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August 27, 2018
Via Hand Delivery and Email Transmittal

Ms. Amanda L. Rivera
Lee County Hearing Examiner
1500 Monroe Street – Suite 218
Fort Myers, FL 33901

**RE: McNEILL SUBDIVISION
REZ2018-00006
Applicant's 48-Hour Letter**

Dear Madam Hearing Examiner:

Please accept this as the Applicant's 48 hour letter. The Applicant is in agreement with the Staff recommendation for approval. The Lee County Comprehensive Plan has been amended since the applicant submitted the initial Narrative of Request (Attachment E to staff report). The numbering for some of the policies has changed. The Applicant wanted the Narrative to reflect the current numbering therefore, please find attached hereto the updated Narrative in redline format.

The Applicant's Witness List and Applicant's Exhibit List are attached hereto.

Your consideration of this matter is greatly appreciated.

Sincerely,


Neale Montgomery

NM/kc

Attachments: Applicant's Witness List
Applicant's Exhibit List
Updated Narrative of Request

cc: Mr. John Fredyma
Ms. Audra Ennis
Mr. Anthony Rodriguez ✓
Ms. Katherine Green
Mr. Rick Mercer
Ms. Stacy Hewitt
Ms. Sam Marshall
Mr. Ted Treesh
Mr. Yury Bykau
Mr. Andrew Woodruff

**McNEILL SUBDIVISION
REZ2018-00006**

**HEX Hearing August 30, 2018
Applicant's Witness List**

1. Neale Montgomery, Esq.
2. Stacy Ellis Hewitt, AICP
3. Ted Treesh/Yury Bykau
4. Andrew Woodruff
5. Sam Marshall, PE, LEED AP
6. Rick Mercer
7. Katherine Green

**McNEILL SUBDIVISION
REZ2018-00006**

**HEX Hearing August 30, 2018
Applicant's Exhibit List**

1. Applicant's PowerPoint Presentation

Copy of this exhibit will be provided at the Hearing
pre-labeled as Applicant's Exhibit 1.



Professional Engineers, Planners & Land Surveyors

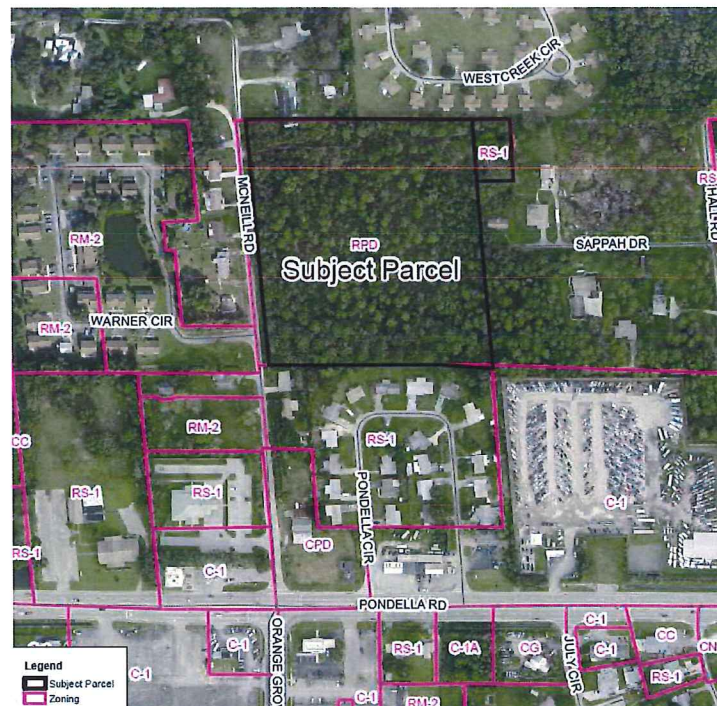


McNeill Subdivision - Narrative of Request

Introduction

The applicant, Habitat for Humanity of Lee and Hendry Counties, Inc., is a local private nonprofit organization that is funded through the generosity of local individuals, businesses and faith organizations. Since 1982, Habitat for Humanity of Lee and Hendry Counties has served over 1,400 families and housed more than 3,000 individuals. Habitat for Humanity is the nations largest builder of affordable homes.

