MORRIS DEPEW
ENGINEERS · PLANNERS · SURVEYORS
LANDSCAPE ARCHITECTS

2891 Center Pointe Drive Unit 100 | Fort Myers, Florida 33916
Phone (239) 337-3993 | Toll Free (866) 337-7341
www.morris-depew.com

September 19, 2018

Anthony R. Rodriguez, AICP
Principal Planner
Lee County Community Development Dept.
1500 Monroe Street
Fort Myers, FL 33902

RECEIVED
AYH
SEP 19 2018
COMMUNITY DEVELOPMENT

RE: Portico Planned Development Amendment
DCI2018-00018 – 2nd Insufficiency Response

Dear Mr. Rodriguez,

The purpose of this letter is to provide a response to the Lee County Community Development Department's review comments dated August 24, 2018, for the above referenced Planned Development Amendment Application.

We appreciate the coordination and assistance with Staff on matters related to this application and welcome additional calls and emails that will further help us to address all the concerns in the most efficient manner to the extent this request can be approved.

Comment/Condition:

1. Master Concept Plan (MCP)

    a. Sheet X-106 of the MCP (Open Space Plan) is in need of further revisions to demonstrate compliance with certain conditions of Resolution Z-04-080 and the required open space associated with the proposed Planned Development amendment. Please revise the open space plan as follows:

    Response: Consistent with the discussion during a meeting with County Staff on August 29, 2018 the applicant has revised the Open Space Plan, Sheet X-106 to the Master Concept Plan. Per this discussion, the applicant believes the updated Sheet addresses all of the requested information. To ensure consistency with the updated Open Space Plan, the Proposed Condition 10 for the Planned Development Amendment has also been updated.

    i. The table depicted on the Open Space Plan remains unclear. It appears the table is organized to include the amenity area, lakes, and wetland N under "Other Open Space"; however, the calculations suggest that each of these areas contributes to the overall calculation of open space. Please revise the table for clarity accordingly.

    ii. Condition 12 of Resolution Z-04-080 requires 8.67 acres of overall open space and 6.62 acres of indigenous preservation within the Townhouse tract. Please revise the

open space plan to label the open space in the Townhouse tract to demonstrate compliance with this condition.

iii. Please label the upland tract acreages on the open space plan to demonstrate compliance with the 8.56 acres of uplands calculated in the open space table.

iv. Please clarify whether the proposed amendment complies with Condition 12 of Z-04-080 given the lot size changes proposed by this amendment. Staff recommends scheduling a meeting to further discuss the open space plan for the development.

b. Please revise Sheets X-101 and X-102 of the MCP to show the general location and extent of the COP area depicted on Sheet X-108 to provide additional context relative to the COP area.

Response: Please see the attached revised Master Concept Plan with Sheets X-101 and X-102 depicting the general location of the COP and Sheet X-108 providing the detailed location in relation to the amenity building.

c. Cross Section E (Typical Section for Deviation 2) may no longer be required since Typical Section O (Lake Bank Slope Typical) on Sheet X-108 of the MCP depicts the required lake maintenance easements. Please review and revise accordingly.

Response: Please see the attached revised Master Concept Plan with Typical Section E removed. PLEASE NOTE the cross sections have been reorganized after this deletion to be in alphabetical order.

d. Please revise the Flow Splitter Configuration Plan View details on Sheet X-108 of the MCP to provide road dimensions inside the traffic circle as consistent with the detail approved by Resolution Z-04-080. The revised details provide dimensions outside of the splitter area, but not inside the splitter area.

Response: Please see the attached revised Master Concept Plan with the additional dimensions added to the Flow Splitter Configuration Typicals.

e. Please revise the Flow Splitter Configuration Plan View detail for the Two-Family Attached road configuration to depict the common lot line between the two-family attached dwelling units. The revised detail depicts only driveway locations and not the common lot line.

Response: Please see the attached revised Master Concept Plan with the additional dimensions added to the Flow Splitter Configuration Typicals.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

f. Please revise Cross Section O (Lake Bank Slope Typical) on Sheet X-108 of the MCP to note that the 10-foot drainage easement depicted on the cross section is a minimum easement width.

Response: Please see the attached Master Concept Plan, Sheet X-108. The Lake Bank Slope Typical has been revised to identify the 10ft drainage easement width as a minimum. Additionally, this Cross Section is now referenced as Cross Section N. Related to this comment, the applicant has also amended the Property Development Regulations as well as the Proposed Conditions to reflect the 10ft easement width as a minimum, when Deviation 17 is utilized. Please see the below comments for additional information.

Comment/Condition:

2. Schedule of Uses and Property Development Regulations

a. Please revise the property development regulations to note accessory structure side, rear, and waterbody setbacks, as well as building separation regulations as approved by Resolution Z-04-080.

Response: Please see the attached revised Property Development Regulations as well as the Proposed Conditions.

b. Please revise the property development regulations to include a footnote regarding the 25-foot setback to fire dependent indigenous plant communities requested by Deviation 15.
Response: Please see the attached revised Property Development Regulations as well as the Proposed Conditions.

c. Please revise the property development regulations to add a footnote requiring a minimum 10-foot rear setback for lots impacted by Deviation 17 to be consistent with note 2 of Cross Section O (Lake Bank Slope Typical) on Sheet X-108 of the MCP.

Response: Please see the attached revised Property Development Regulations as well as the Proposed Conditions. The applicant requests Staff to take note that the 10ft rear setback is only for lots impacted by Deviation 17. If the deviation is not utilized the 10ft easements would not be required and lesser setback could be provided. As such the Property Development Regulations as well as the Proposed Conditions have been updated to separate the lots by Phase and adjacency to the waterbody.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Comment/Condition:

3. Schedule of Deviations

a. Deviation 15 is being requested to allow the setback dimensions approved through the platting process to remain. It is unclear as to what setback is being provided. LDC Section 10-415(b)(1)(c) requires a 20-foot setback from a non-fire dependent preserve (wetland)

DCI 2018-00018

and a 30-foot setback from a fire dependent preserve (uplands). The request transposes the setback requirements and references Tract G, which is not labeled on the MCP documents. Please revise the MCP to indicate the areas that will not meet the setback requirements, annotate the dimensions that will be provided, and label Tract G. Please also provide verification from the Fire Marshal in support of the deviation.

Response: The applicant has revised the Deviation with new text denoted by underlining. Please see the attached Schedule of Deviations. To clarify the applicant is providing the 20ft setback from a non-fire dependent preserve. A reduced setback of 25ft is requested for a fire dependent preserve. A Letter from the Fire Marshal has been received and is attached for reference.

b. Deviation 18 must provide more specificity. Enhancements must be provided for lakes that will not meet the 20-foot planted littoral shelf (PLS) requirement of Section 10-418(2) of the LDC. Currently, the request states a 12-foot-wide PLS will be provided and will contain littoral plantings in accordance with LDC requirements. LDC 10-418(d)(2) bases the calculation of the required quantity of the littoral plantings on a 20-foot-wide littoral shelf along 25 percent of the lake. The deviation request indicates that more than 25 percent of the lake will be covered but does not provide an exact percentage of coverage. Please revise the request to provide a calculation quantifying the amount of littorals to be provided. The quantity of proposed littoral plantings should exceed Code requirements to meet the deviation criteria in LDC Section 34-373(a)(9) and should be based upon based on the 20-foot-wide PLS.

Response: The applicant has revised the Deviation with new text denoted by underlining. Please see the attached Schedule of Deviations. To clarify the applicant is proposing to provide littoral plantings along 100% of the lake shoreline.

Comment/Condition:

4. Survey and Legal Description
   a. The legal description within the title certification contains less and except language that is not consistent with the sketch and legal description and boundary survey that has been submitted. The legal description must match within all three documents. Additionally, the boundary survey must be updated to reflect that it is based upon the title certification document.

Response: Please see the attached, revised Title Certification.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Comment/Condition:

5. Traffic Impact Statement

   a. The TIS must contain a general description of each type of use proposed, the units of development (i.e. the number of dwelling units, square feet of building floor area, etc.) and the Land Use Code for each type of use utilized in the trip generation (i.e. single-family detached housing (200 lots), Land Use Code 210).

DCI 2018-00018

Response: Please see the attached Memorandum from David Plummer & Associates, Inc. dated September 7, 2018.

b. 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. The non-TIS submittals for this case appear to indicate that a maximum of 1,600 single family dwelling units may be permitted. Please provide a condition for this case that clearly states the permitted maximum number of single-family, multifamily, and total dwelling units for the site that agrees with the values considered in the TIS.

Response: With each submittal the applicant has provided a document entitled "Proposed Conditions."

On Page 1, Condition B.1. Language in underline to denote an addition was provided to state:
The Residential Planned Development (RPD) allows a maximum of 1,600 dwelling units; including 162 Townhomes.

As explained in the previous submittal, for clarification the following definitions from LDC Section 34-2:
Single-family residence **means a single, freestanding, conventional building designed for one dwelling unit and which could be used for occupancy by one family.**
Two-family **attached means a single, freestanding, conventional building designed as two dwelling units attached by a common wall or roof, but wherein each unit is located on separate lot under separate ownership.**
Townhouse **means a group of three or more dwelling units attached to each other by a common wall or roof wherein each unit has direct exterior access and no unit is located above one another...**

By virtue of these definitions, the condition refers to the 162 Townhomes, which are viewed as multi-family and the remainder of the 1,600 units (1,438) will be single-family units which is meant to imply either a single family residence or two family attached as referenced in the Schedule of Uses.

The applicant respectfully requests staff to review all of the application materials prior to providing additional comments regarding the conditions.

c. The TIS must contain an analysis of the Level of Service for each of the project's access points and all intersections within one-quarter mile of the project. The analysis must follow the methods established in the most current edition of the Highway Capacity Manual for either signalized or unsignalized intersections.

Response: Please see the attached Memorandum from David Plummer & Associates, Inc. dated September 7, 2018.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

d. The number trips for each southbound movement as considered in Exhibit 1 0A and the corresponding AM peak hour LOS analysis for the intersection of Buckingham Road and Orange River Boulevard under 2027 build-out conditions appears incorrect. Please review and revise the TIS accordingly.

Response: Please see the attached Memorandum from David Plummer & Associates, Inc. dated September 7, 2018.

e. The TIS does not appear to contain a LOS analysis for each of the project's access points during the AM/PM peak hours under background traffic conditions in the year following estimated project build-out. Please review and revise the TIS accordingly.

Response: Please see the attached Memorandum from David Plummer & Associates, Inc. dated September 7, 2018.

Comment/Condition:

6. Other

a. The subject property is located in the Caloosahatchee Shores and Buckingham Planning Communities as established by the Lee Plan. The Lee Plan requires owners or agents requesting zoning actions in these planning communities to hold an advertised public information session to provide an overview of the request and to provide an opportunity for public comment. The Lee Plan also requires the submission of a meeting summary document describing the date, time, and location of the meeting and summarizing the comments received over the course of the meeting prior to a finding of sufficiency. Please provide the required meeting summary documents for each public information session.

Response: The applicant held meeting with Caloosahatchee Shores and the Buckingham Planning Communities during the month of August and submitted the summary materials on August 24th. The materials are attached again to this letter for record keeping. In addition, the Fort Myers Shores Fire Department Letter of No Objection from Fire Marshal Robert Rewis is attached.

I believe that the responses provide adequate detail to address Lee County Staff's comments. Should additional information be deemed necessary, please do not hesitate to call 239-337-3993 for any additional information or questions.

Sincerely,
MORRIS-DEPEW ASSOCIATES, INC.

Tina M. Ekblad

Tina M. Ekblad, MPA, AICP, LEED AP
Partner – Planning Director

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT
DCI 2018-00018

Cc: Barry Ernst – WCI Communities, LLC
Neale Montgomery – Pavese Law Firm

Enclosures:
Project Request Narrative
Lee Plan Consistency Narrative
Schedule of Deviations
Proposed Zoning Resolution
Property Development Regulations
David Plummer & Associates Memorandum
Traffic Impact Statement prepared by David Plummer & Associates
Caloosahatchee Shores & Buckingham Community Meeting Summary
Offsite Drainage Narrative
Exhibit-A Regional Drainage Exhibit
Exhibit-B SFWMD Portico Drainage Exhibit 36-05388-P
Exhibit-C SFWMD River Hall Hawks Haven Post Development Drainage App#991012-3 Permit #36-04006-P
Exhibit-D SFWMD River Hall Hawks Haven Post Development Drainage App#041001-18 Permit #36-04006-P
FMSFD Letter of No Objection
Title Certification
Portico Master Concept Plan

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

MORRIS DEPEW
ENGINEERS · PLANNERS · SURVEYORS
LANDSCAPE ARCHITECTS

2891 Center Pointe Drive Unit 100 | Fort Myers, Florida 33916
Phone (239) 337-3993 | Toll Free (866) 337-7341
www.morris-depew.com

Portico

Residential Planned Development Amendment

Project Request Narrative

The subject property is an approximately ±589 acre existing subdivision located in eastern Lee County fronting on Buckingham Road. The property is in a unique location in the County due to its size and configuration. The subject property is currently zoned Residential Planned Development. A Development Order approval has been issued for the entire community and portions of the development have been platted. Additionally, an Environmental Resources Permit (ERP) has been approved, ERP 36-05388-P, and Conservation Easements have been recorded consistent with the ERP.

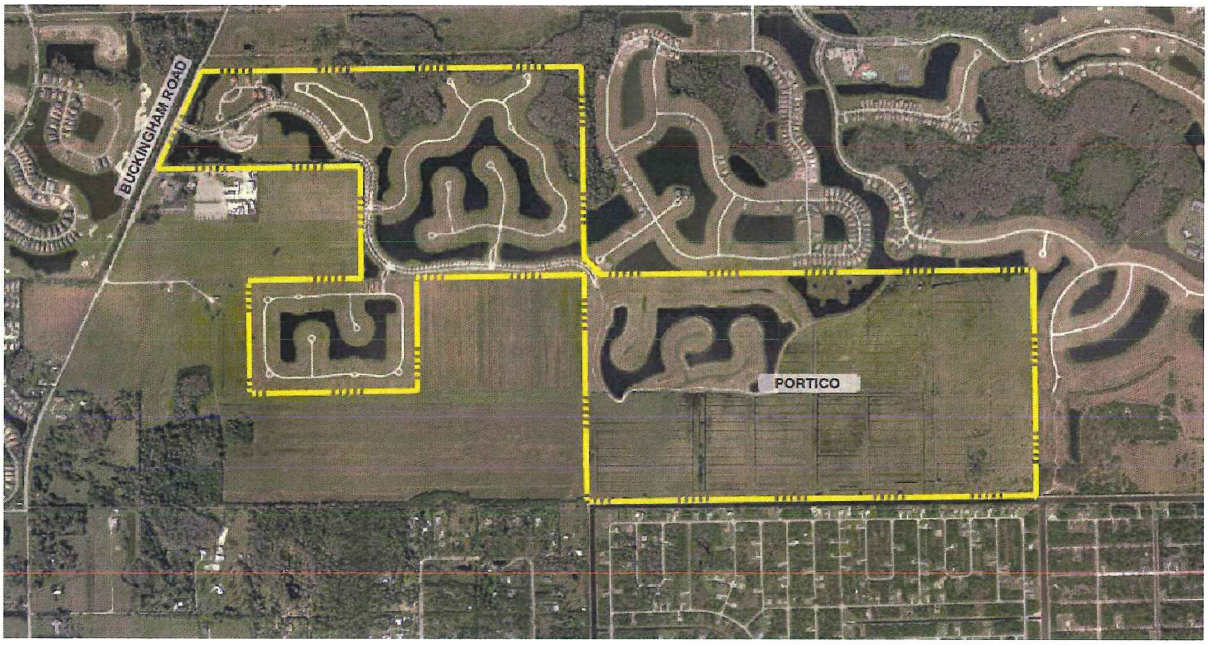


Figure 1. Project Aerial

The existing Portico RPD approved through Resolution Z-04-080 permits a maximum of 1,178 dwelling units. Development Order applications DOS2004-00352, DOS2007-00128, DOS2016-00080, have been approved for the site infrastructure, and approximately 1,122 dwelling units. The site has been cleared, graded, and public utilities and roadways have been installed pursuant to the ERP and DO, and conservation easements recorded.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Concurrent Applications

WCI Communities, LLC is seeking a companion Comprehensive Plan Amendment to shift approximately 537 acres from the Sub-Outlying Suburban FLU to the Outlying Suburban FLU category. The proposed FLUM Map amendment will establish a density that transitions from the slightly higher densities west and north in the Verandah Planned Development and platted

DCI 2018-00018

residential neighborhood of Riverdale at 6 dwelling units per acre to the approved Buckingham 345 subdivision to the south of Portico at 2 dwelling units per acre, River Hall to the east at a range of 1 to 2 dwelling units per acre and the Lehigh Acres Community at 6 dwelling units per acre.

This Planned Development Amendment is requested to the existing RPD approval to permit the additional units allocated to the property by the companion Comprehensive Plan Amendment. The requested RPD Amendment will **limit the maximum number of dwelling units to 1,600 establishing an overall density of 2.7 du/ac for the subdivision.**

Future Land Use

The ±589 acre Portico subdivision is currently within the Suburban, Wetlands and Sub-Outlying Suburban Future Land Use Categories and within the Fort Myers Shores/Caloosahatchee Shores Planning Community. The Lee County Comprehensive Plan (Lee Plan) outlines the permitted densities and intensities for each Future Land Use Category as well as additional planning requirements for development within the Planning Communities.

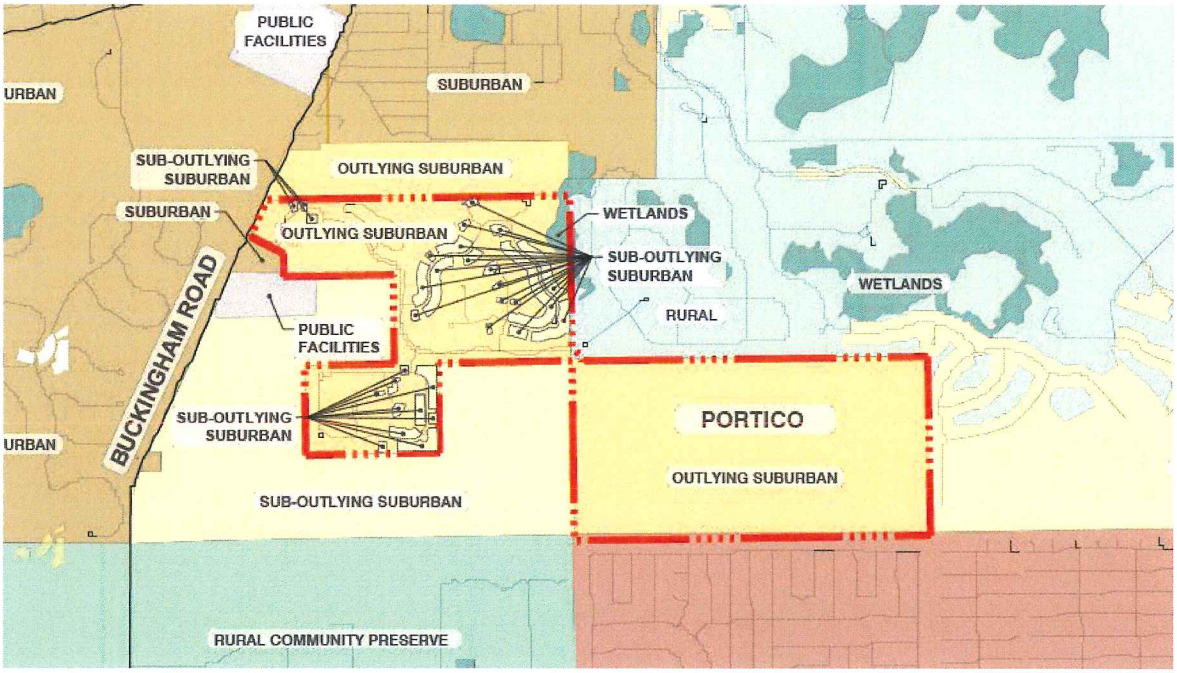


Figure 2. Proposed Future Land Use Map

Suburban

The Lee Plan defines the Suburban FLU category as an area "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." Approximately 7 acres of the existing Portico Subdivision are adjacent to Buckingham Road and the Lee County Schools property to the South. This FLU category will remain as currently depicted on the FLUM and is not part of the Comprehensive Plan Amendment.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT
DCI 2018-00018

Wetlands

The Wetlands FLU category is a small portion of the existing subdivision, approximately 5 acres is identified as wetlands at the corner of the northeast property boundary adjacent to the permitted subdivisions Hemmingway Pointe and River Hall. Lee Plan Policy 1.5.1 permits low-density residential and recreational uses within the Wetland Future Land Use Category. This FLU will remain on the subject property. The existing wetland and surrounding uplands have been and will continue to be preserved on-site by the preserve designation of the Master Concept Plan, existing Development Order DOS2004-00352, the recorded Plat Instrument #2006000411757, Environmental Resource Permit 36-05388-P and recorded Conservation Easement Instrument #2006000012052.

Outlying Suburban

Approximately 537.46 acres of the existing Portico Subdivision are proposed to be designated Outlying Suburban FLU category. The Outlying Suburban Future Land Use as described by Policy 1.1.6 "is characterized by its peripheral location in relation to established urban areas. In general, this category is rural in nature or contains existing low-density development." The Outlying Suburban FLU category will permit the existing Portico Subdivision to act as a transition providing a step down from the higher densities found in the existing Verandah Planned Development to the west and Hemingway Pointe to the North to the existing River Hall community to the East and Buckingham 345 to the south. Given the existing land uses in the immediate proximity to the existing subdivision (Verandah, River Hall, and Lehigh Acres) as well as the permitted residential communities (Hemingway Pointe and Buckingham 345) and proximity to Buckingham Road, the requested density will promote infill development for more efficient use of the land and existing available public services. Additionally, permitting additional units within an existing residential subdivision reduces development pressure on undeveloped, large acreage lands further east in Lee County.

Sub-Outlying Suburban

A small portion of the existing subdivision, 39.36 acres, will remain within the Sub-Outlying Suburban Future Land Use Category. These lands represent the platted single family lots that have been sold to individual homeowners, many of which have homes already constructed. The Sub-Outlying Suburban Future Land Use as described by Policy 1.1.11 "is characterized by low density residential areas." The Sub-Outlying Suburban FLU category will also permit the existing Portico Subdivision to act as a transition providing a step down from the higher densities found in the existing Verandah Planned Development to the west and Hemingway Pointe to the North to the existing River Hall community to the East and Buckingham 345 to the south. Due to the existing platted nature of the Portico Subdivision where the Sub-Outlying Suburban FLU is located, the difference between this category and Outlying Suburban will not be perceptible. Rather the developments tracks will work together to form a cohesive pattern of development across the two future land use categories, similar to the existing surrounding communities.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

As an existing subdivision, Portico has a series of lots owned by individual property owners. Certified letters were sent to these owners notifying them of the requested amendment applications and many chose not to join WCI Communities in the amendment applications. The Land Development Code in Section 34-201(a)(1)c. establishes that a public hearing application may be initiated by no less than 75% of the total lot or parcel owners and the homeowner's association. A Property Owner's Map is included in the application materials demonstrating the accompanying authorizations from more the 75% of the lot or parcel owners and the established HOA have joined the PD Amendment request.

Due to the individual property owners that did not want to join the Comprehensive Plan Amendment Application, there will be abutting properties within the community with two different Future Land Use Categories. However, the existing Development Orders and Recorded Plat for Phase 1 of the subdivision will ensure no visible demarcation between the two categories or physical development "on the ground" by maintaining the existing development pattern and lot size which will ensure compatibility. The Land Development Code defines compatibility in Section 34-2 as "...the state wherein those two things exhibit either a positive relationship based on fit, similarity or reciprocity of characteristics, or a neutral relationship based on a relative lack of conflict (actual or potential) or on a failure to communicate negative or harmful influences one to another." The applicant does not intend to replat the existing portion of the community therefore the existing lots and lay out of the development tracts will continue to exhibit similar characteristics and will not create a conflict consistent with the definition of compatible in the LDC.

The remaining unplatted portion of the community will have the requested density clustered within the existing approved development pattern as demonstrated by the provided Master Concept Plan. This portion of the community is only connected to the existing platted portion of the community by an approximately 140 ft linear piece of property for a roadway providing some separation from the existing developed portion. Collectively these characteristics will ensure the clustering of the requested additional units will not have a density or development pattern that enables residents to perceive of the differing development timeline from the ground and the lots and layout of the development tracts continue to exhibit similar characteristics as the existing platted portion of the development thereby demonstrating compatibility. At a maximum of 1,600 dwelling units the total 589 acre subdivision would permit a density of 2.7 units per acre.

Proposed Future Land Use

Proposed FLU	Acreage	Dwelling Units/Acre	Dwelling Units permitted
Suburban	±7.19	6 du/ac	43.14
Outlying Suburban	±537.46	3 du/ac	1,612.38
Sub-Outlying Suburban	±39.36	2 du/ac	78.72
Wetlands	±5.14	3 du/ac*	15.42
Total Acres	±589.15	**Total Dwelling Units**	1,749.66

***Consistent with Table 1(a), note 8(b) of the Lee Plan**

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

Density Calculations
The density calculations utilize the entire ±589 acre existing subdivision to determine the maximum residential density. It should be noted that the Lee Plan permits the Wetland density to be calculated at the rate of the adjacent uplands. Specifically, Policy 1.5.1 for the Wetlands FLU provides the maximum density "except as otherwise provided in Table 1(a)."

*"**POLICY 1.5.1:** Permitted land uses in Wetlands consist of very low density residential uses and recreational uses that will not adversely affect the ecological functions of wetlands. All development in Wetlands must be consistent with goal 114 of this plan. The maximum density is one dwelling unit per twenty acres (1du/20acre) except as otherwise provided in Table 1(a) and Chapter XIII of this plan."*

One must include an evaluation of Table 1(a), Note #8 of the Lee Plan, which states:
"Higher densities may be allowed under the following circumstances where wetlands are preserved on the subject site: Dwelling units may be relocated to developable contiguous uplands designated... Suburban, Sub-Outlying Suburban, from preserved freshwater wetlands at the same underlying density as permitted for those uplands. Impacted wetlands will be calculated at the standard Wetlands density of 1 dwelling units per 20 acres."

As demonstrated by the proposed Future Land Use Map above and attached to the application, the proposed Outlying Suburban FLU is immediately adjacent to the Wetlands FLU and therefore considered to be contiguous to the ±5.14 acres of Wetlands FLU category. As such the density of the Wetlands FLU is calculated at 3 dwelling units per acre consistent with Policy 1.5.1 and Table 1(a). The proposed amendments will retain the configuration of the existing Wetlands Future Land Use category and this area will remain preserved as approved in the existing Master Concept Plan attached to Z-04-080, Development Order DOS2004-00352, Recorded Plat Instrument #2006000411757, Environmental Resources Permit 36-05388-P and a recorded Conservation Easement Instrument #2006000012052.

