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February 7, 2018

Quattrone & Associates, Inc.
Al Quattrone, P.E.
4301 Veronica Shoemaker Blvd.
Fort Myers, Florida 33916

RE: DCI2018-00003, The Pine Island 7-11 CPD

Dear Mr. Quattrone:

Lee County has reviewed the information filed on January 12, 2018 for the above zoning application. The Land Development Code requires additional information before the application can be deemed sufficient. Please respond to each requirement not satisfied found in the following responses and any attached comments. Please direct all questions and comments about this response to Chip Block.

1. The request needs to be revised. Please revise and resubmit the submitted Application Form changing the request from a Major PD Amendment to a Minor PD on Page 1 of the Application Form. The applicant's proposal cannot be achieved through the proposed PD amendment. The request should be seeking a rezoning of the two existing planned developments to a new planned development.

2. Please revise the boundary survey to provide coordinate points for the point of beginning and the other across from the point of beginning. Please certify this Boundary Survey to Lee County. (LDC Section 34-202(a)(2))

3. Please revise and resubmit the Application Form addressing the following (LDC Section 34-373(a)(1):
   a. Page 2, LDC Section 34-202(a)(3): Part 2.D.2. needs to be revised to provide the date for each of the properties had been acquired by the present property owner.

   b. Page 5, Part 6: In Part 6 the commercial intensity proposed is 38,000 sq ft. This conflicts with the Request Statement which proposes a total intensity of 15,000 square feet, a de-intensification of 23,000

square feet. These are not consistent. Also the TIS analyzed for a convenience food store of 3,454 sq ft with 18 re-fueling positions (9 pumps) and 15,000 sq ft shopping center; 18,454 square feet.

It will be necessary to revise the TIS to revise the description using the Land Development Code language for the pumps. The term "Re-fueling position" is not defined by the LDC. Please refer to LDC Section 34-2 for the definition of fuel pump.

Please review and revise the application as needed to accurately describe the proposed planned development zoning.

c. Page 2, Part 3.E: Please correct the List of Zoning Resolutions and Approvals. The list includes Zoning Resolution Z-06-043 but fails to provide for the Year 2000 zoning action formally adopting the original planned development zoning. Please revise this list to include all zoning actions taken on the subject property.

4. Please review and revise the Request Statement that has been submitted to address the requirements of LDC Section 34-373(a)(5), as follows:
   a. Page 1 states the request is to amend two separate planned developments into one unified development. This language in the Statement will have to be revised to indicate this is a rezoning from two separate CPD approvals to a new CPD.

   b. The second paragraph on Page 1 states the project entails the construction of a convenience store, but fails to mention any development on Parcels 1 and 2. The file indicates there will be more development than just the convenience store. Please review and revise all documents of the application to provide consistent development intensity and use throughout the application.

   c. Page 6, Policy 14.4.3: The response indicates the project incorporates an architectural style, which was reviewed by the community. However, the record supplied from this meeting shows those that attended objected to the appearance and the applicant agreed to revise the elevations and resubmit them at the next meeting. Is there any record this occurred? If so, please provide the record from the meeting.

5. Please revise the Master Concept Plan (MCP) (LDC Section 34-373(a)(6)) to address the following:
   a. With the next submittal, please provide three copies of the revised MCP.

   b. Please revise the MCP to remove the aerial photography. The LDC does not require this information and over time the aerial photography will present difficulty in reading the Plan.

c. The submitted Boundary and Topographic Survey indicates easements are located to the west of Lot 17. Please revise the MCP to show the location of these easements and provide an explanation of all existing easements, whether or not those easements are recorded. If an easement is based upon a recorded document, the official records book reference must be stated. Please make sure all easements are shown on the MCP.

d. The MCP does not appear to show the location of site access points in relation to non-site access points on both sides of the street within proximity of the site. See Nikkis Lane south of Pine Island Road. Please review and revise the MCP accordingly.

e. The MCP does not appear to identify the roads accessed by the development, including their current functional classification. Please review and revise the master concept plan accordingly.

f. Please revise the MCP to show the general location of buildings, parking, access points, etc in the retail development area(s) in Parcels 1 and Parcel 2 as required by subsection c.

g. Please revise the MCP to provide the general location of service areas for delivery of goods or services.

h. Please revise the MCP to provide the proposed access and facilities for public transit. As part of the response, please discuss how the applicant is addressing the requirements of LDC Section 10-442 as it relates to the project

i. The use of "Excavation, water retention" has been requested. Please revise the MCP to show the general location of excavations for on-site fill and wet retention as required by subsection K.