Habitat for Humanity is requesting approval of a conventional rezoning of 10.54± acres consisting of two separate parcels on the east side of McNeill Road, north of Pondella Road from Residential Planned Development (RPD) and Residential Single-Family (RS-1) to Multiple-Family (RM-2) to facilitate an affordable housing neighborhood. By supporting the proposed rezoning, Lee County will be implementing the Lee Plan Goals, Objectives and Policies that encourage and place a high priority on providing additional affordable housing opportunities. The property is within the Suburban future land use category and is within the North Fort Myers Planning Community. The property is currently vacant with an existing single-family home on the smaller RS-1 zoned parcel as shown in below aerial.



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Background

The RPD zoned parcel is identified by STRAP no. 04-44-24-00-00047.0010 with a site address of 1268 McNeill Road. The property was rezoned from RS-1 to RPD April 14, 1986 by resolution number ZAB-86-36 which granted approval for an Adult Congregate Living Facility (ACLF) with a maximum of 150 residents with common dining and recreation area, administrative offices, and accessory services for residents. The Master Concept Plan showed a 30-foot easement for roadway and public utilities along the north property line which provided access to the second parcel included with the request, described below

The RS-1 zoned parcel is identified by STRAP no. 04-44-24-00-00047.0030 with a site address of 1270 McNeil Road. Although this parcel does not have direct road frontage, it has a 30-foot easement for roadway and public utilities across the RPD parcel that connects it to McNeill Road. The site is developed with an existing single-family residence that was built in 1969. The property has been incorporated into the subject request making this easement no longer necessary. This parcel received a special permit for a child care nursery by resolution no. Z-75-149 approved on July 14, 1975.

Preliminary discussions with Lee County staff indicated the site may be a good candidate for a RM-2 conventional rezoning request, consistent with the development across the street. The RM-2 zoning district allows for a variety of housing types and is appropriate and consistent with the surrounding area. The subject property has been approved for development since 1986 and the proposed rezoning will allow compatible infill development and provide additional affordable housing options to assist with meeting the needs of the community.

Land Development Code Analysis

The property qualifies for the rezoning and the request meets the applicable required findings/review criteria set forth in Land Development Code section 34-145(d)(4)a.1. as follows:

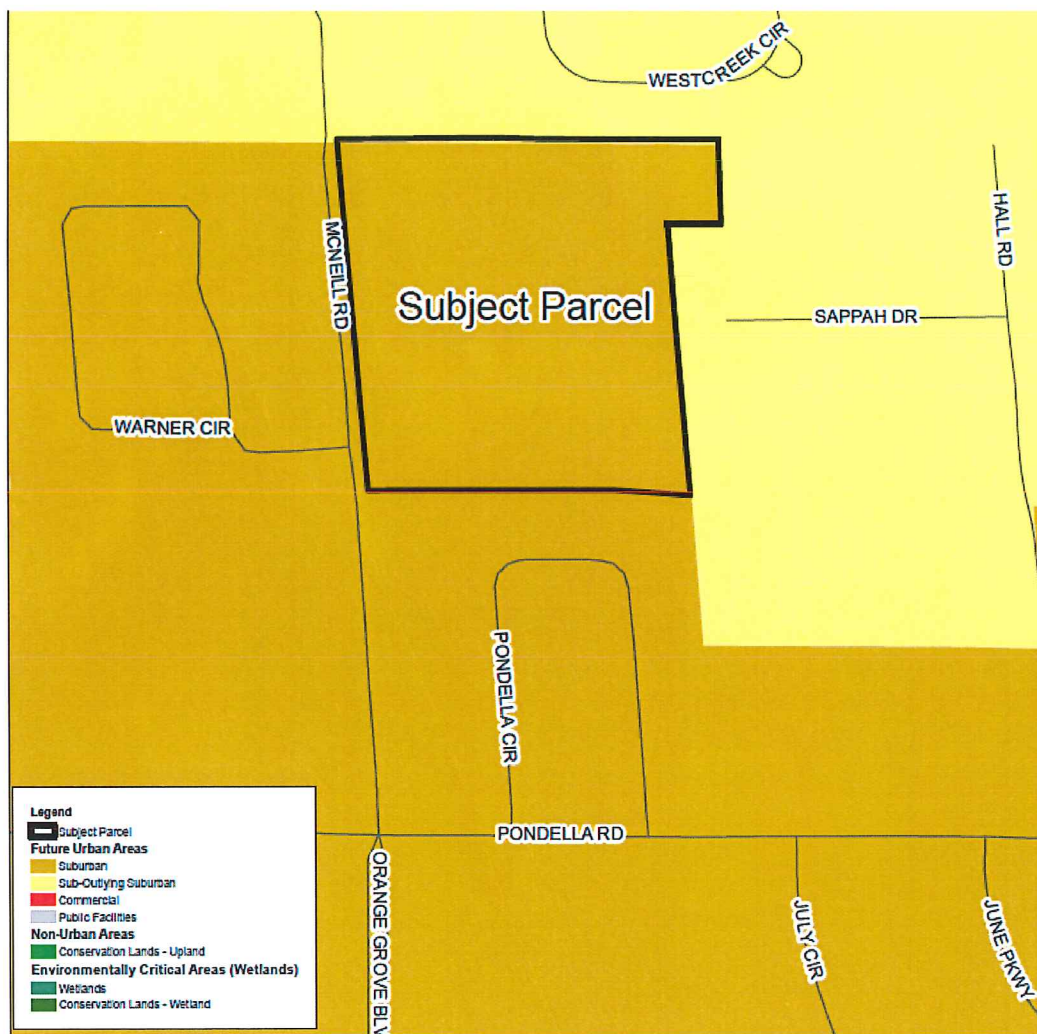
(a) Complies with the Lee Plan

The proposed rezoning to RM-2 is consistent with the Lee Plan. The subject property is located in the Suburban future land use category. The Comprehensive Plan describes the Suburban land use designation as follows:

POLICY 1.1.5: The Suburban future land use category will consist of predominantly residential areas that are either on the fringe of the Central Urban or Urban Community future land use categories or in areas where it is appropriate to protect existing or emerging residential neighborhoods. This category provides housing near the more urban areas but does not provide the full mix of land uses typical of urban areas. Industrial land uses are not permitted. This category has

a standard density range from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre). The maximum total density may only be increased to eight dwelling units per acre (8 du/acre) utilizing Greater Pine Island Transfer of Development Units except in areas that specifically prohibit bonus density. Other forms of bonus densities are not allowed.

The proposed rezoning to RM-2 will allow Habitat for Humanity of Lee and Hendry Counties, Inc. to develop an affordable housing project which will provide housing near a major intersection, Pondella Road (arterial) and Orange Grove Blvd. (major collector) which aligns with McNeill Road (local road). The maximum standard density of 6 units per acre would allow up to 63 dwelling units which under RM-2 zoning would allow single-family, duplex, two-family attached, townhouse or multiple-family. The applicant has proposed a development order plan to the North Fort Myers Community Planning and Design Review Board for a single-family subdivision consisting of 36 lots. All of the allowable uses in the RM-2 zoning district are consistent with this Policy. The proposed rezoning to RM-2 is consistent with Policy 1.1.5.



The project is subject to the Acreage Allocation Table as indicated in Policy 1.7.6 as follows:

POLICY 1.7.6: The Planning Communities Map and Acreage Allocation Table (see Map 16 and Table 1(b) and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses for the year 2030. Acreage totals are provided for land in each Planning Community in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded.

Table 1(b) indicates that the North Fort Myers planning community has 6,690 acres allocated for residential development within the Suburban future land use category. There are currently still 1,795 acres remaining for residential development within the Suburban future land use category within the North Fort Myers planning community. The project is consistent with policy 1.7.6

OBJECTIVE 2.1: DEVELOPMENT LOCATION. Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are bypassed in favor of development more distant from services and existing communities.

POLICY 2.1.1: Most residential, commercial, industrial, and public development is expected to occur within the designated Future Urban Areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.

The proposed rezoning is located within a designated Future Urban Area and promotes contiguous and compact growth patterns. The site is an infill development that is surrounded by existing residential development and necessary infrastructure is available to support the proposed rezoning. The project is consistent with Objective 2.1 and Policy 2.1.1.



