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2914 Cleveland Ave
Fort Myers, FL 33901
(239) 337-3993 Office • (239) 337-3994 Fax
#LC26000330

LETTER OF TRANSMITTAL

TO:
Anthony R. Rodriguez, AICP
Planner, Principal
Department of Community Development - Zoning Section
1500 Monroe Street
Fort Myers, FL 33901

DATE: January 18, 2019	**MDA PROJECT NO.: 17103**
ATTENTION: Anthony Rodriguez	
RE: Portico DCI2018-00018	

We are sending you ☒ Attached ☐ Under separate cover VIA _____ the following items:

Copies	Date	No.	Description
3	2019/01/18	1	Applicants Report

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These are transmitted as checked below:

☐ For approval
☐ For your use
☐ As requested
☐ For review and comment
☐ For bids due

☐ Approved as submitted
Approved as noted
Returned for corrections

☐ Resubmit
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REMARKS: Please see the attached. Should you have any questions or concerns please contact me. Thank you.

COPY TO:

SIGNED: Candace Woodworth

Candace E. Woodworth
Assistant Planner

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

Applicant's Report

Portico

DCI2018-00018

Residential Planned Development Amendment

Part 1: Application Summary

A. Project Name: Portico

B. Applicant/Representatives:

i. **Applicant:** WCI Communities, LLC. /Lennar Homes, LLC
c/o Barry Ernst, AICP

ii. **Land Use Attorney:** Neale Montgomery, Esq., Pavese Law Firm

iii. **Land Use Planner:** Tina M. Ekblad, MPA, AICP, LEED AP, Morris-Depew Associates, Inc.

iv. **Transportation Engineer:** Steve Leung, David Plummer & Associates, Inc.

C. Amendment Request:

i. Permit a maximum of 1,600 dwelling units to establish a density of 2.7 dwelling units per acre for the overall development. This is an increase of 422 dwelling units from the existing zoning approval.

ii. Amend the Master Concept Plan

iii. Modify previously approved deviations and request additional deviations to address changing development conditions and amendments to the land development code.

D. Concurrent Application Review:

The Planned Development Amendment application for Portico was filed June 1, 2018. The Applicant also filed a companion Comprehensive Plan Map & Text Amendment application (CPA2018-00004) that is being reviewed concurrently with the Planned Development Rezoning application.

CPA2018-00004 was filed on February 14, 2018 and requests that 536.82 acres of the Property's Sub-Outlying Suburban future land use category be reallocated to the Outlying Suburban future land use category. To achieve the request, an amendment to Lee Plan Map 1 and Table 1(b) are necessary.

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Part 2: Property Information

A. Project Location/Site Description:

The Portico Subdivision is an approximately ±589-acre existing residential community located in eastern Lee County fronting on Buckingham Road. The property is currently zoned Residential Planned Development. A Development Order has been issued for the entire community and portions of the development are platted. Additionally, an Environmental Resources Permit (ERP) has been approved, ERP 36-05388-P, and Conservation Easements have been recorded consistent with the ERP. Under the current approvals 1,178 dwelling units are permitted. The requested amendment would increase the maximum dwelling units to 1,600.

B. Urban Services

This general area of Lee County has been designated for urban services in the Lee Plan and all urban services are located adjacent to the subject property and are available to serve the subdivision.

i. Potable Water

The existing subdivision and proposed additional units are within the Lee County Utilities service area and will be serviced by the Olga Water Treatment Facility. A Letter of Availability was provided from Lee County Utilities indicating there is adequate capacity to service the existing subdivision and additional dwelling units.

Lee County's 2017 Concurrency Reports indicates that 13,852 Equivalent Residential Connection (ERC) were served by the plant in 2016. The number of ERCs projected in 2022 is 17,462 units. The anticipated ERCs that will be served in 2040 is 28,291 units. The additional 536 units is well within the projected growth of 3,610 ERCs to be served by 2022 and 14,439 ERCs to be served by 2040. Therefore, The Olga Water Treatment Facility has adequate capacity to service the proposed development.

Lee County's 2018 Concurrency Report does not delineate figures for individual potable water facilities but rather provides a system-wide required capacity of 250 gallons per day (GPD) per ERC. Lee County Utilities' available capacity is 289 GPD which exceeds the required amount, therefore the County has adequate capacity to service the additional requested units within the Portico Subdivision.

ii. Sanitary Sewer

The subject property is within the service area limits for the City of Fort Myers Central Advanced Waste Water Treatment Facility, a major regional treatment plant. The property can utilize this plant via an inter-local agreement between Lee County and the City of Fort Myers. A Letter of Availability was provided from the City of Fort Myers indicating there is adequate capacity to service the existing subdivision and additional dwelling units.

