

GradyMinor

LETTER OF TRANSMITTAL

Lee County Development Services

1500 Monroe Street, 1st Floor Zoning Counter

Fort Myers, Florida 33901

DATE: February 7, 2019

JOB CODE: CRMALPDO

ATTENTION: 1st Floor Zoning County

RE: **Vintage Commerce Center PDA**

Sent by: ☒ **Courier**: ☐ Morning ☐ Afternoon ☐ Rush ☐ US Mail ☐ Pick-Up ☐ Hand -Delivery
☐ **Federal Express**: ☐ Morning ☐ Afternoon

WE ARE SENDING: ☐ Prints ☐ Plans (velum) ☐ Disk ☐ Shop drawings
☐ Specifications ☐ Copy of letter ☐ Permit Application ☒ Other

Copies	Description
1	DCI2018-10022 Planned Development Amendment – Submittal 2
1	CD containing Planned Development Amendment Submittal 2

THESE ARE TRANSMITTED as checked below:

☐ Approved as submitted ☐ Approved as noted ☐ Returned for corrections
☐ For your use/records ☐ For approval ☐ For review and comment
☐ As requested ☐ For Signature and Return

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SIGNED: _____

Sharon Umpenhour

COPY: **DCI 2018-10022**

Q. Grady Minor & Associates, P.A.

3800 Via Del Rey
Bonita Springs, FL 34134
239-947-1144
239-947-0375(fax)

11940 Fairway Lakes Dr., Ste. #6
Fort Myers, FL 33913
239-690-4380
239-768-0291(fax)

If enclosures are not as noted, kindly notify us at once.



Civil Engineers • Land Surveyors • Planners • Landscape Architects

February 7, 2019

Chip Block, AICP
Principal Planner
Lee County Community Development Department
Zoning Section
1500 Monroe Street
Fort Myers, FL 33901

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RE: DCI2018-10022Vintage Commerce Center CPD
Review 1 Response

Dear Mr. Block:

This correspondence is our formal response to sufficiency review letter #1, provided to us on December 20, 2018 (via email). Responses to staff comments have been provided in **bold**.

Please note that the MCP, application, and schedule of uses have been revised from the original submittal to better reflect the proposed revisions to the CPD. Please also be aware the Traffic Impact Statement has been revised to include a conversion table for commercial and residential land uses.

LDC Section 34-201(b) and LDC Section 34-373(a):

For the following requested information, please provide separate documentation for the two requested zoning districts of CPD and RPD, making sure to distinguish between the two:

- Please revise the Application form, Page 1, to correct the type of Application from a "Major PD Amendment" to Major PD and the Summary of the Project. The Summary says it is an amendment. This should be indicating the request is seeking a rezoning from CPD to CPD and RPD zoning. Since RPD zoning does not currently exist, the request must be a rezoning from the current CPD zoning to CPD and RPD zoning.
- Since the proposed development has development intensity exceeding those standards found in LDC Section 34-341(b), this is considered a Major Planned Development. Therefore, the fee for the application is not \$5,000, but \$8,000 plus \$40 per acre plus \$1,500 for the second zoning district sought. Please pay the difference of the two fees. (also LDC Section 34-202(a)(9))

Response:

The applicant is proposing to amend the existing CPD to add additional commercial uses and to add residential multi-family dwelling units. The application and references in the application materials have been revised to indicate that the application is a PD amendment and that it is not a new zoning application.

LDC Section 34-202(a) and LDC Section 34-373(a)(3):

LDC Section 34-202(a)(1) Legal description and sketch to accompany legal description. Please provide a metes and bounds legal description along with a sketch of the legal description, prepared by a Florida Licensed Surveyor and Mapper. The legal description must specifically describe the entire continuous perimeter boundary of the property subject to the zoning action with accurate bearings and distances for every line. If the application seeks to rezone undivided, platted lots, then a complete legal description (i.e. lot, block, subdivision name, public records recording information) of the platted subject property is required.

Response:

The legal description has been updated and is provided in this submittal. Please see boundary survey.

LDC Section 34-202(a)(2) Boundary survey. The boundary survey is based upon a "commitment" for title insurance, rather than an executed title insurance document. The boundary survey must be based upon a title certification document that is sufficient with LDC Section 34-202(A)(3). The boundary survey must be certified to Lee County. It must also provide two state plane coordinate points, one at the point of beginning, and the other at an opposing corner. The legal description on the boundary survey must describe the continuous perimeter of the subject property and must not contain "less and except" language.

Response:

The boundary survey has been revised to indicate certification to Lee County.

LDC Section 34-202(a)(3) Title certification. The document provided is not an executed title insurance policy, therefore it is insufficient. The legal description provided in this document must describe the continuous perimeter of the subject property and must not contain "less and except" language. Certification of title and encumbrances submitted for property subject to zoning approval must meet the following criteria:

- a. *Form.* The certification of title must be in one of the following forms:
 - i. Title certificate or title opinion, no greater than 90 days old at the time of the initial development order submittal. The title certification submittal must be either an opinion of title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title.