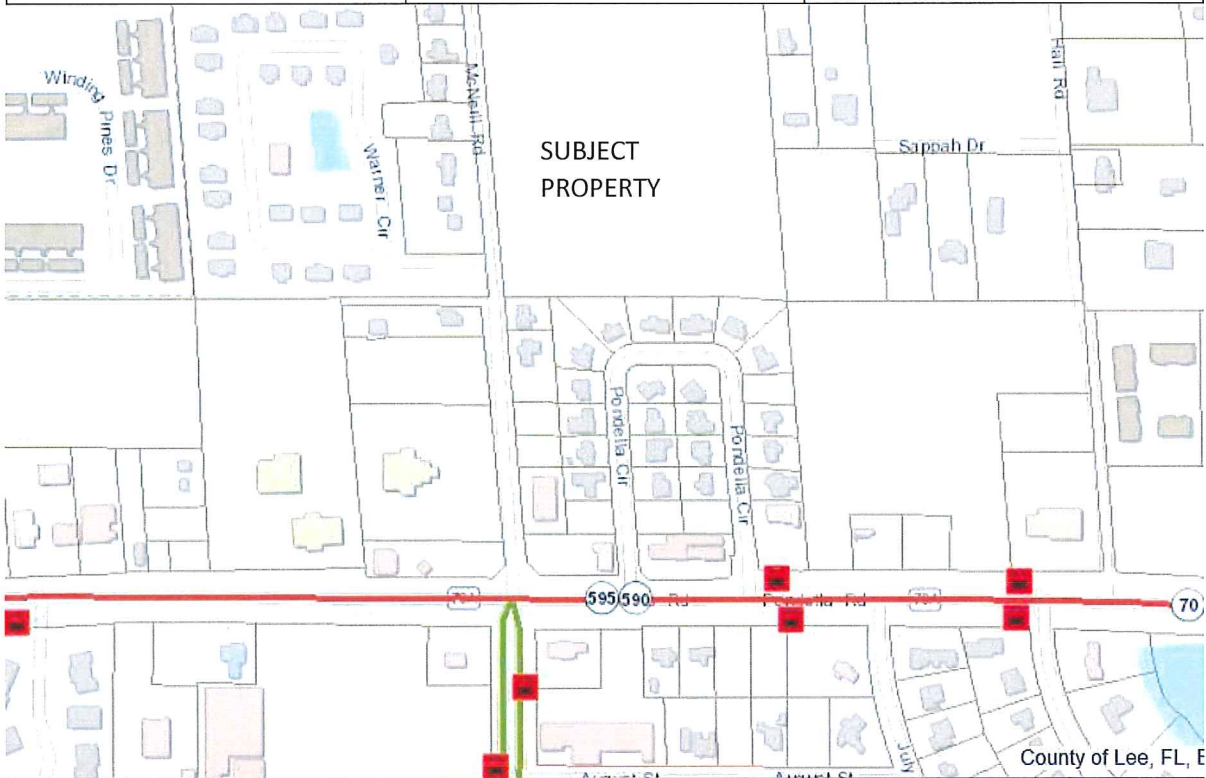
OBJECTIVE 2.2: DEVELOPMENT TIMING. Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes F.S. and the county's Concurrence Management Ordinance concurrence requirements in the Land Development Code.

POLICY 2.2.1: Rezoning and development-of-regional-impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

The proposed rezoning is for infill development promoting a compact and contiguous development pattern. Access will be provided to the site via McNeill Road, a 2-lane, county maintained (to the site's north property line) local roadway, approximately 600 feet north of the intersection of Pondella Road (arterial) and Orange Grove Blvd. (major collector). The site is located within the Lee County Utilities Water and Wastewater service areas. There are existing water and sewer facilities adjacent to the site and a letter of availability is included with the application. An analysis of the excessive availability and proximity of community facilities and services is below:

Facility Type	Name	Distance from site
Fire	North Fort Myers Fire Station 2	0.9± mile
EMS	Lee County EMS Medic 12	1.8± miles
EMS	Lee County EMS Medic 7	2.2± miles
Sheriff	Lee County Sheriffs Office, North Fort Myers	2.1± miles
School	Tropic Isles Elementary School	0.4± mile
School	North Fort Myers High School	0.7± mile
Park	North Fort Myers Community Pool	0.3± mile
Park	Mary Moody Park	0.8± mile
Park	Kurt Donaldson Community Park	1.9± miles
Park	Judd Community Park	1.9± miles
Transit	Lee Tran Routes 595 & 70	630± feet
Walkways/Bikeways	Pondella Rd. & Orange Grove Blvd.	630± feet

Shopping/Employment	Target, Lowes, restaurants, shops, etc.	1.4 miles±
Shopping/Employment	Merchants Crossing, Walmart, restaurants, shops, etc.	2.5 miles±
<u>Shopping/Employment</u>	<u>Coral Gate Commons Shopping Center</u>	<u>0.3 miles ±</u>



Development of the site would require constructing a sidewalk from the site to the existing sidewalk at Pondella Road. The project is consistent with Objective 2.2 and Policy 2.2.1.

STANDARD 4.1.1: WATER.

1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Chapter 17-22 62-550, F.A.C.).

2. If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 6), then the development must be connected to that utility.

3. *The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.*

The site is located within the Lee County Utilities Water service area. There are existing water facilities adjacent to the site and a letter of availability is included with the application. The development will connect to Lee County Utilities for potable water service. The project is consistent with Standard 4.1.1.

STANDARD 4.1.2: SEWER.

1. *Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.*

2. *If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 7), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within 1/4 mile from any part of the development.*

3. *If there is not sufficient capacity nor adequate infrastructure within 1/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.*

The site is located within the Lee County Utilities Wastewater service area. There are existing sewer facilities adjacent to the site and a letter of availability is included with the application. The development will connect to Lee County Utilities for sanitary sewer service. The project is consistent with Standard 4.1.2.

OBJECTIVE 5.1: *All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan.*

POLICY 5.1.3: *During the rezoning process, direct high-density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities.*

The subject property will not meet the DCI thresholds and the site is not located where any physical constraints or hazards exist therefore a conventional rezoning request is appropriate for the project. Although the project does not propose high-density residential,

it is in a location that is near employment and shopping centers, is close to parks and schools and is accessible to mass transit and bicycle facilities demonstrating the appropriateness for residential development of the site.

POLICY 5.1.5: Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require

The proposed rezoning to RM-2 is compatible with the surrounding uses and is consistent with the existing zoning to the west that is also within the Suburban future land use category and abutting RS-1 zoned properties within the Sub-Outlying Suburban future land use category. Development of the site is proposed as single-family as presented to the North Fort Myers community which is compatible with the adjacent single-family uses. The Land Development Code contains adequate buffers for any other permitted use within the RM-2 zoning district. The proposed rezoning is consistent with Policy 5.1.5.

POLICY 5.1.8: Provide for adequate locations of low- and moderate-income housing through the rezoning process, the provision of public facilities and services, and the elimination of unnecessary administrative and legal barriers.

The subject property has been approved for development since 1986 and the proposed rezoning will allow compatible infill development of additional affordable housing options to assist with meeting the needs of the community. There are sufficient public facilities and services to service the site. The requested rezoning furthers Policy 5.1.8.

GOAL 2830: NORTH FORT MYERS COMMUNITY PLAN. North Fort Myers seeks to improve the community's livability and economic vitality in the North Fort Myers Community Plan area by: ~~and~~ promoting compact, mixed use development in the form of ~~new~~ town and neighborhood centers; attracting appropriate investment to revitalize older neighborhoods and commercial corridors, stabilizing and enhancing, existing neighborhoods; and preserving natural resources; ~~and providing greater opportunities for public participation in~~

~~the land development approval process. This Goal and subsequent Objectives and Policies apply to the North Fort Myers Planning Community.~~

~~OBJECTIVE 2830.1: LAND USE:—NEIGHBORHOODS AND HOUSING. To support the creation and preservation of affordable housing options in safe and attractive neighborhoods. By 2012 Land Use and Housing Review will be completed for each neighborhood and corridor by the North Fort Myers community.~~