Surrounding Land Uses

The Portico subdivision is surrounded by a mix of uses in an area of Lee County that has significant residential and commercial development as well as vacant land and preservation areas. This area of Lee County is continuing develop and is transitioning to a more urban area. The expansion of Palm Beach Boulevard at part of the State's Strategic Intermodal System along with new commercial development, more services are available to existing and future residents within close proximity to the existing and approved subdivisions of Portico, Verandah, River Hall, Hemmingway Pointe, etc.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

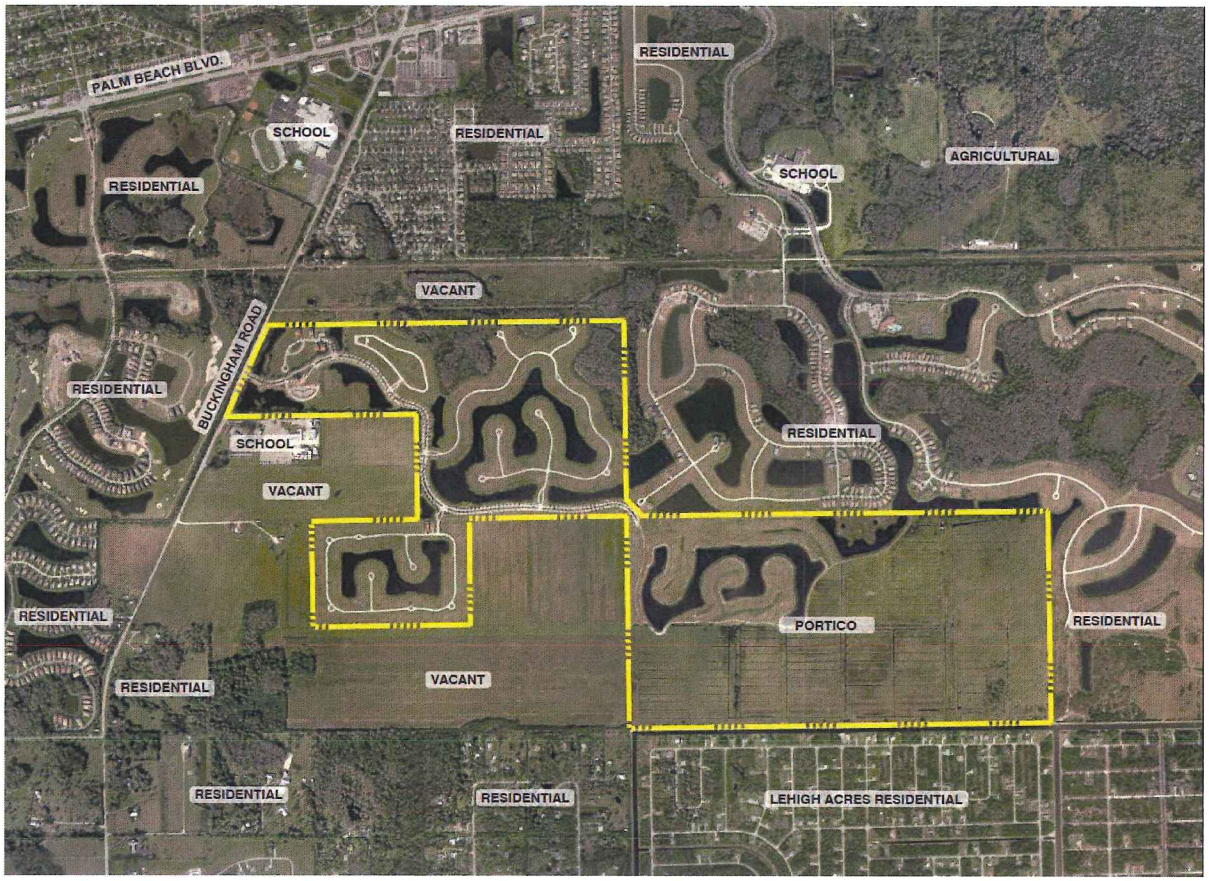


Figure 4. Surrounding Land Uses

North

The Portico Subdivision has an uneven northern boundary, the boundary starts at Buckingham Road on the west and goes approximately .85 miles to the east. The property to the north is currently undeveloped. The property to the north is the existing approved Hemingway Pointe Residential Planned Development. The Hemingway Pointe RPD was approved in January of 2007 by Resolution Z-06-085 and permits 207 dwelling units on approximately 75 acres for a density of 2.7 dwelling units per acre. This is consistent with the property's Future Land Use of Outlying Suburban FLU which permits up to 3 dwelling units to the acre.

The remainder of the northern property boundary, approximately 1 mile, is adjacent to the River Hall Subdivision which is approved by Zoning Resolution Z-15-003 for 2,695 dwelling units on approximately 1,978.5 acres for an overall density of 1.36 dwelling units per acre. In addition, River Hall has a public elementary school and is also approved for commercial retail and office space.

Continuing north along Buckingham Road from the northern boundary of Hemingway Pointe RPD are the existing residential subdivisions known as Riverdale and the Reserve at Buckingham within the Suburban Future Land Use. The single family lots within these subdivisions appear to

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

average approximately 8,000 to 10,000 square feet with a density of approximately 4 dwelling units per acre. Adjacent to the northern boundary of the Reserve at Buckingham Neighborhood is an existing commercial node at the intersection of Buckingham Road and SR 80. The commercial node includes the local library branch, and existing businesses to serve the community such as a gas station and convenience store, fast food restaurant and retail. Similar uses exist on the remaining corners of the Buckingham Road and SR 80 intersection.

The requested 1,600 dwelling units within the ±589 acre Portico Subdivision, establishes a density of 2.7 dwelling units per acre. This overall density is consistent with the existing surrounding developments and is in close proximity to the existing supporting commercial development.

It is expected that the additional units to be developed within the Portico Subdivision will be located within the areas that have not been platted to date. Adjacent to the northern property boundary closest to Buckingham Road, there is only one development tract currently unplatted. As demonstrated by the proposed Master Concept Plan, this area is identified for townhouse units and the Hemingway Pointe Development per Z-06-085 which is approved for 207 Multi-Family and Townhome Dwelling Units. The townhomes proposed for this area of the Portico Subdivision are consistent with the existing approved adjacent development in Hemingway Pointe.

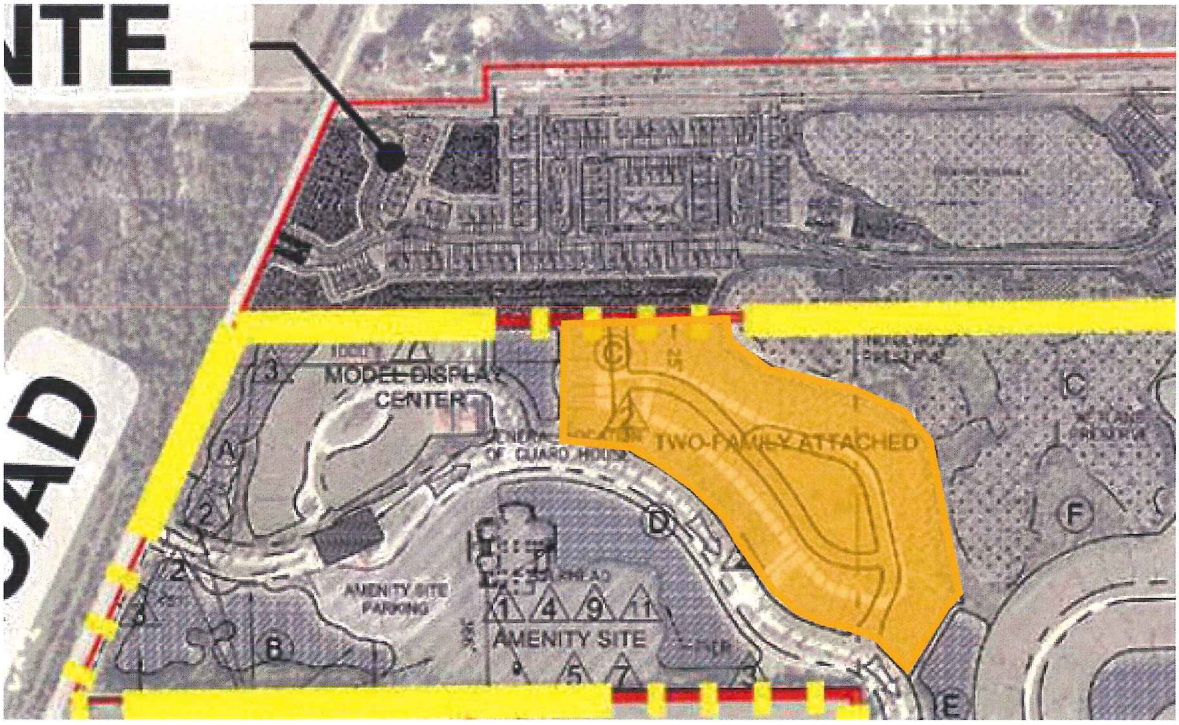


Figure 5. Hemmingway Pointe and Portico Townhouse Tract

The remaining unplatted portion of the Portico Community, is the easternmost development tract immediately south of the River Hall Community. As demonstrated by the proposed Master

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Concept Plan, this area of the Portico Community is proposed for single family and two family attached units. The portion of the River Hall Community immediately adjacent to this Portico boundary is known as Cascades Ph 2 and Hampton Lakes Ph 1 and is platted for single family units. The majority of lots sharing the Northeastern property boundary have lot dimensions of 45 feet by 120 however, Z-15-003 memorialized ADD2006-00173 allowing 11 lots to be 45 feet by 110 feet. 6 of these lots are directly adjacent to the Portico boundary. The Cascades at River Hall Phase II Plat demonstrates the lots immediately adjacent to the Portico Boundary range from approximately 6,764 SF to 7,273 SF. Due to the platted lot size, this area of River Hall has approximately 6 dwelling units per acre. The Hampton Lakes Phase I Plat demonstrates water management lakes located immediately adjacent to the Portico Boundary. However, north of these lakes are platted single family lots permitting approximately 4 dwelling units to the acre. The proposed single family and two family attached units proposed within Portico in this area are consistent with the existing approved single family lots within River Hall.

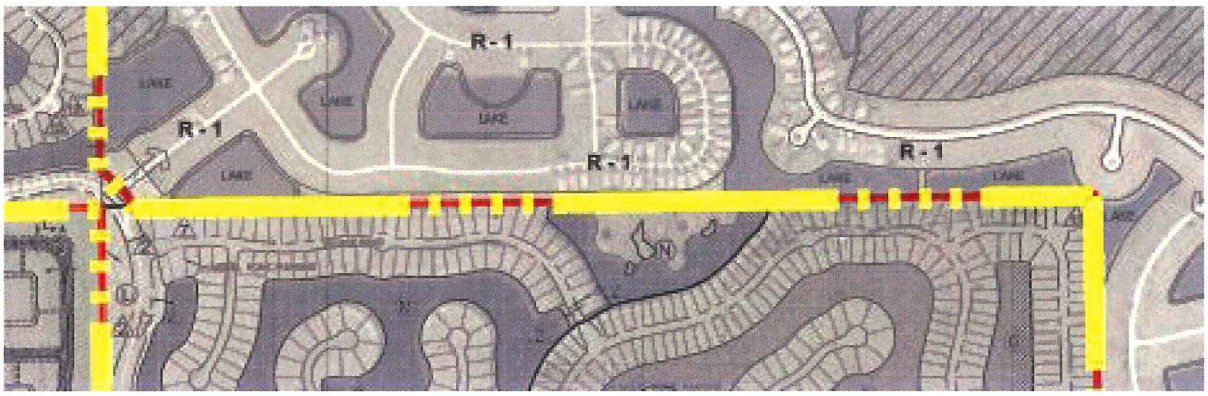


Figure 6. River Hall Communities Along Northern Portico Boundary

East

Due to the step back in the northern property boundary, the entire eastern property boundary of the existing Portico subdivision is immediately adjacent to the River Hall Community. As previously mentioned, River Hall was approved by Resolution Z-15-003 for 2,695 dwelling units. River Hall includes commercial uses and an operational elementary school along with existing utility and roadway infrastructure constructed and all conservation easements have been recorded.

The portion of River Hall immediately adjacent to the eastern property boundary of the Portico Community is Cascades PH 2 and Hampton Lakes PH 1. Cascades PH 2 is located along the northeastern property boundary and is completely platted, and the infrastructure is in place, single family homes are currently being constructed on the platted lots. A majority of the lots immediately adjacent to the Portico Eastern Boundary have not been developed; however, the platted lots range in size from approximately 6,764 SF to 7,273 SF permitting approximately 6 dwelling units per acre.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT



Figure 7. River Hall Community Along Eastern Portico Boundary

The unplatted eastern portion of the Portico Community at 2.7 dwelling units per acre will provide a transition from the existing Suburban developments to the north and west across the subject property to the River Hall Community. Additionally, the development pattern of River Hall is a similar clustered pattern to the Portico Subdivision and an emergency access between the two subdivisions is already constructed along the eastern property boundary. The Portico Master Concept Plan demonstrates the development footprint of the Portico Community is not subject to change and is consistent with the clustered, meandering pattern of River Hall.

South

As with the north boundary, the southern property boundary is uneven. Beginning at Buckingham Road for approximately .25 miles to the east is property owned by the Lee County School District. The front quarter of the School District property adjacent to Buckingham Road is the Lee County Buckingham Exceptional Student Center which is a special needs school from grade Pre-K to 12th grade. The remaining 3/4th of the property is utilized by the School District for outdoor storage which is used for storing its bus fleet. This portion of the Portico Community is mostly developed and does not include residential units. The existing constructed infrastructure demonstrates a landscaped berm between the properties as well as stormwater management infrastructure providing adequate separation and buffering to the existing school facility.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

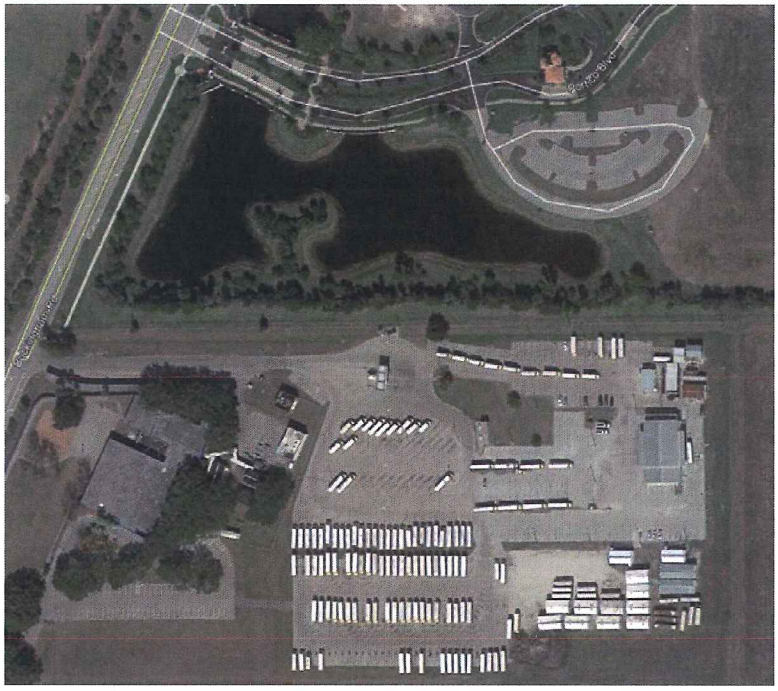




Figure 8. Existing Landscaped Berm on Portico Southern Boundary

Continuing east approximately .75 miles the uneven southern border of Portico is surrounded by the Buckingham 345 Residential Planned Development. The property is currently vacant; however, it does appear to have some minor storage buildings which may support agricultural activities. The existing RPD approval established a maximum of 690 residential units for the approximate 345 acres of the subdivision for a density of 2 dwelling unit per acre. This is consistent with the Sub-Outlying Suburban future land use of the property. The Master Concept Plan approved by Z-05-074 establishes a clustered development pattern which is similar to several of the approved communities in the area with lot dimensions of 50 feet by 105 feet. Portico is proposing lot dimensions of 50 feet by 110 feet. The Buckingham 345 property is designed similarly to Portico in that the units per acre and lot dimensions are almost identical in size and consistent with the surrounding communities.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

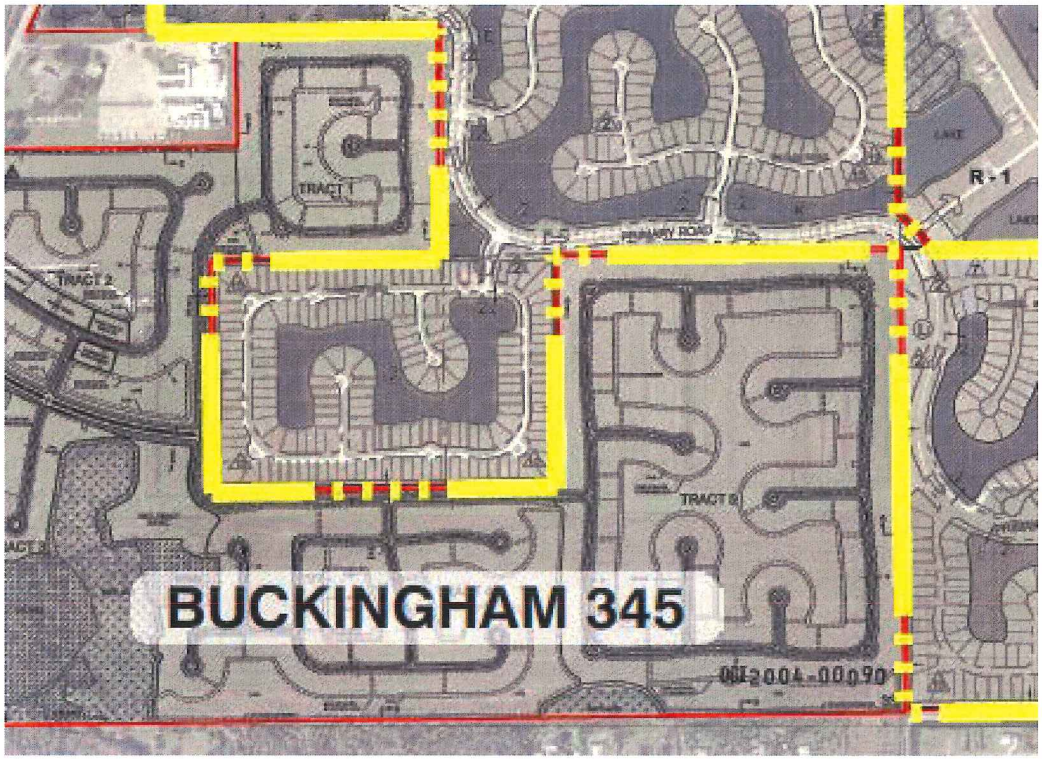


Figure 9. Buckingham 345 Community Along Southern Portico Boundary

The remainder of the southern boundary of Portico is adjacent to the platted community of Lehigh Acres. Lehigh Acres is an old platted subdivision with more than 500 acres of single family lots with areas of multi-family residential uses. The portion of Lehigh Acres abutting Portico is classified as Urban Community Future Land Use and is platted at a density of approximately 4 units per acre. The lots are in a typical rectangular configuration within most lot areas at .25 acres and are separated from the Portico Boundary by a 40 foot canal. The proposed single family and two family attached units are compatible with the existing and future single family homes within this area of Lehigh Acres.

West

Immediately west of the Portico subdivision is the existing Buckingham Road, an arterial roadway serving the communities of Buckingham and Lehigh Acres. Further west of Buckingham Road is the Verandah a ±1,455 acre Mixed Use Planned Development, approved for 1,700 dwelling units, 36 holes of golf with accessory and recreational uses and a maximum of 230,000 square feet of commercial uses. The residential density and commercial intensity is consistent with the community's Suburban Future Land Use Category and is almost at build out. Much of the development is setback from Buckingham Road due to the Golf Course design. However, the lots within the vicinity of Portico are developed with single family units at approximately 8,500 square feet or approximately 5 units to the acre. Similar to the Portico subdivision, the Verandah was

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

developed with a clustered development pattern of single family units incorporating open spaces and water management areas.

Surrounding Uses Conclusion

As demonstrated by Figure 9 below and attached to the application materials, the development pattern of the Portico Community is similar to the existing and approved adjacent residential subdivisions. Each of the existing and approved subdivisions all utilize a clustered development pattern surrounding preservation area, open space and stormwater management lakes. Additionally, the types of residential dwelling units and lot sizes are similar. The proposed amendment for the Portico Community maintains the property development regulations for single family residential ensuring compatibility with the existing and approved surrounding subdivisions is maintained. Under a single condition, a smaller lot is proposed to accommodate the changes to the land development code which require lake maintenance easements to be located off of single family lots. Despite the reduction in lot area, the net effect of open area will be the same.

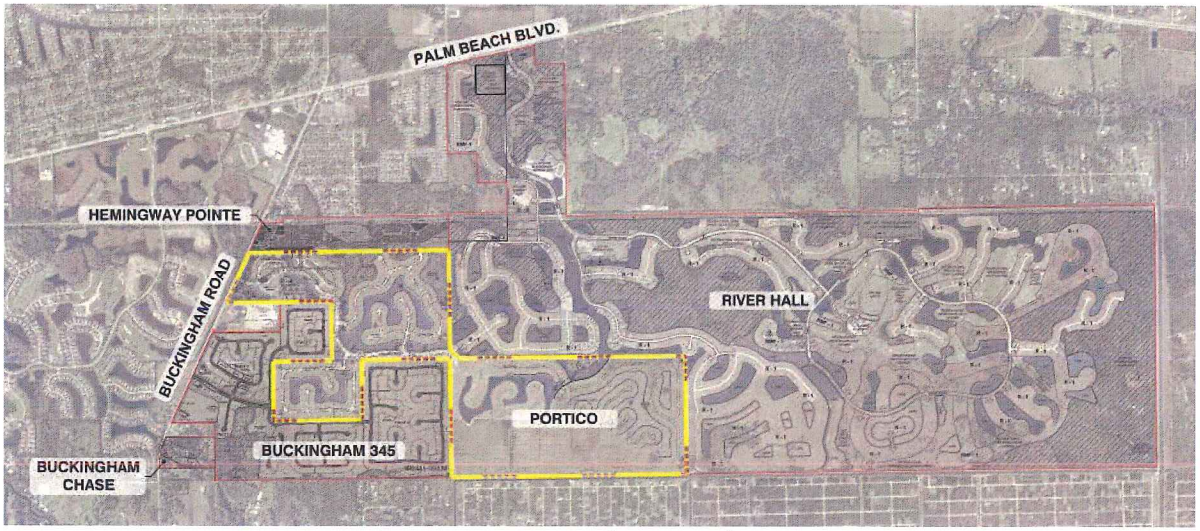


Figure 10. Surrounding Development

The requested Planned Development Amendment promotes infill development through the efficient utilization of existing infrastructure and available land by locating additional dwelling units within an already developed area that has urban services. Portico is within close proximity to existing clustered commercial nodes and Lee County Schools. The infrastructure necessary to support the additional dwelling units is in place.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Surrounding Land Uses			
	FLU Designation	**Use**	**Notes**
North	Suburban, Outlying Suburban, Sub-Outlying Suburban, and Rural	Vacant and Residential Development	Riverdale, The Reserve at Buckingham, Hemingway Pointe RPD, and River Hall RPD
South	Public Facilities, Sub-Outlying Suburban, and Urban Community	School, Vacant and Residential Development	Buckingham Exceptional Student Center, Buckingham 345 RPD and Lehigh Acres Community
East	Sub-Outlying Suburban and Rural	Residential Development	River Hall RPD
West	Suburban	County Maintained Arterial Road, Residential Development	Buckingham Road & Verandah RPD

Table 2. Surrounding Land Uses

Urban Services & Accessibility

Infrastructure

The subject property is located in an area of the County that has been designated for urban services. All urban services are located adjacent to the subject property and are available to serve the property. A Letter of Availability from Lee County Utilities and the City of Fort Myers are provided as required demonstrating available capacity to service the proposed units.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT



Utilities

The subject property is partially within the service area for Lee County Utilities as depicted on Maps 6 and 7 of the Lee Plan. Potable water and sewer infrastructure is available adjacent to the Portico subdivision. Lee County Utilities has adequate capacity at the Olga Treatment Plant to provide water service to the additional dwelling units. The City of Fort Myers Central Advance Waste Water Treatment Facility will provide wastewater service. A Letter of Availability has been received from Lee County Utilities and the City of Fort Myers are included in the application materials to demonstrate that adequate capacity is available to serve the additional units proposed.

Public Safety

The subject property is well within the service limits for Emergency Medical Services, Fire and Police services. Lee County Emergency Medical Services are the primary EMS transport for the subject property. The subject property is served by the Fort Myers Shores Fire District and would is served from Station 81 located at 12345 Palm Beach Boulevard. Portico is located wholly within the service area for the Lee County Sheriff. The Central District Station and LCSO Headquarters located at 14750 Six Mile Cypress Parkway is responsible for providing service to the subject property. The Aviation and Gun Range are proximate to Portico, located at 6570 Felix Romano Drive as is the East District Station located at 1301 Homestead Road in Lehigh Acres. Letters of availability have also been obtained from Lee County EMS and the Fort Myers Shores Fire District.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Schools

The subject property is within the Lee County School District East Zone, E2. A Letter of Availability from the Lee County School District submits that the proposed development will generate 172 school-age children. The East Zone is currently experiencing a deficiency in seating for middle and high schools with and without the project. However, there is capacity within the entire school district to accommodate the additional children. Additionally, it is important to note a High School is currently under construction in Bonita Springs within the South Zone and is expected to open for the 2018 school year. The opening of this high school will create capacity within the other high schools in the East Zone for additional students. Lee County Schools has also acquired a school site in Gateway, within the East Zone, for a future high school, which is expected to be constructed and open before 2020, well within the time horizon of the Lee Plan.

Solid Waste

The property is within the Lee County Solid Waste Franchise area and is served through Lee County's franchised hauling contractor. Disposal of waste generated from the subject property will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Service is available to the subject property and plans have been established that target growth and long term disposal capacity for this particular area.

Proposed Development

The requested Planned Development Amendment to the existing Portico RPD seeks to establish 1,600 dwelling units based on the increased density available should the Comprehensive Plan Amendment be approved. However, portions of the Community are already developed and these conditions need to be memorialized through the Planned Development Amendment Application.

Development Orders

The Portico community was originally approved for development under DOS2004-00352. The Original DO Phase I permitted the development footprint of the western portion of the property and all the existing streets and lakes. The Development Order was approved for a 380 lot subdivision and infrastructure, the amenity area infrastructure and the guardhouse. DOS2004-00352 has since been partially developed and closed as of 10/27/16.

DOS2006-00231 permitted the construction of 110 townhouse residential units in 23 buildings with a street, landscaping, utilities, stormwater drainage facilities, a mail kiosk, and minor related site improvements. This development order expired on 2/7/15 and only the street was constructed.

DOS2007-00128 is still active and expires October 24, 2020. This Development Order establishes Phase II & III, eastern portions of the property, for the construction of infrastructure for a 678 lot single-family subdivision, to include; a street, utilities, landscaping, a 1.74 acre park, model homes with temporary parking lots, stormwater management facilities, and related site improvements. A review of the DO Plans, particularly the Typical Drainage Sections on Sheets 51, 52, 53 demonstrate that the existing stormwater management lakes and the proposed in this

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

area of the development are permitted with a 4 to 1 bank slope. Since the time of the approval of this DO, Ordinance 14-13 was approved on June 17, 2014 requiring an increased lake bank slope of 6 to 1. A deviation is to memorialize the existing constructed conditions and a separate deviation is requested to permit the same 4:1 slope to occur on the unconstructed lakes in the Community.

DOS2016-00080 is still active and expires on 11/16/2027. This Development Order establishes Phase IV for the two-family tract in the northwest portion of the property. The Development Order is approved for the construction of infrastructure to support 64 two-family attached dwelling units.

Record Plat

A large portion of the Portico Community is platted consistent under Instrument #2006000411756 Portico Phase I. At this time, it is not the applicant's intention to replat these areas but rather continue to sell lots for residential development. A review of the record plat demonstrates the lots immediately adjacent to the existing constructed stormwater management lakes have a lake maintenance easement located within the platted single family lot. Since the recording of the Record Plat the Land Development Code has been amended to prohibit lake maintenance easements from being located within residential lots. Therefore, a deviation is requested from this requirement for the existing platted lots to memorialize the existing conditions of the Community.

Additionally, the record plat demonstrates a majority of the internal roadway network has been established consistent with the cross sections established by Z-04-080. In 2017, an amendment to the Land Development Code was adopted establishing roadway cross sections by Future Land Use Category. The existing roadway cross sections include many of the elements desired by recent adopted Land Development Code Section 10-296(e)(2)(5) however flexibility is needed to maintain the previously approved cross sections. As a result, a deviation is requested from 10-296(e)(2)(5) to memorialize the existing constructed roadways and permit this design to continue within the unplatted portions of the Community.

Conservation Easements

As part of the existing Development Orders, Record Plat and Environmental Resources Permit a conservation easement was recorded 12 years for two areas within the Portico Community and is maintained by the Community Development District. The first area is immediately adjacent to the northern and eastern property boundary shared with River Hall. A review of DOS2004-00352 demonstrates on Sheet 8 this easement includes Wetlands as well as Uplands. DOS2004-00352 has been built and closed out and therefore designates the open space of the preserved Wetlands. The preserved nature of this area is appropriately classified as indigenous vegetation per LDC Section 10-415(b)(1)(c) and requires a 30 foot setback from indigenous uplands. The existing platted tract immediately adjacent to the recorded conservation easement and the approved property development regulations of Z-04-080 do not meet this setback. Therefore, a

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

deviation is requested from this requirement of the Land Development Code to memorialize the existing conditions of the Community.

Amended Zoning Conditions

Due to the unique circumstance of the community in which development has occurred and then ceased, a number of amendments are proposed to the Zoning Conditions. These amendments are proposed to reflect the changing conditions of the subject property and surrounding properties, address the existing developed conditions, and improve clarity. A separate document has been prepared in strikethrough and underlined format of the existing zoning conditions to demonstrate with additional detail the amendments requested.

Conclusions and Findings

To recommend approval of the requested Residential Planned Development Amendment, the Hearing examiner must find:

1. *The Request Complies with the Lee Plan*
   A separate narrative is attached to the application materials demonstrating the request's consistency and compliance with the Lee Plan as codified in April 2018.