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- certification prepared by a title abstractor or company.
- ii. Title insurance policy with appropriate schedules, no greater than five years old at the time of the initial zoning case submittal and an affidavit of no change covering the period of time between issuance of the policy and the application date. If submission of a complete affidavit of no change is not possible, a title certificate, or title opinion must be submitted in the alternative.
- b. *Content.* The certification of title must include, at a minimum, the following:
- i. The name of the owner or owners of the fee title;
 - ii. All mortgages secured by the property;
 - iii. All easements encumbering the property;
 - iv. The legal description of the property; and
 - v. The certification of title documentation must be unequivocal.

Response:

The title certification has been updated and is included with this submittal.

LDC Section 34-202(b)(5):

Part 5 of the Application form indicates the applicant is seeking 183 Bonus Density Units using Transferable Dwelling Units. In accordance with this Section, please provide documentation substantiating compliance with each of the review criteria set forth in LDC Section 2-146 et seq.

Please revise Part 6 of the Application Form breaking down the sub-totals for each of the commercial types as provided for in the application.

Please review the entire application making sure the gross area of the parcel is consistent throughout the application. An example I can direct you to is the gross area of the parcel in the Application form and the acreage in the Site Summary are not consistent.

Response:

The request statement has been revised to provide a discussion regarding compliance with the review criteria in Section 2-146 regarding bonus density.

Part 6 of the application has been revised as requested.

References to the project acreage have been rectified throughout the application.

LDC Section 34-373(a)(4):

Please provide the Florida Land Use, Cover and Classification System (FLUCCS) map, as required by this Section.

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Please submit an updated upland indigenous habitat preserve management plan.

Please provide a map or other depiction with the nature and location of any known or recorded historical or archaeological sites as listed on the Florida Master Site File or the Lee County Historical Site Survey, and the location of any part of the property that is located within level 1 or level 2 zones of archaeological sensitivity pursuant to LDC Chapter 22.

Response:

A FLUCCS Map was included with the initial submittal and has been included with this submittal, which is the same scale as the MCP.

An Upland Indigenous Habitat Preserve Management Plan will be provided at the Development Order stage per the previous zoning amendment for this parcel.

The subject parcel is not located in a level 1 or level 2 archaeological sensitivity zone (see attached Archaeological Sensitivity Map). The subject parcel was reviewed by the Florida Master Site File during permitting associated with SFWMD Permit 36-05268-P. There are no known archeological or historic sites on the subject parcel.

A letter from the Florida Master Site File showing the property is not located within level 1 or 2 zones of archaeological sensitivity is included with this submittal.

LDC Section 34-373(a)(5):

The submitted narrative (Request Statement) must be revised to reflect the correct request, a rezoning from CPD to CPD and RPD.

Please revise the Lee Plan narrative to state how the 183 additional dwelling units sought through Transfer of Bonus Density Units will be achieved.

Also, please provide as part of the narrative explaining how the planned development will maintain the minimum density of the future land use category being sought as part of the comprehensive plan amendment.

Please make sure the Lee Plan narrative includes discussion how the proposed Schedule of Uses is consistent with the proposed future land use requested as part of the CPA applications being reviewed by the County. Please revise the narrative to discuss the consistency with the Lee Plan including the changes sought as part of this application. Please note what uses may be approved in the proposed future land use category.

Response:

Please see the revised Request Statement for a more detailed description of consistency with

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the Bonus Density Criteria of the LDC.

LDC Section 34-373(a)(6):

Please review and revise the Master Concept Plan (MCP) based on the following:

- a. Please revise the MCP to show the location and explanation of all existing easements, whether or not those easements are recorded in accordance with this section. If an easement is based upon a recorded document, the official records book reference must be stated. An example is found in the northwestern corner of the site where the Title Survey shows an access easement.

Response:

The access easement is a recorded easement. The OR Book and Page for this easement is noted on the MCP. The access easement states on its face that it was provided due to the requirement of the County in the approval of an access separation deviation. However, the most current LDC does not require a 660' access separation and the applicant is of the opinion that the deviation is no longer necessary and wishes to withdraw previously approved deviation #3.

- b. Please revise the MCP to dimension the ingress and egress locations shown to the adjoining roadways. Also please show the conceptual location(s) for access to each of the proposed parcels. This should be measured edge-to-edge between the project's driveway and the adjacent streets/driveways. Please consider drive and road locations on the opposing side of the street when providing the measurements.

The proposed access (right-in only) on Alico Road is not a designated access point on the Map 3K (Alico Road Access Plan) of Lee Plan. A request to revise Map 3K of Lee Plan is required. Please note that county staff will not support the request.