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The Lee County 2018 Concurrency Report notes there is capacity within the Fort Myers/Lee County Utilities WWTP Systems for 147,967 Equivalent Residential Connections (ERC) in 2023 and 185,093 in 2040. The plant currently serves 169,039 ERCs. The additional 536 units are well within the projected growth of 23,696 additional ERCs by 2022 and 94,785 additional ERCs by 2040. Therefore, the additional requested units can be served by the existing available capacity.

iii. Paved Streets/Roads & Transportation

The subject property is accessible through one (1) point of access along Buckingham Road, a 60-foot-wide arterial roadway. Two emergency access points within the community are approved in addition to the primary entry/exit and one is already constructed. The amendment will not alter the existing primary or approved emergency access points. The community's primary roadway, Portico Boulevard, has been paved throughout the western portion of the community, referred to as Phase 1. The Portico subdivision has already donated 25ft of right of way along Buckingham as well as installed turn lanes, sidewalks, and an enhanced 25ft buffer. The desired pedestrian and vehicular interconnectivity is already constructed, supporting the existing units within the Portico Subdivision, and able to support the requested additional 422 units. An existing emergency access point has been constructed promoting interconnectivity with the adjacent River Hall subdivision and a second emergency access will be constructed between the Portico and River Hall Subdivisions at build out. Lee Plan Policy 39.2.2 establishes "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" and consistent with Policy 39.2.2, the Portico subdivision utilizes Buckingham Road for vehicular connectivity. 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 to increase the area's density to a level that will support mass transit options. A more detailed description of the opportunity for densification that will ultimately increase Lee Tran ridership can be found in Part 4 Section C.

It should be noted that Buckingham Road is the only north/south arterial roadway intersecting with SR 80 east of Interstate 75 connecting Lehigh Acres to Downtown Fort Myers as well as the Form DRI. 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 further distribution of goods, services, and residents.

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iv. Walkways/Bikeway

The segment of Buckingham Road adjacent to the subject property is identified on Lee Plan Map 3D as having on-road bikeway facilities, a shared use path, and a sidewalk. As previously mentioned and demonstrated by figure 1 below, the Portico subdivision has already donated right of way along Buckingham Road and installed turn lanes, sidewalks, and enhanced buffering.



Figure 1. Image of existing Portico Entry

v. Public Safety (Police, Fire, and EMS)

The subject property is well within the service limits for Emergency Medical Services, Fire and Police services. Lee County Emergency Medical Services is the primary EMS transport for the subject property. The subject property is served by the Fort Myers Shores Fire District 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 located at 14750 Six Mile Cypress Parkway is responsible for providing service to the subject property. A Letter of Availability from the Lee County Sherriff, EMS and Fort Myers Shores Fire District has been received demonstrating the ability to serve the existing dwelling units and the additional requested units.

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vi. 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 has recently been constructed in Bonita Springs within the South Zone and has opened for the 2018-2019 school year. Lee County Schools has also acquired a school site in Gateway for a future high school, which is expected to be constructed and open in the Fall of 2021, well within the time horizon of the Lee Plan. Gateway is located in the Lee County School District East Zone.

vii. 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 area. A Letter of Availability has been received from Lee County Solid Waste confirming capacity to serve the additional dwelling units.

C. Future Land Use Designation and Planning Community

The 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.

As previously mentioned, CPA2018-00004 was filed on February 14, 2018 and requests that 536.82 acres of the Property's Sub-Outlying Suburban future land use category be reallocated to the Outlying Suburban future land use category.

The reallocation of 536.82 acres from the Sub-Outlying Suburban FLU category to the Outlying Suburban FLU category will permit the existing Portico Subdivision to act as a transition, providing a step down from higher densities found in the existing Verandah Planned Development to the west, Hemingway Pointe to the North, the existing River Hall community to the East, and Buckingham 345 and Lehigh Acres to the south. At a maximum of 1,600 dwelling units, as requested in this rezoning application, the total 589-acre subdivision would permit a density of 2.7 units per acre.

Per zoning resolution Z-04-080, the Portico subdivision can currently develop a maximum of 1,178 dwelling units despite an overall potential development of 1,207 dwelling units per

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existing Future Land Use category density ranges. If the requested amendment to reallocate 536.82 acres from the Sub-Outlying Suburban FLU to the Outlying Suburban FLU were approved, the maximum potential development of the property would be 1,749 units however, the requested Planned Development Amendment limits the maximum development within the Portico subdivision to 1,600 dwelling units.

The Portico subdivision is identified on Lee Plan Map 16 as being within the Fort Myers Shores Planning Community. Furthermore, Goal 21 and Lee Plan Map 1 page 2 of 8 demonstrates this area of the County as Caloosahatchee Shores. The Lee Plan describes Caloosahatchee Shores as having a more rural character than 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.

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Part 3: Surrounding Properties

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.

A. 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; however, it is an approved Residential Planned Development, Hemingway Pointe. Approved in January of 2007 by Resolution Z-06-085, the RPD is permitted 207 dwelling units on approximately 75 acres for a density of 2.7 dwelling units per acre.