2. *Meets this Code and other applicable County regulations or qualifies for deviations*
   A series of deviations were approved via Z-04-080 and are requested to be carried forward into this Planned Development Amendment request. Additional deviations are requested to address the existing conditions of the Portico Community and promote a consistent and compatible development pattern between the platted and unplatted portions of the community as well as with the adjacent existing and approved residential subdivisions. If a deviation is not requested, the applicant intends to abide by the regulations of the land development code.

3. *Is compatible with existing and planned uses in the surrounding area*
   The existing development pattern of the existing Portico Community is being maintained as demonstrated by the provided Master Concept Plan. The layout of the internal roadways and lots clusters the residential development around preserve areas, open spaces and stormwater management lakes in a similar pattern to the existing and approved residential subdivisions that surrounding the existing Portico Community. By exhibiting similar characteristics to the surrounding developments, Portico is considered to be compatible as that term is defined by LDC Section 34-2.

4. *Will provide access sufficient to support the proposed development intensity and*
   Access to the Portico Community is already approved, right of way has been donated toward future improvement of Buckingham Road and turn lanes have been constructed into the entry of the community. Additionally, one of the required emergency access gates has been constructed as required by Z-04-080. A second emergency access gate is required and will be constructed.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

5. *The expected impacts on existing or planned transportation facilities will be mitigated through existing County regulations or conditions of approval;*
   Access to the Portico Community is already approved, right of way has been donated toward future improvement of Buckingham Road and turn lanes have been constructed into the entry of the community. Additionally, one of the required emergency access gates has been constructed as required by Z-04-080. A second emergency access gate is required and will be constructed.

   The Traffic Impact Statement prepared by David Plummer and Associates concludes that all county-maintained road segments are not adversely impacted by the proposed additional residential units. Additional the proposed unit does not trigger additional improvement, the improvements identified are already needed due to future traffic conditions with and without the project.

6. *Will not adversely affect environmentally critical or sensitive areas and natural resources; and*
   As an existing subdivision, the Portico Community will maintain the preserve area implemented by the existing development orders, recorded plat, environmental resource permit and recorded conservation easement. These areas continue to be demonstrated on the Master Concept Plan included in the application materials for review.

7. *Will be served by urban services, defined in the Lee Plan, if located in a Future Urban area category.*
   The Portico Community is located in area of Lee County with a full slate of urban services. A discussion of the urban services is provided in this narrative above and Letters of Availability were provided for the companion Comprehensive Plan Amendment.

Additionally, the Hearing Examiner must also find:

a) *The proposed use or mix of uses is appropriate at the proposed location;*
   The uses included in the requested Schedule of Uses is the same as approved by Z-04-080. The uses have been restructured to demonstrate more appropriately which uses are expected to be located within the residential development tracts vs the residential amenity areas.

b) *The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.*
   The applicant has included a strikethrough underline version of the existing conditions from Z-04-080 which includes a brief discussion of any revisions proposed. Most the requested revisions seek to promote clarity and/or eliminate conditions that have been satisfied by the existing development orders, environmental resource permit, recorded plat and conservation easement.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

c) *If the application includes deviations pursuant to section 34-373(a)(9), that each requested deviation:*

1) Enhances the achievement of the objectives of the planned development; and

The applicant requests the existing deviations from Z-04-080 be carried forward into this amendment. Clarification is requested related to one of the exiting deviations. Additional deviations are requested to memorialize changes in the development regulations that have occurred since the time of the original approval of the subdivision and today. These deviations will promote a consistent development pattern throughout the community, which is also similar to the development patterns of the surrounding constructed and approved subdivisions. Collectively these deviations will enable the achievement of the original planned development approval objectives.

2) Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.

The existing deviations were found to preserve and promote the general intent of the code to protect the public health, safety and welfare. The newly requested deviations include a detailed justification demonstrating no impact to the public health, safety and welfare. A copy of the deviations with detailed justifications is attached to the application materials for review.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

MORRIS DEPEW
ENGINEERS · PLANNERS · SURVEYORS
LANDSCAPE ARCHITECTS

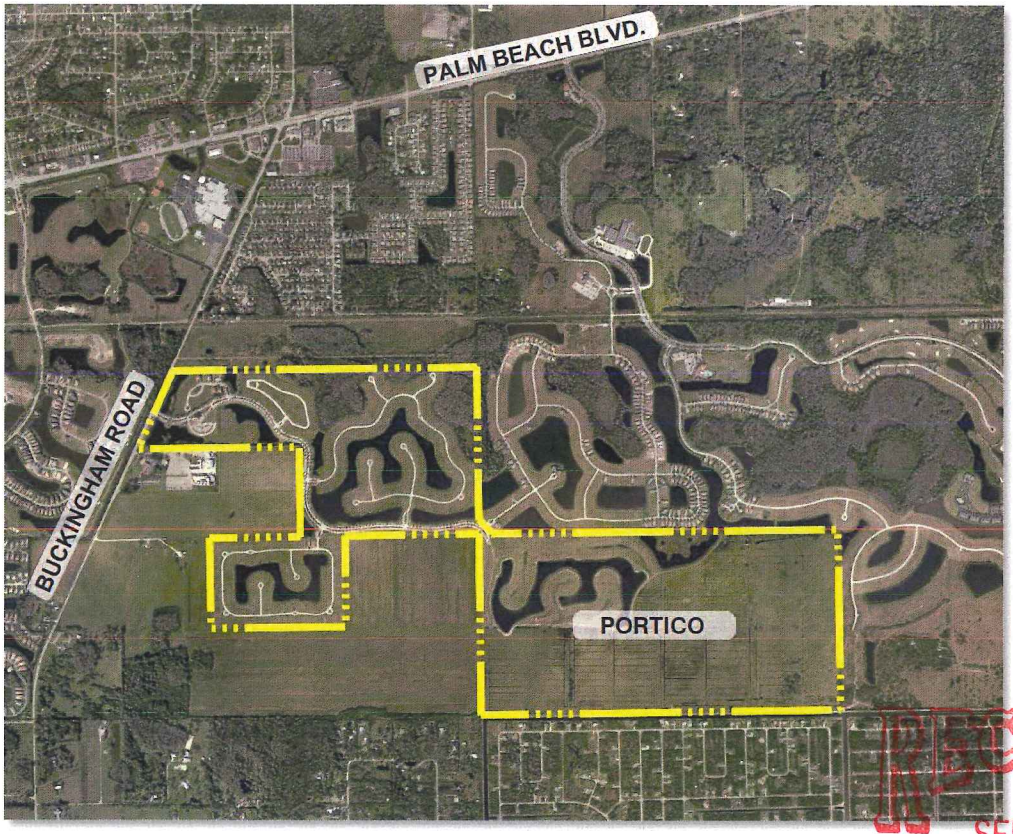
2891 Center Pointe Drive Unit 100 | Fort Myers, Florida 33916
Phone (239) 337-3993 | Toll Free (866) 337-7341
www.morris-depew.com

Portico

Residential Plan Development Amendment

Lee Plan Consistency

The property subject to this application request is the existing Portico Subdivision, an approximately ±589 acre community located on Buckingham Road in eastern Lee County in the Fort Myers Shores Planning Community. The property is currently designated Wetlands, Suburban and Sub-Outlying Suburban, is zoned Residential Planned Development and Development Orders have been approved for the entire community. Additionally, portions of the development have been platted. An Environmental Resources Permit (ERP) has been approved, ERP 36-05388-P, and Conservation Easements have been recorded consistent with the ERP.



RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Figure 1. Location of Subject Property

The existing Portico RPD approved through Resolution Z-04-080 permits a maximum of 1,178 dwelling units. Development Order applications, DOS2004-00352, DOS2007-00128, and DOS2016-00080, have been approved for the site infrastructure and approximately 1,122 dwelling units. The site has been cleared, graded and public utilities and roadways have been

DCI 2018-00018

installed pursuant to the ERP and DO approvals and conservation easements recorded. WCI Communities, LLC is seeking a Planned Development Amendment Application to permit the addition of approximately 537 dwelling units. A concurrent Comprehensive Plan Map Amendment (CPA2018-00004) to reallocate 537.46 acres from the Sub-Outlying Suburban FLU category to the Outlying Suburban Future Land Use. The proposed FLUM Map amendment will establish a density that transitions from the slightly higher densities west in the Verandah Planned Development and north in the platted residential neighborhood of Riverdale each of which are in the Suburban FLU at 6 dwelling units per acre to the approved Buckingham 345 subdivision to the south in the Sub-Outlying Suburban FLU at 2 dwelling units per acre, River Hall to the east at a range of 1 to 2 dwelling units per acre and the Lehigh Acres Community in the Urban Community FLU at 6 dwelling units per acre.

Future Land Use

The ±589 acre Portico subdivision is currently within the Suburban, Wetlands and Sub-Outlying Suburban Future Land Use Categories and within the Fort Myers Shores/Caloosahatchee Shores Planning Community. The Lee County Comprehensive Plan (Lee Plan) outlines the permitted densities and intensities for each Future Land Use Category as well as additional planning requirements for development within the Planning Communities.

The companion Comprehensive Plan Amendment would reallocate approximately 537 acres of the existing Sub-Outlying Suburban FLU to Outlying Suburban. Given the existing land uses in the immediate proximity; built subdivisions (Verandah, River Hall, and Lehigh Acres) as well as the permitted but undeveloped residential communities (Hemmingway Pointe and Buckingham 345) as well as the proximity to Buckingham Road, the additional density permitted by the requested amendment will be consistent with the surrounding communities and provide an infill location for the additional units to promote more efficient use of the land and existing infrastructure.

Suburban

The Lee Plan defines the Suburban FLU category as an area "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." Approximately 7 acres of the existing Portico Subdivision are adjacent to Buckingham Road and the Lee County Schools property to the South. This FLU category will remain as currently depicted on the FLUM.

Wetlands

The Wetlands FLU category is a small portion of the existing subdivision; approximately 5 acres are identified as wetlands at the corner of the northeast property boundary adjacent to the permitted subdivisions Hemmingway Pointe and River Hall. Lee Plan Policy 1.5.1 permits low-density residential and recreational uses within the Wetland Future Land Use Category. This FLU will remain on the subject property.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Outlying Suburban
The Outlying Suburban Future Land Use is described by Policy 1.1.6:

> *"...characterized by its peripheral location in relation to established urban areas. In general, this category is rural in nature or contains existing low-density development. Some of the requisite infrastructure needed for higher density development is planned or in place. Industrial land use are not permitted. The standard density range is from one dwelling unit per acre (1du/acre) to three dwelling units per acre (3 du/acre). Bonus densities are not allowed."*

The Portico development is surrounded by a mix of uses in an area of Lee County that has significant residential and commercial development as well as vacant land and some preservation. This area exhibits many of the qualities described by Policy 1.1.16.

Sub-Outlying Suburban
The Sub-Outlying Suburban Future Land Use is described in Lee Plan Policy 1.1.11:

> *"...characterized by low density residential areas. Generally, the infrastructure needed for high density development is not planned or in place. This future land use category will be placed in areas where higher densities would be incompatible or where there is a desire to retain a low-density community character. Industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1du/acre) to two dwelling units per acre (2du/acre). Bonus densities are not allowed.*

The Portico development is surrounded by a mix of uses in an area of Lee County that has significant residential and commercial development as well as vacant land and some preservation. A full slate of urban services is available to serve the existing units within the community as well as the requested additional dwelling units. The existing surrounding area as well as the existing Portico community exhibits many of the qualities described by Policy 1.1.6. and 1.1.11.

As an existing subdivision, Portico has a series of lots owned by individual property owners. Certified letters were sent to these owners notifying them of the requested amendment applications and many chose not to join WCI Communities in the amendment applications. As a result, there will be abutting properties within the community with two different Future Land Use Categories. However, the existing Development Orders and Recorded Plat will ensure no visible demarcation between the two categories "on the ground" by maintaining the existing development pattern and lot size which will ensure compatibility between the two categories.

The remaining unplatted portion of the community will have the requested density clustered within the existing approved development pattern as demonstrated by the provided Master Concept Plan. This portion of the community is only connected to the existing platted portion of

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

the community by an approximately 140 ft linear piece of property for a roadway providing some separation from the existing developed portion. Collectively these characteristics will ensure the clustering of the requested additional units will not have a density or development pattern that enables residents to perceive of the differing development timeline from the ground. At a maximum of 1,600 dwelling units the total 589 acre subdivision would permit a density of 2.7 units per acre.

Transportation
Buckingham Road is the only north/south arterial roadway intersecting with SR 80 east of Interstate 75. The entry to Portico is just under a mile south of the intersection of SR 80/Palm Beach Boulevard and Buckingham Road. This intersection supports commercial uses and public facilities at the periphery of urban development. As a roadway within the Strategic Intermodal System, SR 80 is considered a priority roadway for mobility of goods, services, and residents. Therefore, development along this roadway is expected to occur in support of a statewide economic vision as well as local municipal long-range planning efforts. Additionally, interconnecting roadways are expected to support the further distribution of goods, services, and residents.

Development
A number of the existing surrounding communities are within areas defined by the Lee Plan as "Future Urban Areas and Future Suburban Areas." Immediately to the south of Portico development, is the platted community of Lehigh Acres. Within the Urban Community Future Land Use and having a density of approximately, 4 dwelling units per acre, Lehigh Acres has been defined as a "Future Urban Area" by the Lee Plan. To the west and north are existing communities within the Suburban FLU which is defined as a "Future Suburban Area" by the Lee Plan.

Public Infrastructure for all Urban Services is available to service the existing communities, including the approved Portico Development. A separate Public Facilities Analysis has been completed and demonstrates urban services will also be available to service the requested additional units.

The existing and proposed development within the Portico development is consistent with the Outlying Suburban Future Land Use Category and will continue to provide lower density development between existing urban areas that have adequate public infrastructure in Lee County.

Growth Management
Goal 2 of the Lee Plan establishes land use policy to support projects that propose an economically feasible plan for development. Specifically, the objectives and policies supporting this goal encourage contiguous and compact growth patterns in located where adequate public facilities exist.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

The Portico development is an existing residential subdivision with access to all urban services. The approved Planned Development establishes a clustered development pattern to promote the preservation of natural resources and adequate open space. The proposed Plan Development Amendment will maintain the existing compact growth pattern and will enable additional units to be located with an existing subdivision that is contiguous to other existing or planned residential subdivisions as desired by Objective 2.1.

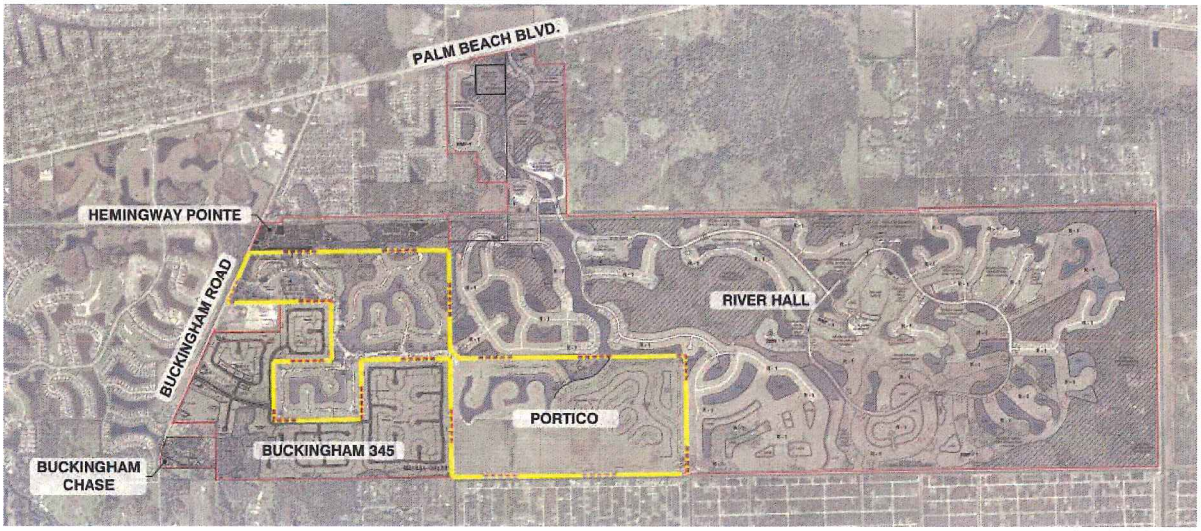


Figure 2. Existing and Planned Residential Developments

A separate Public Facilities analysis has been prepared for the companion Comprehensive Plan Amendment and demonstrates urban services are available to service the existing planned development and have adequate capacity to serve the additional dwelling units within the 2030 time horizon of the Lee Plan. The available urban services and capacity to serve the additional units demonstrates consistent with Objective 2.2 and Policy 2.2.1, which seek to ensure the requested development will be located in area with adequate public infrastructure.

General Development Standards

Goal 4 of the Lee Plan establishes land development regulations will be developed that balance service availability and protection of natural resources. Water, sewer and environmental standards are specifically outlined in the standards supporting Objective 4.1.

Water

Portico is within the service area for Lee County Utilities as demonstrated on Lee Plan Map 6. Consistent with this standard and Policies 53.1.2 and 95.1.3, there is adequate capacity at the Olga Water Treatment Facility to service the existing residential units as well as the proposed 537 dwelling units. A Letter of Availability from Lee County Utilities is included in the supporting materials to the application.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Sewer
Portico is within an area of the County in which an interlocal agreement has been implemented with the City of Fort Myers for waste water treatment. According to the Lee County 2017 Concurrency Report there is adequate capacity to service the existing dwelling units as well as the proposed dwelling units consistent with this standard and Policies 56.1.2 and 95.1.3. The applicant has received a Letter of Availability from the City of Fort Myers demonstrating capacity for the additional dwelling units.

Environmental Factors
Due to the existing developed nature of the Portico Subdivision, an Environmental Resources Permit, 36-05388-P has been approved and a conservation easement has been recorded consistent with the ERP. The Planned Development Amendment will demonstrate no changes are proposed to the existing preserved areas. Therefore, a waiver was requested from Lee County Planning Staff for the required environmental assessment.

Residential Land Uses
Goal 5 provides for sufficient land to be provided in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County. Portico is located within a "Future Suburban Area" which are areas of the county that are expected to grow within the 2030 time horizon of the Lee Plan. The policy statements of Objective 5.1 and its supporting Policies establish the required consistency with the various elements of the Lee Plan and evaluation criteria for residential developments most appropriately implemented at the time of zoning.

As an existing Residential Planned Development with approved Development Orders and an ERP, many of these criteria are already deemed to be met. The proposed Planned Development Amendment will continue to demonstrate consistency with these criteria. The submittal of the amendment application will ensure the proposed development is consistent with policy 5.1.1. The Portico development is not in a location of flood, storm or hurricane hazards, airport noise or unstable geologic conditions therefore the requested additional dwelling units will not be endangered consistent with policy 5.1.2. The requested density is appropriately considered low-density; however, it is within less than a mile of existing commercial development, schools and existing mass transit consistent with policy 5.1.3. Utilizing the existing pattern of development as approved by Z-04-080, will ensure appropriate open space, buffering, landscaping and amenities are provided consistent with 5.1.6 and 5.1.7.

Portico is an infill project surrounded by approved housing developments and is in close proximity to urban services. Until Coastal High Hazard Area policies are reevaluated to address the increase in population, it is important to note that the proposed project does not request that density increase occur within the CHHA, thus an increase to the approved number of units at this location is an appropriate request and complies with Policy 14.3.3.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Finally, as previously discussed, the Portico development is located in an area that is surrounded by existing residential development. The additional dwelling units will be located within the existing approved development footprint of the Master Concept Plan associated with Z-04-080. Therefore, the additional uses will not encroach beyond the existing approved location for development and will not be destructive to the character and integrity of the residential environment consistent with policy 5.1.5.

Caloosahatchee Shores Community Plan

The Portico development is identified on Lee Plan Map 16 as being within the Fort Myers Shores Planning Community. Goal 21 and Lee Plan Map 1 page 2 of 8 further specifies this area of the County as the Caloosahatchee Shores Community Planning Area. The Lee Plan describes Caloosahatchee Shores as having a more rural character than the other areas within Fort Myers Shores but that it is anticipated to "grow substantially over the life of this plan. This area also has a mixture of future land use designations." Consistent with Lee Plan Map 1 page 2 of 8, the following analysis demonstrates consistency of the requested amendment for the Portico development with the Caloosahatchee Shores Community Plan.

The stated goal of the Caloosahatchee Shores Community Plan is "to protect the existing character, natural resources and quality of life in Caloosahatchee Shores, while promoting new development, redevelopment and maintaining a more rural identify for the neighborhoods east of I-75 by establishing minimum aesthetic requirements, planning the location and intensity of future commercial and residential uses and providing incentives for redevelopment, mixed use development and pedestrian safe environments." This goal is supported by Objective 21.1 and 21.3 which establish residential uses need to maintain the existing rural character of Caloosahatchee Shores. The requested amendment for the Portico development will reinforce this goal by enabling additional dwelling units to support population growth in a location that is already identified for development. No additional impacts will occur to lands identified as low density or contributing to the rural identity of the planning community. Additionally, while the stated goal is to maintain "a more rural identify for the neighborhoods east of I-75" many of these neighborhoods are within Future Land Use categories that are identified by the Lee Plan as Suburban and have densities above 1 unit per acre. Ordinance 18-14, approved on April 4, 2018, changes the language of Policy 21.1.5 relating to Caloosahatchee Shores; the new language requires that amendments to the future land use map which request an increase in density or intensity must be accompanied by a concurrent planned development rezoning application which demonstrates compatibility with the rural character of the area. The current application and companion Comprehensive Plan Amendment (CPA2018-00004) abide by the latest amendments to the Lee Plan regarding Caloosahatchee Shores.

Due to the existing developed nature of the Portico development, right of way has already been donated for Buckingham Road and the enhanced buffer required by Z-04-080 adjacent to this right-of way has been installed along with community supporting infrastructure. A drive past the

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

community along Buckingham Road will demonstrate community character consistent with the rural and natural aesthetics of the Caloosahatchee Community.



Figure 3. Google Earth Image of existing Portico Entry

The entry and associated development areas have been installed consistent with the approved Development Orders and ERP. An aerial image of the existing constructed infrastructure demonstrates and increased setback ensuring the permitted residential development is not visible from Buckingham Road. As a result of these existing improvements, which will not be amended through the proposed Planned Development Amendment, the perspective of a rural community will be maintained for the traveling public along Buckingham Road consistent with Objective 21.1 and 21.3 and their supporting policies.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018



Figure 4. Existing Infrastructure and Increased Setback from Buckingham Road

Policy 21.6.3 requires a public meeting to be held with the Caloosahatchee Shores Community to provide a general overview of the project. The applicant held a meeting within the Caloosahatchee Shores Planning Community on August 13, 2018 at 6pm at the Fort Myers Shores Fire Department Station #81 at 12345 Palm Beach Boulevard. A review of the concurrent Comprehensive Plan and Planned Development Amendments was provided, and the meeting was opened for questions from the public. A detailed summary of the meeting and the topics covered by the public's questions is provided in the Meeting Summary attached to this application.

Buckingham Community Plan

Per Policy 17.7.2, a public informational session within the Buckingham Community is required for requested zoning actions within or adjacent to the Buckingham Planning Community, or with access to Buckingham Road. Due to Portico's entrance being located along Buckingham Road one public information session within the Buckingham Community will be required. The applicant held a meeting within the Buckingham Planning Community on August 14, 2018 at 6pm at the

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Buckingham Presbyterian Church located at 4241 Buckingham Road. A review of the concurrent Comprehensive Plan and Planned Development Amendments was provided, and the meeting was opened for questions from the public. A detailed summary of the meeting and the topics covered by the public's questions is provided in the Meeting Summary attached to this application.

Transportation

A detailed transportation analysis has been prepared by David Plummer and Associates and is attached in the supporting materials to this application request. In addition to the conclusions reached by David Plummer and Associates, the Lee Plan establishes in Policy 39.2.2 "Future Suburban areas will have an emphasis on movement by motor vehicle" through a series of criteria. The requested Outlying Suburban FLU is identified as a "future Suburban Area" as are the Suburban and Sub-Outlying Suburban FLU categories within and surrounding the Portico Community. Consistent with policy 39.2.2, the area of the Portico development utilizes Buckingham Road for vehicular connectivity. As described previously, the Portico development has already donated right of way along Buckingham as well as installed turn lanes, sidewalks, and buffering. The desired pedestrian and vehicular interconnectivity is already constructed and supports the existing units within the Portico Subdivision and will be available to support the requested additional dwelling units. While the development is a little under a mile from an existing transit stop and route, the future build out of this subdivision, with the requested infill units, as well as the other permitted surrounding subdivisions will assist with increasing the area's density to a level that will support mass transit options.

Resource Protection

The Lee Plan has established goal 107 and its supporting objectives and policies to ensure the protection of wetland and upland habitats as well as specifies diversity. Due to the existing developed nature of the Portico subdivision, Developer Order approval has been granted by Lee County and an Environmental Resources Permit has been approved by the South Florida Water Management District. The requested additional units will not negatively impact or alter the existing approved open space or preservation areas ensuring consistency with Lee County's policies to protect natural resources.

Policy 115.1.2 states that new development and additions to existing development must not degrade surface and ground water quality. Portico is an existing development and the addition of units will not pose a negative impact to the property's surface or ground water qualities which can demonstrated through the property's Environmental Resource Permit, 36-05388-P, and further supplemented through the protection of wetlands on the property as recorded in Conservation Easement Instrument #2006000012052. These documents also support Goal 61 which speaks to the protection of water resources throughout the development process.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Population

On March 21st, 2005, a Planned Development was approved for Portico permitting residential development. Resolution Z-04-080 approved 1,178 dwelling units. Since that time multiple development orders have been approved for approximately ±1,122 dwelling units and supporting infrastructure. At 2.35 persons per unit the approved planned development accommodates a population of approximately 2,768 people. The proposed planned development amendment requests a maximum of 1,600 residential units, a net increase of 422 units from the existing Planned Development. The additional 422 residential units results in a theoretical increase of 992 people. While this is a reasonable estimate for planning purposes it is not precise since future trends in persons per household and occupancy rates are unknown.

According to the U.S. Census in 2010, Lee County had a population of 618,754. The Florida Office of Economic and Demographic Research (OEDR) projects a countywide population of 895,890 in 2030 and 1,024,716 in 2040. In the context of existing and projected population the Portico population increase of 992 people is de minimus. The proposed population is an estimated less than 1% increase beyond the OEDR projected population for Lee County. This is well within accepted error ranges and represents no real additional population increase for the Lee Plan's Future Land Use Map. The most recent growth management legislation suggests that establishment of minimum development intensity is appropriate methodology for local government planning efforts. The proposed amendment is consistent with that directive.

The Bureau of Economic and Business Research (BEBR) county-wide projections for Lee County and estimated population in 2017 were published on January 31, 2018. These recent figures took into account the impacts to population resulting from Hurricanes Irma and Maria. Only Monroe County's short-term population was reduced as a result of the impacts from Hurricane Irma. Migration from Puerto Rico and the US Virgin Islands as a result of Hurricane Maria was distributed throughout Florida's counties based upon each county's share of in-migration from Puerto Rico and the US Virgin Islands. The population change from 2010 to 2017 in Lee County is estimated to have increased by 12.9%, making it one of the fastest growing counties in the state. Lee County was estimated to have a population of 698,468 by April 1, 2017. BEBR projected populations provide low, medium, and high estimates expected by April 1st of the projection year. For 2030, the Lee County population projections are a low of 778,400, a medium projection of 891,200, and a high of 999,800. These figures are relatively consistent with the statistics provided by the OEDR.

The 2030 population projection referenced in the Lee County Comprehensive Plan consists of 979,000 permanent residents with an additional 18% seasonal residents. The county's growth patterns seem to indicate build-out of urban areas by 2030 as listed in the Comprehensive Plan's Vision. The popularity of Lee County as a tourist destination and consequential high seasonal population make it different from the highly urbanized counties of Florida's east coast. The ability to balance the needs of the ever-growing permanent population while preserving the natural elements that contribute to the seasonal socio-economic boom is what protects the county from

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

transforming into an intense urban metropolis. Noting the importance of up-to-date population data in a county with such a prominent and constant increase, the last Evaluation and Appraisal Report was adopted on March 1, 2011. Appendix A of the EAR provides the population data which founded the most recent round of EAR-based amendments to the Comprehensive Plan. The data utilized for the analysis dates back to 2009 with projections commencing in 2010. The data is severely impacted by the recession commencing in 2007 and the 'Recent Trends' section of Appendix A states "Though the recession technically ended prior to 2009, there is little evidence of a significant recovery in the housing market, especially in the State of Florida." It is evident that the housing market has changed significantly since the last EAR was published and so it must be restated that the importance of developing additional housing in appropriate locations is fundamental to the continuous growth of the County.