Please amend the proposed MCP removing references to turning movements at the access points. This information is not required. Allowed turning movements will be determined at a later date after any zoning approval.

Response:

Dimensions for ingress/egress locations have been added on the MCP. Turning movement notes have been removed from the MCP.

The applicant understands that FDOT approval will be required as it is within their limited access right-of-way. The Policy in the Lee Plan that addresses the access points on Alico Road specifically states that the access limitations do not apply to the limited access right of way. Map 3K is a visual representation of the policy and as such it only shows access for the portion of the right of way under the jurisdiction and control of Lee County. The applicant offers the

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following as a potential condition of approval to be included in the new zoning resolution.

"The proposed vehicular access to Alico Road is shown on the MCP is within the Limited Access Right-of-Way, which is under the jurisdiction of the Federal Department of Transportation (FDOT). Lee County shall not permit the access point unless and until a permit for the access is issued by FDOT."

- c. The application provides minimum lot area and dimensions. However, the MCP shows lots and parcels which exceed these minimums. The Property Development Regulations provide for the opportunity in the future to create additional lots or parcels than currently shown on the MCP. Please revise the MCP to indicate the general location, configuration, and approximate dimensions of the lots or parcels (including subdivided parcels and outparcels).

Also, revise the MCP to show proposed use of the lots or parcels keyed to the list of proposed uses submitted with the application. The MCP should also be revised to show what portion of the property is to be rezoned to CPD, and what portion is to be rezoned to RPD.

Response:

See response below to Item d.

- d. Please revise the MCP to show the individual development areas (i.e. residential, retail, office, manufacturing, mixed use-listed, etc.) with detail showing the boundary of each development area within which buildings, parking or other uses will be located.

Response:

The MCP has been revised to demonstrate outparcels more consistent with the potential arrangement given the lot area and dimensions.

The applicant understands that the reviewer was not a participant in the meetings with staff prior to the application and was not advised that the CPD was being modified to include additional uses and residential. It was agreed at the meeting on the sufficiency letter multi-family residential is permitted within a CPD. The Schedule of Uses includes a reference to their location on the MCP and limitation to Tracts A, B, and/or Outlot 1 only.

- e. Please revise the MCP to show the general location of service areas for delivery of goods or services.

Response:

Service and refuse areas will be designed to face away from public rights-of-way and will

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provide buffering and shielding consistent with standards of the LDC. Outparcel service areas will not be oriented toward external rights-of-way. The applicant anticipates that staff may suggest a condition in the staff report that addresses service and refuse area orientation if something is needed in addition to the LDC.

- g. As the applicant reviews the MCP, please make sure the open space design plan delineates the indigenous preserves and/or native tree preservation areas as required per LDC Section 10-415(b).

Response:

The property development regulations on the MCP have been revised to address compliance should the applicant utilize bonus density from the Greater Pine Island TDU's consistent with LDC 2-152.

- h. As you are reviewing the MCP, please review the percentage of open space. For commercial and industrial developments, the percentage of open space within each lot or outparcel must be as set forth in LDC Section 34-414(c).

The open space calculations are based on a commercial project. According to the application, 18.45 acres is proposed to be commercial and 15.50 acres is proposed to be residential. Please calculate the use per the open space requirements in LDC Section 10-415.

Will the existing indigenous open space preserve meet the buffer requirements of LDC Section 10-416(d)? Please demonstrate and state on MCP.

The application states that TDU's will be purchased to offset the indigenous requirement. Please cite the specific code section within LDC Section 2-152 being utilized to reduce general open space and revise open space calculations to meet the commercial and residential open space requirements in LDC Section 10-416(d).

Response:

The Property Development Regulations on the MCP have been revised to indicate residential development areas will have a minimum of 40% open space and commercial areas will have a minimum of 30% open space.

- i. Please make sure the MCP depicts the correct buffer, as required by Code, even between individual uses within the proposed planned development. References to types of buffers as described in Chapter 10 are acceptable.

Response:

The buffers required by the LDC are noted on the MCP.

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- j. There is an existing Lee County Transit Route along Alico Road. Please revise the MCP to provide the proposed access and facilities for public transit in accordance with LDC Sections 34-411(e) and 10-442.

Response:

A notation regarding future compliance with transit requirements as applicable has been added to the MCP.

- k. Only one location is shown for onsite excavation and wet retention. Please make sure the MCP provides all of the general location of excavations for on-site fill and wet retention. As a reminder, if the applicant proposes to remove excavated material from the property a planned development for mining and a general mining permit may be required.

If the water management lake is within the 10,000 foot HWBZ, the project must comply with AC No. 150/5200-33B Advisory Circular. This will require deviations from lake bank slopes (LDC 10-329); planted littoral shelves (LDC 10-418); and the ratio of littorals to tree substitution (LDC 10-418). Additional comments may follow upon review of the additional deviations.