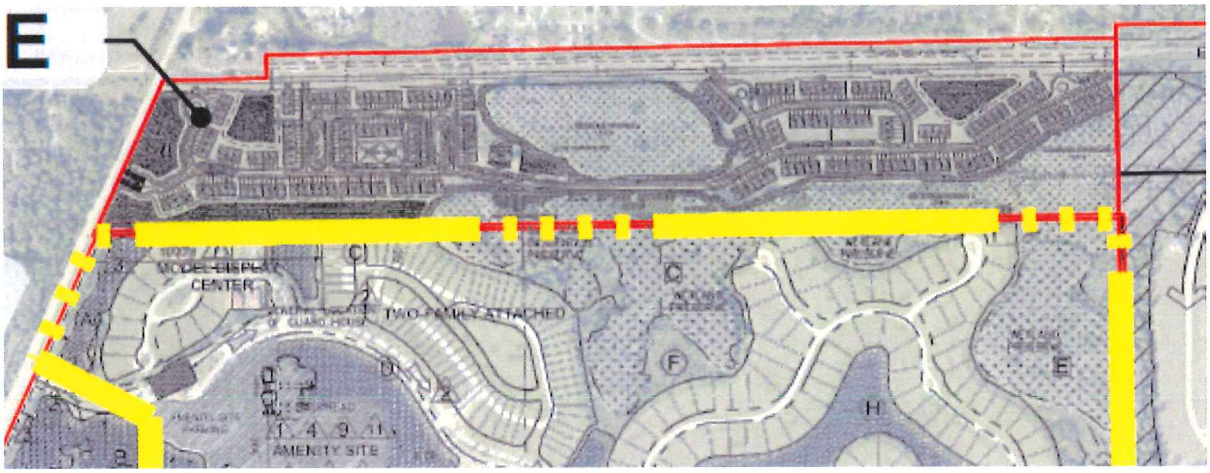


Figure 2. Northern Boundary of Portico with adjacent approved development

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. The single family lots within these subdivisions appear to 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.

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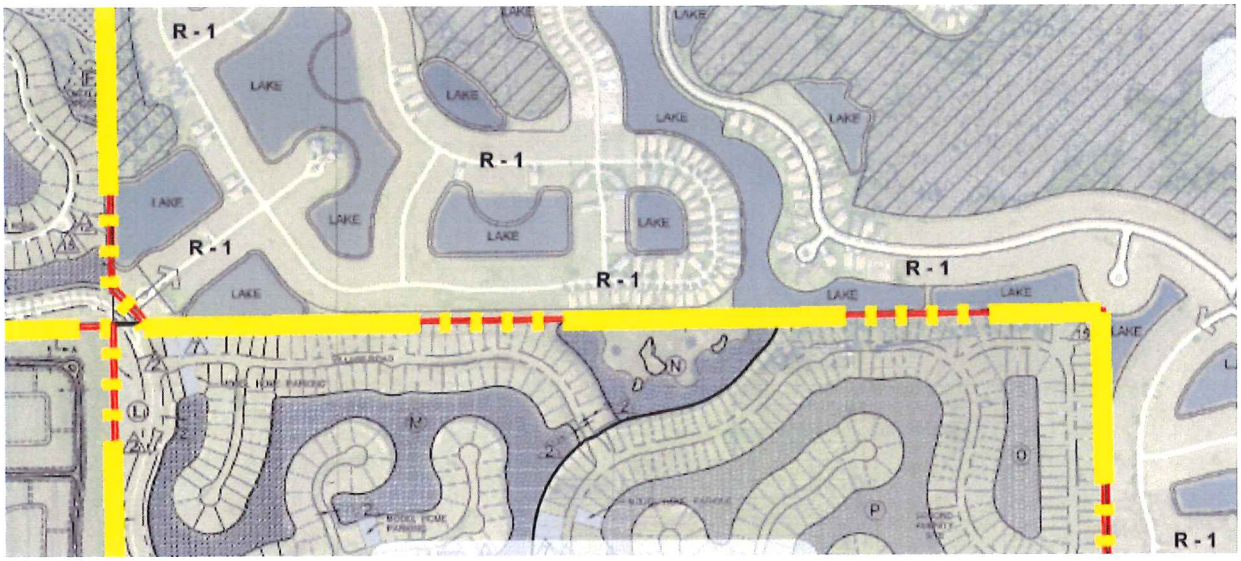


Figure 3. Northern Boundary of Portico with adjacent existing development

The residential density proximate to the Portico Subdivision transitions from commercial and higher density residential near SR 82 to the lower density River Hall and Hemmingway Pointe immediately adjacent to the subject property. The requested Comprehensive Plan Amendment will permit additional units to be located within the existing Portico Subdivision at a density consisted with the surrounding development and in an area of Lee County that has existing and future potential for development.

B. 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. The portion of River Hall immediately adjacent to Portico has existing utility and roadway infrastructure constructed and all conservation easement have been recorded. Lennar Homes, LLC has purchased lots along this boundary within River Hall with plans to begin home construction in November 2018. Most of the purchased lots are 50 ft in width, the same as the existing approved and proposed lot width in the Portico subdivision. The requested density of Portico 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 curvilinear pattern to the Portico subdivision and an emergency access between the two subdivisions is already constructed along the eastern property boundary.