Also, to be considered is Future Land Use Policy 1.7.6 which establishes the Planning Communities Map and Acreage Allocation Table (Table 1(b)). This mechanism directs itself toward Lee County's ability to issue development orders and serves to ensure that actual development approvals do not exceed that amount needed for the population forecasted through the planning timeframe. To be consistent with both the local government's adopted plan and the State's directive regarding the need to establish minimum development capacity, an amendment to Table 1(b) is proposed.

Planning Communities and Acreage Allocation

Policy 1.7.6 provides for the proposed distribution, extent, and location of generalized land uses for the year 2030. The concurrent Comprehensive Plan Amendment would revise Table 1(b) to recognize the future land use map amendment. The approved planned development, existing infrastructure, and concurrent comprehensive plan amendment provides for a suburban level of density which is more consistent with the type of development existing and proposed in this area of the Fort Myers Shores Planning Community. Consistent with the vision for the Caloosahatchee Shores Community Planning Area, the proposal seeks to promote infill. It is noted that Lee County is unable to issue final development orders or extensions which would allow acreage in Table 1(b) to be exceeded.

The applicant has proposed a text amendment to Table 1(b) to address the area of Sub-Outlying Suburban being moved to the Outlying Suburban that will be utilized for residential units. This text amendment is based upon the areas of the Master Concept Plan identified for single family, two family attached or townhome units.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

MORRIS DEPEW
ENGINEERS · PLANNERS · SURVEYORS
LANDSCAPE ARCHITECTS

2914 Cleveland Avenue | Fort Myers, Florida 33901
Phone (239) 337-3993 | Toll Free (866) 337-7341
www.morris-depew.com

Portico

Residential Planned Development Amendment

Schedule of Deviations

The existing Portico RPD approved through Resolution Z-04-080 permits a maximum of 1,178 dwelling units. Development Order applications DOS2004-00352, DOS2007-00128, DOS2016-00080, have been approved for the site infrastructure, and approximately 1,122 dwelling units. The site has been cleared, graded, and public utilities and roadways have been installed pursuant to the ERP and DO, and conservation easements recorded. WCI Communities, LLC is seeking an Amendment to the existing Planned Development to permit an additional 422 dwelling units, totaling 1,600 dwelling units.

The following deviations are currently approved via Resolution Z-04-080 and the applicant wants to retain the deviations. The deviations have been renumbered to eliminate those deviations that were denied in Z-04-080

~~Deviation (1) seeks relief from the LDC §10-328(a) requirement to provide a minimum 20- foot-wide maintenance access easement along lake perimeters, to allow zero feet where lakes are bulkheaded. This deviation is DENIED~~.

Deviation (~~2~~1) seeks relief from the LDC §10-329(d)(1)a.2 requirement prohibiting excavation for water retention or detention within 50 feet of any existing or proposed right-of-way line or easement for a collector or arterial street, to allow excavation within 50 feet of an existing or proposed right-of-way line or easement. This deviation is APPROVED, SUBJECT TO the following conditions:

a. Approval is limited to water retention and detention areas ~~as shown on~~ in substantial compliance with the approved Master Concept Plan.
b. Appropriate protection for wayward vehicles must be provided at the time of local development order.

Minor changes are often made to the shape of stormwater management areas at the time of DO. The applicant request staff consider the revised language to permit such minor revisions. The suggested language will permit minor changes to occur without necessitating an administrative amendment to the Master Concept Plan.

Deviation (~~3~~2) seeks relief from the LDC §10-329(d)(1)a.3 requirement for water retention or detention excavation to set back 50 feet from any private property line under separate ownership, to permit a 25-foot setback for external ~~internal~~ property lines. This deviation is APPROVED, SUBJECT TO the following conditions:

a. Approval is limited to water retention and detention areas ~~as shown on~~ in substantial compliance with the approved Master Concept Plan.
b. A minimum 4-foot high fence or other approved barrier must be provided along the private property line under separate ownership adjacent to the lake.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

The applicant is proposing to update the language of the approved deviation to accurately reflect the case file from the original zoning. The original Staff Report published on December 1, 2004, this deviation is discussed on Page 8 of 20. The deviation and supporting analysis from staff was written to include varying setbacks from internal property boundaries and external property boundaries where lakes did not abut residential lots internal to the subdivision. This request is supported by the cross-section depicted on the Master Concept Plan (copied below for reference). Staff recommended approval of the deviation as written stating:

> ***A 20-foot internal setback and a 25-foot external setback is adequate to protect the public health, safety and welfare - given the limitation to lakes as shown on the approved Master Concept Plan.***
>
> ***Staff finds this request enhances the objectives of the planned development and preserves and promotes the general intent of the LDC to protect the public health, safety, and welfare. Staff recommends APPROVAL of the deviation request with one condition.***
>
> ***1. Approval is limited to water retention and detention areas as shown on the approved Master Concept Plan.***

The Hearing Examiner Recommendation published January 17, 2005 included the deviation as approved by Z-05-080, mistakenly reversing the requested setbacks and eliminating the external relief. Page 12 of the Hearing Examiner recommendation notes that Staff was recommending approval of the deviations related to water retention/waterbodies and roadway setbacks along with a few other deviations. On the same page the Hearing Examiner concurs with Staff's Analysis, findings and recommendation of approval, with conditions, of the requested rezoning. The applicant discussed the requested deviation, which is summarized on Page 23 of the Hearing Examiner 's recommendation is a very brief discussion of the deviation, which notes:

> **Deviation 3 requested relief from LDC Section 10-329(d)(1) a.3, which required water retention or detention excavation to be setback 50 feet from any private property line under separate ownership, to permit a 25-foot setback for external property lines. It had originally read a 20-foot setback for internal property lines and 25 feet for external property lines; the project only needed to comply with the 25-foot setback for external property lines.**

Given the history of the requested deviation and the summaries provided in the Hearing Examiner recommendation, the applicant requests that the language of this approved deviation be updated to reflect the appropriate setback from the external property boundary, which is also memorialized on the approved Master Concept Plan.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT
DCI 2018-00018

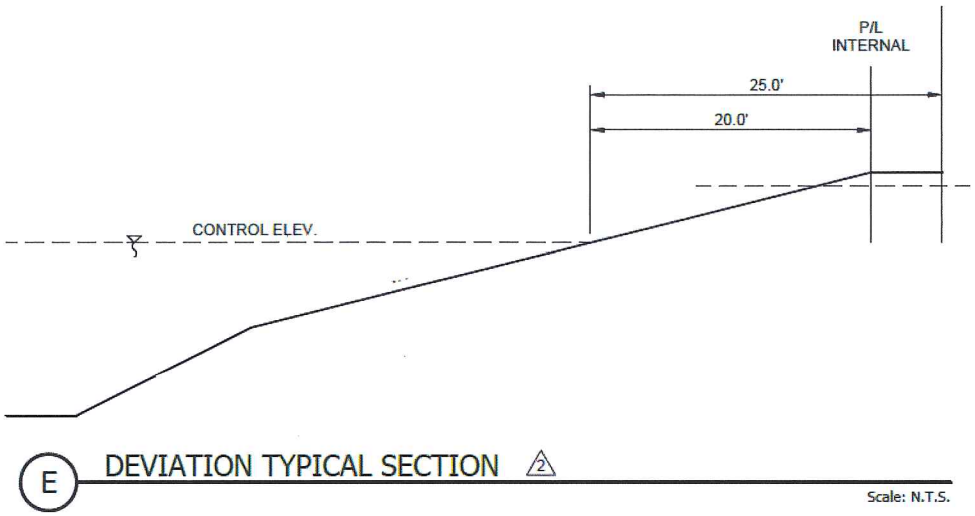


Figure 1. Deviation Typical from Z-05-080

Deviation (~~4~~3) seeks relief from the LDC §10-329(d)(4) requirement that lake banks be sloped at a maximum 4:1, to allow bulkheads at the shoreline. This deviation is APPROVED, SUBJECT TO the following conditions:

a. Prior to local development order approval, any bulkheads to be installed within Lakes A, B, or D as labeled on the attached Master Concept Plan must be delineated on the landscape and engineering plans. The bulkheads may not encompass more than 30 percent of the linear shoreline of the lake measured at control elevation. A compensatory littoral zone equal to the linear footage of the bulkhead must be provided within the same lake meeting the following criteria:

   i. A 5-foot-wide littoral shelf planted with herbaceous wetland plants to provide 50 percent coverage at time of planting; or
   ii. An 8:1 slope littoral shelf with herbaceous wetland plants to provide 50 percent coverage at time of planting; or
   iii. An equivalent littoral shelf design as approved by the Division of Environmental Sciences' Staff.
   iv. The compensatory littoral zone must be planted with native wetland plants calculated as two per linear foot of shoreline for lakes utilizing bulkheads up to 20 percent of the shoreline, and three plants per linear foot of shoreline for lakes utilizing bulkheads along 21 percent to 31 percent of the shoreline.

Deviation (~~5~~4) seeks relief from the LDC §10-384(b) requirement to provide a 20-foot-wide fire department access lane in the rear of buildings that fall into classes set forth in LDC §10-384(a)(3), to allow decks ancillary to the amenity site to be located zero feet from a water body. This deviation is APPROVED, SUBJECT TO the following conditions:

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT
DCI 2018-00018

a. Approval is limited to amenity areas, water retention and detention areas as shown on the approved Master Concept Plan.
b. The developer must provide written documentation from the Fort Myers Shores Fire Department indicating that this design is acceptable and allows adequate access for emergency vehicles.

~~Deviation (6) - WITHDRAWN.~~

Deviation (~~7~~5) seeks relief from LDC §34-934 Note 23 which restricts the operation of real estate sales centers for a period not to exceed five years, to allow the operation of a sales office within Portico RPD for a period of six years. This deviation is APPROVED, SUBJECT TO the condition that the real estate sales office remains in compliance with Condition 5 above.

The applicant has proposed a few changes related to model homes. Where not currently approved and operating as a Real Estate Sales Center, the models have been removed from the Master Concept Plan. However, they remain within the schedule of uses. This structure will permit the developer to have flexibility as to the location and type of unit to respond to the pace and location of demand for units.

Due to the proposed changes to eliminate the location of models from the MCP and the modifications to the Schedule of Uses, the applicant has also proposed some revisions to Condition 5 (included in full below); however, the following limitations remain:

- **Demonstrating Model Display Centers and Groups on the Development Order Plans.**
- **Limiting the floor plans and number of models.**
- **Limiting Real Estate Sales to models as well as the amenity per the schedule of uses as well as the proposed conditions.**
- **Hours of operation are Monday through Sunday from 8am to 8pm.**
- **Sales are limited to the Portico Subdivision Only.**

These remaining conditions and limitations will adequately protect the future residents of the Portico Community from the activity that can occur surrounding real estate sales.

As part of this existing deviation, the applicant is requesting staff consider the existing model home locations on and real estate sales center approved by DOS2004-00352 and permit this existing location on Aledo Court to continue operating from the date of the Planned Development Amendment approval for 6 years. Any future locations for real estate sales and/or model homes would be identified through an Administrative Amendment to the Planned Development enabling County Staff to review and account for the location and timing of the new location for these uses.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT
DCI 2018-00018

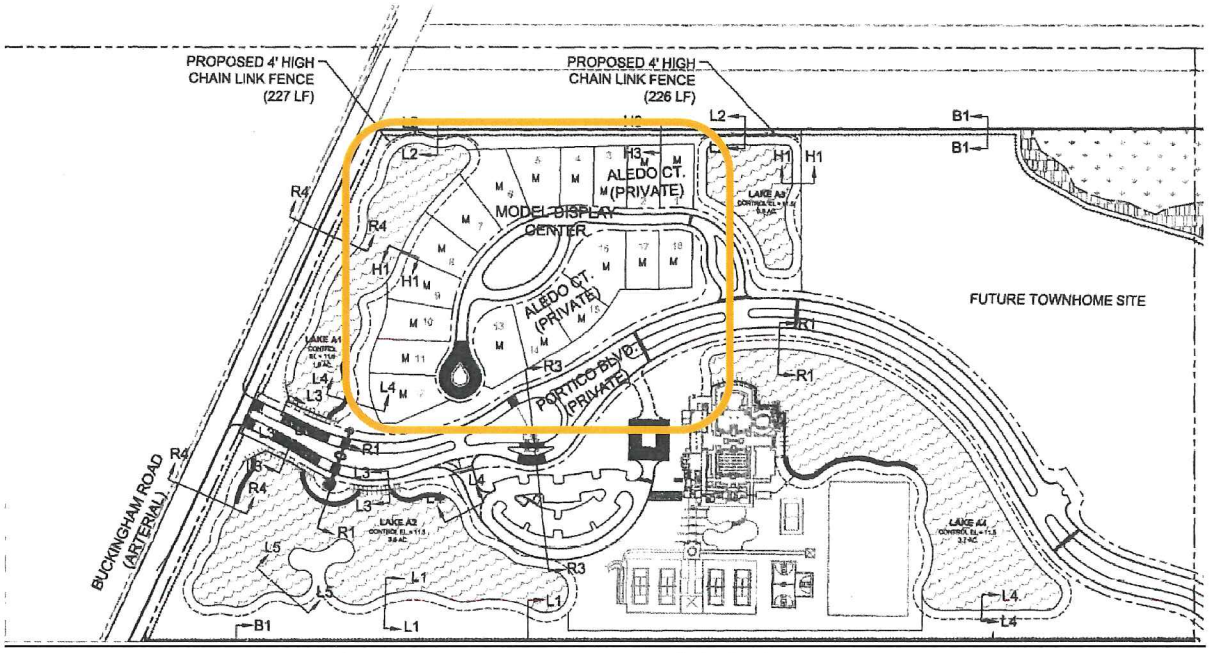


Figure 1. DOS2004-00352 Model Display Center

5. *Model Homes/Temporary Real Estate Sales/Temporary Sales Trailer.*

a. The number of model homes or model units will be limited to no more than 30 within the development at one time.

~~b. Any model homes or units must be developed within the area identified as "models", "townhouse site" or "model display center" on the approved Master Concept Plan.~~

c. Models cannot be of the same floor plan and each must be a distinctly different design.

d. Model Display Centers or Model Display Groups must be shown on the development order plans. Parking areas for these uses will be buffered with a single-row hedge and tree canopy for parking areas per the LDC.

e. Real Estate sales are limited to temporary real estate trailers, model units, model homes, model display centers, models ~~within the townhouse site, amenity sites, and clubhouses~~.

f. Real estate sales will be limited to the sale of lots or units within the development only.

g. Hours of operation for both models and real estate sales are limited to Monday through Sunday, 8:00 a.m. through 8:00 p.m.

h. Model homes and temporary real estate sales will be valid for a period of up to six years from the date of issuance of a Certificate of Occupancy of a model home per LDC §34-

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

1954(d)(1).

~~Deviation (8) - WITHDRAWN.~~

Deviation (~~9~~6) seeks relief from the LDC §34-2194(b) requirement to provide a 25-foot setback for buildings from a water body, to allow a zero-foot setback at bulkhead areas. This deviation is APPROVED, SUBJECT TO Deviation (43) above.

Deviation (~~10~~7) seeks relief from the LDC §34-935(b)(2) requirement that parking or internal roads or drives not be closer to the development perimeter than the greater of either the width of any buffer area or landscape strip required by Chapter 10, to allow an emergency access road within this area. This deviation is APPROVED, SUBJECT TO the condition that the approval is limited to the emergency access point shown as Deviation (~~10~~7) on the approved Master Concept Plan.

Deviation (~~11~~8) seeks relief from the LDC §10-418 requirement that storm water ponds be designed to mimic the function of natural systems, to allow for the use of bulkheads. This deviation is APPROVED, SUBJECT TO Deviation (43) above.

Deviation (~~12~~9) seeks relief from the LDC §10-714 design standards for cul-de-sacs, to allow the use of "eyebrow" road elements on the Village Roads within the community. This deviation is APPROVED, SUBJECT TO the following conditions:

a. Approval is limited to the detail plan and locations as shown on the approved Master Concept Plan.
b. Traffic calming devices indicated in the approved Master Concept Plan must be included in the homeowner documents to be reviewed and recorded during the local development order process.

~~Deviation (13) Withdrawn.~~

~~Deviation (14) seeks relief from the LDC §34-152(4)c.4 requirement that on-site directional signage be set back a minimum of 15 feet from the edge of the street right-of-way or easement, to allow on-site directional signs to have a setback of four feet. This deviation is DENIED in accordance with Condition 19.~~

Deviation (~~15~~10) seeks relief from the LDC §10-285(a) requirement that the separation distance be measured from the edge of the outermost lane of the nearest roadway/connection to the nearest edge of pavement of the proposed intersecting connection for local roads in a Future Suburban Areas which are required to be 125 feet, to allow ~~for centerline distances of no less than 60~~ a separation distance of 36 feet for the eyebrow road features. This deviation is APPROVED, SUBJECT TO the following conditions:

a. Approval is limited to the detail plan and locations as shown on the approved Master Concept Plan.
b. Traffic calming devices indicated in the approved Master Concept Plan must be included in the homeowner documents to be reviewed during the local development order process.
c. Stop signs will be provided for vehicles exiting the eyebrow element.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

d. Traffic control devices will be determined during development order review.

Justification: Since the time of approval of this deviation, the Land Development Code has been amended to require connection separation to be measured "from the edge of the outermost lane of the nearest roadway/connection to the nearest edge of pavement of the proposed intersecting connection" rather than the previously approved method of centerline to centerline. The applicant would request the approval of the proposed language of the deviation above to ensure clarity and consistency with the already existing and constructed, platted portions of the community and maintain consistency in design and construction of the roadways proposed in the unplatted portions of the community.

Deviation (~~16~~11) seeks relief from the LDC §10-291(3) requirement that residential developments of more than five acres provide more than one means of ingress or egress, to allow for one main access on Buckingham Road and a minimum of two emergency access points. This deviation is APPROVED, SUBJECT TO the following conditions:

a. No walls, fences or entrance gates may be constructed within the access point area per the approved Master Concept Plan.
b. All utilities along the entrance from Buckingham Road as shown on the approved Master Concept Plan must be placed underground.
c. The local development order must depict a 70-foot-wide divided entrance on Buckingham Road that must include a 14-foot-wide median with two 11-foot-wide lanes on both sides of the median for ingress and egress in accordance with the primary corridor typical shown on the approved Master Concept Plan.

The subdivision entry and supporting infrastructure was installed consistent with DOS2004-00352

d. The local development orders must include emergency access gates to be constructed on two emergency access points as shown on the approved Master Concept Plan.
e. The installation of any access gates must comply with all applicable regulations pertaining to emergency equipment that are in effect at the time of installation.
f. Prior to issuance of a development order, the developer must provide written documentation from the Fort Myers Shores Fire Department indicating that these access points are acceptable and provide adequate access for emergency vehicles.
g. If the emergency access point located near the southeast corner of Phase 2, into Hawks Haven is not available at time of local development order submittal for that phase of work, then the emergency access must connect to the Lehigh Acres roadway system through the existing platted roadway easement. This will require a culvert across the east-west canal lying south of Phase 2 of Portico RPD. Such a change can be approved administratively.

One of the emergency access points, into River Hall (fka Hawks Haven) has been constructed consistent with DOS2004-00352. The second emergency access point is included on the Master Concept Plan and is not proposed to be moved as part of this application request.

Deviation (~~17~~12) seeks relief from the LDC§ 10-416(d)(6) requirement that roadways must be set back 125 feet from any existing residential development or provide a 30-foot-wide buffer consisting of an 8-foot-high wall constructed a minimum of 25 feet from the residential property line with landscaping planted between the wall and the residential property line, to allow an 8-foot-high wall a minimum of 10

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

feet from the residential property line with landscaping planted between the wall and the residential property line. This deviation is APPROVED.
The wall and landscaping were installed consistent with DOS2004—00352.

Additional Deviations

The following deviations are new to this application and at the applicant's request are in addition to the original Residential Planned Development:

Deviation (13) seeks relief from LDC Sec. 10-328(a) which requires, a 20-foot-wide easement or right-of-way on both sides of the canal, lakes or flow-way for maintenance purposes and prohibits the easement from being located within the limits of platted single-family residential lot to allow the easement to be located within a platted single family residential lot for this lots included in the Portico Phase 1 Plat, Instrument Number 2006000411756.

Justification: Portico is an existing semi-developed residential community with a completed Phase 1 Development Order DOS2004-00352 approved on December 12, 2007 as well as a recorded Plat. The applicant does not intend to replat the existing Phase 1 and already has a several lots owned by individual homeowners with residences under construction consistent with the approved site plan as part of DOS2004-003352.

As demonstrated by the existing record plat, the required lake maintenance easement is currently dedicated within the platted single family lots, which was a permitted practice at the time the plat was recorded. Specifically, lake maintenance easements are located within the boundary of the following single-family lots, along Lake A1 lots 6–9; along Lake A9 lots 19-67, 69-89, 92-94, 97-111, 114-128; along Lake A10 lots 130-141; and along Lake B2 lots 297, 299-311, 314-340, 343-356, 359-380 on the recorded plat. The applicant seeks relief from the requirement to provide lake maintenance easement areas off the single family residential lots to enable the approved Development Order, recorded plat and existing conditions to remain. This deviation will not affect the health, safety and welfare of the community and promotes the existing character of the planned development. The designated lake maintenance easement will remain and does not permit structures or accessory uses to encroach into the easement ensuring clearance for maintenance to occur.

Deviation (14) seeks relief from LDC Sec. 10-329(d)(4) which requires lake banks to be sloped at a ratio of not greater than six horizontal to one vertical (6:1) from the top of bank to a water depth of two feet below the dry season water table to allow the existing constructed lake banks slopes, at a four horizontal to one vertical (4:1) slope, to remain.

Justification: This deviation applies to the existing lake bank slopes throughout Phase 1 and a portion of Phase 2, of the Portico Residential Planned Development. Phase 1 includes the northernmost portion with the main access to the community as well as the southwestern rectangle. Phase 2 and 3 are the southeastern most rectangle of the Portico Community bounded on the North and East by River Hall and to the South by Lehigh Acres. Two of the lakes within Phase 2 are constructed and included in this deviation request. All of the stormwater management lakes within Phase 1 and two stormwater management lakes within Phase 2 are constructed at a 4:1 slope consistent with approved Development Order DOS2004-00352. The applicant seeks relief from the 6:1 lake bank slopes as

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

required by LDC Sec. 10-329(d)(4) to memorialize the existing conditions of the constructed stormwater management lakes in Phase 1 and 2. The lakes are not exhibiting erosion or destabilization despite the lack of development that occurred within the subdivision over the years.



Figure 1. Existing Lake Near Entry



Figure 2. Existing Lake

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Deviation (15) seeks relief from LDC Sec. 10-415(b)(1)(c) which requires buildings to have a minimum setback of 20 feet from preservation areas and a 30-foot setback for indigenous plant communities subject to fire to allow a reduced rear setback of 25ft for the following existing platted lots: Portico Phase 1, Lots 157-163, 166-177, 179-184, and 187-196 which are located along the ~~boundary of "Tract G"~~ conservation area and a 25ft rear setback for the proposed townhomes when the single family lots and townhomes are abutting indigenous plant communities subject to fire.

Justification: The existing development footprint of the residential subdivision and indigenous native vegetation as demonstrated on the existing Master Concept Plan, approved Development Order and record plat are not being amended as part of this application. The existing Conservation Area within Phase 1a identified as Tract F" and "Tract G" on the recorded Portico Phase 1 plat includes wetland and upland indigenous communities. These communities are immediately adjacent to the rear of the proposed Townhome tract on the Master Concept Plan and existing platted single family tracts.

The existing platted single family lots immediately adjacent to the Conservation Area are permitted to have a 10ft rear setback for the principle structure and 5ft setback for an accessory structure per Zoning Resolution Z-04-080. The recorded plat demonstrates the rear of the lots have a 25ft wide drainage easement, which does not permit encroachment by a structure. Therefore, the required 20ft setback for preservation area can be met. However, the required 30ft setback for indigenous communities' subject to fire is not met. Therefore, the applicant is requesting a 5ft reduction to permit a 25ft setback to indigenous communities' subject to fire for the existing platted single family lots adjacent to the conservation area. The deviation is requested to memorialize the existing condition of the existing single family homes adjacent to the indigenous preserve. The existing 25ft easement will ensure the necessary 20ft separation from preservation area and the 5ft reduction from the indigenous plant communities will not negatively impact the ability to mitigate a fire should one occur in the indigenous preserve. The applicant has received a letter of no objection from the Fire Marshal regarding this deviation. A copy is attached to the application materials.

The proposed Townhome tract is also immediately adjacent to the Conservation Area. While this area is not platted, it does have constructed roadway infrastructure approved by Development Order DOS2004-00352. This existing roadway creates a defined depth between the edge of the constructed roadway and platted preservation area limiting the location for the townhome building to be placed. The front setback of the townhomes is 20ft, which will accommodate 2 parked cars as required by 34-2020(a). Similar to the single family lots a drainage easement is expected to be provided at the rear of the lots, which is required to be a minimum of 20 feet per 10-328(a). The applicant is agreeing to provide 25 feet between the rear of the structure and the platted conservation area, in excess of the LDC requirements. However, a reduction of 5ft is requested from the required 30 feet for indigenous plant communities subject to fire. The 5ft reduction will not negatively impact the ability to mitigate a fire should one occur in the indigenous preserve as the 25ft committed by the applicant will ensure clearance and accessibility to the preserve. The applicant has received a letter of no object from the Fire Marshal regarding this deviation. A copy is attached to the application materials.

~~Deviation (16) seeks relief from LDC Sec. 10-415(b)(1)a. which requires large developments, with existing indigenous native vegetation communities to provide 50% of their open space requirement through the onsite preservation of existing native vegetation communities.~~

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

~~**Justification: The subject property is an existing single family subdivision. Indigenous vegetation has been preserved on site and is currently under a conservation easement. However, the indigenous vegetation existing on site is not 50% of the required open space.**~~

~~**Prior to the approval of the Residential Planned Development in 2004 by Z-04-080, the subject property was an active farm field. A review of historical aerial imagery demonstrates the subject property was cleared for agricultural activities as early as 1994. The location of the existing conservation easements preserving native vegetation is the general location of the vegetation that existed on site in 1994. The existing development footprint preserved the native vegetation to meet this LDC requirement at the time of the initial zoning in 2004. The proposed Master Concept Plan demonstrates no changes to this area are proposed and the conservation easement will remain in place. This deviation is requested to memorialize this existing condition.**~~

Deviation (~~17~~16) seeks relief from LDC Sec. 10-296(e)(2)(5) Table 15 Suburban Local Streets which requires residential land uses to have 10 ft lane widths, 5 ft planting strip and 5 ft pedestrian facility width for residential uses to allow the roadway cross-sections previously approved as part of the Master Concept Plan.

Justification: The Portico Residential Planned Development was approved by Z-04-080 on March 21, 2005. The Master Concept Plan attached to this resolution, includes 3 typical roadway sections on Sheet 8, titled "Typical Primary Corridor", "Typical Village Entry" and "Typical Village Road". An Administrative Amendment was approved by ADD2016-00184 on January 18, 2017 which includes all of the same Typicals approved by Z-04-080 with the addition of the "Typical Two-Family Attached Road" on Sheet 8 of the approved MCP. This deviation is requested to memorialize the existing and previously approved roadway typical cross sections, which have been constructed in Phase 1 of the Portico Community. The same design is proposed to be carried forward into Phases 2 and 3 as well as the Townhouse Development Tract.

Each of the roadway typicals provides more than the 10 ft minimum travel lane, and all of the typical cross sections abutting the proposed residential units also provide a 4 foot sidewalk throughout the community. The primary corridor and village entry roadways also include a landscaped median and landscaping adjacent to the travel lanes. These roadway typical cross sections have been utilized to design and construct the existing internal roadways in Phase 1 of the community as permitted by DOS2003-00352. Granting the requested deviation will permit the enhancement of the planned development by permitting the remaining roadways to be constructed consistent with the existing internal roadways and infrastructure. Pedestrian mobility will continue to be supported throughout the community as the typical cross sections include sidewalks consistent with the intent of LDC Section 10-296(e)(2)(5). Since these cross-sections have already been approved as part of previous amendments the applicant respectfully requests that they be carried forward as part of this Planned Development Amendment. The approval of this Deviation will only improve the health, safety, and welfare of the residents of the Portico Community and enhance the community's character.

The applicant notes that as a result of County Staff's initial review, the Primary Corridor Cross Section has been updated to memorialize the exiting 4 ft sidewalk on one side of the roadway and require a 4 ft sidewalk to be constructed where a Primary Corridor is proposed in Phase 2 and 3 further ensuring pedestrian mobility and enhancing the community.

DCI 2018-00018

RECEIVED
SEP 19 2018

Deviation (~~18~~17) seeks relief from LDC Sec. 10-329(d)(4) which requires lake banks to be sloped at a ratio of not greater than six horizontal to one vertical (6:1) from the top of bank to a water depth of two feet below the dry season water table to allow a sloped ratio of four horizontal to one vertical (4:1) above control elevation for the proposed stormwater management lakes.