Response:

A notation has been added to the MCP acknowledging that the water management area shown is conceptual and will be developed consistent with the required ERP. It is understood that the precise location will be identified at the time of D.O. approval.

LDC Section 34-373(a)(7):

1.) *Description of Development and ITE Land Use Code. 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). [AC-13-17]*

The site design parameters that are stated in the TIS do not appear to correspond to the parameters that are stated and/or depicted in the non-TIS submittals. See hotel and residential uses. Please review and revise the TIS accordingly.

Response:

The TIS was completed based on the site being developed with up 350,000 square feet of retail uses, which is the most intense use in terms of trip generation that is requested as part of this application. Should a hotel, residential units or office uses be developed on the site, an equivalent amount of trips associated with the retail will be deducted as per land use conversion table. See Table 4 of the attached TIS report for the most recent land use conversion

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table that was completed based on trip generation.

To emphasize, the intent of the application is NOT to allow 350,000 square feet of retail plus 300 room hotel plus 400 MF dwelling units. Therefore, no revisions to the intensities used in the TIS are necessary.

3.) *Site Plan. The TIS must contain a drawing showing the proposed project access point(s) and location of all other access points on both sides of the streets being accessed within 660 feet for project entrances on arterial streets, within 330 feet for project entrances on collector streets, and within 125 feet for project entrances on local streets.*

The master concept plan (MCP) does not appear to show the location of site access points in relation to non-site access points on both sides of the street within proximity of the site. Please review and revise the MCP accordingly.

Response:

The Master Concept Plan has been revised to show the access points for the property directly to the West of the subject property.

3A.) *Road Classifications. The roads accessed by the development must be identified including their LCDOT functional classification and their classification on the Official Trafficways Map. [AC-13-17]*

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

Response:

The Master Concept Plan has been revised to identify adjacent roads and functional classification.

4.) *Background Traffic. The TIS must contain 100th highest hour traffic for the current year and for the year following the year in which the project is expected to be completed. [AC-13-17]*

The TIS does not appear to correctly identify the base year traffic volume or years of growth for at least one roadway link from which the traffic growth rate was calculated. See Alico Road west of I-75. Please review and revise the TIS accordingly.

Response:

Acknowledged. See attached revised TIS report.

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5A.) *The distribution of traffic must be reasonably distributed to the project entrances. A graphical depiction of all turning movements at each of the project entrances/access points must be provided. [AC-13-17]*

The project traffic distribution on at least one link described in the TIS appears high based upon current traffic distribution in proximity to the site. See Three Oaks Parkway south of Alico Road. Please review and revise the TIS accordingly.

Response:

The project traffic distribution assigned to Three Oaks Parkway south of Alico Road is reasonable. It is very likely that the proposed development will mainly consist of retail uses, which will attract a significant amount of traffic from the surrounding residential areas. Three Oaks Parkway south of Alico Road is currently occupied by heavy residential uses. In addition, the trip distribution used on this roadway is consistent with the trip distribution utilized in the TIS for the Three Oaks Marketplace MPD (DCI2015-00033). Therefore, no revisions to the trip distribution utilized in the TIS is necessary.

6.) *Area of Influence. The TIS for projects generating more than 100 trips in the A.M. or P.M. peak hour of the adjacent street must contain a drawing showing the area of influence of the project. [AC-13-17]*

The TIS does not appear to contain a drawing that shows the project's area of influence. Please review and revise the TIS accordingly.

Response:

Table 5A and Figure 4 of the revised TIS both depict the project's area of influence.

7A.) *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. [AC-13-17]*

The TIS does not appear to contain a LOS analysis for each of the project's access points. Also of note, the site access depicted along Alico Road is not a permitted access per The Lee Plan Map 3K. Please review and revise the TIS accordingly.

The TIS does not appear to contain a LOS analysis for all intersections within one-quarter mile of the project. Please review and revise the TIS accordingly.

Response:

See attached revised TIS report which has been updated to include a LOS analysis at each of the project's access points and at the intersection of Alico Road with Three Oaks Parkway.

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Note, the Lee Plan Map 3K does not govern or restrict the proposed access to Alico Road within the Limited Access Right-of-way Boundaries.

8.) *Arterial Analysis. The TIS for projects generating more than 300 trips during the AM or PM peak hour of the adjacent street must contain an analysis of the arterial road accessed or impacted in the area of influence of the project using methods established in the most current edition of the Highway Capacity Manual for an urban or suburban road. [AC-13-17]*

The TIS does not appear to contain an arterial analysis using all site accesses, intersections, and roadway links within the proposed project's area of influence. Please review and revise the TIS accordingly.

The proposed planned development includes 400 multi-family residential dwelling units, 300 hotel rooms and 350,000 square feet commercial uses. However, only 350,000 square feet commercial uses are included in the trip generation analysis in the TIS. The proposed access on Alico Road most likely cannot be approved by FDOT, a traffic analysis without this access point must be provided.