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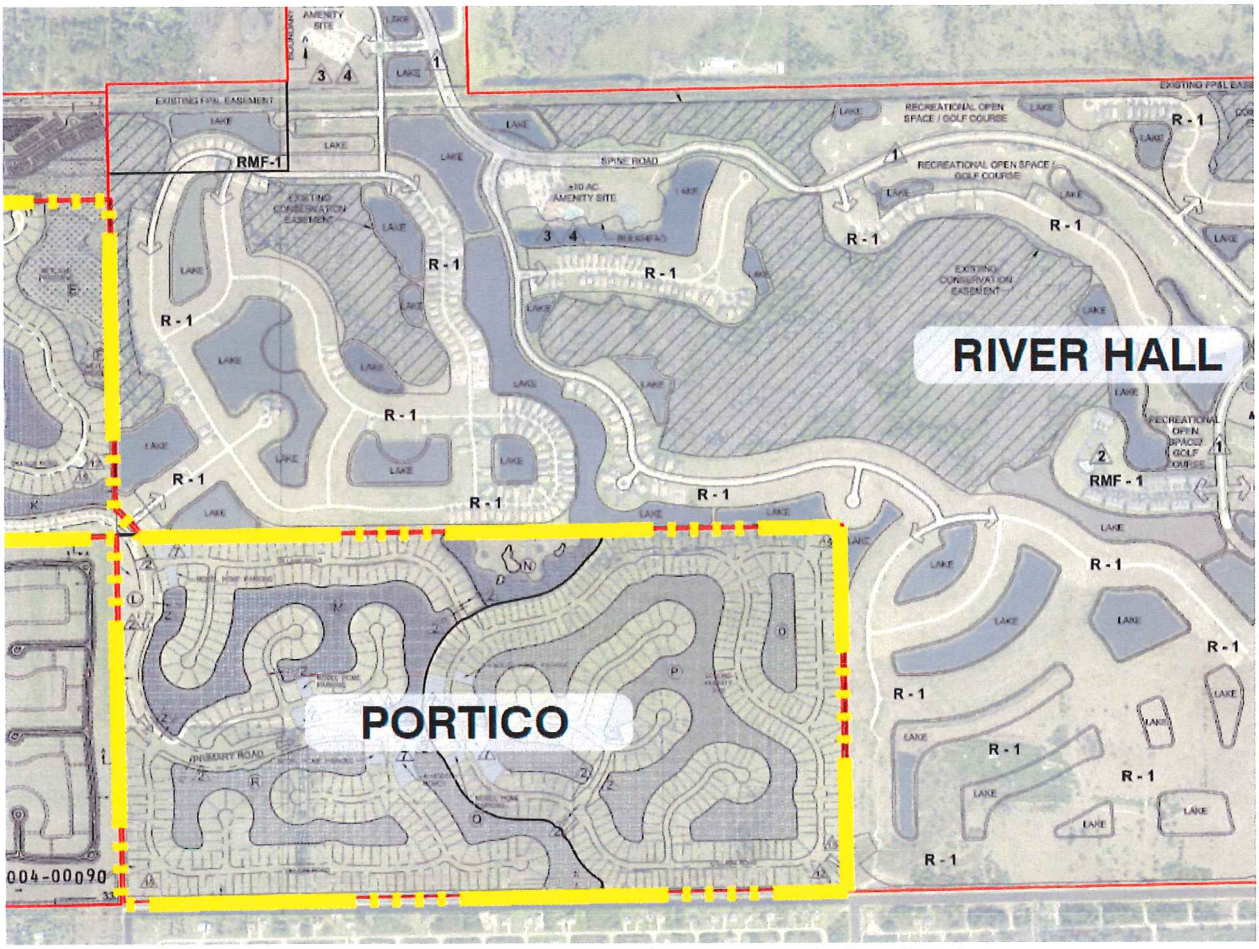


Figure 4. Portico Eastern Boundary adjacent to existing development

C. 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.

Continuing east approximately .75 miles the uneven southern border of Portico is surrounded by the Buckingham 345 Residential Planned Development, which is currently not constructed. The RPD approval established a maximum of 690 residential units on approximately 345 acres for a density of 2 dwelling unit per acre. The Master Concept Plan approved by Z-05-074 establishes a clustered development pattern similar to the Portico subdivision and several other approved communities in the area.

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Figure 5. Portico Southern Boundary adjacent to existing and approved development

The remainder of the southern boundary of Portico is adjacent to a 120ft wide drainage easement with a constructed canal owned and maintained by the Lehigh Acres – Municipal Services Improvement District. Across from the canal is 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.

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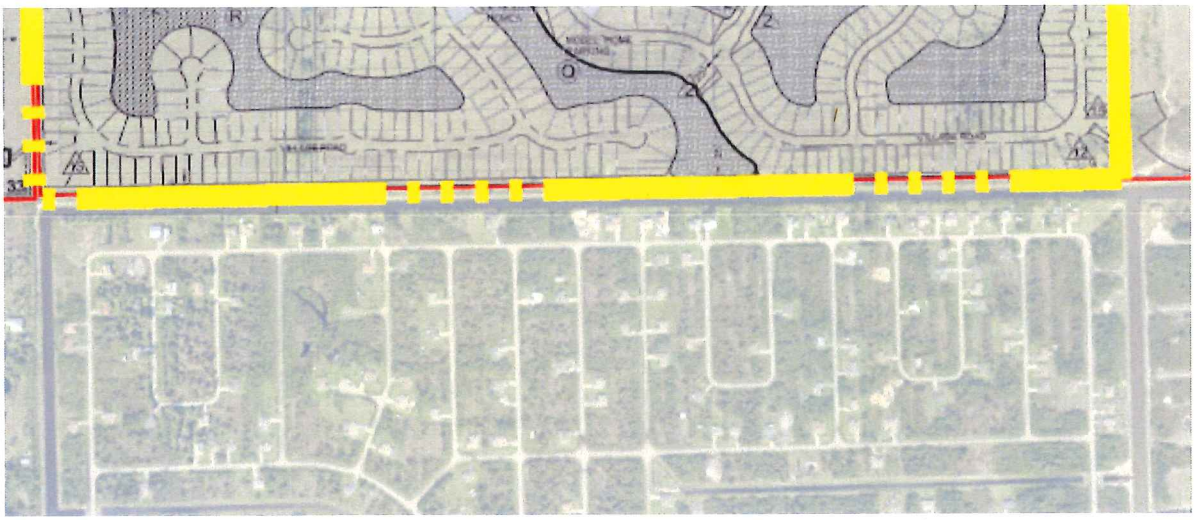