Justification: The applicant requests relief from the required 6:1 lake bank slopes as required by LDC Sec. 10-329(D)(4) for the unconstructed lake banks in Phase 2 and 3. Since the time of the initial zoning approval for the Portico Community, a number of amendments have been made to the Land Development Code impacting the ability of the applicant to maintain the existing development footprint and provide the required 6:1 slope.

In 2004, the required lake maintenance easement surrounding the stormwater management lakes were permitted to be located within the single family lots. Since that time, the LDC has been amended to prohibit this condition. The applicant is not requesting a deviation from this provision of the LDC and as a result, the minimum depth of lots will effectively be reduced from 110 to 90 to accommodate the required easement. The proposed property development regulations for single family lots abutting the lakes have been amended to reflect this condition. Additionally, the design of the community promotes a development footprint in which the roadways are double loaded; however, the lots on either side of the internal roads also abut the water management lakes. This design is memorialized in the existing Master Concept Plan approved by Z-04-080 and DOS2007-00128 as well as ERP 36-05388-P all of which are still active and valid. The proposed Master Concept Plan seeks to maintain this footprint to continue to promote compatibility with the surrounding single family residential developments. Providing the increased lake bank slope as required by the current regulations of the Land Development Code, further reduces the depth of lot which is constrained by the internal roadways as depicted in the image below.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT
DCI 2018-00018

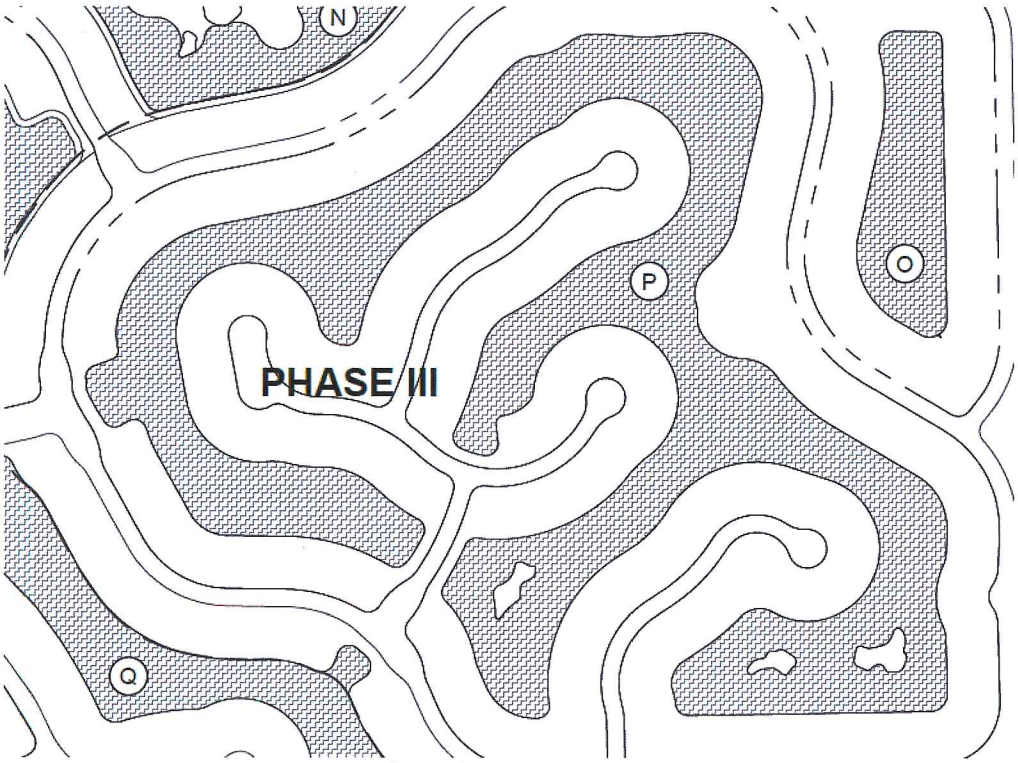


Figure 3. Residential Tracts Surrounded by Lakes

A review of the existing development order and ERP demonstrates there is over 5.6 feet of elevation change between the minimum finished floor design for certain lots and the wet season control line, which is the top of the planted littoral shelf. Utilizing the requested 4:1 slope, approximately 20 to 22 feet of horizontal distance is needed from the wet season control line to the top of bank. At a 6:1 slope, approximately 32 to 34 feet is required, which necessitates an additional 10 to 14 feet of lot area to ensure the residential dwelling unit does not encroach into the lake bank slope. When combined with the existing front setback only 46 feet of buildable depth remains, 64 feet less than the current minimum buildable lot depth. It should also be noted that most lots in the community are not perfectly symmetrical, many are on curving roadways which causes the front setback to extend further into the lot to address the curvature of the road. As the structure is moved further into the lot to address the curvature of the roadway, it encroaches upon the 6:1 slope as more lot depth is necessary to provide that slope, these conditions constrain the lot from the front and back. The only remedy to this naturally occurring condition which would permit the provision of a 6:1 slope is a retaining wall, which would require a 2 to 2.5 foot step down from the built structure (home or accessory) to the top of the lake bank. This type of construction is generally not practiced in inland Lee County and would not be uniformly applied to all lots. The lots with a retaining wall would have no backyard, no rear access, and a person behind the residential unit would be at the top of bank with unimpeded access to the water, creating the need for the deviation.

Reducing the front setback for the principle structure would eliminate necessary depth for parked cars in the driveway and create conflicts between parked cars and the sidewalk to be provided along all residential streets within the community. Additionally, maintaining the location of the currently

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

designed lake top of bank and reducing the lake size to establish a 6:1 slope is not viable due to the alterations that would be created to the surface water management storage capacity of the existing permitted system. Storage capacity is a required element of the collective stormwater management system, which directs stormwater into specific locations, holding the water and then permitting an off-site discharge at a set volume per the approved ERP. Reducing the lake size would reduce the storage capacity of the existing system, requiring additional lakes to be constructed and eliminating existing approved developable area. Furthermore, the designed and permitted lakes with the SFWMD have already been committed to the CDD and are already part of the maintenance documents for that entity.

To address the concerns that precipitated the change in regulations, the applicant proposes the following conditions which ameliorate any concerns associated with the requested 4:1 deviation request, the following conditions are proposed in cross section D on Sheet X-108 of the proposed Master Concept Plan.

a) 4:1 slope will only occur above control elevation;
b) Geosynthetic turf reinforcement mat will be utilized along the 4:1 lake slope
c) Rear lots will be graded so no yard or roof drainage flows directly into the lake
d) Rear yard drainage system will connect to road system or directly to lake via pipes out falling below lake elevation (below dry season water table);

Section 10-329(d)(4) of the LDC states, "the deviation may be granted if the Director is satisfied that the enhanced slope protection measures proposed by the applicant will prevent erosion and scouring. Acceptable enhanced slope protection measures include, but are not limited to, use of enhanced herbaceous plantings in combination with an appropriate geosynthetic turn reinforcement mat or similar shoreline stabilization technique that does not include hardened shoreline stabilization technique that does not include hardened structures such as those identified in section 10-418(3)."

Hardened shoreline structure will not be utilized for the lake erosion control, instead the design will provide geosynthetic turf reinforcement mat along with the 4:1 lake slope as depicted on the MCP. Enhanced herbaceous plantings are not required along the geosynthetic turf area as plantings will be provided below the 4:1 slope. Specifically, a "kicker swale" is proposed as the rear yard drainage system to direct surface water along the back of the residential lots parallel to the lake bank. At specific points, the water collected in the kicker swale is directed into a stormwater pipe, which runs perpendicular to the lake bank under the ground, permitting the surface water – after an appropriate timeframe – to discharge into the stormwater management lake below the dry season water table. This system increases the time surface water is held and ensures the only water permitted to naturally run down the 4 to 1 lake bank is rain water. The remainder of surface water from the residential lots will be piped into the stormwater management lake below the dry season water table. Together, all of these elements ensure the lake bank does not erode or destabilize as a result of the requested 4:1 slope.

Additionally, the cross section supporting this deviation as proposed demonstrates a 10' drainage easement is to be provided in the rear of the residential lots to support the proposed stormwater management infrastructure. Where this infrastructure is necessary, the 0 ft setback of the Property Development Regulations will not apply. The proposed property development regulations, lot typicals on the Master Concept Plan and proposed revisions to the existing zoning conditions have been revised to reflect this intention of the applicant.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

This deviation request permits the enhancement of the planned development by permitting the development footprint to remain ensuring the development character of the existing constructed portion of the community and the future portions of the community are similar. Additionally, as noted in the project narrative, the development footprint of Portico is similar and compatible to the surrounding communities of River Hall (f.k.a. Hawks Haven) as well as Hemmingway's Point and Buckingham 320.

All of the lakes within Phase 1 and two of the lakes within Phase 2 have been constructed at a 4 to 1 slope without the mitigation being offered as part of this deviation request. Additionally, during the recession and until WCI Communities took ownership of the property, the existing lake banks were not maintained. As demonstrated by the photos below, these existing lakes are not demonstrating erosion or destabilization.



Figure 4. Existing Lake Constructed at a 4 to 1 Slope

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018



Figure 5. Existing Lake Constructed at a 4 to 1 Slope



Figure 6. Existing Lake Constructed at 4 to 1 Slope

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Deviation (18) seeks relief from LDC Sec. 10-418(2)c. which requires a planted littoral shelf to be a minimum of 20 feet wide to allow a shelf that is 12 feet wide and extends the entire length (100%) of the surface water management lake.

Justification: This deviation is requested in support the 4:1 lake bank slope of Deviation 17. The proposed cross section included on Sheet X-108 of the Master Concept Plan demonstrates that a Planted Littoral Shelf will be provided along the entire lank bank. The applicant is committing to providing all of the required plantings along 100% the shoreline, in excess of the LDC requirements, but is requesting relief regarding to the width of the shelf. The extended location of the littoral shelf along the entire shoreline will provide additional stabilization to the lake bank, which is requested to be a 4:1 slope and will enhance the stormwater management lakes yet to be constructed within the planned development. Providing a Planted Littoral Shelf along 100% of the shroeline will increase the total amount of required littoral plantings as well as the shelf area for the lakes to be constructed in the remainder of Phase 2 and Phase 3. These additional plantings will reduce the flow velocity of rainwater falling on the 4 to 1 slope waterward of the proposed "kicker swale" discussed in Deviation 17 thereby ameliorating concerns regarding erosion of the lake bank. This is consistent with the intent of Lee Plan Policies 61.3.11 and 61.3.14 which require runoff to be routed to reduce flow velocity and prevent erosion. Furthermore, locating the planted littoral shelf with the plantings along the entire lake bank will promote wildlife habitat and foraging area as encouraged by Lee Plan Policy 107.10.3. The additional stabilization provided by the proposed cross-section and additional littoral plantings will continue to maintain public health, safety and welfare within the Portico Subdivision.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Portico
Residential Planned Development Amendment
Proposed Conditions

SECTION A. REQUEST

The applicant filed a request to rezone a 589± acre parcel from AG-2 to RPD, to allow ~~1,058~~ 1,600 ~~single-family and 120 townhouse units (1,178 total~~ dwelling units~~)~~.

The proposed maximum building heights are ~~two stories/~~35 feet for single-family and single-family abutting lakes, ~~three stories/~~45 feet for two-family attached, two-family abutting lakes, and townhouses, and ~~two stories/~~50 feet for a clubhouse/amenity site. No development blasting is requested. The property is located in the Suburban, Sub-Outlying Suburban, Outlying Suburban, and Wetlands Future Land Use Categor~~y~~ies and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be consistent with the __page Master Concept Plan entitled MASTER CONCEPT PLAN FOR PORTICO stamped received _____, except as modified by the conditions below.

   The Residential Planned Development (RPD) allows a maximum of 1,600 dwelling units; including 162 Townhomes.

   This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

   Revisions Proposed: Section A and B have been revised to reflect more recent formatting of zoning resolutions as well as the requested increase of dwelling units.

2. The following limits apply to the project and uses:

   DCI 2018-00018 RECEIVED SEP 19 2018 COMMUNITY DEVELOPMENT

   a. Schedule of Uses

   Residential Tracts
   ACCESSORY USES AND STRUCTURES
   COMMUNICATION FACILITY, WIRELESS
   DWELLING UNITS
   SINGLE-FAMILY ~~– 1,058 maximum~~
   TWO FAMILY ATTACHED – ~~64 units Maximum~~
   TOWNHOUSE ~~– 120 maximum. See Condition 15.~~
   ~~1,178 MAXIMUM Dwelling units~~
   ENTRANCE GATES, AND GATEHOUSE~~– In compliance with LDC §34-1748~~

ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES -Group I ONLY
~~Communication, telephone and electrical distribution facilities up to 425 square feet in area and 10 feet in height.~~
EXCAVATION, WATER RETENTION - ~~NO blasting or removal of excavated material off site.~~
FENCES, WALLS, ~~Per LDC §34-1741~~
HOME OCCUPATION, ~~Per LDC §34-1741 *et seq.* - NO outside help~~.
MODELS: ~~Per LDC §34-1951 *et seq.* - See Condition 5.~~
Model Display Center
Model Home
Model Unit
PARKING LOT, ACCESSORY to a model display center, home or unit only
REAL ESTATE SALES ~~- See Condition 5.~~
RECREATION FACILITIES, PERSONAL~~, PRIVATE, ON SITE~~
SIGNS, ~~In accordance with Chapter 30~~
TEMPORARY USES - TEMPORARY SALES, TEMPORARY CONSTRUCTION

Revisions Proposed: The schedule of uses has been amended to reflect the uses expected in the residential tracts only.

Circular References to the Land Development Code and Conditions were deleted due to the language included in Condition 1.b. It does not seem necessary to repeat known provisions of the LDC or conditions from later in the resolution.

Residential Amenities
ACCESSORY USES AND STRUCTURES
ADMINISTRATIVE OFFICES
COMMUNICATION FACILITY, WIRELESS
CONSUMPTION ON PREMISES ~~- Amenity sites only. See Condition 10 of Resolution #Z-04-080.~~
CLUBS, CLUBHOUSE - PRIVATE. ~~Amenity sites only as shown on the approved Master Concept Plan. Also See Condition 10.~~
~~DOCKS, FISHING PIERS~~
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES -Group I ONLY
~~Communication, telephone and electrical distribution facilities up to 425 square feet in area and 10 feet in height.~~
EXCAVATION, WATER RETENTION ~~- NO blasting or removal of excavated material off site.~~
FENCES, WALLS, ~~Per LDC §34-1741~~
FOOD AND BEVERAGE SERVICES, LIMITED ~~- Amenity sites only. See Condition 10.~~
PARKING LOT, ACCESSORY
PERSONAL SERVICES - Group I ~~- Amenity sites only, See Condition 10.~~
REAL ESTATE SALES
RECREATION FACILITIES, PRIVATE, ON SITE

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

STORAGE, INDOORS
TEMPORARY USES - TEMPORARY SALES, TEMPORARY CONSTRUCTION

Revisions Proposed: The schedule of uses has been amended to reflect the uses expected in the amenity tract only. The Master Concept Plan has been simultaneously updated to identify the Amenity Tract.

Circular References to the Land Development Code and Conditions were deleted due to the language provided in Condition 1.b. It does not seem necessary to repeat known provisions of the LDC or conditions from later in the resolution.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

b. Site Development Regulations
Residential Property Development Regulations

Phase 1 Land Uses	Min Lot Area (SF)	Min Lot Width (FT)	Min Lot Depth (FT)	Min Street Setback (FT)	Min Side Setback (FT)	Min Rear Lot Setback (FT)	Min Setback from Waterbody (FT)	Min Accessory Structure Side Setback (FT)	Min Accessory Structure Rear Setback (FT)	Min Accessory Structure Setback from Waterbody (FT)	Building Separation (FT)	Max Building Height (FT)	Max Lot Coverage (%)
Single-Family	5,500	50	110	20	5	10	20	5	5	15	10	35	60
Two-Family Attached	3,300	30	110	20	0 or 5	10	20	5	5	15	10	45	61
Townhouse	2,220	20	110	20	0 or 5	10	20	5	5	5	20	45	60
Townhouse Abutting Lakes	1,800	20	90	20	0 or 5	N/A	0	5	N/A	0	20	45	60
Clubhouse/Amenity Sites	6,500	50	110	20	10	20	20	10	5	5	20	50	60

Notes:

- The above Property Development Regulations are subject to any Deviations previously approved by Z-04-080 or requested by the current amendment.
- A minimum rear 25ft setback is required for any lot abutting an indigenous preserve.
- Any lot abutting a lake with a 4:1 slope per Deviation 14 must provide a minimum 10ft rear principal and accessory setback for a drainage easement.

Phase 2 & 3 Land Uses	Min Lot Area (SF)	Min Lot Width (FT)	Min Lot Depth (FT)	Min Street Setback (FT)	Min Side Setback (FT)	Min Rear Lot Setback (FT)	Min Setback from Waterbody (FT)	Min Accessory Structure Side Setback (FT)	Min Accessory Structure Rear Setback (FT)	Min Accessory Structure Setback from Waterbody (FT)	Building Separation (FT)	Max Building Height (FT)	Max Lot Coverage (%)
Single-Family	5,500	50	110	20	5	10	N/A	5	5	N/A	10	35	60
Single-Family Abutting Lakes	4,500	50	90	20	5	N/A	0	5	N/A	0	10	35	65
Two-Family Attached	3,300	30	110	20	0 or 5	10	N/A	5	5	N/A	10	45	60
Two-Family Attached Abutting Lakes	2,700	30	90	20	0 or 5	N/A	0	5	N/A	0	10	45	65

Notes:

- The above Property Development Regulations are subject to any Deviations previously approved by Z-04-080 or requested by the current amendment.
- Any lot abutting a lake with a 4:1 slope per Deviation 17 must provide a minimum 10ft rear principal and accessory setback for a drainage easement.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

Single Family

Minimum Lot Areas and Dimensions

Lot Size:	6,500 5,500 square feet
Lot Size, abutting lakes:	3,600 4,500 square feet
Lot Width:	50 feet
Lot Depth:	110 feet
Lot Depth, abutting lakes:	90 feet (PH 2&3)

Minimum Setbacks

Street:	20 feet
Side:	5 feet (Per Condition 10) (5 feet – accessory)
Rear:	10 feet (5 feet - accessory)
Water body (Phase 1):	20 feet (15 feet – accessory)
Waterbody (Phase 2 & 3):	0 feet (subject to Deviation 17)

Building Separation: 10 feet

Perimeter Setbacks: 15 feet

Maximum Height: 2 stories/35 feet

Maximum Lot Coverage: 60 percent

Two Family Attached

Minimum Lot Areas and Dimensions

Lot Size:	3,850 3,330 square feet
Lot Size, abutting lakes:	2,700 square feet
Width:	35 30 feet
Depth:	110 feet
Lot Size, abutting lakes:	90 feet (PH 2&3)

Minimum Setbacks:

Street	20 feet
Side	Internal Wall = Zero feet Exterior Wall = 5 feet (Per Condition 9)(5 feet – accessory)
Rear	15 10 feet (5 feet accessory)
Water body (Phase 1)	20 feet (15 feet – accessory)
Water body (Phase 2 & 3)	0 feet (subject to Deviation 17)

Building Separation: 10 feet

Perimeter Setbacks: 15 feet

Maximum Height: 3 stories / 35 45 feet

Buildings exceeding 35 feet in height must maintain additional building setbacks

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

~~as regulated by LDC §34-2174(a).~~

~~Maximum Lot Coverage: 60 percent~~

Revisions Proposed: References back to the LDC were deleted due to the language of Condition 1.b. Number of stories deleted to follow current practice for property development regulations. Additional revisions are proposed to address the changes to the Land Development Code which now prohibit lake maintenance easements from occurring on individual lots.

~~**Townhouse**~~

~~Minimum Lot Areas and Dimensions~~
~~Lot Size: 2,200 square feet~~
~~Width: 20 feet~~
~~Depth: 110 feet~~

~~Minimum Setbacks:~~
~~Street 20 feet~~
~~Side Internal Unit = Zero feet~~
~~External Unit = 5 feet (5 feet – accessory)~~
~~Rear 10 feet~~
~~Rear from Indigenous Pres 25 feet~~
~~Water body 20 feet~~

~~Building Separation: 20 feet~~

~~Perimeter Setbacks: 15 feet~~

~~Maximum Height: 45 feet~~

~~Buildings exceeding 35 feet in height must maintain additional building setbacks as regulated by LDC §34-2174(a).~~

~~Maximum Lot Coverage: 60 percent~~

Revisions Proposed: Townhouse uses added back into the schedule of uses and accompanying property development regulations provided. Two rear lot line setbacks are proposed to address the existing conditions of the subject property. A supporting deviation has been requested to support this setback.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

~~**Clubhouse/Amenity Sites**~~

~~Minimum Lot Areas and Dimensions~~
~~Lot Size: 6,500 square feet~~
~~Lot Width: 50 feet~~
~~Lot Depth: 110 feet~~

~~Minimum Setbacks~~
~~Street 20 feet~~
~~Side 10 feet~~
~~Rear 20 feet (5 feet accessory)~~
~~Waterbody 20 feet (5 feet accessory)~~
~~(Except as provided in Deviation #9~~6~~)~~

~~Building Separation: 20 feet~~
~~Perimeter Setbacks: 15 feet~~
~~Maximum Height: 2 stories / 50 feet~~

~~Buildings exceeding 35 feet in height must maintain additional building setbacks as regulated by LDC §34-2174(a).~~

~~Maximum Lot Coverage: 60 percent~~

Revisions Proposed: References back to the LDC were deleted due to the language of Condition 1.b. Number of stories deleted to follow current practice for property development regulations. The schedule of deviations includes renumbering to address deviations that were denied, that renumbering has been incorporated here.

~~3. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.~~

Revisions Proposed: Blasting is not included in the schedule of uses and therefore not permitted. A duplicative condition is not necessary.

3. *Agricultural* uses. Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:

   a. Bona fide agricultural uses that are in existence at the time this resolution is approved and as shown on Exhibit B attached hereto may continue until approval of a local development order for the area of the project containing those uses.

   b. Additional clearing or grading of existing agricultural uses is prohibited. This prohibition is not intended to preclude County approved requests for the removal of exotic species.

   c. The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

4. *Model Homes/Temporary Real Estate Sales/Temporary Sales Trailer.*

   a. The number of model homes or model units will be limited to no more than 30 within the development at one time.

   ~~b. Any model homes or units must be developed within the area identified as "models", "townhouse site" or "model display center" on the approved Master Concept Plan.~~

   c. Models cannot be of the same floor plan and each must be a distinctly different design.

   d. Model Display Centers or Model Display Groups must be shown on the development order plans. Parking areas for these uses will be buffered with a single-row hedge and tree canopy for parking areas per the LDC.

   e. Real Estate sales are limited to temporary real estate trailers, model units, model homes, model display centers, models ~~within the townhouse site, amenity sites, and clubhouses~~.

   f. Real estate sales will be limited to the sale of lots or units within the development only.

   g. Hours of operation for both models and real estate sales are limited to Monday through Sunday, 8:00 a.m. through 8:00 p.m.

   h. Model homes and temporary real estate sales will be valid for a period of up to six years from the date of issuance of a Certificate of Occupancy of a model home per LDC §34-1954(d)(1).

   Revisions Proposed: The existing model home locations and real estate sales center approved by DOS2004-00352 will remain in this existing location on Aledo Court to continue to continue operating from the date of the Planned Development Amendment approval for 6 years. Any future locations for real estate sales and/or model homes would be identified through an Administrative Amendment to the Planned Development enabling County Staff to review and account for the location and timing of the new location for these uses. The location of the model homes and sales center have been noted on the Master Concept Plan.

5. All required buffers must utilize 100 percent native vegetation.

6. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

may be required to obtain a local development order.

7. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with, all other Lee Plan provisions.

~~8. *Five-foot setback.*~~

~~a. No structures, including but not limited to, sidewalks, mechanical equipment, door stoops, walls, etc., may be constructed or placed within the required five-foot side setbacks; or~~

~~b. Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the typical lot grading detail (See Exhibit D Sheet 8 of the approved Master Concept Plan) provided as part of the building permit process.~~

Revision Proposed: Condition deleted by ADD2017-00184.

8. *Residential Amenities: Private Clubs, Consumption on Premises, Food & Beverage Services, Personal Services, Group I (all uses).*

a. The private club ~~se uses are~~ is limited to a maximum of ~~7,500~~ 9,000 square feet of floor area for the entire development. Outdoor Consumption on Premises is limited to the area depicted on Sheet X-108 of the Master Concept Plan.

Revision Proposed: The square footage has been updated to reflect the square footage of the single amenity location and the COP has been added to reflect the revised the Master Concept Plan.

~~b. Consumption on Premises is limited to sales within a residential clubhouse setting only. No restaurants, bars, package stores, or similar uses are permitted.~~

Revision Proposed: The schedule of Uses has been revised so that these uses are limited to the residential amenity tracts. Additionally, restaurants, bars, package stores are not included in the schedule of uses and therefore not permitted. As a result, this portion of the condition is no longer necessary.

c. Hours of operation for these uses are limited to 7:00 a.m. to midnight daily.

~~d. Outdoor seating (outside of the fenced clubhouse area) for Consumption on Premises may be approved by Special Exception only (public hearing required).~~

~~e. Outdoor sales of alcohol is prohibited, and may not be permitted on a temporary or permanent basis.~~

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Revision Proposed: These items conflict with each other as well as item b. above. Additionally, the schedule of uses limits temporary uses to sales and construction only therefore portions of this condition are not necessary.

f. The clubhouse as shown on ~~the amenity site of~~ the approved Master Concept Plan is limited to a maximum ~~14~~ 9,000 square feet building ~~under air and 22,000 square feet under roof~~. ~~There must be a minimum 366± feet of separation between the front door of the clubhouse and the school property, and a minimum of 1,122± feet of separation from the clubhouse building to the school building in accordance with the Master Concept Plan.~~

Revision Proposed: The square footage is amended to reflect the type of amenity proposed to be located in the single amenity location on the revised Master Concept Plan. The schedule of uses has been revised so that consumption on premises is limited to the residential amenity tracts and a typical was added to Sheet X-108 of the Master Concept Plan. A perimeter berm with landscaping has been constructed along the southern property boundary where the amenity area is proposed prohibiting access from surrounding properties. Therefore, the remaining portion of the condition is not necessary. Additionally, the property development regulations, including setbacks, for the amenity are proposed to remain as previously approved.

9. Prior to local development order approval, a protected species survey for burrowing owls and burrows within the upland portions of the project within the phase being covered in the development order must be submitted for review, field verification, and approval by the Division of Environmental Sciences' staff. If burrowing owls or burrows are located, then a burrowing owl management plan, including an appropriate preservation area within the project, must be submitted.

10. Prior to local development order approval, the development order plans must include a minimum of ~~±8.67~~ 140.2 acres of open space ~~within the two-family attached tract~~ of which ~~±6.62~~ 32.5 acres must be indigenous preservation, ~~and approximately ±25~~ 23.73 acres of wetland preservation, and 4.75 acres of wetland creation on the remainder of the site.

11. The development order must provide an enhanced 25-foot-wide "D" buffer along Buckingham Road including 10 trees per 100 linear feet (which must include live oaks, no palms) and a berm a minimum of three feet in height.

12. The development order must provide a 25-foot-wide landscaped buffer/berm combination along the southern boundary of the subject property where it abuts the school site. Atop the berm will be intermittent landscaping and/or wall with a minimum height of six feet. All berming and walls must meet LDC requirements.

10. Townhouse buildings must be set back a minimum of ±1,000 linear feet from Buckingham Road, as shown on the approved Master Concept Plan.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

11. The 20-foot-wide lake maintenance easements, along lakes that are completely surrounded by private lots, must be made accessible by maintenance vehicles from a road, through a 20-foot-wide lake access easement.

Revision Proposed: Since the time of the zoning approval and recorded plats, the LDC has been amended to require lake maintenance easements outside of single family lots. To memorialize the existing conditions of the subdivision, a deviation has been requested to allow the lake maintenance easement to remain within the single family lots for those lots which have been platted prior to the requested zoning amendment.

The applicant confirms any lots platted after the approval of this Planned Development Amendment will NOT have lake maintenance easements within the lots. As a result of this condition and the existing infrastructure on-site revised property development regulations are proposed

12. Any additional site access points, such as a separate construction access, would require an amendment to the RPD zoning.

~~13. There are several pyramid shaped symbols and text shown along Buckingham Road on the MCP that are not legible. The applicant must revise the MCP so that all information is clearly legible.~~

Revision Proposed: This condition is no longer necessary.