Please revise the TIS to include a level of service analysis for the intersection of Alico Rd/Three Oaks Pkwy with and without the proposed project in the build-out condition. Please provide level of service analysis for the project's entrances for review.

Response:

See response to Comment No. 1 regarding the development intensity utilized in the TIS. See attached revised TIS report which has been updated to include LOS analysis at the intersection of Alico Road with Three Oaks Parkway.

LDC Section 34-373(a)(8):

Please revise and resubmit the proposed Schedule of Uses removing the strike-through and underline and making sure all uses desired by the applicant have been requested and can be considered within either the requested CPD or RPD zoning. The Schedule should also be revised to distinguish between the uses sought in the CPD and RPD zoning, respectively.

As you are revising the Schedule, please note the following:

- Agriculture Uses have been requested but agricultural uses cannot be approved within either the requested CPD or RPD zoning as the use is not permitted in either district. Also the applicant has not noted that there is existing agriculture use of the land and the Property Appraiser's records show no existing agricultural exemption for the properties.
- Please note that Car Wash and Convenience Food and Beverage Store are separate uses and should be shown this way in the requested Schedule of Uses.

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- Please note the use of House of Worship is not a defined term or use in the Land Development Code. Please revise the Schedule accordingly.
- Temporary Uses have been sought. Is the applicant seeking all Temporary Uses, or specific uses. If only specific uses will be sought, please make sure to clarify the Schedule to identify the use(s) sought.

The current schedule of uses includes uses that must comply with the supplementary requirements per LDC Sections 34-1352 and 34-1353. Will these commercial uses meet the code requirements?

Response:

Per discussion with staff, the strikethrough and underline format will continue until final zoning resolution is prepared for ease of review and comparison of documents.

The Schedule of Uses has been revised as requested. The applicant wishes to allow for all temporary uses identified in LDC 34-3041, 3042, 3043, 3044, 3048 & 3050. These sections have been noted on the Schedule of Uses under Temporary Uses.

The uses will comply with supplementary code requirements unless a deviation is approved.

LDC Section 34-373(a)(9):

Please revise the proposed Deviations and Justifications. For each Deviation you can remove the reference to Approval or Approval with condition. This is a new rezoning application and the applicant must justify each of the requested deviations. Please make sure to provide justification for each deviation sought. If the applicant would like to offer a condition related to the approval of a deviation, please note this in the request.

The cross access easement that has been recorded specifically cites Zoning Resolution Z-05-019 and Deviation #3 that had been previously approved in this action. What does the applicant is approved with cross access easement conditions. How does the applicant propose to address this if the zoning is changed as part of this action?

Response:

The application is a CPD amendment; therefore, the previously approved deviations may be retained without further justification.

The access easement will remain and the OR Book and Page reference has been noted on the MCP.

LDC Section 34-373(a)(10):

Please revise the proposed Property Development Regulations. It will be necessary to provide separate Property Development Regulations for each of the proposed zoning

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districts: CPD and RPD.

Response:

The property will remain a CPD. The development regulations as proposed will be applicable for all uses in the CPD.

LDC Section 34-373(b)(1):

Please provide a written description of the surface water management plan, in accordance with this Section.

Please include in the surface water management plan the location of the berm. The berm must not reduce the indigenous open space and the indigenous preserve must not be used for stormwater management.

Response:

This comment is no longer applicable as the application will be a CPD amendment.

LDC Section 34-373(b)(2):

Please revise the Protected Species Assessment. The Protected Species Assessment does not include the Florida Bonneted Bat and the subject property is located within the species range per Florida Fish and Wildlife Service.

Response:

The Florida Bonneted Bat was included in the submitted Protected Species Assessment. Please see the Survey Methodology.

Other

Please review and respond to the attached comments from the staff of the Lee County Port Authority.

The Lee County Port Authority (LCPA) has reviewed the proposed Vintage Commerce Center Comprehensive Plan Amendments (map and text) and provides the following comments:

- The project is located along the extended centerline of the future parallel runway, and in very close proximity to the arrival and departure paths of the existing Runway 06/24, at RSW. As such, the property will be subject to numerous daily aircraft overflights at low altitudes. The southeast corner of the project is located in a noise sensitive area, specifically Airport Noise Zone C, as described in Sec. 34-1004 of the Land Development Code. As such, the project is subject to the noise notification policy in Sec. 34-1004(c) of the Land Development Code (LDC).

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Response:
Acknowledged.

- Any object or structure (including temporary equipment used for construction) within an Airport Obstruction Notification Zone or proposed at a height greater than an imaginary surface extending outward and upward from any point of any Southwest Florida International Airport (SWFIA) runway and/or Page Field runway at a slope of 125 to 1 (one foot vertically for every 125 feet horizontally) for a distance up to a height of 125 feet above mean sea level and anything above 125 feet above mean sea level will require a Tall Structures Permit approved by the LCPA as described in sections 34-1009 and 34-1010 of the Land Development Code. Additionally any proposed object or structure at a height greater than an imaginary surface extending outward and upward from any point of any SWFIA runway and/or Page Field runway at a slope of 100 to 1 up to a height of 200 feet above mean sea level and anything above 200 feet above mean sea level will require the sponsor to acquire a determination of no hazard from the Federal Aviation Administration (FAA) pursuant to 14 CFR Part 77.

