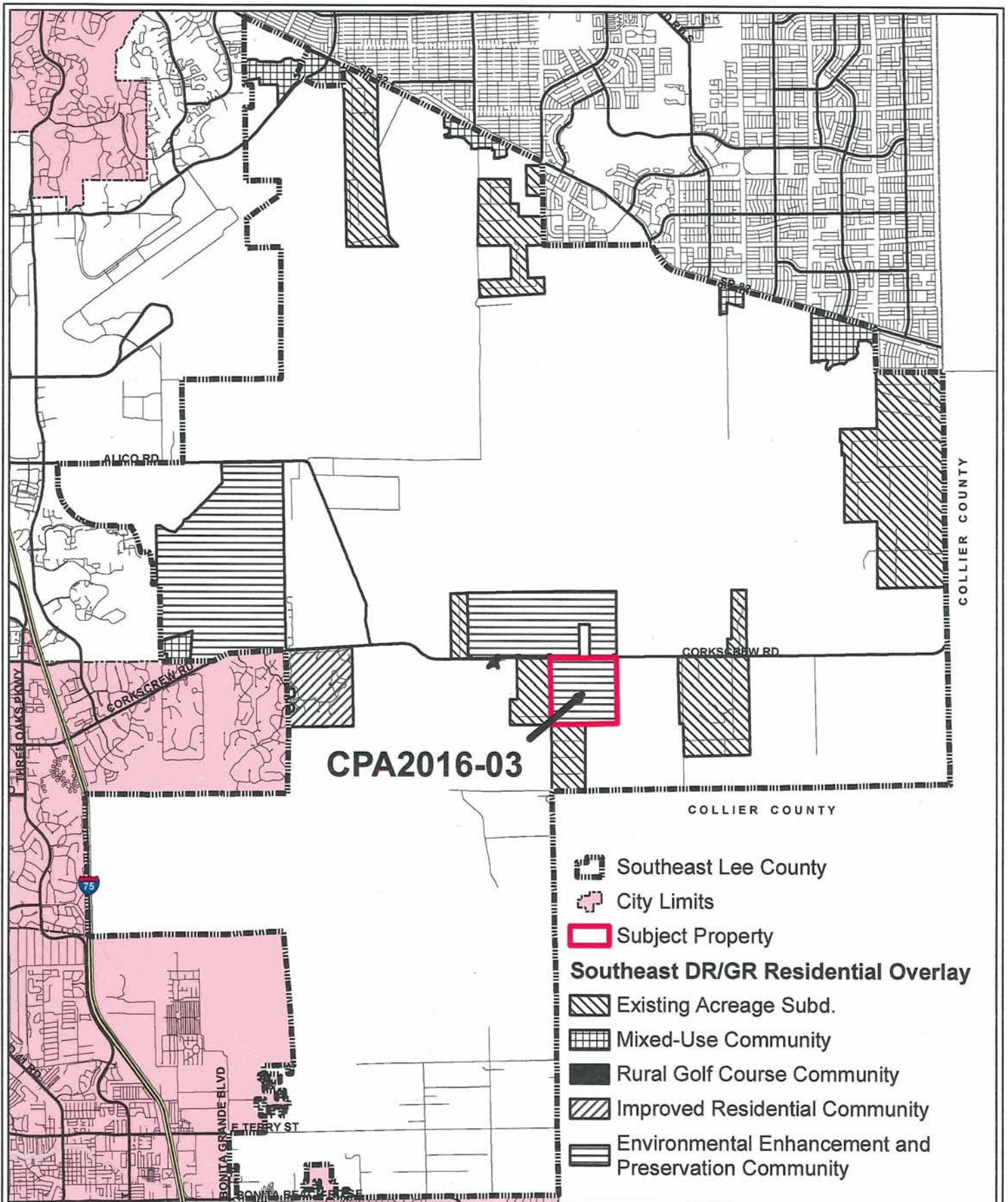
**FIGURE 1. PROJECT LOCATION MAP
PEPPERLAND RANCH**

DRAWN BY	DATE
W.C.	2/15/16
REVIEWED BY	DATE
S.J.	2/15/16
REVISED	DATE

**PASSARELLA
& ASSOCIATES**



CPA2016-00003 - PEPPERLAND RANCH
LEE PLAN MAP 6
LEE COUNTY UTILITIES
FUTURE WATER SERVICE AREAS



CPA2016-00003 - PEPPERLAND RANCH
LEE PLAN MAP 17
SOUTHEAST DR/GR RESIDENTIAL OVERLAY

An aerial photograph showing a grid of agricultural fields. A yellow rectangular boundary highlights a central portion of the image. A white callout box with the text "PROJECT LOCATION" is positioned at the top left, with a line pointing to the top-left corner of the yellow-highlighted area. The fields exhibit various textures and colors, including brown, tan, and dark green, indicating different crops or land uses. A road or path is visible on the right side of the highlighted area.