13. If the developer desires to deviate from the regulations contained in LDC Chapter 30, pertaining to project signage, the proposed sign package must be submitted for review and approval by the Lee County Department of Community Development prior to the issuance of any local development order for the property.

14. During the March 21, 2005, Board Zoning Hearing, the applicant voluntarily offered to dedicate a 25-foot wide strip along Buckingham Road for County right-of-way purposes, at no cost to Lee County. Dedication of this 25 foot strip may be accomplished by recording an instrument (ie. deed or plat) that grants or dedicates to the County an exclusive easement for right-of-way purposes. [If the easement is dedicated via a plat, the dedication must be clear and unambiguous. Use of the label "future right-of-way" will not be acceptable.] The dedicated area may not be used for required development buffering or any other non-county right-of-way improvements. This dedication must be complete prior to issuance of the first building permit allowing permanent vertical construction within the project.

SECTION C. DEVIATIONS:

A schedule of deviations has been provided to renumber the deviations and eliminate those that were previously denied.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

~~1. Deviation (1) seeks relief from the LDC §10-328(a) requirement to provide a minimum 20-foot-wide maintenance access easement along lake perimeters, to allow zero feet where lakes are bulkheaded. This deviation is DENIED.~~

1. Deviation (~~2~~1) seeks relief from the LDC §10-329(d)(1)a.2 requirement prohibiting excavation for water retention or detention within 50 feet of any existing or proposed right-of-way line or easement for a collector or arterial street, to allow excavation within 50 feet of an existing or proposed right-of-way line or easement. This deviation is APPROVED, SUBJECT TO the following conditions:

    a. Approval is limited to water retention and detention areas ~~as shown on~~ in substantial compliance with the approved Master Concept Plan.

    b. Appropriate protection for wayward vehicles must be provided at the time of local development order.

Revision Proposed: Minor changes are often made to the shape of stormwater management areas at the time of DO. The suggested language will permit these minor changes to occur with necessitating an administrative amendment to the Master Concept Plan.

2. Deviation (~~3~~2) seeks relief from the LDC §10-329(d)(1)a.3 requirement for water retention or detention excavation to set back 50 feet from any private property line under separate ownership, to permit a 25-foot setback for internal and external property lines. This deviation is APPROVED, SUBJECT TO the following conditions:

    a. Approval is limited to water retention and detention areas ~~as shown on~~ in substantial compliance the approved Master Concept Plan.

    b. A minimum 4-foot high fence or other approved barrier must be provided along the private property line under separate ownership adjacent to the lake.

Revision Proposed: Minor changes are often made to the shape of stormwater management areas at the time of DO. The suggested language will permit these minor changes to occur with necessitating an administrative amendment to the Master Concept Plan. Additionally, private property lines under separate ownership provides clarity as to when the condition approving this deviation applies. Further details regarding this deviation are provided in the attached Schedule of Deviations.

3. Deviation (~~4~~3) seeks relief from the LDC §10-329(d)(4) requirement that lake banks be sloped at a maximum 4:1, to allow bulkheads at the shoreline. This deviation is APPROVED, SUBJECT TO the following conditions:

    a. Prior to local development order approval, any bulkheads to be installed within Lakes A, B, or D as labeled on the attached Master Concept Plan must be delineated on the landscape and engineering plans. The bulkheads may not encompass more than 30 percent of the linear shoreline of the lake measured at control elevation. A compensatory littoral zone equal to the linear footage of

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

the bulkhead must be provided within the same lake meeting the following criteria:

(1) A 5-foot-wide littoral shelf planted with herbaceous wetland plants to provide 50 percent coverage at time of planting; or

(2) An 8:1 slope littoral shelf with herbaceous wetland plants to provide 50 percent coverage at time of planting; or

(3) An equivalent littoral shelf design as approved by the Division of Environmental Sciences' Staff.

(4) The compensatory littoral zone must be planted with native wetland plants calculated as two per linear foot of shoreline for lakes utilizing bulkheads up to 20 percent of the shoreline, and three plants per linear foot of shoreline for lakes utilizing bulkheads along 21 percent to 31 percent of the shoreline.

4. Deviation (~~5~~4) seeks relief from the LDC §10-384(b) requirement to provide a 20-foot-wide fire department access lane in the rear of buildings that fall into classes set forth in LDC §10-384(a)(3), to allow decks ancillary to the amenity site to be located zero feet from a water body. This deviation is APPROVED, SUBJECT TO the following conditions:

a. Approval is limited to amenity areas, water retention and detention areas as shown on the approved Master Concept Plan.

b. The developer must provide written documentation from the Fort Myers Shores Fire Department indicating that this design is acceptable and allows adequate access for emergency vehicles.

~~5. Deviation (6) - **WITHDRAWN.**~~

5. Deviation (~~7~~5) seeks relief from LDC §34-934 Note 23 which restricts the operation of real estate sales centers for a period not to exceed five years, to allow the operation of a sales office within Portico RPD for a period of six years. This deviation is APPROVED, SUBJECT TO the condition that the real estate sales office remains in compliance with Condition 5 above.

Additional detail regarding the language requested to be revised is included in the attached Schedule of Deviations.

~~6. Deviation (8) - **WITHDRAWN.**~~

6. Deviation (~~9~~6) seeks relief from the LDC §34-2194(b) requirement to provide a 25-foot setback for buildings from a water body, to allow a zero-foot setback at bulkhead areas. This deviation is APPROVED, SUBJECT TO Deviation (4) above.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

7. Deviation (~~10~~7) seeks relief from the LDC §34-935(b)(2) requirement that parking or internal roads or drives not be closer to the development perimeter than the greater of either the width of any buffer area or landscape strip required by Chapter 10, to allow an emergency access road within this area. This deviation is APPROVED, SUBJECT TO the condition that the approval is limited to the emergency access point shown as Deviation (~~10~~7) on the approved Master Concept Plan.

8. Deviation (~~11~~8) seeks relief from the LDC §10-418 requirement that storm water ponds be designed to mimic the function of natural systems, to allow for the use of bulkheads. This deviation is APPROVED, SUBJECT TO Deviation (4) above.

9. Deviation (~~12~~9) seeks relief from the LDC §10-714 design standards for cul-de-sacs, to allow the use of "eyebrow" road elements on the Village Roads within the community. This deviation is APPROVED, SUBJECT TO the following conditions:

   a. Approval is limited to the detail plan and locations as shown on the approved Master Concept Plan.

   b. Traffic calming devices indicated in the approved Master Concept Plan must be included in the homeowner documents to be reviewed and recorded during the local development order process.

~~10. Deviation (13) Withdrawn.~~

10. Deviation (~~14~~10) seeks relief from the LDC §34-152(4)c.4 requirement that on-site directional signage be set back a minimum of 15 feet from the edge of the street right-of-way or easement, to allow on-site directional signs to have a setback of four feet. This deviation is DENIED in accordance with Condition 19.

11. Deviation (~~15~~11) seeks relief from the LDC §10-285(a) requirement that the centerline distance for local roads be 125 feet, to allow for centerline distances of no less than 60 feet for the eyebrow road features. This deviation is APPROVED, SUBJECT TO the following conditions:

   a. Approval is limited to the detail plan and locations as shown on the approved Master Concept Plan.

   b. Traffic calming devices indicated in the approved Master Concept Plan must be included in the homeowner documents to be reviewed during the local development order process.

   c. Stop signs will be provided for vehicles exiting the eyebrow element.

   d. Traffic control devices will be determined during development order review.

12. Deviation (~~16~~12) seeks relief from the LDC §10-291(3) requirement that residential developments of more than five acres provide more than one means of ingress or egress, to allow for one main access on Buckingham Road and a minimum of two emergency access points. This deviation is APPROVED, SUBJECT TO the following

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

conditions:

a. No walls, fences or entrance gates may be constructed within the access point area per the approved Master Concept Plan.

b. All utilities along the entrance from Buckingham Road as shown on the approved Master Concept Plan must be placed underground.

c. The local development order must depict a 70-foot-wide divided entrance on Buckingham Road that must include a 14-foot-wide median with two 11-foot-wide lanes on both sides of the median for ingress and egress in accordance with the primary corridor typical shown on the approved Master Concept Plan.

d. The local development orders must include emergency access gates to be constructed on two emergency access points as shown on the approved Master Concept Plan.

e. The installation of any access gates must comply with all applicable regulations pertaining to emergency equipment that are in effect at the time of installation.

f. Prior to issuance of a development order, the developer must provide written documentation from the Fort Myers Shores Fire Department indicating that these access points are acceptable and provide adequate access for emergency vehicles.

g. If the emergency access point located near the southeast corner of Phase 2, into Hawks Haven is not available at time of local development order submittal for that phase of work, then the emergency access must connect to the Lehigh Acres roadway system through the existing platted roadway easement. This will require a culvert across the east-west canal lying south of Phase 2 of Portico RPD. Such a change can be approved administratively.

13. Deviation (~~17~~13) seeks relief from the LDC§10-416(d)(6) requirement that roadways must be set back 125 feet from any existing residential development or provide a 30-foot-wide buffer consisting of an 8-foot-high wall constructed a minimum of 25 feet from the residential property line with landscaping planted between the wall and the residential property line, to allow an 8-foot-high wall a minimum of 10 feet from the residential property line with landscaping planted between the wall and the residential property line. This deviation is APPROVED.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT
DCI 2018-00018

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
2891 Center Pointe Drive Unit 100 | Fort Myers, Florida 33916
Phone (239) 337-3993 | (866) 337-7341
www.morris-depew.com

Portico Planned Development Amendment

Residential Property Development Regulations

Phase 1 Land Uses	Min Lot Area (SF)	Min Lot Width (FT)	Min Lot Depth (FT)	Min Street Setback (FT)	Min Side Setback (FT)	Min Rear Lot Setback (FT)	Min Setback from Waterbody (FT)	Min Accessory Structure Side Setback (FT)	Min Accessory Structure Rear Setback (FT)	Min Accessory Structure Setback from Waterbody (FT)	Building Separation (FT)	Max Building Height (FT)	Max Lot Coverage (%)
Single-Family	5,500	50	110	20	5	10	20	5	5	15	10	35	60
Two-Family Attached	3,300	30	110	20	0 or 5	10	20	5	5	15	10	45	61
Townhouse	2,220	20	110	20	0 or 5	10	20	5	5	5	20	45	60
Townhouse Abutting Lakes	1,800	20	90	20	0 or 5	N/A	0	5	N/A	0	20	45	60
Clubhouse/Amenity Sites	6,500	50	110	20	10	20	20	10	5	5	20	50	60

Notes:

- The above Property Development Regulations are subject to any Deviations previously approved by Z-04-080 or requested by the current amendment.
- A minimum rear 25ft setback is required for any lot abutting an indigenous preserve.
- Any lot abutting a lake with a 4:1 slope per Deviation 14 must provide a minimum 10ft rear principal and accessory setback for a drainage easement.

Phase 2 & 3 Land Uses	Min Lot Area (SF)	Min Lot Width (FT)	Min Lot Depth (FT)	Min Street Setback (FT)	Min Side Setback (FT)	Min Rear Lot Setback (FT)	Min Setback from Waterbody (FT)	Min Accessory Structure Side Setback (FT)	Min Accessory Structure Rear Setback (FT)	Min Accessory Structure Setback from Waterbody (FT)	Building Separation (FT)	Max Building Height (FT)	Max Lot Coverage (%)
Single-Family	5,500	50	110	20	5	10	N/A	5	5	N/A	10	35	60
Single-Family Abutting Lakes	4,500	50	90	20	5	N/A	0	5	N/A	0	10	35	65
Two-Family Attached	3,300	30	110	20	0 or 5	10	N/A	5	5	N/A	10	45	60
Two-Family Attached Abutting Lakes	2,700	30	90	20	0 or 5	N/A	0	5	N/A	0	10	45	65

Notes:

- The above Property Development Regulations are subject to any Deviations previously approved by Z-04-080 or requested by the current amendment.
- Any lot abutting a lake with a 4:1 slope per Deviation 17 must provide a minimum 10ft rear principal and accessory setback for a drainage easement.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

MORRIS DEPEW
ENGINEERS · PLANNERS · SURVEYORS
LANDSCAPE ARCHITECTS

2914 Cleveland Avenue | Fort Myers, Florida 33901
Phone (239) 337-3993 | Toll Free (866) 337-7341
www.morris-depew.com

Portico
CPA2018-00004 & DCI2018-0001
Caloosahatchee Shores Community Public Meeting
Meeting Summary

I. Introduction
A public information session within the Caloosahatchee Shores Planning Community was conducted on August 13, 2018 at 6:00pm at the Fort Myers Shores Fire Department Station #81 at 12345 Palm Beach Blvd., Fort Myers, FL 33905. To organize the meeting, the applicant worked with the Community Planning Panel President, Ed Kimball to advertise and notice the community members in addition to advertising the meeting in the NewsPress.

The meeting began promptly at 6pm with overview of the concurrent Comprehensive Plan Amendment and Planned Development Amendment requests. Tina M. Ekblad of Morris-Depew Associates, Inc. gave the presentation with Barry Ernst, Neale Montgomery and Candace Woodworth representing the project team also in attendance.

II. Presentation Overview
The following information was presented to the public regarding the requested amendments and the subject property;

The existing Portico Subdivision is located off of Buckingham Road, just south of the intersection with SR 80 and surrounded by existing planned developments. The adjacent Verandah development is mostly built out, River Hall has two of three neighborhoods mostly built out with additional construction expected. Two additional communities have zoning approval, Hemmingway's Pointe a multi-family community to the north and Buckingham 345 a single family residential community to the south.

The existing constructed infrastructure within Portico includes the existing entry off of Buckingham Road as well as the existing emergency access between Portico and River Hall. A second emergency access point is required in the southeast corner of the Portico Subdivision that has been approved but not yet constructed. The existing development pattern of the approved zoning and development orders will remain as well as the setbacks, buffering, and water management features adjacent to Buckingham Road. The existing Phase 1 Plat will not be vacated as Lennar is currently selling lots to individual homeowners.

Two concurrent amendment applications are requested. A Future Land Use Map Amendment is requested to increase the density of the Portico Community by 1 unit per acre. Since the existing plat will not be altered the additional density will mostly be located in the eastern (aka the "back" portion of the property) and will be limited by the Planned Development request to a maximum of 1,600 dwelling units, yielding a density increase from 2 units to 2.7 units per acres. The additional units will be accommodated by a reduction in lot width from the approved 55 feet to a requested 50 feet. As the recession has ended market data is demonstrating more people desire smaller lot sizes. Also, the Twin Villa dwelling unit (Two Family attached in the LDC) is in higher demand and will be available in the back portion of the property. Examples of other communities in the area were given where a Twin Villa unit

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT
DCI 2018-00018

can be found, includes the Verandah and Pelican Preserve. There is a proposed revision in the front portion of the property, a unplatted tract is proposed to be amended back to townhome units. An Administrative Amendment was approved amended the original 2004 approved Townhome tract to Duplex units. The submitted Planned Development Amendment requests this tract to be amended back to Townhomes. The property owner will maintain the 25 ft setback for maintenance and access and all of the roadways, setbacks and buffering for the townhouse tract will all remain the same.

III. Questions/Comments/Concerns

There were a number of questions and comments made after the presentation; however most of them centered around a few issues as summarized below:

Stormwater Management

Both of the members in attendance reside in Alva on Oak Creek Drive approximately 1.6 miles northeast of the nearest portion of Portico located between the northern boundary of River Hall and State Road 80. These residents are concerned with flooding that has occurred in this area as a result of the major storm events last year. Many comments were made about the lack of maintenance on the River Hall stormwater management system. From this discussion, it appears the concern with the Portico Subdivision is that there are interconnections between the Portico Stormwater Management System and the River Hall Stormwater Management System. The project team explained that both communities have existing Environmental Resource Permits approved by the South Florida Water Management System. If any amendments are necessary to the existing Portico ERP, an application will be made to SFWMD after the requested CPA and PD Amendments are approved.

The existing proposed development pattern within Portico, including the size, location and depth of the stormwater management lakes is proposed to be retained as part of the Planned Development Amendment.

Single Entry to Buckingham Road and Emergency Access Locations

A few questions were asked about the community's access point to Buckingham Road the additional access points in the community. The project team explained the internal access points to River Hall were for Emergency Vehicles Only. The existing access to Buckingham Road is currently approved, infrastructure improvements have been made – including turn lanes and landscaping – and will be maintained.

Due to the meeting's location at the Fire House, two Fire Department employees were in attendance. They requested the applicant discuss the current bollards at the constructed emergency access and the time necessary to enter River Hall. The applicant has agreed to have on-going discussion about this existing infrastructure as well as the proposed emergency exit.

Lake Setback

A question was raised about the revised setbacks for lots next to a lake. The following detailed explanation was provided:

1. Initial Development (Phase 1) is platted and constructed. The back portion of development (Phase 2 and 3) has a Development Order but is not platted and two of the six proposed lakes have been constructed.
2. Since the time of initial development, the land development code has changed to no longer permit

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

lake maintenance easements to be located on individual residential lots

3. Due to the unplatted nature of the back portion of the development, a setback reduction is requested to address this change in the land development
4. It is not that the required easement width won't be provided but rather it will not be located on a lot to "count" toward a setback.

Flood Zones

There was a question about whether the FEMA Flood Zone maps had been amended as a result of the ERP permits and development that has occurred in the area. A summary of the 2008 FIRM maps was provided and the LOMAR process was explained. The project team was not aware of a LOMAR being completed for the Portico Subdivision. The Florida Building Code requires that new construction be completed with a finished floor elevation consistent with the Flood Zone Map. The residents complained that several years ago the ERP was amended, and the control elevation was changed. This occurred under prior ownership, and the change was approved by the SFWMD.

Process and Public Input

There were multiple questions about the applications and where they were at in the process, who could talk to the County Commissioners and what questions County Staff has asked about the applications.

The project team answered these questions by process order. First describing the status of both applications and the general details requested by Lee County Staff in the Insufficiency Letters published for both applications. An explanation was also provided about the County's on-line database to review the applicant's submittals during the staff review process. Next the public hearing process was described per application first with the Comprehensive Plan Amendment then the Planned Development Amendment and finally a hearing with the County Commission decided on both amendments at the same time. A summary was provided about the ex parte regulations with the County Commission and clarifying that the Comprehensive Plan could be discussed; however, details related to the Planned Development Amendment can only be discussed during a public hearing. Attendees were also advised that to provide comments on the zoning request at the County Commission hearing, comments must be provided at the HEX hearing.

Density Calculations and Wetlands FLU

The attendees questioned the detailed density calculations provided in the application materials as well as the surrounding communities. The project team explained that the wetland acreage can be calculated at the adjacent uplands density consistent with the Lee Plan and the tables provided in the application reflect this calculation. The density of River Hall was identified as 2,969 dwelling unit and Verandah at over 1,700 dwelling units which is more than the 1,600 requested within Portico.

Traffic on Buckingham

There were several questions about the traffic capacity of Buckingham Road and what improvements would be provided as well as the impact of the Lee County School Buses. The project team explained that a traffic impact statement has been completed for both the comprehensive plan and planned development amendments. A right of way dedication of 15 feet was already made from the property and turn lanes have been constructed to support the existing development. Any further improvements to support the additional units proposed will be made when a detailed analysis is made at the time of Development Order.

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

0003075576 / 2393373993MORR

The News-Press media group
news-press.com A GANNETT COMPANY

"Notice of Public Meeting: A public meeting will be held for the Caloosahatchee Shores Planning Community at Fort Myers Shores Fire Department Station 81 at 12345 Palm Beach Blvd., Fort Myers, FL 33905 on August 13th, 2018 at 6:00pm. An information session by Morris-Depew Associates, Inc., will be conducted regarding a Comprehensive Plan Amendment (CPA2018-00004) and Residential Planned Development Amendment (DCI2018-00018) for the Portico Residential Community located at, 14043 Aledo Court, Fort Myers, FL 33905, off of Buckingham Road."
AD# 3075576 Aug. 3, 2018

Attn:
MORRIS-DEPEW ASSOCIATES, INC.
2891 CENTER POINTE DRIVE # 100
FORT MYERS, FL 33916

STATE OF FLORIDA COUNTY OF LEE:
Before the undersigned authority personally appeared Cheryl Eller, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

Notice of Meetings

In the Twentieth Judicial Circuit Court was published in said newspaper in the issues of:

08/03/18

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 3rd of August 2018, by Cheryl Eller who is personally known to me.

Milagros A. Isberto
Notary Public for the State of Florida
My Commission expires July 11, 2020

DCI 2018-00018

MILAGROS A. ISBERTO
Notary Public - State of Florida
Commission # FF 997151
My Comm. Expires Jul 11, 2020
Bonded through National Notary Assn.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

CALOOSAHATCHEE SHORES COMMUNITY MEETING SIGN-IN SHEET

Project: Portico CPA2018-00004 & DCI2018-0001 **Meeting Date:** 8/13/2018

Location: Fort Myers Shores Fire Department Station #81. 12345 Palm Beach Blvd., Fort Myers, FL 33905

Name:	Phone:	E-Mail:
ED KINSBACH	239-694-7282	KINSEL@NEXTERA.COM
BARRY ERNST	239.931.4782	BARRY.ERNST@LENNAR.COM
Neale Montgomery	239-336-6235	nealemontgomery@pavese law.com
GARY SILVERS	239 728 5015	SGGOATS@COMCAST.NET
Tina Ekblad	239.337.3993	Tekblad@m-da.com
Candace Woodworth		cwoodworth@m-da.com
HOLLY SCHWARTZ JOHN CASSANI	(239) 633-7274	HOLLYSCH310@gmail.com
Chris Doualiby	694.2833	FMSFD1@hotmail.com

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

	A	B	C	D	E	G
1	Sign- in Sheet		Caloosahatchee Shores Community Plan - Review Panel			8/13/2018 6:00 pm
2			Portico Development			
3			DCI2017-00023			
4	Attendee Name		Organization		Tel. #	E- Mail Address
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25	######					

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

MORRIS DEPEW
ENGINEERS · PLANNERS · SURVEYORS
LANDSCAPE ARCHITECTS

2914 Cleveland Avenue | Fort Myers, Florida 33901
Phone (239) 337-3993 | Toll Free (866) 337-7341
www.morris-depew.com

Portico

CPA2018-00004 & DCI2018-0001

Buckingham Community Public Meeting
Meeting Summary

I. Introduction

A public information session within the Buckingham Planning Community was conducted on August 14, 2018 at 6:00pm at the Buckingham Presbyterian Church located at 4241 Buckingham Road, Fort Myers, FL 33905. To organize the meeting, the applicant worked with the Community Planning Panel President, TJ Cannamela to advertise and notice the community members in addition to advertising the meeting in the Newspress.

The meeting began promptly at 6pm with an overview of the concurrent Comprehensive Plan and Planned Development Amendment requests. Tina M. Ekblad of Morris-Depew Associates, Inc. gave the presentation with Barry Ernst, Neale Montgomery and Candace Woodworth representing the project team were also in attendance.

II. Presentation Overview

The following information was presented to the public regarding the application's request and the subject property;

The existing Portico Subdivision is located off of Buckingham Road, just south of the intersection with SR 80 and surrounded by existing planned developments. The Verandah is mostly built out, River Hall has two of three neighborhoods mostly built out with additional construction expected. Two additional communities have zoning approval, Hemmingway's Pointe a multi-family community to the north and Buckingham 345 a single family residential community to the south.

The existing constructed infrastructure within Portico includes the existing entry off of Buckingham Road as well as the existing emergency access between Portico and River Hall. A second emergency access point is required in the southeast corner of the Portico Subdivision that has been approved but not yet constructed. The existing development pattern of the approved zoning and development orders will remain as well as the setbacks, buffering, and water management features adjacent to Buckingham Road. The existing Phase 1 Plat will not be vacated as Lennar is currently selling lots to individual homeowners.

Two concurrent amendment applications are requested. A Future Land Use Map Amendment is requested to increase the density of the Portico Community by 1 unit per acre. Since the existing plat will not be altered the additional density will mostly be located in the eastern (aka the "back" portion of the property) and will be limited by the Planned Development request to a maximum of 1,600 dwelling units, yielding a density increase from 2 units to 2.7 units per acres. The

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

additional units will be accommodated by a reduction in lot width from the approved 55 feet to a requested 50 feet. As the recession has ended market data is demonstrating more people desire smaller lot sizes. Also, the Twin Villa dwelling unit (Two Family attached in the LDC) is in higher demand and will be available in the back portion of the property. Examples of other communities in the area were given where a Twin Villa unit can be found, includes the Verandah and Pelican Preserve. There is a proposed revision in the front portion of the property, an unplatted tract is proposed to be amended back to townhome units. An Administrative Amendment was approved amended the original 2004 approved Townhome tract to Duplex units. The submitted Planned Development Amendment requests this tract to be amended back to Townhomes. The property owner will maintain the 25 ft setback for maintenance and access and all of the roadways, setbacks and buffering for the townhouse tract will all remain the same.

III. Questions/Comments/Concerns

There were a number of questions and comments made after the presentation; however most of them centered around a few issues as summarized below:

Portico Community

After the presentation there was more clarification needed to explain what is currently approved and existing onsite. It was reiterated that the subdivision is currently approved for approximately 1200 dwelling units (1,178 approved). At this time there are approximately 100 homes currently constructed onsite. In the front portion of the Portico Community the roads and supporting infrastructure including buffers, berms, stormwater management and utilities, have been constructed. In the back section of the property, the roads have yet to be constructed but the development design of the roadways is not proposed to be amendment through the concurrent applications. An attendee asked how much the homes are selling for, it was explained that the average price range is $260,000 – $375,000. The smaller homes and the villas have less square footage and are in highest demand.

Stormwater Management

Most of the public in attendance reside either in the River Hall Community off of State Road 80 or within the Buckingham Community. Most of the attendees were concerned with flooding that has occurred in this area as a result of the major storm events over the last year. There was concern that the increased in unit count would increase impervious areas and promote additional flooding in their neighborhoods. The project team explained that the community has an existing Environmental Resource Permit approved by the South Florida Water Management System. If any amendments are necessary to the existing Portico ERP, an application will be made to SFWMD after the requested CPA and PD Amendments are approved. The existing proposed development pattern within Portico, including the size, location and depth of the stormwater management lakes is proposed to remain unchanged as part of the Planned Development Amendment and therefore additional impacts to surrounding properties are not expected. It should also be noted that a few members of the public in attendance are members of the River Hall Community Development District and stated the claims that River Hall is not maintaining the stormwater management system are false. (This was mentioned in the Caloosahatchee Shores Community Meeting).

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Indigenous Species Survey
A question was asked whether or not an Indigenous Species Survey was conducted with the proposed amendments. The project team noted the existing Conservation Easements were not proposed to be amended as part of the applications submitted. Additionally, the property has been cleared and any required planting was already completed and placed under easement. As a result, the previous surveys were considered satisfactory and a waiver from the environmental requirements was granted.

Traffic on Buckingham Road
There were several questions about the traffic capacity of Buckingham Road and what improvements would be provided as well as the impact of the Lee County School Buses. There were a number of questions as to how the trips included in the Traffic Impact Study were calculated and whether or not it was completed during peak traffic volume periods. The project team explained that a traffic impact statement has been completed within the past 6 months for both the Comprehensive Plan and Planned Development Amendments and that it is a requirement that all TIS analyses are calculated as a worse case scenario. The results of the TIS showed that the Level of Service to Buckingham Road would remain the same with the addition of the requested dwelling units. A right of way dedication of 25 feet was already made from the property and turn lanes have been constructed to support the existing development. Any further improvements to support the additional unit proposed will be made when a detailed analysis is made at the time of Development Order. It is the project team's understanding that through the previous approvals that a traffic light is approved for the project's entry and Lennar will continue to work with Lee County on the construction of that improvement.

Single Entry to Buckingham Road and Emergency Access Locations
A few questions were asked about the community's existing access point to Buckingham Road the additional access points in the community. The project team explained the internal access points from Portico to River Hall were for Emergency Vehicles Only. The existing access to Buckingham Road is currently approved, infrastructure improvements have been made – including turn lanes and landscaping – and will be maintained.

Public Utilities
The question was asked whether the community would be on municipal water and it was explained that the community currently has central water and sewer access and will maintain that connection.

Surrounding Properties
During the public information session, a foam core board of the project aerial was posted to help the attendees visualize the location of the subject property as well as the other surrounding approved communities. The location of the Buckingham 345 Zoning was labeled on the map and a few participants asked where it exactly was located and what the approved density was. The project team explained Buckingham 345 is an approved subdivision located south of Portico but does not currently have a DO. It is located south of the Exceptional School and wraps around the

DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

southern Portico property line. Additionally, the Hemmingway's Pointe community is an approved multi-family development north of the Portico Community within the Outlying Suburban FLU.

Process & Public Input

There were multiple questions about the applications and where they were at in the process, who is notified of the public meetings and Hearing Examiner hearings, who could talk to the County Commissioners and if there was a way for the public to vote on a pending application.