Response:

Comment Acknowledged. If during the course of development of the subject property a structure is proposed that exceeds the heights that are described above, a Federal Aviation Administration Tall Structure permit will be applied for by the developer or his successors/assigns.

- The proposed project falls within the current Airport School Protection Zone as outlined in Sec. 34-1007 and Appendix C Map 4 of the LDC. The code states that, "constructing public or private educational facilities are prohibited within the established Airport School Protection Zones for SWFIA and Page Field". However, the Port Authority is currently in the process of amending the school protection zones in the LDC.

Response:

Acknowledged.

- If lighting in the project is angled upward, it may be a distraction to pilots flying into the airport. It is requested that the developer angle all lighting in the development downward to mitigate this potential hazard per Section 34-1012(a)(1) of the LDC.

Response:

All Lighting will be in compliance with Section 34-1012(a)(1) of the LDC.

Courtesy Comment:

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The proposed landscaping will be conditioned to meet the FAA Landscaping Compatibility Plant List.

Response:

Acknowledged.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Wayne Arnold".

D. Wayne Arnold, AICP

Cc: Brian Intihar
Neale Montgomery
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APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: Vintage Commerce Center CPD

Request: Rezone from: CPD

To: CPD

Type: ☐ Major PD

☐ Minor PD

☐ DRI w/Rezoning

☐ PRFPD

☒ Major PD Amendment

☐ Minor PD Amendment

Bonus Density included? ☐ NO ☒ YES¹ for: 183 Bonus Units

¹ If YES, submit additional fee required by LDC 2-147(A)(3)

Summary of Project:

Amend CPD to allow multi-family dwellings, commercial, and hotel/motel uses in addition to the previously approved commercial and office uses.

PART 1 APPLICANT/AGENT INFORMATION

A. Name of Applicant: CLE FL RE Investment I LLC

Address: 1100 Euclid Ave., Suite 300

City, State, Zip: Cleveland, OH 44115

Phone Number: 216.696.5442 x 444

E-mail Address: brintihar@crminc.us

B. Relationship of Applicant to owner (check one) and provide Affidavit of Authorization form:

☒ Applicant is the sole owner of the property. [34-201(a)(1)a.1.]

☐ Applicant has been authorized by the owner(s) to represent them for this action. [34-202(b)(1)b. & c.]

☐ Application is County initiated. Attach BOCC authorization.

C. Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(b)(1)c.]

1. Company Name: Q. Grady Minor & Associates, P.A.

Contact Person: D. Wayne Arnold, AICP

Address: 3800 Via Del Rey

City, State, Zip: Bonita Springs, FL 34134

Phone Number: 239-947-1144

Email: warnold@gradymenor.com

2. **Additional Agent(s):** Provide the names of other agents that the County may contact concerning this application. [34-202(b)(1)c.]

LEE COUNTY COMMUNITY DEVELOPMENT
PO BOX 398 (1500 MONROE STREET), FORT MYERS, FL 33902
PHONE (239) 533-8585

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Page 1

**PART 2
PROPERTY OWNERSHIP**

- A. **Property owner(s):** If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-201; 34-204]

Name: CLE FL RE Investment I LLC

Address: 1100 Euclid Ave., Suite 300

City, State, Zip: Cleveland, OH 44115

Phone Number: 216.696.5442 x 444

Email: brintihar@crminc.us

- B. **Disclosure of Interest** [34-201; 34-204]:

☒ Attach Disclosure of Interest Form. [34-201; 34-204]

- C. **Multiple parcels:**

☐ Property owners list. [34-202(a)(5)]

☐ Property owners map. [34-202(a)(5)]

- D. **Certification of Title and Encumbrances** [34-202(a)(3)]

1. Title certification document, no greater than 90 days old. [34-202(a)(3)]

2. Date property was acquired by present owner(s): 04/25/2018

**PART 3
PROPERTY INFORMATION**

- A. **STRAP Number(s):** [Attach extra sheets if additional space is needed.]

03-46-25-00-00001.1090

03-46-25-00-00001.1100

- B. **Street Address of Property:** 9401 Alico Road

- C. **Legal Description (must submit)** [34-202(a)(1)]:

☐ Legal description (metes and bounds) (8½"x11") and sealed sketch of the legal description.

OR

☐ Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)

AND

Boundary Survey [34-202(a)(2); 34-373(a)(4)a.]:

☒ A Boundary survey, tied to the state plane coordinate system.