~~POLICY 28.1.7: Fair Share Projections. Using the current estimate of affordable housing construction need projected to 2030 as a starting point, the Department of Community Development will prepare an estimate of North Fort Myers' fair share of need by housing type for low-income, workforce, and affordable housing and establish five-year planning targets for the delivery of units.~~

~~POLICY 30.1.4: Encourage development of affordable housing options on property with the following characteristics: POLICY 28.1.8:—Site Assessment and Pilot Projects. Working with the Department of Community Development, Department of Human Services, Lee County Housing Development Corp, Community Land Trust, non-profit housing providers, and representatives from nearby neighborhoods, the North Fort Myers community will prepare a study identifying potential sites for affordable housing and prepare preliminary studies for design and financial analyses for potential pilot or demonstration projects. The study will also identify neighborhoods where single family housing units can include remodeling to incorporate Mother-In-Law housing additions.~~

~~The evaluation should focus on sites with the following general characteristics:~~

- ~~• Located within the Intensive Development, Central Urban, and Urban - Community on the Lee Plan's Future Land Use Map;~~
- ~~• located where central water/sewer service is available;~~
- ~~• located within comfortable-walking distance of mass transit, commercial and personal services, and parks and recreation facilities; and~~
- ~~• located on land previously converted for urban purpose~~

Although fair share projections for the North Fort Myers area were not available, the draft Consolidated Plan for HUD FY 2013-2018 indicates that affordable homeowner units are a scarcity and that there continues to be a need for affordable housing units. Habitat for Humanity is a local private nonprofit organization with the primary mission of providing affordable housing for low income families and this project will assist with filling some of

this demonstrated need. The subject property is located within the Suburban future land use category which allows the same standard density range as Urban Community. The site is located where central water and sewer service is available and is within comfortable walking distance of mass transit, commercial and personal services, and parks and recreation facilities as previously discussed. The site has been deemed appropriate for development since its original zoning approval in 1987. The requested rezoning is consistent with the intent of Goal ~~28.30~~, Objective ~~28.30.1~~ and Policy ~~30.1.4, 28.1.7 and 28.1.8~~.

~~OBJECTIVE 28.6: PUBLIC PARTICIPATION. Beginning in 2008 the North Fort Myers community will promote with Lee County enhanced community participation in the planning of capital improvements and decisions made in the North Fort Myers Community Planned area.~~

OBJECTIVE 17.3: PUBLIC INPUT. To provide opportunities for public input as part of the comprehensive plan and land development code amendment process.

POLICY 17.3.1: Educate the public regarding comprehensive planning and sound planning principles by requiring public information meetings.

POLICY 17.3.2: One public information meeting is required for privately-initiated applications that propose a text change within a community plan or revises a map designation within a community plan area boundary. The meeting must be conducted before the application can be found complete.

The applicant has complied with the community participation requirements provided for the North Fort Myers Community Planning area contained in the LDC. The required public informational meeting summary is included with this application. The project is consistent with the intent of Objective ~~28.6~~ 17.3 and Policies 17.3.1 and 17.3.2.

GOAL 135: MEETING HOUSING NEEDS. To provide decent, safe, and sanitary housing in suitable neighborhoods at affordable costs to meet the needs of the present and future residents of the county.

OBJECTIVE 135.1: HOUSING AVAILABILITY. Work with private and public housing providers to ensure that the additional dwellings needed by 2025 are provided in types, costs, and locations to meet the needs of the Lee County population. It is estimated that by 2025, 114,927 additional dwelling units will be needed in all of Lee County and 39,637 will be needed in unincorporated Lee County.

POLICY 135.1.2: The county will continue efforts to form public-private partnerships to produce affordable housing for very-low, low and moderate-income households with local private non-profit housing agencies, local for profit developers, local lenders, the Lee County Housing Authority, and the Lee County Housing Finance Authority.

Habitat for Humanity is a local private nonprofit organization with the primary mission of providing affordable housing for low income families and this project will assist with filling some of the demonstrated community need.

POLICY 135.1.5: Continue to provide financial and technical support, including expedited permit processing; the payment, waiver, or reduction of impact fees; the purchase of tax certificates for building lots; site preparation; and the construction of infrastructure by participating on a partnership basis with providers of housing that is affordable to very low, low and moderate income families or individuals, including those with special needs such as the elderly, handicapped, large families, farm workers, and the homeless.