Figure 6. Portico Southern Boundary adjacent to Lehigh Acres

As with the eastern boundary, the requested maximum density of Portico will provide a transition from the existing Suburban developments north and west across the subject property to the 2 unit/acre density of the Buckingham 345 community as well as the 4 unit/acre density of the Lehigh Acres community.

D. 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 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 built out. Similar to the Portico subdivision, the Verandah was developed with a clustered development pattern that incorporates open spaces and water management areas. The proposed Future Land Use for Portico will provide a density transition from the Verandah which is located within the Suburban Future Land Use to the lower density communities south and east.

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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	Residential Development	Buckingham Road & Verandah RPD

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Part 4: Deviations

The Planned Development Amendment application requests modifications to four (4) currently approved deviations and six (6) new additional deviations.

A. Four deviations were approved via resolution Z-04-080 on March 21, 2005. Since 2005, several revisions to the Lee County Land Development Code have taken place. Modifications to the approved deviations are necessary to remain consistent with the development pattern and intent of the Portico Subdivision.

- Deviation #1 allows for excavation within 50 FT of an existing or proposed right-of-way line or easement. Language has been modified regarding the deviation's conditions which would allow for the stormwater management areas to be reconfigured.
- Deviation #2 allows for water retention/detention excavation to be setback 25 FT for internal property lines. The language has been changed to reflect application of this deviation to external property lines.
- Deviation #5 allows for real estate sales centers for a period of six (6) years. This deviation has been modified to prompt administrative approval for any additional sales offices/model homes.
- Deviation #10 allows for a separation distance of 60 FT between roadway connections. The language has been modified to allow for a separation distance of 36 FT in Future Urban Areas.

B. Six new deviations are requested to memorialize the existing conditions of the constructed development and maintain consistency with the approved development pattern.

- Deviation #13 allows for waterbody maintenance easements to be located within the limits of platted single-family residential lots due to the existing conditions of the Portico Phase 1 Plat.
- Deviation #14 allows for a 4:1 lake bank slope for constructed lake banks within Portico Phase 1.
- Deviation #15 allows for a 25' reduced setback from preservation areas/indigenous plant communities for the following when they are abutting indigenous plant communities subject to fire:
  - Portico Phase 1, Lots 157-163, 166-177, 179-184, and 187-196
  - Townhomes Tract
- Deviation #16 allows for the roadway cross-sections, which were previously approved via Z-04-080, to be utilized in lieu of the Suburban Local Streets table.
- Deviation #17 allows for 4:1 lake bank slopes for unconstructed stormwater management lakes in Phase 2 and 3.
- Deviation #18 allows for a 12-foot wide planted littoral shelf that extends the entire length of the unconstructed surface water management lakes in Phase 2 and 3. This deviation is sought in support of Deviation #17.

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Part 5: Lake Bank Slope Ratio

The Portico Residential Planned Development was approved by Z-04-080 in 2004. At that time the stormwater management system was permitted to be designed with a 4:1 lake bank slope and maintenance easements inside residential lots. The western portion of the subdivision, known as Phase 1, has been designed, permitted, platted and constructed with these existing conditions. Since that time, the Lee County Land Development Code has been amended to require 6:1 lake bank slopes and prohibit maintenance easements within residential lots. However, throughout the Planned Development Amendment process, the applicant has committed to maintaining the existing development pattern and footprint to maintain and continue to promote compatibility with Portico Phase 1 as well as the surrounding single family residential developments. Therefore, a few deviations are requested regarding the slope and design of the stormwater management lakes.

- Deviation 13 is requested from 10-328(a) to permit a 20 ft maintenance easement to be located within a platted single family residential lot.
- Deviation 14 is requested from 10-329(d)(4) to permit a 4:1 lake bank slope for the existing constructed lakes in Phase 1 and 2.
- Deviation 17 is requested from 10-329(d)(4) to permit a 4:1 lake bank slope for the unconstructed lakes in Phase 2 and 3.
- Deviation 18 is requested from 10-418(2)c to permit a 12ft wide planted littoral shelf the entire length (100%) of the stormwater management lake bank.

