

September 14, 2018

Via E-Mail Only

John Manning
District One

Cecil L. Pendergrass
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

Daniel Delisi, AICP
15598 Bent Creek Road
Wellington, FL 33414

**RE: CPA2018-10011
Small Brothers Commercial**

Dear Mr. Delisi:

Staff has reviewed the original application for the comprehensive plan amendment application CPA2018-10011 Small Brothers Commercial received on August 7, 2018. Staff finds that the application materials are insufficient and further information is needed. A public hearing date will not be scheduled until a complete application is submitted. If you do not provide the requested supplements or corrections within 90 days of this letter, this application will be considered withdrawn.

General/Application Sufficiency Comments

1. The proposed FLUM provided in the application shows the entire property within the Commercial future land use category. This is inconsistent with other portions of the application where the applicant's stated 4.36 acres of wetlands. It should also be noted that the County's existing Future Land Use Map identifies 0.35 acres of uplands. Additionally, redesignating the entire site to Commercial will require the Expedited State Review Process, not the Small-Scale Review Process. Please correct the proposed FLUM and remedy these inconsistencies.
2. The application materials correctly identify that an amendment to Table 1(b) would be required as part of the proposed Lee Plan amendment, however the application packet did not include the proposed revisions to Table 1(b). Please provide the requested amendments to Table 1(b) and revise the application forms to update the "Project Summary" and "Requested Change" to indicate the amendments will include a text amendment to Table 1(b).
3. Please note that the calculation of maximum allowable development may need to be revised depending on the amount of uplands and wetlands on the subject property.

4. Please revise the Lee Plan narrative to include an analysis of the Southeast Lee County Vision Statement, Goal, Objectives, and Policies. The Lee Plan analysis should also address the Wetlands future land use category.
5. It appears that materials in application packet inaccurately depict the subject property within the EEPKO Overlay area. Please correct the maps by removing the "Lee Plan Overlay" boundary.

Environmental Sufficiency Comments

1. Applicant needs to provide the following required documents:
 - a. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS);
 - b. A map and description of the soils found on the property (identify the source of the information);
 - c. A topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA);
 - d. A map delineating the property boundaries on the Flood Insurance Rate Map effective August 2008;
 - e. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands; and,
 - f. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern.
2. The applicant made references to an environmental assessment performed by Dex Bender, but this assessment was not included with this application packet. The applicant's delineation of wetlands does not match the Future Land Use Map. If the applicant believes that the current FLUM incorrectly identifies the Wetlands future land use category on the subject property they may submit a JD or an ERP to remedy this through an administrative process.

Legal Sufficiency Comments:

1. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

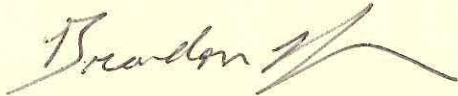
2. The applicant has not provided the required legal description for the proposed Commercial future land use category and Wetlands future land use category. The adopted FLUM depicts 0.35 acres of uplands within the perimeter boundary. The applicant has not provided a sketch of the property tied the state plane coordinates as required. The boundary survey provided by the applicant references an incorrect section township and range.

Transportation/ Circulation Sufficiency Comments:

1. The maximum pass-by rate accepted by the county is 30%. The pass-by rate included in the application is 34%. The proposed amendment to the FLUM is to redesignate the subject property to the Commercial future land use category, which allows for a wide range of commercial uses. As an example, the medical office use could potentially be allowed in the property and will generate more traffic than general commercial uses and have less pass-by traffic. The general commercial uses with a high percent pass-by traffic in the traffic analysis is not a worst case analysis. Please discuss these concerns with county staff and revise the analysis.
2. K & D factors shall be from the county's closest permanent count station, not from FDOT's portable traffic monitoring site.
3. The background traffic is based a 2% annual increase, but does not include the approved projects in the area (Corkscrew Farms, Pepperland, WildBlue and Verdana) in the 5 year traffic analysis. It is requested that the applicant's consultant demonstrate that the growth rate adequately reflects a projected increase in the SF DU's for study area projects that are underway such as the Place at Corkscrew, WildBlue, Bella Terra, and Corkscrew Crossings along with a modest growth rate increase.
4. The service volumes used for Corkscrew Rd from Grande Oak Way to Alico Rd in the 5 year analysis are uninterrupted flow highway service volumes. The interrupted facility service volumes should be used in the 5 year traffic analysis, consistent with the EEPKO study.
5. For this CPA analysis, the assumption of buildout of WildBlue, The Place at Corkscrew, Pepperland Ranch, and Verdana in the 2040 analysis seems overly conservative and staff suggests that the consultant document assumptions about the assumed percentage of completion for these four projects in 2040. It is possible that buildout for adjacent projects would be considered in a separate proportionate share analysis, if necessary and subject to AC-13-16 separate from the CPA review process.

Please feel free to contact me at (239) 533-8809 if you have any questions.

Sincerely,
Lee County DCD Planning Section

A handwritten signature in black ink, appearing to read "Brandon", followed by a long, sweeping horizontal flourish.

Brandon Dunn, Principal Planner

Cc: Mikki Rozdolski, Manager, Planning Section
Case file