The project team answered these questions by process order. First describing the status of both applications and the general details requested by Lee County Staff in the Insufficiency Letters published for both applications. An explanation was also provided about the County's on-line database to review the applicant's submittals during the staff review process. Next the public hearing process was described per application with the Comprehensive Plan Amendment first then the Planned Development Amendment and finally a hearing with the County Commission deciding both amendments at the same hearing. A summary was provided about the ex parte regulations with the County Commission and clarifying that the Comprehensive Plan could be discussed; however, details related to the Planned Development Amendment can only be discussed during a public hearing. The Public Information Session details were provided to TJ Cannamela with the Buckingham Planning Board who notified members of the community and posted the meeting details to the Community facebook page. Finally, it was questioned how neighboring communities could vote on whether or not to approve the applications. The project team clarified that if the neighbors had any concerns about the applications the appropriate forum would be to identify their concerns in the public information sessions, to Lee County Staff, the Lee County Hearing Examiner. It was clarified that both application review and hearing processes are not a voting process in which the community has the ability to submit a vote and deny the project by vote. It was strongly encouraged to attend the Local Planning Agency and Hearing Examiner meetings to learn more about the applications and to voice opinions during the public comment portion of the hearing.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT
DCI 2018-00018

0003061959 / 2393373993MORR

The News-Press media group
news-press.com A GANNETT COMPANY

Notice of Public Meeting: A public meeting will be held for the Buckingham Planning Community at the Buckingham Presbyterian Church, 4241 Buckingham Rd, Fort Myers, FL 33905 on August 14, 2018 at 6:00pm. An information session by Morris-Depew Associates, Inc., will be conducted regarding a Comprehensive Plan Amendment (CPA2018-00004) and Residential Planned Development Amendment (DCI2018-00018) for the Portico Residential Community located at, 14043 Aledo Court, Fort Myers, FL 33905, off of Buckingham Road.
AD# 3061959 Aug. 6, 2018

Attn: CANDACE
MORRIS-DEPEW ASSOCIATES, INC.
2891 CENTER POINTE DRIVE # 100
FORT MYERS, FL 33916

STATE OF FLORIDA COUNTY OF LEE:
Before the undersigned authority personally appeared Milagros A Isberto, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

Notice of Meetings

In the Twentieth Judicial Circuit Court was published in said newspaper in the issues of:

08/06/18

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 6th of August 2018, by Milagros A Isberto who is personally known to me.

Janet E Cobb
Notary Public for the State of Florida
My Commission expires February 13, 2021

JANET E. COBB
MY COMMISSION # GG 072455
EXPIRES: February 13, 2021
Bonded Thru Notary Public Underwriters

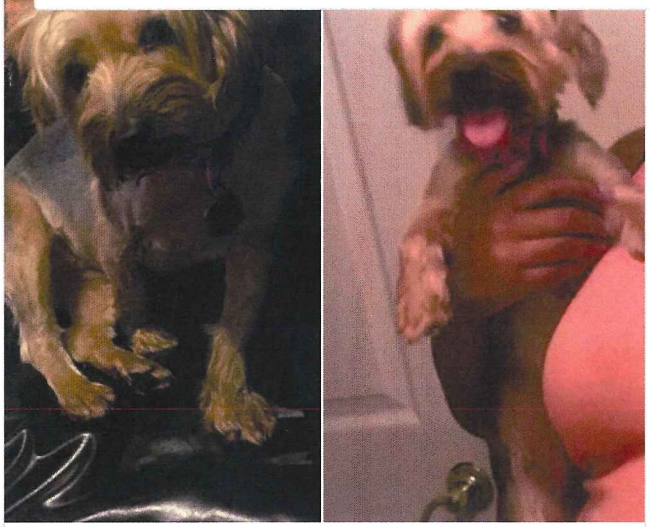
DCI 2018-00018

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Preserve Buckingham
Public Group

Shortcuts

Join Group More Join this group to post and comment.



8 8 Comments 7 Shares

Like Share

View 1 more comment

Krystal Jones-Christman There's a big white sign with red letters that said dog found. It's at the house next to the canal on kitty hawk going toward unice. I saw it earlier today. May be worth a check.

Like · 2w

Shelly Daley King replied · 1 Reply

Jacque Rippe Could you please modify your post to say she was found? Many people don't read the comments and will repost it

Like · 2w

Shelly Daley King replied · 1 Reply

Courtney Fraser
August 2 at 11:41 AM

"Notice of Public Meeting: A public meeting will be held for the Buckingham Planning Community at the Buckingham Presbyterian Church, 4241 Buckingham Rd, Fort Myers, FL 33905 on August 14, 2018 at 6:00pm. An information session by Morris-Depew Associates, Inc., will be conducted regarding a Comprehensive Plan Amendment (CPA2018-00004) and Residential Planned Development Amendment (DCI2018-00018) for the Portico Residential Community located at, 14043 Aledo Court, Fort Myers, FL 33905, off of Buckingham Road."

7 10 Comments 2 Shares

Like Share

Rob Cook
August 2 at 6:49 PM

On a different note, do any of you guys on well water have a smell you can't get rid of? It's true that I sometimes get a rotten egg smell when I forget to put salt in the brine tank of the water softener but this is different. It smells kind of like crude oil. I even bleached the well, but to no avail.

3 15 Comments

Like Share

View 5 more comments

Rob Cook Hmmm... I posted a pic from the phone, but it's not up yet. Anyway. my system is similar to yours, Scott. Smell is odd, indeed!

YOUR PAGES

Morris-Depew Associates,...

CONTACTS

Chris Ressler
Samantha Intile Sarnelli
Elizabeth MacAuslan
Katie Berkey
Jamie Hawley 1
Keith Fletcher
Frank Rygiel
Aloha Jake
Bill Nemser
George Mayfield
Anne Reed
Tasha Bielby Wallace 1
Debra Hawley
Deb Demers Dustin

GROUP CONVERSATIONS

Create New Group

Search

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT
DCI 2018-00018

BUCKINGHAM COMMUNITY MEETING SIGN-IN SHEET

Project:	Portico CPA2018-00004 & DCI2018-00018	**Meeting Date:**	8/14/2018
Location:	Buckingham Presbyterian Church 4241 Buckingham Road, Fort Myers, FL 33905		

Name:	Phone:	E-Mail:
Rosemary & Ron Clark	239 690-0442	N/A
Steve & Margi Willis	239-209-2335	stemar8@me.com
John + Maggie Marcantonio	239-340-9141	maggiemarcantoniofla@gmail.com
Ron + Dianne Greene	239-693-1976	jrgreenn714RR@yahoo.com
Debbie & Craig Hansen	239.694-0201	gh5521@embarqmail.com
Ken + Gwen McCann	-6942522	on file
Scott Holler	239-810-3899	Scottholler1@gmail.com
Bill & Betsy Bardette	239-980-3986	bill@bardetteinc.com
FRANK & GAIL MASCARI	239-689-5985	bigbiglegman2@aol.com
PAUL + SARA COX	239-209-1803	MustHang2PC@excite.com
Don + Rose Caskey	239-693-1165	n389x@xahoo.com n389x@yahoo.com
EMILE & MARTHA GREENWAY	239 693-0337	emilem20F@yahoo.com
Connie DiSiena	239-694-6940	Constance239@Yahoo.com
Beverly Sheridan	813-625-7100	beverly.sheridan@yahoo.com
JACQUE RIPPE	239-694-0451	rippemj@embarqmail.com
Carol VanderVliet	239-693-2464	c_n_v[illegible]@comcast.net
John Domanski	239 694 3253	
Dale Kammerdiener	863 5580647	drdaze@embarqmail.com

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

MORRIS DEPEW
ENGINEERS · PLANNERS · SURVEYORS
LANDSCAPE ARCHITECTS

2914 Cleveland Avenue | Fort Myers, Florida 33901
Phone (239) 337-3993 | Toll Free (866) 337-7341
www.morris-depew.com

Portico

Residential Plan Development Amendment

Regional Drainage Narrative

The Portico project lies within south portion of the Olga watershed of Lee County (See attached Exhibit A – Regional Drainage Map). The surface water runoff within the Olga watershed generally flows from the south towards the Caloosahatchee River north of the project. The Portico project is considered to be at the high end of the watershed and is not subject of offsite flows from the south. Lee County data indicates that surface water from the south of the project lies within either the Orange River watershed or the Hickey Creek watershed.

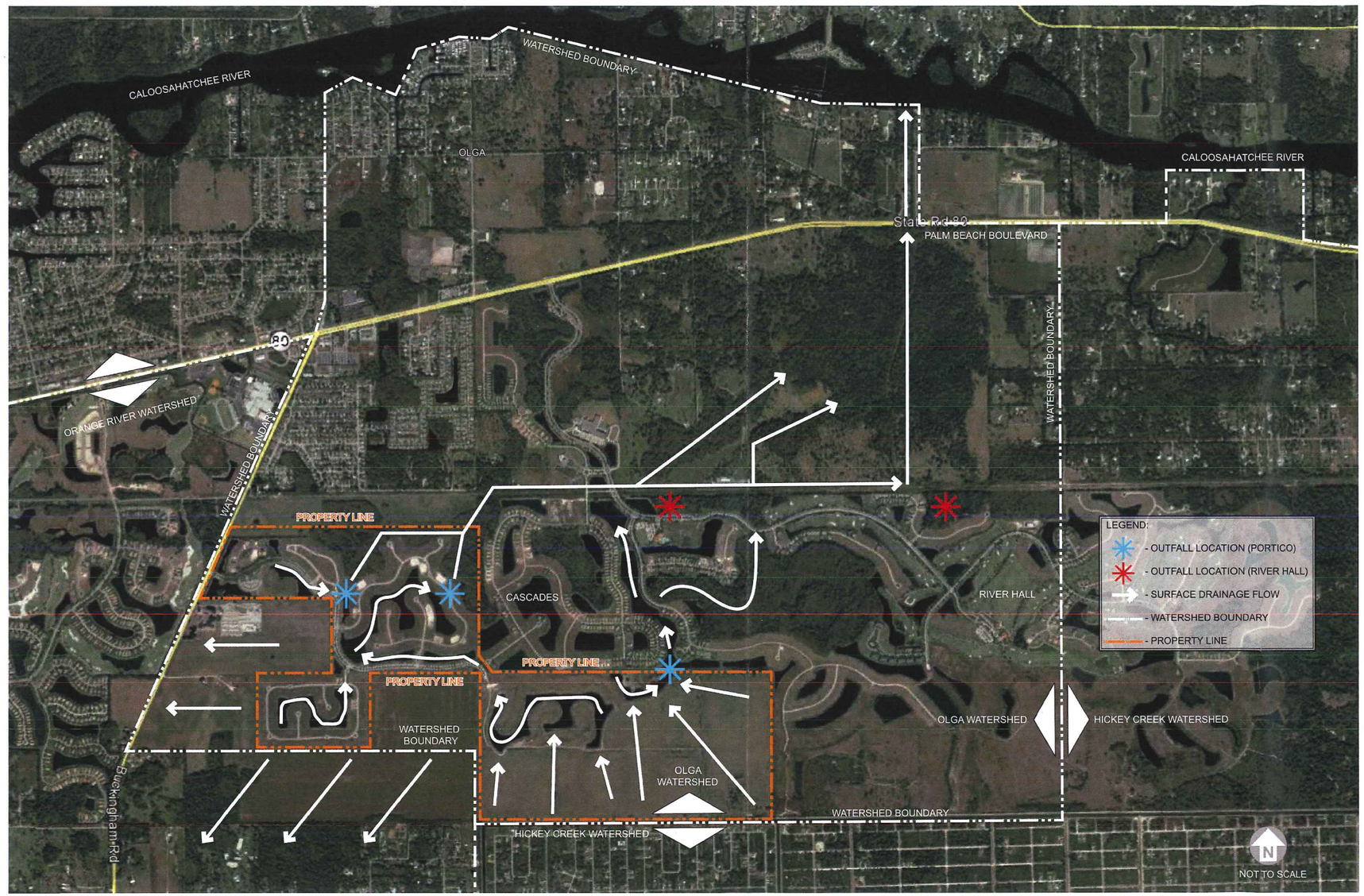
A review of the South Florida Water Management District Permit (SFWMD) (36-05388-P) for the Portico project indicates the project discharges its treated stormwater to the north of the project in three locations. (See Exhibit B – Site and Basin Plan from the Portico SFWMD Application 041222-23) Two of these locations are into on-site wetlands located on the north side of the project. The third location is an outfall into the Cascades at River Hall which is north of the southeast portion of the site. These outfall locations are shown as blue stars on Exhibit A.

The on-site wetlands flow north into a swale located within an FPL easement. A review of the SFWMD permit file (36-04006-P) for The Cascades at River Hall (fka – Hawks Haven) indicate that portions of River Hall also discharge at several locations into the same FPL Easement swale system in locations north of River Hall. (See Exhibit C – Hawk's Haven Post Development Run-Off Plan from SFWMD Application 991012-3 and Exhibit D – Hawk's Haven Basin 2,3,4 Plans from SFWMD Application 041001-18). These River Hall outfall locations are depicted by a red star on Exhibit A.

The swale within the FPL easement flows east towards an undeveloped low-lying area north of River Hall and then flows towards SR 80. Runoff then crosses SR 80 near its intersection with Werner Road and flows north until it ultimately discharges into the Caloosahatchee River.

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018



PROJECT:

PORTICO RPD

LOCATION:

LEE COUNTY, FLORIDA

CLIENT:

LENNAR

CONSULTANT:

MORRIS DEPEW

ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

FL CA NO. 6532 | FL CERT NO. LB6991 | LC26002330

Fort Myers
2914 Cleveland Avenue
Fort Myers, Florida 33901
(239) 337-3993
Fax: (239) 337-3994
Toll free: 866-337-7341

Tallahassee
113 South Monroe Street
1st Floor
Tallahassee, Florida 32301
Toll free: 866-337-7341

Destin
495 Grand Boulevard
Suite 205
Miramar Beach, FL 32550
Toll free: 866-337-7341

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

REVISIONS	DATE
PROJECT MANAGER:	TME
DRAWING BY:	DAL
JURISDICTION:	LEE COUNTY
DATE:	09/12/2018

SHEET TITLE:

REGIONAL DRAINAGE EXHIBIT

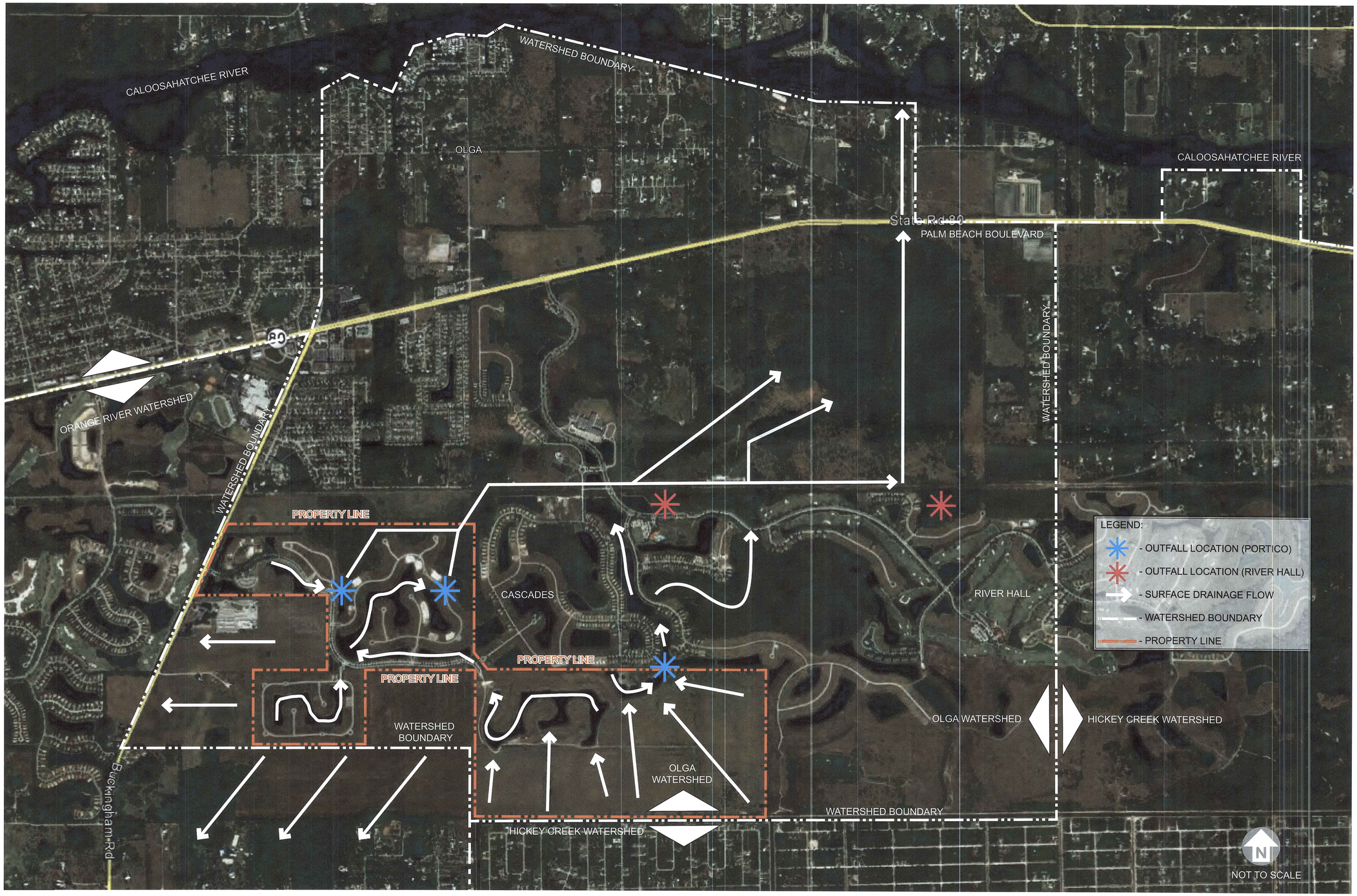
SHEET NUMBER: EXHIBIT A

SCALE N.T.S.

JOB/FILE NUMBER: 17103-02

© COPYRIGHT MORRIS DEPEW ASSOCIATES, INC. 2018 ALL RIGHTS RESERVED G:\17103 - Portico - Lennar\Dwg\Construction\Exhibit\17103 2018-09-12 Water Flow Exhibit 17103-02 EXH A - Regional Drainage Exhibit.dwg XA-03b= Sep 12 2018 02:13:21 pm PLOTTED BY mtrevithick

DCI 2018-00018



PROJECT:

PORTICO RPD

LOCATION:

LEE COUNTY, FLORIDA

CLIENT:

LENNAR

CONSULTANT:

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
FL CA NO. 6532 / FL CERT NO. LB6891 / LC26000330

Fort Myers
2914 Cleveland Avenue
Fort Myers, Florida 33901
(239) 337-3993
Fax: (239) 337-3994
Toll free: 866-337-7341

Tallahassee
113 South Monroe Street
1st Floor
Tallahassee, Florida 32301
Toll free: 866-337-7341

Destin
495 Grand Boulevard
Suite 206
Miramar Beach, FL 32550
Toll free: 866-337-7341

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

REVISIONS	DATE

PROJECT MANAGER:	TME
DRAWING BY:	DAL
JURISDICTION:	LEE COUNTY
DATE:	09/12/2018

SHEET TITLE:

REGIONAL DRAINAGE EXHIBIT

SHEET NUMBER:

EXHIBIT A

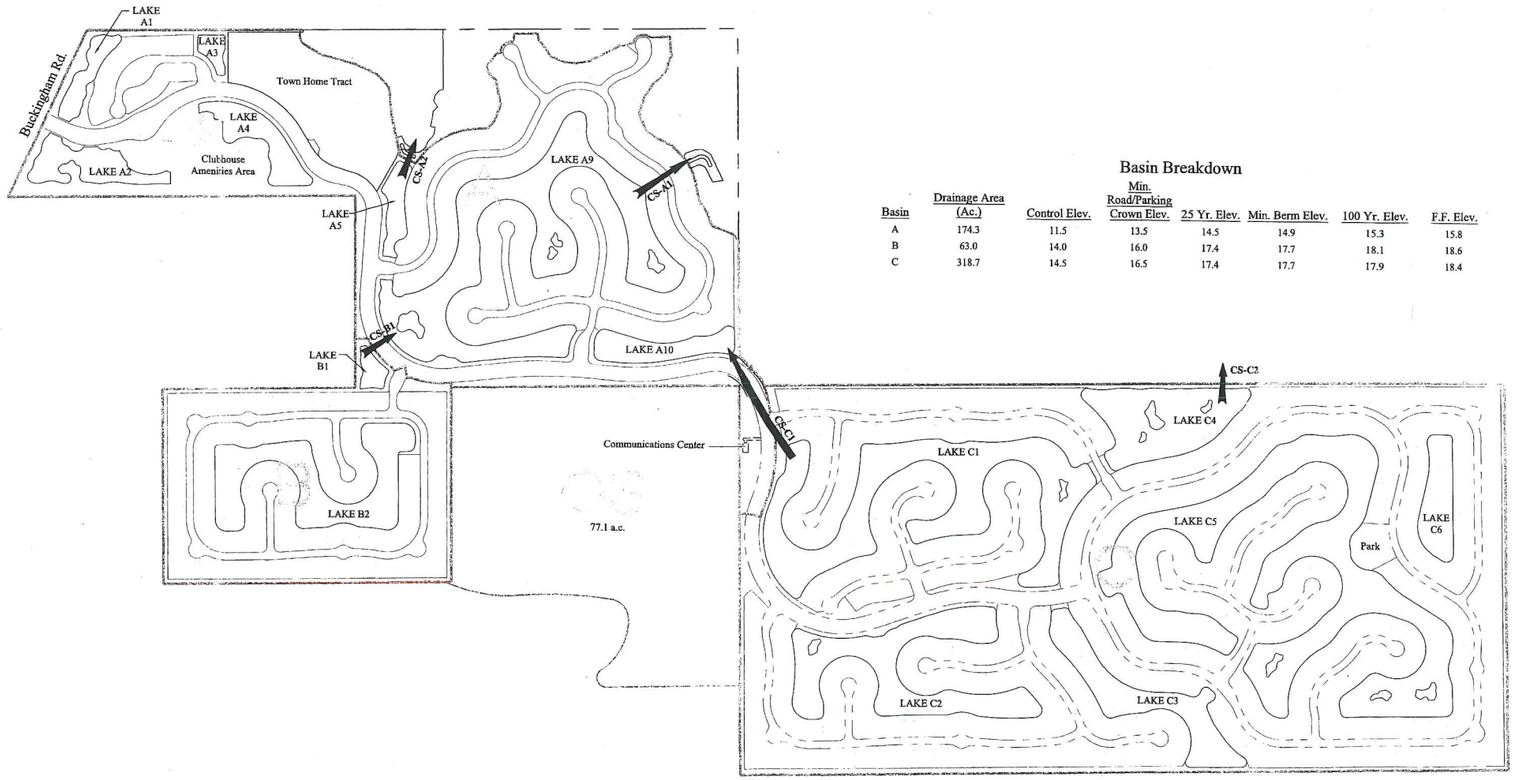
SCALE N.T.S.

JOB/FILE NUMBER:

17103-02

© COPYRIGHT MORRIS DEPEW ASSOCIATES, INC. 2018 ALL RIGHTS RESERVED

G:\17103 - Portico - Lennar\Docs\Correspondence\17103 2018-09-12 Water Flow Exhibit\17103-02 EXH A - Regional Drainage Exhibit.dwg -X-103- - Sep 12 2018 02:13:21 pm PLOTTED BY: mlincoln\nol



N

0 400 800
SCALE IN FEET

Basin Breakdown

Basin	Drainage Area (Ac.)	Control Elev.	Min. Road/Parking Crown Elev.	25 Yr. Elev.	Min. Berm Elev.	100 Yr. Elev.	F.F. Elev.
A	174.3	11.5	13.5	14.5	14.9	15.3	15.8
B	63.0	14.0	16.0	17.4	17.7	18.1	18.6
C	318.7	14.5	16.5	17.4	17.7	17.9	18.4

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

ADD/REVISED SUBMITTAL
MAY 20 2005
LWC SERVICE CENTER

APPLICATION NUMBER
041222-23#

PERMIT SET
NOT FOR CONSTRUCTION

N:\20044590\drawing\ERP-PLANS\044590-ERP-SITE-BASIN.dwg (Site-Basin) DAW May 17, 2005 - 11:23am

REVISIONS

TW ACQUISITIONS

PORTICO
LEE COUNTY, FLORIDA

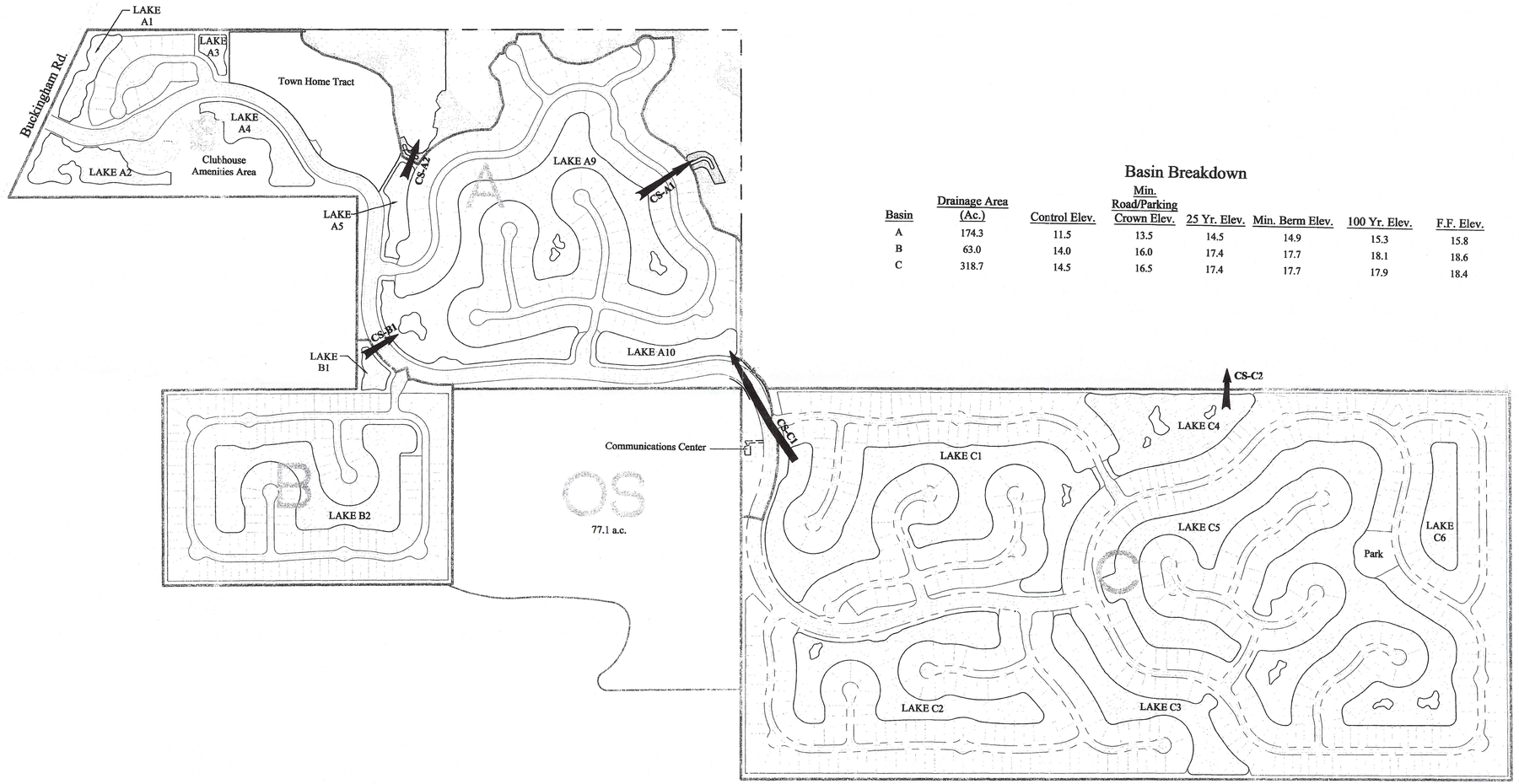
JOHNSON ENGINEERING
2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

DAVID V. WILLEMS PE
Fl. License No.57634

SITE & BASIN PLAN

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
NOVEMBER, 2004	20044590	33-43-25	AS SHOWN	7