As discussed previously, Phase 1 and a portion of Phase 2, of the Portico Residential Planned Development have platted and constructed stormwater management lakes at a 4:1 slope consistent with approved Development Order DOS2004-00352 and the accompanying maintenance easement is located within the adjacent platted single family lots. Deviations 13 and 14 are requested to memorialize these existing conditions. As demonstrated by the photographs provided below, the existing lakes that were constructed at a 4:1 slope over ten years ago are not exhibiting erosion or destabilization despite the lack of development that occurred within the subdivision over the years.

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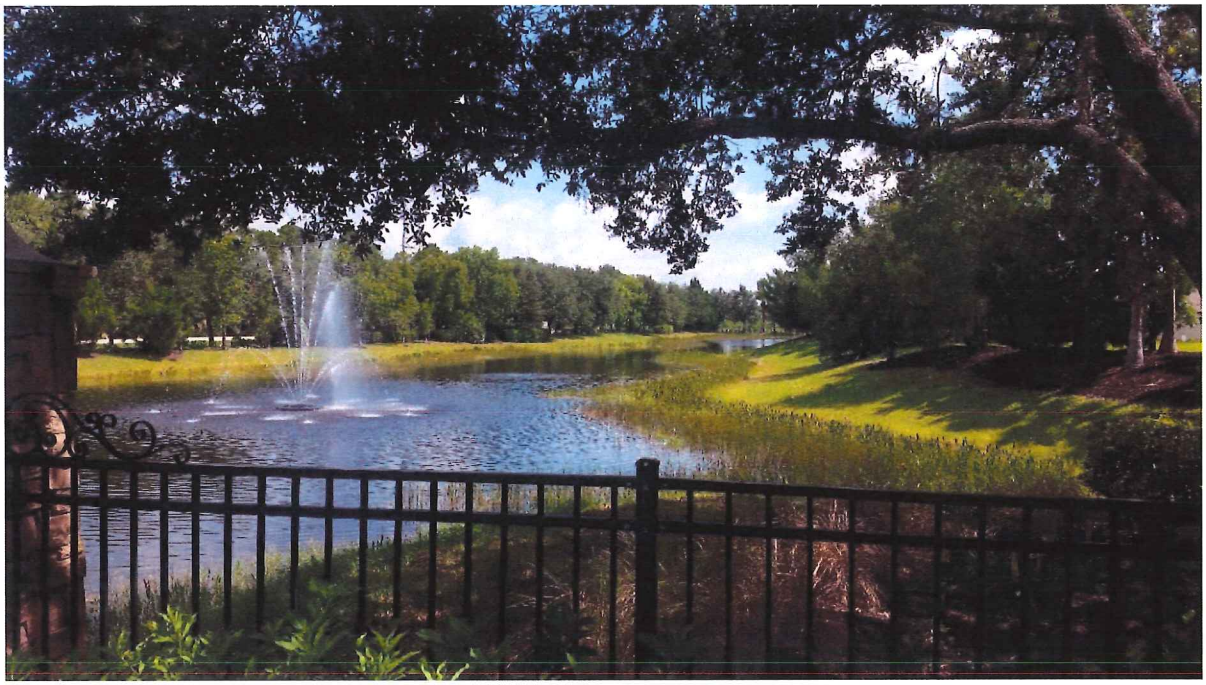


Figure 7. Existing Lake Near Entry



Figure 8. Existing Lake

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Figure 9. Existing Lake Constructed at a 4 to 1 Slope

The existing lakes on-site were constructed since 2007 and have been maintained by the Portico Community Development District (CDD) and Homeowners Association (HOA) since that time. Consistent with Florida Statute 190.013 the CDD has a District Engineer which guides and reports on the maintenance and status of the stormwater management system, including all stormwater management lakes, structures and associated facilities (ex: lake fountains), as well as the continuous control of exotic plants and algae and the replacement or littoral plants when necessary. The Portico HOA is financially responsible for the maintenance of the existing lake banks and has a specific line item in the annual budget, that is currently fully funded, to address any erosion and stabilization issues if they arise. To date, this budget has not needed to be utilized. Of additional note, the Portico CDD is also responsible for owning and maintaining the existing conservation areas located on site and conducts quarterly maintenance and annual monitoring for these areas.

A majority of the eastern portion of the Portico Subdivision has not been constructed; however, the existing permitted development pattern of the Master Concept Plan approved by Z-04-080 as well as DOS2007-00128 and ERP 36-05388-P is being maintained through Phase 2 and 3. The applicant has chosen to comply with LDC Section 10-328(a) and will be reducing the minimum lot depth to provide a lake maintenance easement off of the adjacent single family lots. However, due to the existing design of the subdivision with double loaded lots between stormwater management lakes, the applicant is requesting deviation 17 to maintain a 4:1 lake bank slope for the unconstructed in Phases 2 and 3. To address the concerns of surface water flow into the stormwater management lakes, the applicant has proposed the following conditions

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- The requested 4:1 slope will only occur above control elevation
- Geosynthetic turf reinforcement mat will be utilized along the 4:1 lake bank slope
- Rear lots will be graded to ensure no yard or roof drainage occurs directly into the lake
- Rear yard drainage system will connect to a road system or directly to a lake via pipes out falling below lake elevation (Below dry season water table)

The design of the proposed lake bank and adjacent residential lots will include a "kicker swale" to direct surface water from the rear yard parallel to the lake bank. At specific points, the water collected in the kicker swale will be directed into a stormwater pipe running perpendicular to the lake bank under the ground. Then after an appropriate timeframe, the collected surface water will be discharged into the stormwater management lake below the dry season water table. This design will increase the amount of the time surface water is held prior to entering the stormwater management lake. Additionally, it ensures the only surface water flowing down the proposed 4:1 slope is water that has naturally fallen as rain. Even rainwater flowing down the 4:1 slope will be slowed by the proposed platted littoral shelf.