LEGEND

 PEPPERLAND RANCH

PEPPERLAND RANCH



Animal	Feet
Elephant	2,000
Giraffe	1,000
Kangaroo	1,000
Kangaroo Rat	1,000

AERIAL PHOTOGRAPHS WERE PROVIDED BY THE LEE COUNTY PROPERTY APPRAISER'S OFFICE AND WERE FLOWN JANUARY-FEBRUARY 2015.

PROPERTY BOUNDARY PER DANKS
ENGINEERING, INC. DRAWING NO. 8112-
SR EM-1-26-2016.DWG DATED JANUARY
27, 2016

ROADWAY NETWORKS WERE ACQUIRED FROM THE FLORIDA GEOGRAPHIC DATA LIBRARY WEBSITE.

DRAWN BY	DATE
W.C.	2/15/16
REVIEWED BY	DATE
S.J.	2/15/16



PASSARELLA
& ASSOCIATES

201516307238916512016\Environ mental Access & Mgmt Exch Int'l Envtl Agal - 3/6/2016 @ 9:34:13 AM



DENSITY REDUCTION/GROUNDWATER RESOURCE

24

19

25

30

29

SUBJECT PROPERTY

32

31

NON-URBAN AREAS

- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Upland

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)

- Wetlands
- Conservation Lands - Wetland

City Limits

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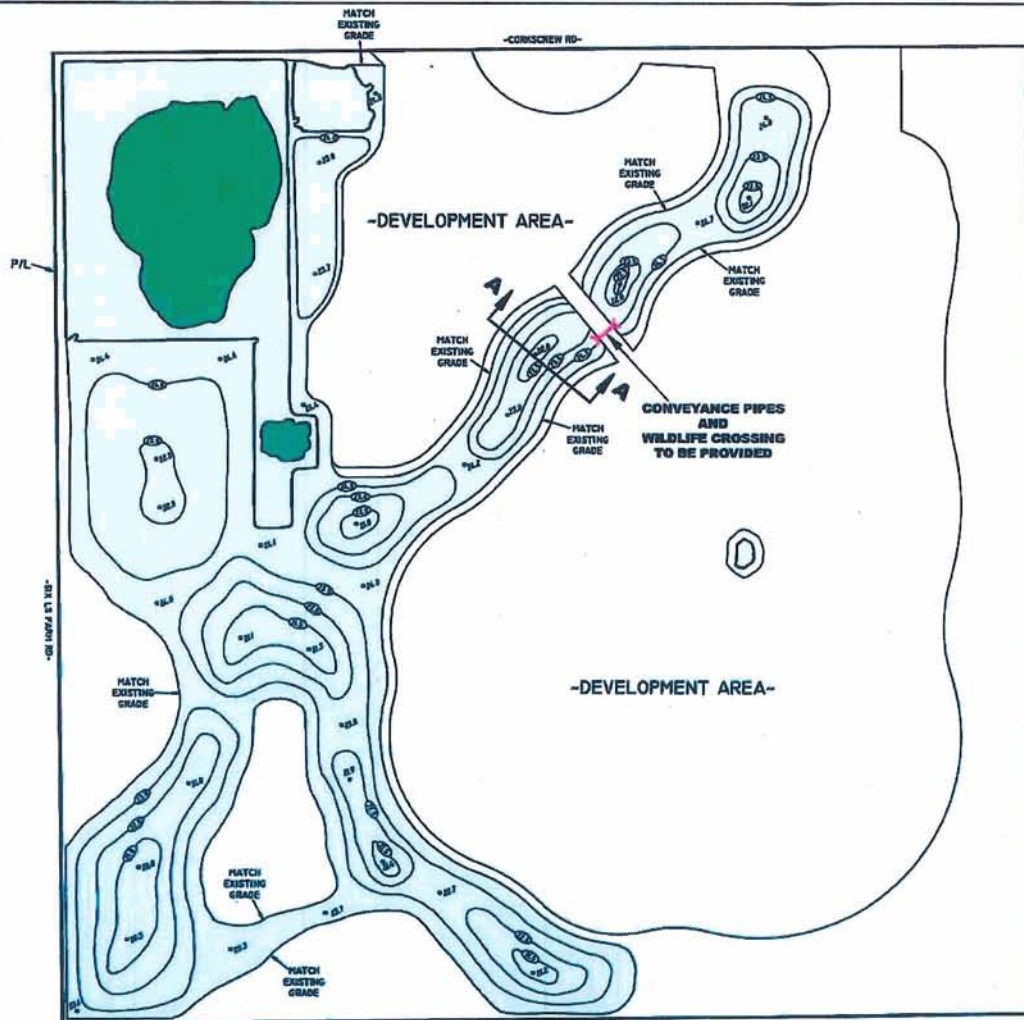
FUTURE LAND USE MAP (IV.A.2 & IV.A.3)