OR

☐ Not required if the property is located within a subdivision platted per F.S. Chapter 177.

- D. **Surrounding property owners** (within 500 feet of the perimeter of the subject parcel or portion thereof that is subject of the request):

1. ☒ List of surrounding property owners. [34-202(a)(6)]

2. ☒ Map of surrounding property owners. [34-202(a)(7)]

3. ☒ One set of mailing labels. [34-202(a)(6)]

Note: When the case is found complete/ sufficient, a new list and mailing labels must be submitted.

- E. **Current Zoning of Property:** Vintage Commerce Center CPD

☒ Provide a list of all Zoning Resolutions and Zoning Approvals applicable to the subject property. [34-202(a)(8)]

- F. **Use(s) of Property** [34-202(a)(8)]:

1. Current uses of property are: Undeveloped commercial

2. Intended uses of property are: Multi-family, hotel/motel and commercial

G. Future Land Use Classification (Lee Plan) [34-202(a)(8)]:

Industrial Commercial Interchange (existing)	<u>33.95</u>	Acres	<u>100</u>	% of Total
General Interchange (proposed)	<u>33.95</u>	Acres	<u>100</u>	% of Total
		Acres		% of Total

H. Property Dimensions [34-202(a)(8)]:

1. Width (average if irregular parcel):	<u>710±</u>	Feet		
2. Depth (average if irregular parcel):	<u>1,591±</u>	Feet		
3. Total area:	<u>33.95</u>	Acres or square feet		
4. Frontage on road or street:	<u>710±</u>	Feet on	<u>Alico</u>	Street
2nd Frontage on road or street:		Feet on		Street

I. Planning Communities/Community Plan Area Requirements: If located in one of the following planning communities/community plan areas, provide a meeting summary document of the required public informational session. [34-202(a)(10)]

- ☒ Not Applicable
- ☐ Captiva Planning Community (Captiva Island). [33-1612(a)&(b); Lee Plan Policy 13.1.7]
- ☐ North (Upper) Captiva Community Plan area. [33-1711]
- ☐ Boca Grande Planning Community. [Lee Plan Policy 22.1.5]
- ☐ Caloosahatchee Shores Community Plan area. [33-1482(a)&(b); Lee Plan Policy 21.6.3]
- ☐ Page Park Community Plan area. [33-1203(a) & (b); Lee Plan Policy 27.11.2]
- ☐ Palm Beach Boulevard Community Plan area. [Lee Plan Policy 23.5.2]
- ☐ Buckingham Planning Community. [Lee Plan Policy 17.7.2]
- ☐ Pine Island Planning Community. [33-1004(a) & (b); Lee Plan Policy 14.7.1]
- ☐ Lehigh Acres Planning Community. [33-1401(a)&(b); Lee Plan Policy 32.12.2]
- ☐ North Fort Myers Planning Community. [33-1532(a)&(b)]
- ☐ North Olga Community Plan area. [33-1663(a)&(b)]

J. Waivers from Application Submission Requirements: Attach waivers, if any, approved by the Director of Zoning. [34-202(a)]

**PART 4
TYPES OF LAND AREA ON PROPERTY**

A. Gross Acres (total area within described parcel)		<u>33.95</u>	Acres
1. Submerged land subject to tidal influence	<u>0</u>	Acres	
2. a. Preserved freshwater wetlands	<u>0</u>	Acres	
b. Impacted wetlands	<u>0</u>	Acres	
c. Preserved saltwater wetlands	<u>0</u>	Acres	
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)	<u>0</u>	Acres	
3. R-O-W providing access to non-residential uses	<u>0</u>	Acres	
4. Non-residential use areas ^{(1) (2)}	<u>18.45</u>	Acres	
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.)		<u>18.45</u>	Acres
C. Gross residential acres. (A minus B) ⁽³⁾		<u>15.5</u>	Acres
D. Gross residential acres (by Land Use Category)			
1. a. Intensive Development – upland	<u>15.5</u>	Acres	
b. Intensive Development – preserved freshwater wetlands		Acres	
c. Intensive Development – impacted wetlands		Acres	
2. a. Central Urban – upland		Acres	
b. Central Urban – preserved freshwater wetlands		Acres	
c. Central Urban – impacted wetlands		Acres	
3. a. Urban Community or Suburban – upland		Acres	
b. Urban Community or Suburban – preserved freshwater wetlands		Acres	
c. Urban Community or Suburban – impacted wetlands		Acres	