Deviation 18 is requested to permit the required littoral shelf along the lake bank to be 12 feet in width and extend the entire shoreline. All the required littoral plantings will continue to be provided, the relief requested is to reduce the width of the planted littoral shelf (PLS) and extend the PLS the length of the entire shoreline. This design will support the requested 4:1 lake bank slope by reducing the flow velocity of rainwater falling on the lake bank slope waterward of the kicker swale. Collectively the elements of the lake bank design and planted littoral shelf will ensure the lake bank does not erode or destabilize as a result of the requested 4:1 slope.

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Part 6: Natural Resource & Stormwater Management

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. 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. The Portico project is at the southwest end, which is also considered to be at the high end of the watershed. Due to the surrounding properties locations within differing watersheds, Portico is not subject to offsite flows from the south.

A review of the South Florida Water Management District Environmental Resource Permit (ERP) (SFWMD) (36-05388-P) for the Portico project demonstrates the system is designed and permitted to collect, treat and discharge stormwater runoff from within the subdivision. The permitted water management system provides water quality treatment and storage through a series of interconnected lakes. After treatment, the ERP also indicates the project discharges 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 to maintain the hydroperiod of the existing on-site wetlands. 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 receive stormwater and have storage capacity. Once the wetland's storage capacity is reached the stormwater will 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) indicates 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, which includes a large wetland system, north of River Hall. As the stormwater leaves the swale within the FPL easement, it flows over land and through the existing natural wetland maintaining the historic drainage pattern in the area. Stormwater travels through this system in a northerly direction flowing towards SR 80. Runoff then crosses SR 80 near the intersection with Werner Road and continues north until ultimately discharging into the Caloosahatchee River.

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Figure 10. Exhibit A Stormwater Management Flows

The Lee County Land Development Code, Section 10-321(a) states "...issuance of a SFWMD permit addressing the requirements set forth in this section will be deemed to establish compliance with this chapter and review of these projects may be limited to external impacts and wet season water table elevations." Additionally, LDC Section 10-321(b)(1) goes on to state that "all development outside future urban areas must be designed to comply with Lee Plan policies 61.2.1, 61.2.2 and 61.2.3."

The existing stormwater management system of the Portico subdivision is consistent with these policies and LDC provisions. By virtue of retaining the existing development patter, stormwater management lakes and outfall points, the requested amendments to the Planned Development will also be consistent with these policies and LDC provisions.

Policy 61.2.1 requires development proposed outside of future urban areas to recognize where natural features demonstrate water flow and utilize these areas to the maximum extent possible and be integrated into stormwater management schemes. The Portico subdivision is within a future suburban area and prior to its development as a residential subdivision, was actively farmed.

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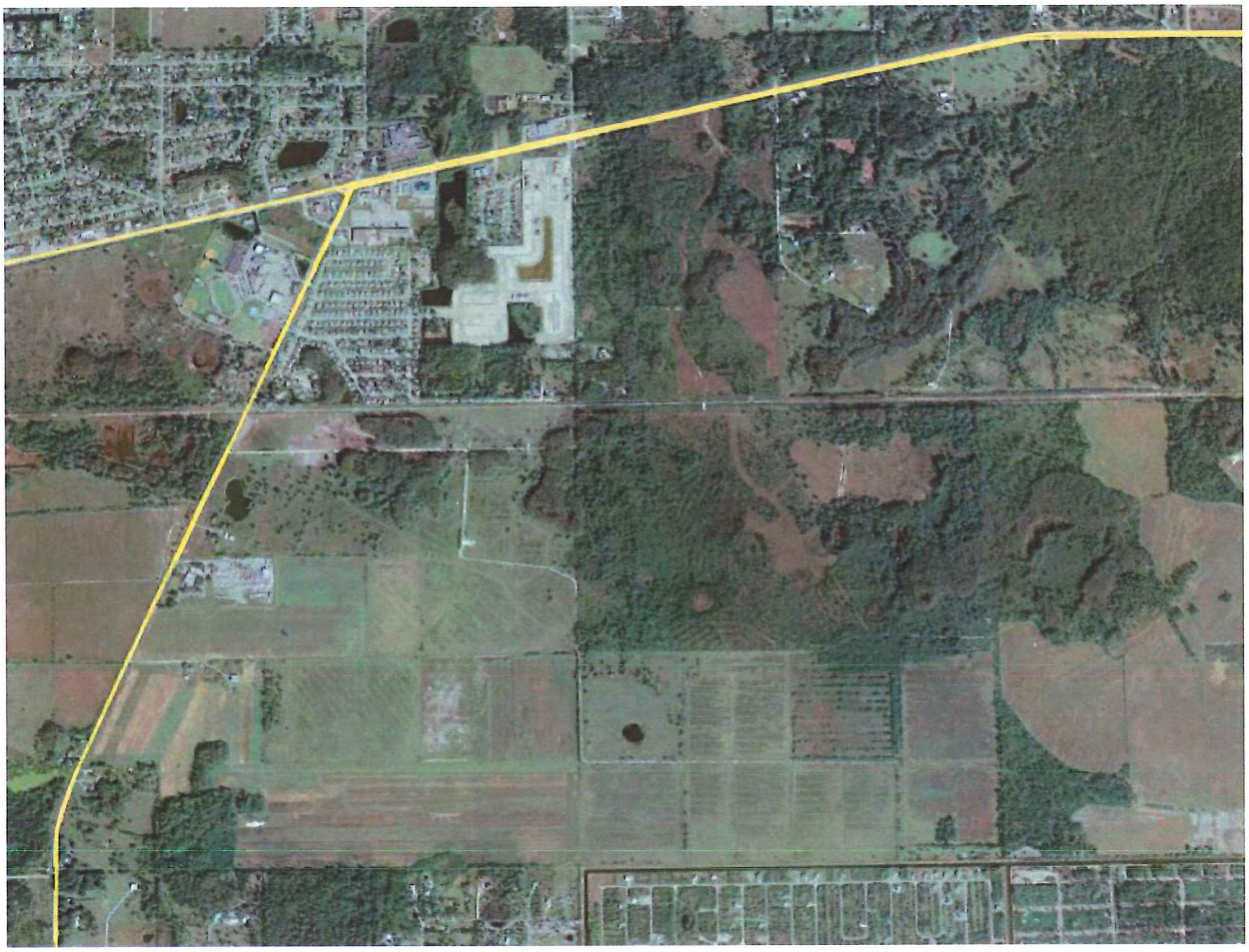