PEPPERLAND RANCH

LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
03/04/2016	B112	_FLUM	SDJ	SDJ	SWH	N.T.S.	1

S:\Jobs\B112\Zoning\B112-FLUM.dwg, 3/5/2016 11:56:03 AM, stacy/heath
S:\Jobs\B112\Zoning\B112-FLUM.dwg, 3/5/2016 11:58 AM, STACY HEATH



N.T.S.

- LEGEND:
- INDIGENOUS WETLAND PRESERVATION AND ENHANCEMENT (28.41 AC.±)
 - INDIGENOUS WETLAND RESTORATION (79.83 AC.±)
 - INDIGENOUS UPLAND RESTORATION (55.69 AC.±)
 - TOPOGRAPHIC ELEVATION (DAVD)
 - SURVEYED WETLAND LINE



WETLAND RESTORATION CROSS-SECTION

NOTES:

SITE PLAN AND SURVEYED WETLAND LINES PER BANKS ENGINEERING, INC. DRAWING No. 882.DWG DATED AUGUST 29, 2016.

SURVEYED WETLAND LINES PER BANKS ENGINEERING, INC. DRAWING No. MCP-BASE.DWG DATED MAY 10, 2016.

UPLAND/WETLAND LIMITS WERE FIELD REVIEWED AND APPROVED BY SPWMD STAFF ON JULY 27, 2016.

SEE PLANS PREPARED BY BANKS ENGINEERING, INC. FOR ADDITIONAL RESTORATION CROSS-SECTIONS.

REVISIONS

DATE

DESIGNED BY

DATE

CHECKED BY

DATE

APPROVED BY

DATE

11620 Metropolitan Avenue
Suite 200
Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0068



PEPPERLAND RANCH

INDIGENOUS VEGETATION PRESERVATION AND RESTORATION PLAN

PROJECT No.

15BCF2189

SHEET No.

Miller, Janet

From: Rozdolski, Mikki
Sent: Monday, March 27, 2017 2:05 PM
To: Miller, Janet
Cc: Dunn, Brandon
Subject: FW: Lee County, DEO #17-1ESR Comments on Proposed Comprehensive Plan Amendment Package

Mikki Rozdolski
Manager of Planning
Lee County Community Development
email: mrozdolski@leegov.com
phone: 239-533-8309

From: Oblaczynski, Deborah [<mailto:doblaczy@sfwmd.gov>]
Sent: Monday, March 27, 2017 1:05 PM
To: Rozdolski, Mikki
Cc: Dunn, Brandon; Ray Eubanks (DCPexternalagencycomments@deo.myflorida.com); Brenda Winningham (brenda.winningham@deo.myflorida.com); ext-Wuerstle, Margaret (swfrpc.org)
Subject: Lee County, DEO #17-1ESR Comments on Proposed Comprehensive Plan Amendment Package

Dear Ms. Rozdolski:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from Lee County (County). The amendment revises Map 17, Southeast DR/GR Residential Overlay to designate a 637.5 acre property as an Environmental Enhancement and Preservation Community, and include the subject property in the Future Potable Water and Sewer Services area. The proposed changes do not appear to adversely impact the water resources in this area; therefore, the District has no comments on the proposed amendment package.

The District offers technical assistance to the County in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. Please forward a copy of the adopted amendments to the District. Please contact me if you need assistance or additional information.

Sincerely,

Deb Oblaczynski
Policy & Planning Analyst
Water Supply Implementation Unit
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406
(561) 682-2544 or doblaczy@sfwmd.gov

To view the Pepperland Ranch application materials, please click on the link below:

<http://www.leegov.com/dcd/Documents/Agendas/LPA/2016/12/PepperlandRanchResubmittal.pdf>