EXHIBIT 2.04
DCI 2018-00018



Basin Breakdown

Basin	Drainage Area (Ac.)	Control Elev.	Min. Road/Parking Crown Elev.	25 Yr. Elev.	Min. Berm Elev.	100 Yr. Elev.	F.F. Elev.
A	174.3	11.5	13.5	14.5	14.9	15.3	15.8
B	63.0	14.0	16.0	17.4	17.7	18.1	18.6
C	318.7	14.5	16.5	17.4	17.7	17.9	18.4

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DCI 2018-00018

ADD/REVISED SUBMITTAL
MAY 20 2005
LWC SERVICE CENTER

APPLICATION NUMBER
041222-23#

N:\20044590\drawing\ERP-PLANS\044590-ERP-SITE-BASIN.dwg (Site-Basin) DAW May 17, 2005 - 11:23am

PERMIT SET
NOT FOR CONSTRUCTION

REVISIONS		

TW ACQUISITIONS

PORTICO
LEE COUNTY, FLORIDA

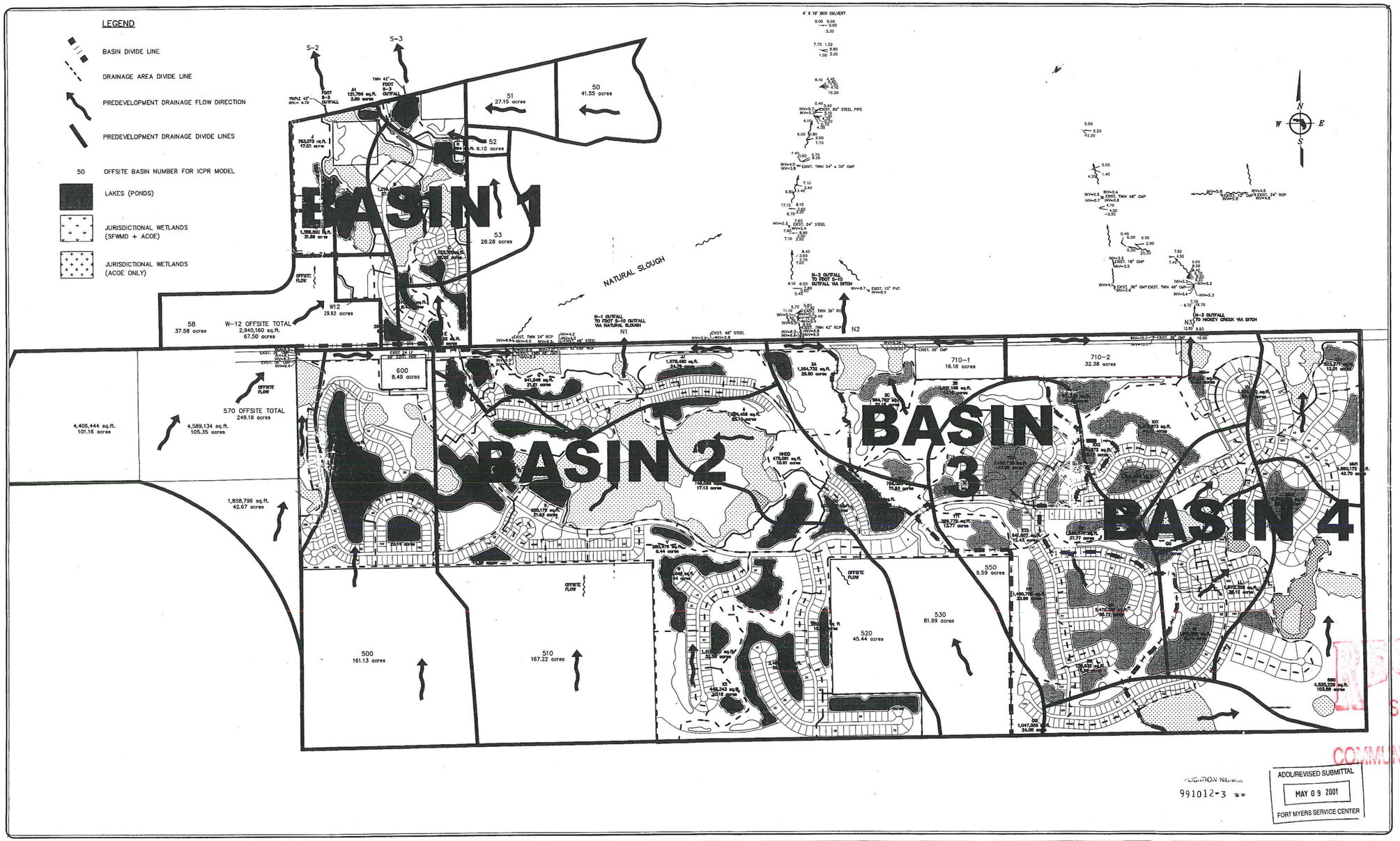
JOHNSON ENGINEERING
2158 JOHNSON STREET
P.O. BOX 1550
FORT MYERS, FLORIDA 33902-1550
PHONE (239) 334-0046
FAX (239) 334-3661
E.B. #642 & L.B. #642

DAVID V. WILLEMS PE
Fl. License No.57834

SITE & BASIN PLAN

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
NOVEMBER, 2004	20044590	33-43-25	AS SHOWN	7

EXHIBIT 2.04



991012-3

ADDL/REVISED SUBMITTAL
MAY 09 2001
FORT MYERS SERVICE CENTER

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

DATE	REVISIONS:
1 5/26/00	REVISIONS PER SFWMD COMMENTS
2 11/28/00	REVISIONS PER SFWMD COMMENTS
3 02/02/01	REVISIONS PER SFWMD COMMENTS
4 03/12/01	REVISIONS PER SFWMD COMMENTS
5 04/23/01	REVISIONS PER SFWMD COMMENTS
6	

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Bonita Springs, Florida 34135
Phone (941) 947-0285 Fax (941) 947-1323
E-Mail bonita@consul-tech.com
Certificate of Authorization #LB3527

CLIENT:
FL.TAMPA WEST, INC.
5307 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33543
(813) 907-1539

PROJECT
HAWK'S HAVEN
LEE COUNTY, FLORIDA
SEC. 27, 34, 35, 36 TWP. 43 S., RNG. 26 E.

TITLE:
POST DEVELOPMENT RUN-OFF PLAN

NOTE: The undersigned and CONSUL-TECH ENGINEERING, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right of way, setback lines, reservations, restrictions or other matters of record. This instrument is intended to reflect or not to reflect only those items shown in the referenced above. CONSUL-TECH ENGINEERING, INC. did not research the public records for matters affecting the lands shown.
NOTE: This instrument is the property of CONSUL-TECH ENGINEERING, INC. and shall not be reproduced in whole or in part without written permission of CONSUL-TECH ENGINEERING, INC.

LAURIE A. SWANSON, P.E. DATE: 5/8/01
PROFESSIONAL ENGINEER, P.E. 46254, STATE OF FLORIDA

FB	PG

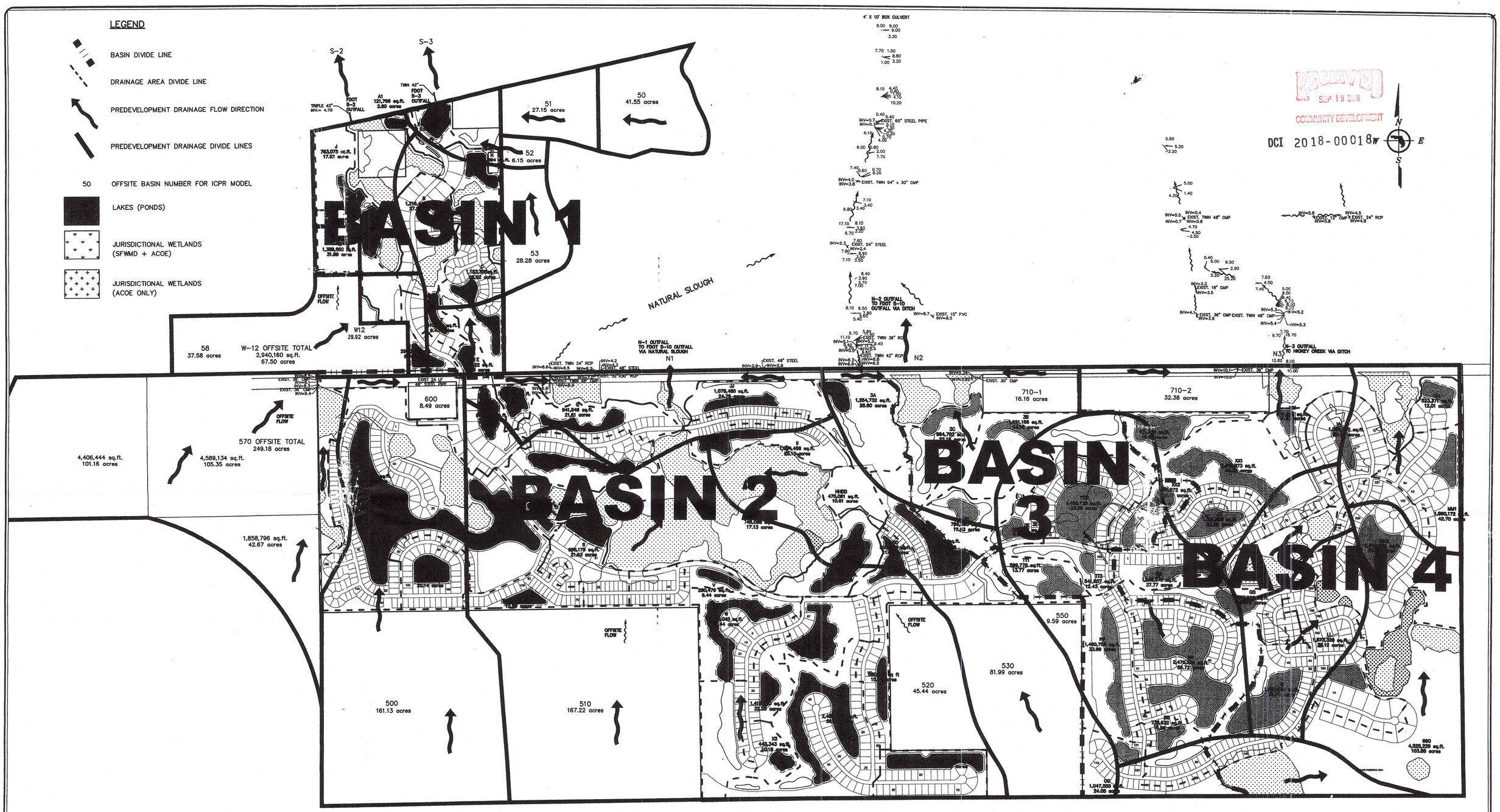
DESIGN BY: VA/LAS
DRAWN BY: VA
CHECKED BY: DEM/LAS
DATE: SEPT. 30, 1999

CAD FILE: C-509-BASINS
DWG NO: C-545-DRN

SCALE: 1"=600'
PROJECT NUMBERS
CTE: 980408
BONITA: (99-251)

SHEET 5 OF 83

DCI 2018-00018



RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT
DCI 2018-00018W

APPLICATION NUMBER
991012-3

ADD/REVISED SUBMITTAL
MAY 09 2001
FORT MYERS SERVICE CENTER

DATE	REVISIONS:
1 5/26/00	REVISIONS PER SFWMD COMMENTS
2 11/28/00	REVISIONS PER SFWMD COMMENTS
3 02/02/01	REVISIONS PER SFWMD COMMENTS
4 03/12/01	REVISIONS PER SFWMD COMMENTS
5 04/23/01	REVISIONS PER SFWMD COMMENTS
6	

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers Land Planners Land Surveyors
24831 Old 41 Road Bonita Springs, Florida 34135
Phone (941) 947-0266 Fax (941) 947-1323
E-Mail bonita@consul-tech.com
Certificate of Authorization #LB3527

CLIENT:
FL.TAMPA WEST, INC.
5307 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33543
(813) 907-1539

PROJECT
HAWK'S HAVEN
LEE COUNTY, FLORIDA
SEC. 27, 34, 35, 36 TWP. 43 S., RNG. 26 E.

TITLE:
POST DEVELOPMENT RUN-OFF PLAN

NOTE: The undersigned and CONSUL-TECH ENGINEERING, INC. make no representations or guarantees as to the completeness of the information reflected hereon pertaining to easements, right of way, setback lines, reservations, agreements or other matters of record. This instrument is intended to reflect or set forth only those items shown in the references above. CONSUL-TECH ENGINEERING, INC. did not research the public records for matters affecting the lands shown.
NOTE: This instrument is the property of CONSUL-TECH ENGINEERING, INC. and shall not be reproduced in whole or in part without written permission of CONSUL-TECH ENGINEERING, INC.

LAURIE A. SWANSON, P.E.
PROFESSIONAL ENGINEER, P.E. 40254, STATE OF FLORIDA
DATE: 5/8/01

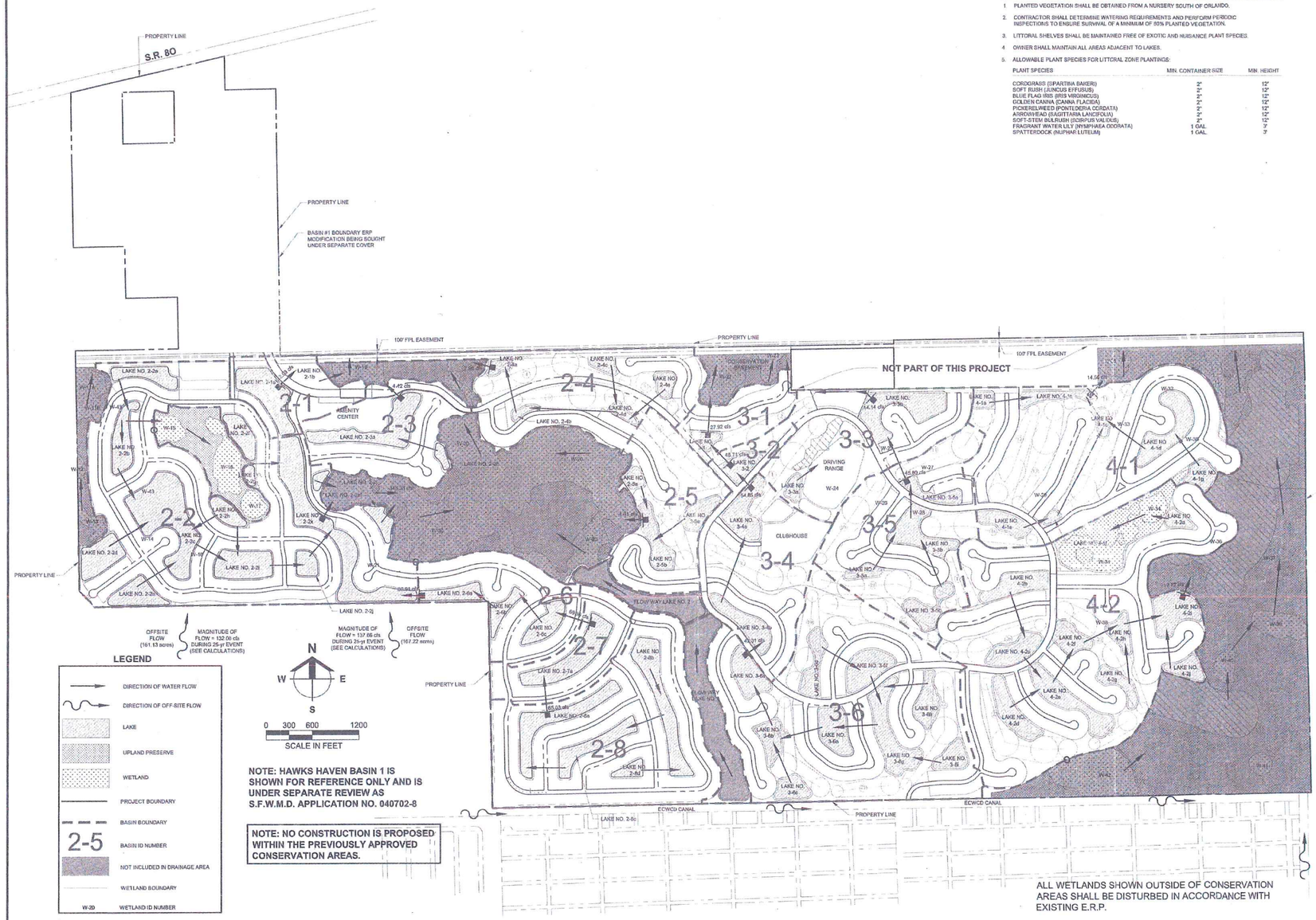
FB	PG

DESIGN BY: VA / LAS
DRAWN BY: VA
CHECKED BY: DEM/LAS
DATE: SEPT. 30, 1999

CAD FILE: C-509-BASINS
DWG NO: C-545-DRN

SCALE: 1"=600'
PROJECT NUMBERS
CTE: 980408
BONITA: (99-251)

SHEET
5 OF 83



LITTORAL ZONE PLANTING NOTES:

1. PLANTED VEGETATION SHALL BE OBTAINED FROM A NURSERY SOUTH OF ORLANDO.
2. CONTRACTOR SHALL DETERMINE WATERING REQUIREMENTS AND PERFORM PERIODIC INSPECTIONS TO ENSURE SURVIVAL OF A MINIMUM OF 80% PLANTED VEGETATION.
3. LITTORAL SHELVES SHALL BE MAINTAINED FREE OF EXOTIC AND NUISANCE PLANT SPECIES.
4. OWNER SHALL MAINTAIN ALL AREAS ADJACENT TO LAKES.
5. ALLOWABLE PLANT SPECIES FOR LITTORAL ZONE PLANTINGS:

PLANT SPECIES	MIN. CONTAINER SIZE	MIN. HEIGHT
CORDGRASS (SPARTINA BAKERI)	1"	12"
SOFT RUSH (JUNCUS EFFUSUS)	1"	12"
BLUE FLAG IRIS (IRIS VIRGINICUS)	1"	12"
GOLDEN CANNA (CANNA FLACIDA)	1"	12"
PICKERELWEED (PONTEDERIA CORDATA)	1"	12"
ARROWHEAD (SAGITTARIA LANCIFOLIA)	1"	12"
SOFT-STEM BULRUSH (SCIRPUS VALIDUS)	1"	12"
FRAGRANT WATER LILY (NYMPHAEA ODORATA)	1 GAL.	3'
SPATTERDOCK (NUPHAR LUTEUM)	1 GAL.	3'

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

HAWK'S HAVEN DEVELOPERS, LLC

2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607

PHONE (813) 207-0136
FAX (813) 207-0139

LandMar GROUP, LLC

PROJECT DESCRIPTION

HAWKS HAVEN

BASIN 2, 3 AND 4 E.R.P. PLANS

PART OF SECTION 25-27 AND 34-36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

PROJECT ENGINEER

ENGINEER OF RECORD:
CARL A. BARRACO, P.E.
FOR THE FIRM
2271 McGREGOR BOULEVARD
FORT MYERS, FLORIDA 33901
FLORIDA P.E. NO. 38538

3-11-05

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
© COPYRIGHT 2005, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	21988ERP10.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\ERPMOD01
PLOT DATE	THU 3-10-2005 - 4:19 PM
PLOT BY	MATT JONES
DESIGN BY	GREGG LATHROP
XREF1	BASEPLAN = 21988A-OPTS.DWG
XREF2	
XREF3	
XREF4	
XREF5	

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

APPLICATION NUMBER
041001-18

PLAN REVISIONS

ADD/REVISED SUBMITTAL
MAR 11 2005
LWC SERVICE CENTER

PLAN STATUS
APPROVAL SUBMITTAL WITH PERMITS CONDITIONS

PERMITTED PLANS

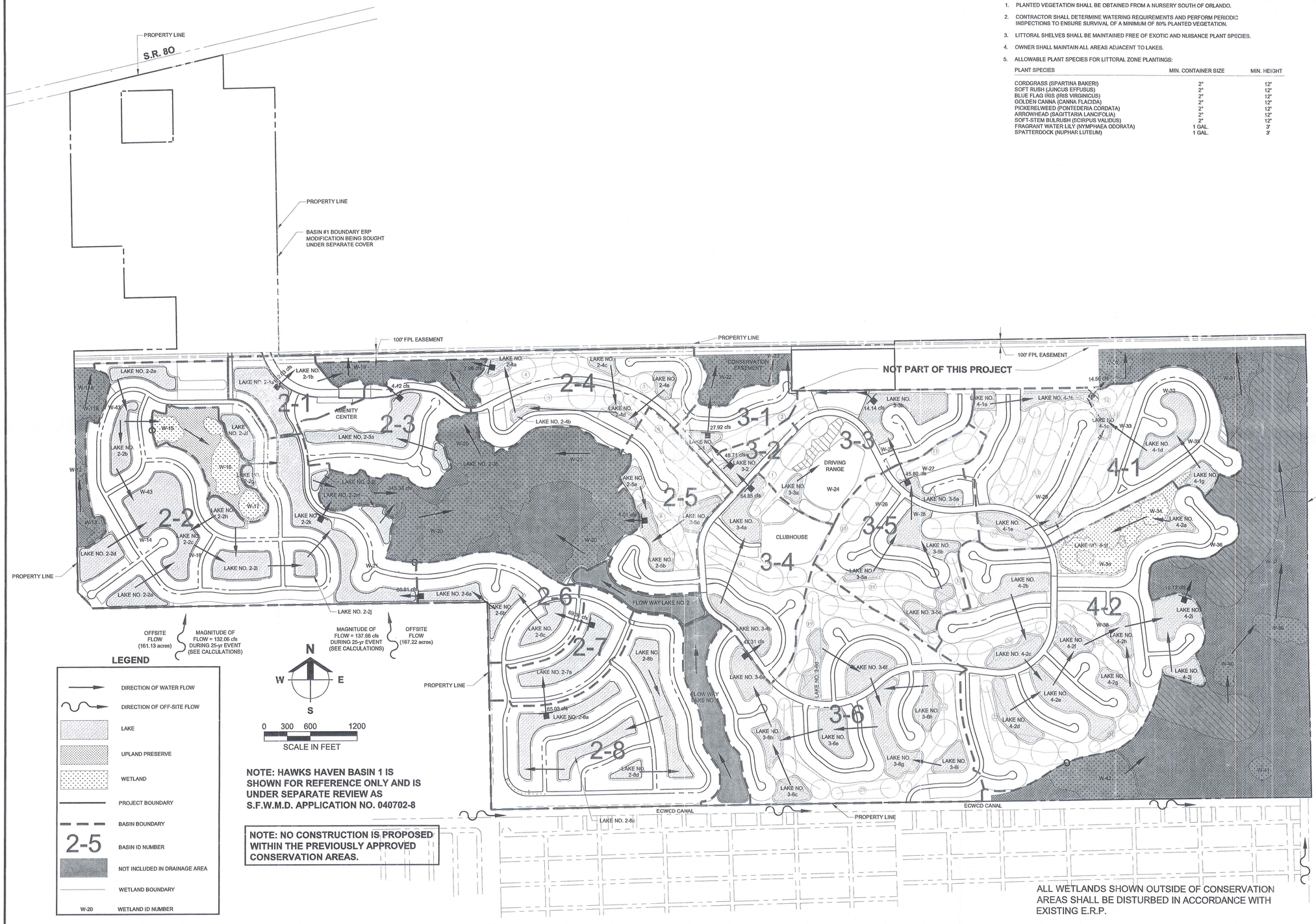
MASTER DRAINAGE PLAN

PROJECT / FILE NO.	SHEET NUMBER
21988	4

REG COMP FILES

FINAL APPROVED
MAR 22 2005
LWC SERVICE CENTER
36-Cy 006-P

DCI 2018-00018



NOTE: HAWKS HAVEN BASIN 1 IS SHOWN FOR REFERENCE ONLY AND IS UNDER SEPARATE REVIEW AS S.F.W.M.D. APPLICATION NO. 040702-8

NOTE: NO CONSTRUCTION IS PROPOSED WITHIN THE PREVIOUSLY APPROVED CONSERVATION AREAS.

ALL WETLANDS SHOWN OUTSIDE OF CONSERVATION AREAS SHALL BE DISTURBED IN ACCORDANCE WITH EXISTING E.R.P.

LITTORAL ZONE PLANTING NOTES:

1. PLANTED VEGETATION SHALL BE OBTAINED FROM A NURSERY SOUTH OF ORLANDO.
2. CONTRACTOR SHALL DETERMINE WATERING REQUIREMENTS AND PERFORM PERIODIC INSPECTIONS TO ENSURE SURVIVAL OF A MINIMUM OF 80% PLANTED VEGETATION.
3. LITTORAL SHELVES SHALL BE MAINTAINED FREE OF EXOTIC AND NUISANCE PLANT SPECIES.
4. OWNER SHALL MAINTAIN ALL AREAS ADJACENT TO LAKES.
5. ALLOWABLE PLANT SPECIES FOR LITTORAL ZONE PLANTINGS:

PLANT SPECIES	MIN. CONTAINER SIZE	MIN. HEIGHT
CORDGRASS (SPARTINA BAKERI)	2"	12"
SOFT RUSH (JUNCUS EFFUSUS)	2"	12"
BLUE FLAG IRIS (IRIS VIRGINICUS)	2"	12"
GOLDEN CANNA (CANNA FLACIDA)	2"	12"
PICKERELWEED (PONTEDERIA CORDATA)	2"	12"
ARROWHEAD (SAGITTARIA LANCIFOLIA)	2"	12"
SOFT-STEM BULRUSH (SCIRPUS VALIDUS)	2"	12"
FRAGRANT WATER LILY (NYMPHAEA ODORATA)	1 GAL.	3'
SPATTERDOCK (NUPHAR LUTEUM)	1 GAL.	3'

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BOULEVARD
POST OFFICE DRAWER 2300
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

HAWK'S HAVEN DEVELOPERS, LLC

2202 NORTH WEST SHORE BOULEVARD
SUITE 125
TAMPA, FLORIDA 33607

PHONE (813) 207-0138
FAX (813) 207-0139

LandMar GROUP, LLC

PROJECT DESCRIPTION

HAWKS HAVEN

BASIN 2, 3 AND 4 E.R.P. PLANS

PART OF SECTION 25-27 AND 34-36
TOWNSHIP 43 SOUTH
RANGE 26 EAST
LEE COUNTY, FLORIDA

PROJECT ENGINEER

ENGINEER OF RECORD:
CARL A. BARRACO, P.E.
FOR THE FIRM
2271 McGREGOR BOULEVARD
FORT MYERS, FLORIDA 33901
FLORIDA P.E. NO. 38536

3-11-05

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
© COPYRIGHT 2005, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	21988ERP10.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21988\DWG\ERP\MOD2\
PLOT DATE	THU. 3-10-2005 - 4:19 PM
PLOT BY	MATT JONES
DESIGN BY	GREGG LATHROP
XREF1	BASEPLAN = 21988A-OPT1.DWG
XREF2	
XREF3	
XREF4	
XREF5	

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

APPLICATION NUMBER
041001-18

PLAN REVISIONS

ADD/REVISED SUBMITTAL
MAR 11 2005
LWC SERVICE CENTER

PLAN STATUS
APPROVAL SUBMITTAL PLANS
NOT FOR CONSTRUCTION

PERMITTED PLANS

MASTER DRAINAGE PLAN

PROJECT / FILE NO.	SHEET NUMBER
21988	4

REG COMP FILES

FINAL APPROVED
MAR 22 2005
LWC SERVICE CENTER
36-EY006-P

DCI 2018-00018

F.M.S.F.D.

Ft. Myers Shores Fire Protection and Rescue Service District
Fire Prevention Division
12345 Palm Beach Blvd S.E. Ft. Myers Fl. 33905
Phone (239) 694-2833
Fax (239) 694-3355
Rewis817@hotmail.com

RECEIVED
SEP 19 2018
COMMUNITY DEVELOPMENT

Candace Woodworth
Morris Depew
2914 Cleveland Avenue
Fort Myers, Fl. 33901
(239) 337-3993

DCI 2018-00018

August 6, 2018

Re: Portico Planned Development Amendment – DCI2018-00018

Regarding the areas in question that was marked with <15> on the plans provided requesting an amendment to the Lee County Land Development Code, 10-415(b)(1)(c) *"A minimum setback of 20 feet from building is required. For indigenous plant communities subject to fire, such as pine flatwoods, palmetto prairie and xeric scrub, a 30-foot setback is required for fire protection."* After careful review of the area's in question, the Fort Myers Shores Fire Protection & Rescue Service District will allow the amendment of the land development code from 30 feet for fire protection to 25 feet for fire protection for this project and the area's requested only. The Fort Myers Shores Fire Protection & Rescue Service District will have adequate space to perform firefighting tasks Any other amendment will have to be reviewed and decided on a case by case basis. If you have any other questions in regards to DCI2018-00018 please let me know and I will assist in anyway that I can.

Respectfully,

Acting Fire Marshal
Fort Myers Shores Fire Protection
& Rescue Service District