Policy 135.1.5 is not applicable to the subject rezoning application; however is provided to demonstrate the intensity and degree of commitment the Lee County has demonstrated to providing affordable housing and the proposed project furthers that intent.

POLICY 135.1.8: The county will provide through the rezoning process for the location of adequate sites for very-low, low- and moderate-income residential development including mobile homes, and housing for special needs populations as defined in Rule 67-37.002(30).

Policies 135.1.85 would be implemented through approval of this proposed rezoning. Habitat for Humanity is a local private nonprofit organization with the primary mission of providing affordable housing for low income families and this project will assist with filling some of the demonstrated community need.

OBJECTIVE 135.4: AFFORDABLE HOUSING. The County will provide adequate locations for housing for very-low, low- and moderate-income persons to meet their housing needs. Increasing the supply of affordable housing for very-low and low income housing needs will be a priority. In combination with allowing varied types of housing, the County will examine opportunities to expand affordable housing to

mitigate the affordable housing needs identified in the Affordable Housing Needs Assessment.

POLICY 135.4.1: Support the efforts of the Lee County Housing Finance Authority, Florida Housing Finance Corporation, Lee County Housing Authority, the Lee County Department of Human Services, the Lee County Department of Community Development, and local private for profit and private non-profit agencies, and assist in their efforts to determine and develop sites and programs for housing for very-low, low and moderate-income persons, including the homeless, through referrals and staff support.

POLICY 135.4.6: The county will continue to assist community based organizations and community housing development organizations with technical support and funding.

Objective 135.4 stresses that increasing the supply of affordable housing is a priority and Habitat for Humanity is a local private nonprofit organization with the primary mission of providing affordable housing for low income families and this project will assist with filling some of the demonstrated community need. Policies 135.4.1 and 135.4.6 further demonstrate the County's part in supporting the efforts of Habitat for Humanity.

POLICY 135.4.12: The county will encourage proposals for affordable housing that are consistent with the use and density provisions of this Plan and associated land development regulations that encourage affordable housing proposals provided such locations:

- *Avoid concentrations of very-low and low-income households;*

There is a very diverse housing supply within a 1 mile radius of the site ranging in types and income levels. The area is appropriate for providing additional affordable housing supply near major employment centers and where there is existing availability of urban services. This is further demonstrated by areas in the vicinity being included in the mixed use overlay. The proposed site has a companion development order proposing a 36 single-family neighborhood. Given the diversity of the surrounding area, the proposed project does not result in a concentration of very-low and low income households.

- *Are provided full urban services and facilities;*

As fully demonstrated previously on pages 6 and 7 of this report, the site is located where full urban services and facilities are provided such as utilities, fire, EMS, schools, parks, employment, transit and pedestrian/bicycle facilities.

- *Are environmentally sensitive; and,*

The rezoning and future development of the site will not affect environmentally critical or sensitive areas or natural resources as no wetlands or rare and unique upland habitats as defined in the Lee Plan exist on the project site.

- *Would create a livable and supportive environment.*

The rezoning will allow development of the site into a Habitat for Humanity community which proposes a homeowners association and deed restrictions, internal walkways and amenity area for the residents, and providing a sidewalk down McNeill Road connecting to Pondella Road, adding to the pedestrian circulation and connection to walkways, bikeways and transit facilities in the area. Approval of this rezoning will allow the creation of a livable and supportive environment for the proposed development and surrounding area.

POLICY 135.4.17: Pursue community wide, broad based participation in solving the problems of infrastructure and workforce/affordable housing.

By supporting the proposed rezoning, Lee County will be directly implementing the Lee Plan Goals, Objectives and Policies that encourage and place a high priority on supporting partnerships with local non-profit affordable housing providers to assist with addressing the need for additional affordable housing units. The rezoning implements Policy 135.4.17.

b) Meets this Code and other applicable County regulations or qualifies for deviations;

The property is of sufficient size to meet all property development regulations established for the proposed RM-2 zoning district pursuant to Table 34-715 of the Lee County Land Development Code (LDC). Development of the site will be consistent with the permitted use table contained in Table 34-714 for the RM-2 zoning district. The proposed request will also comply with all other supplementary district regulations since no deviations or variances are being requested by the applicant.