6. Please review and respond to the following comments regarding the submitted Traffic Impact Statement (TIS)(LDC Section 34-373(a)(7) and Administrative Code 13-17):

a. The site design parameters that are stated in the TIS do not appear to correspond to the parameters that are stated and/or depicted in the non-TIS submittals. See the application and "Development Parameters and Schedule of Uses" as compared to the Master Concept Plan. Is the intent to have 2 options – one as shown on the MCP and the other a specific or generalized combination of commercial uses? Please clarify the maximum development intensity contemplated, and review and revise the TIS accordingly.

b. Section III of the TIS indicates the proposed development is a 3,454 square foot convenience store with 18 refueling positions, and a 15,000 square foot shopping center. This conflicts with other areas of the application. Please review and revise

the submitted application making sure the full application accurately and consistently describes the proposed development.

c. The TIS does not appear to contain a LOS analysis for each of the project's access points. Please review and revise the TIS accordingly.

d. The TIS LOS analysis for collector/arterial roadways does not appear to reference the *Lee County Link-Specific Peak Hour Service Volumes* table for LOS determination. Please review and revise the TIS accordingly.

7. Please review and revise the requested deviation from LDC Section 34-373(a)(9). The deviation has multiple parts indicating deviations of varying distances on Pine Island Road. Is this one deviation, or is this more than one deviation? Please revise to help clarify the request.

8. Please review and revise the Property Development Regulations Table to address the following (LDC Section 34-373(a)(10)):
   a. Please review and revise the proposed maximum height of the building and structures. Please make sure the proposed height is consistent with the Greater Pine Island community regulations found in Chapter 33 of the Land Development Code. Revise these as may be needed.

   b. The table provides setbacks from "Street, public" and "Street, private". These are undefined terms in Chapters 33 and 34 of the Land Development Code and will not be able to be administered as proposed. Please revise the Table to be consistent with the Property Development Regulations Tables of Chapter 34 of the LDC.

   c. Please consider removing the qualifying statement regarding open space discussing commercial retail use. The proposed planned development includes nearly 50 uses. Many of these are not retail and with the qualifying statement included will cause difficulty in administering how much open space is required within the planned development.

   d. Please remove the parenthetical after the setback dimension for a Water Body. This does not fully describe how a water body setback is measured in the LDC and will be difficult to administer as part of this planned development.

9. Please provide a written description of the surface water management plan (LDC Section 34-373(b)(1) that includes:
   a. The runoff characteristics of the property in its existing state;

   b. In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies including how drainage flow from adjacent properties will be maintained;

c. The retention features (including existing natural features) that will be incorporated into the drainage system and the legal mechanism which will guarantee their maintenance;

d. How existing natural features will be preserved. Include an estimate of the ranges of existing and post development water table elevations, where appropriate;

e. If the property is subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expectable flooding.

10. In accordance with LDC 34-202(b)(8) please obtain a new letter of availability from the Pine Island Water Association. The letter is not clear if the utility has the ability to provide service to support the proposed development. Please make sure the letter addresses the requirements of this section.

11. If open drainage is proposed, will the 3:1 undulating berm meet the requirements of LDC Section 34-1353 (e)(2)?

12. Please advise if any heritage trees have been found on the site? Please note Lee Plan Policy 14.4.3 promotes the preservation of mature trees whenever possible. Please include this information in the Protected Species Survey.

13. In order to assess the number of gopher tortoise burrows that will be preserved onsite by the proposed development to meet Lee Plan Policy 107.8.1, please overlay the Protected Species Assessment Map over the proposed MCP.

14. To avoid impacts to the indigenous area around the southern and southeastern property lines, relocate the swale system to the interior of the site. This way a Type A buffer will not be necessary due to the indigenous vegetation saved within the preserve and additionally more tortoises may be preserved on the site meeting the Lee Plan Policy 107.8.1 and preserving plant communities Lee Plan Policy 107.2.6 providing an alternative layout.

15. The open space calculations on the MCP indicate that the project is eligible for a 10% reduction in indigenous open space. This does not meet code. Please revise and provide half of the required open space as indigenous open space.

Other:
Although not a comment requiring a response, Lee County Infrastructure Planning advises, after consultation with the Lee County Department of Transportation, staff will not be supporting the applicant's request for a deviation from intersection spacing on Pine Island Road. It is recommended the project's driveway is aligned with the driveway on the north side of Pine Island Road. If you would like to further discuss this matter, you may contact Lili Wu with Infrastructure Planning.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Land Development Code requires that this application be considered withdrawn.

Sincerely,
DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section

Alvin Block

Alvin Block, AICP
Planner, Principal