Figure 11. 2004 Image of Portico Area

As demonstrated by historic aerial imagery, little natural resources existed on the property. However, the larger wetland in the northwest corner that was on-site during the agricultural activity was preserved and remains on-site today under conservation easement consistent with the issued ERP. The requested Planned Development Amendment does not propose to alter this wetland or associated conservation easement in anyway. The existing approved stormwater management system outfalls the treated stormwater into the on-site wetland, to maintain the hydrology of this existing system, before the stormwater moves off-site.

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Figure 12: Outfall Locations into preserved wetlands

Utilizing the limited natural resources of the property without significant structural alteration is consistent with Policy 61.2.1. Additionally, this permitted design of the stormwater management system is part of the Phase 1 plat for the subdivision and would not be altered to permit the requested additional units.

Policy 61.2.2 states that where no natural features of flow or ponding exist on-site outside the future urban areas, the county will require water management structures be designed and constructed to mimic natural systems. The remainder of the Portico subdivision and stormwater management system does not include natural systems. However, the design permits the treated stormwater from the Portico Subdivision to outfall into the River Hall Subdivision and maintain the hydrology of some of the wetlands within River Hall.

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Figure 13: Outfall Location into River Hall

The River Hall system as well as the eastern portion of the Portico system discharge into the FPL Easement and then hydrate the natural resources to the north, which includes a large wetland, before crossing under SR 80. The interconnected stormwater system of Portico and River Hall mimics a natural system consistent with Policy 61.2.2 and utilizes natural resources without structural alteration consistent with Policy 61.2.1.

While the stormwater management system for the Portico subdivision is not completed, the development pattern – including the location and general configuration of the stormwater management lakes – is not requested to be altered by the proposed Planned Development Amendment. This development pattern is memorialized in the current approved Master Concept Plan by Z-04-080, DOS2007-00128 and ERP36-05388-P, which are active and valid. Once constructed, the stormwater management lakes will treat the stormwater and continue to outfall into the River Hall system. The existing ERP permit approves an allowable discharge rate of 48.28 cfs, which will not be altered to accommodate the additional units. The SFWMD Applicant's Handbook Volume II, Section 3.2 Discharge Rate requires that the off-site discharge rate is limited to a rate that eliminates adverse impacts to adjacent properties. This rate is established by the South Florida Water Management District after a review of the Caloosahatchee River Basin. The SFWMD has determined for the Portico Subdivision, the allowable discharge rate is 48.28 cfs based on an analysis of the entire basin, therefore this rate will not be altered. By maintaining

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the allowable discharge rate, as well as the permitted outfall locations, the permitted outfall of surface water from Portico to the River Hall stormwater management system will remain the same; therefore, no additional adverse impacts from stormwater management will occur to surrounding properties.

Part 7: Conclusion

The requested Residential Planned Development Amendment complies with the Lee Plan as well as all other county regulations or qualifies for deviations when unable to meet a regulation. The request is also compatible with existing and planned uses in the surrounding area, and has sufficient urban services to support the request, including sufficient access to support the intensity of the development. Any expected impacts to existing or planned transportation facilities have already been addressed and the project will not adversely affect any environmentally critical or sensitive areas and natural resources. The residential use is appropriate at the proposed location adjacent to existing residential development. The recommended conditions provide sufficient safeguards to the public interest and the deviations requested through this application not only enhance the objectives of the Portico Residential Planned Development Amendment, but they preserve and promote the general intent of the Land Development Code to protect the public health, safety and welfare.

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