The requested rezoning is consistent with the North Fort Myers Planning Community regulations contained in the LDC. Consistent with LDC Section 33-1532, the applicant presented the proposed rezoning to RM-2 and development order plan to the North Fort Myers Community Planning and Design Review Board on March 6, 2018 and has attached the required public informational meeting summary providing proof of advertising and a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised.

Habitat for Humanity is not proposing any high density/intensity uses as defined in LDC Section 33-1357 and the 3 adjacent residential lots that exceed 14,520 SF are not within subdivisions so LDC Sections 33-1541 through 33-1545 are not applicable. The remaining community regulations do not apply to the subject property.

c) Is compatible with existing and planned uses in the surrounding area;

The land adjacent to the south property line is within the Suburban future land use category, zoned residential RS-1 and is developed with the Pondella Circle single-family subdivision. Abutting the Southeast corner is a 6.4± acre parcel within both Suburban and Sub-Outlying Suburban future land use categories, zoned Commercial C-1 and is developed with an automobile auction/open storage facility.

To the west is McNeill Road, a county maintained road right-of-way, and the Suburban future land use category. The other side of McNeill Road from north to south are properties with residential RS-1 zoning developed with single-family homes; then residential RM-2 zoning developed with the Lee County Housing Authority Pine Echo II which consists of 23 duplexes (46 units); then vacant lands zoned RM-2 to the southwest.

McNeill Road becomes a private road, north of the subject property's frontage, which services lands north of the subject property that are within the Sub-Outlying Suburban future land use category, zoned residential RS-1 and developed with single-family homes and the Lee County Housing Authority Barrett Park abutting the northeast portion of the site containing 50 single-family homes.

Adjacent to the east are lands within the Sub-Outlying Suburban future land use category, zoned residential RS-1 and are developed with single-family homes along the north half of the east property line and vacant land abutting the southern half.

The proposed rezoning to RM-2 is compatible with the surrounding uses and is consistent with the existing zoning to the west that is also within the Suburban future land use category and abutting RS-1 zoned properties within the Sub-Outlying Suburban future land use category. Development of the site is proposed as single-family as presented to the North Fort Myers community which is compatible with the adjacent single-family uses.

d) Will provide access sufficient to support the proposed development intensity;

Access will be provided to the site from McNeill Road, a county-maintained local roadway that provides connection to Pondella Road, a county maintained arterial roadway. The property has adequate frontage to provide access sufficient to support the proposed development intensity that would be allowed with approval of the rezoning to RM-2.

e) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;

The expected impacts on transportation facilities will be adequately addressed during the development order application by existing county regulations. The traffic impact statement prepared for the companion development order application concluded that the proposed development will not have an adverse impact on the surrounding road network and that all roadway links analyzed will continue to operate at an acceptable Level of Service in 2022 both with and without the proposed development.

f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and

The rezoning of the subject property will not adversely affect environmentally critical or sensitive areas and natural resources as no wetlands or rare and unique upland habitats as defined in the Lee Plan exist on the project site.

g) Will be served by urban services, defined in the Lee Plan, if located in a Future Urban area category.

The property is located within the Suburban future land use category which is a Future Urban area. Existing levels of urban services as defined in the Lee Plan are available and adequate to service the proposed rezoning. Details of the existing urban services are discussed on pages 6 and 7 under consistency discussion on Policy 2.2.1.

In conclusion, the proposed rezoning from RPD and RS-1 to RM-2 is in compliance with the Lee County Comprehensive Plan, the Land Development Code and other applicable codes and regulations; is compatible with existing or planned uses in the surrounding area; provides sufficient access to support the proposed development; the expected impact on transportation facilities will be addressed by existing County regulations; will not adversely affect environmentally critical or sensitive areas and natural resources; and will be served by urban services. Not only is the proposal in compliance with the Lee County Comprehensive Plan, it also implements specific Goals, Objectives and Policies encouraging and placing a high priority on providing additional affordable housing opportunities. For these reasons, the applicant respectfully submits that the rezoning request should be approved.