4.	a.	Suburban – upland	_____	Acres
	b.	Suburban – preserved freshwater wetlands	_____	Acres
	c.	Suburban – impacted wetlands	_____	Acres
5.	a.	Outlying Suburban – upland	_____	Acres
	b.	Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Outlying Suburban – impacted wetlands	_____	Acres
6.	a.	Sub-Outlying Suburban – upland	_____	Acres
	b.	Sub-Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Sub-Outlying Suburban – impacted wetlands	_____	Acres
7.	a.	Rural, Outer Island, Rural Community Preserve – upland	_____	Acres
	b.	Rural, Outer Island, Rural Community Preserve – wetlands	_____	Acres
8.	a.	Open Lands – upland	_____	Acres
	b.	Open Lands – wetlands	_____	Acres
9.	a.	Resource – upland	_____	Acres
	b.	Resource – wetlands	_____	Acres
10.	a.	Wetlands	_____	Acres
11.	a.	New Community – upland	_____	Acres
	b.	New Community – wetlands	_____	Acres
12.	a.	University Community – upland	_____	Acres
	b.	University Community – wetlands	_____	Acres
13.	a.	Coastal Rural – upland	_____	Acres
	b.	Coastal Rural – wetlands	_____	Acres

TOTAL (should equal "C" above)

15.5 Acres

Notes:

- (1) Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included except within the Mixed Use Overlay {see Note (2) below}.
- (2) Within the Mixed Use Overlay, lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses may be included in density calculations {see Lee Plan Objective 4.3}.
- (3) Lands to be used for residential uses including land within the development proposed to be used for streets & street rights of way, utility rights-of-way, public & private parks, recreation & open space, schools, community centers, & facilities such as police, fire & emergency services, sewage & water, drainage, and existing man-made waterbodies.

**PART 5
RESIDENTIAL DEVELOPMENT - PRELIMINARY DENSITY CALCULATIONS**

- i. Complete only if living units are proposed in a Future Land Use Category.
- ii. If more than one classification, calculations for each classification must be submitted. Attach extra sheets as necessary.
- iii. If wetlands are located on the property, density calculations are considered preliminary pending a wetlands jurisdictional determination.

A. Future Land Use Category: General Interchange

		Lee Plan Table 1(a)		
		Max. standard density		Units
1.	Standard Units			
	a. Total upland acres (from Part 4, D.)	15.5	x 14 equals	217
	b. Total preserved freshwater wetlands acres (from Part 4, D.)	0	x 0 equals	0
	c. Total impacted wetlands acres (from Part 4, D.)	0	x 0 equals	0
	d. Total Allowed Standard Units ⁽¹⁾			217
2.	Bonus Units [2-143]			
	a. Site-built Affordable Housing			
	b. Transferrable Dwelling Units			183
	c. Sub-total			183
3.	Total Permitted Units ⁽¹⁾			400

Note:

- (1) Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.

PART 6
COMMERCIAL, INDUSTRIAL, MINING, ASSISTED LIVING FACILITIES, HOTELS & MOTELS
PRELIMINARY INTENSITY CALCUATIONS

A.	Commercial	Height	Total Floor Area (Square Feet)
	1. Medical	85	
	2. General Office	85	
	3. Retail	85	
	4. Other: _____	85	
	5. TOTAL FLOOR AREA		350,000*
*Specific breakdown to be determined at the time of D.O. approval			
B.	Industrial	Height	Total Floor Area (Square Feet)
	1. Under Roof	_____	_____
	2. Not Under Roof	_____	_____
	3. TOTAL FLOOR AREA		_____
C.	Mining	Depth	Total Acres
	1. Area to be excavated	_____	_____
D.	Assisted Living Facilities	Height	Total Beds/Units
	1. Dependent Living Units	85	**200
	2. Independent Living Units	_____	**200
	3. TOTAL BEDS/UNITS		_____
**Subject to Section 34-1414 of the LDC			
E.	Hotels/Motels (Room Size)	Height	Total Rental Units
	1. < 425 sq. ft.	85	***150
	2. 426-725 sq. ft.	85	***150
	3. 725 < sq. ft.	85	_____
	4. TOTAL UNITS		300
***Estimated, to be determined at the time of D.O. approval			

PART 7
ACTION REQUESTED

- A. Request Statement:** Provide a single narrative explaining the nature of the request and how the property qualifies for the rezoning to a planned development. This narrative should include how the proposed development complies with the Lee Plan, the Land Development Code, and the applicable findings/review criteria set forth in LDC section 34-145(d)(4). This narrative may be utilized by the Board of County Commissioners, Hearing Examiner and staff in establishing a factual basis for the granting or denial of the rezoning. [34-373(a)(5)]
- B. Traffic Impact Statement.** A traffic impact statement in a format and to the degree of detail required by the County and in conformance with the adopted Lee County Administrative Code. TIS is not required for an existing development. [34-373(a)(7)]
- C. Master Concept Plan:**
1. **Master Concept Plan, Non-PRFPD:** A graphic illustration (Master Concept Plan) of the proposed development, showing and identifying the information required by LCLDC Section 34-373(a)(6)a. Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. In addition to the Master Concept Plan, an open space design plan delineating the indigenous preserves and/or native tree preservation areas as required by LDC Section 10-415(b) must be submitted. [34-373(a)(6)]

2. **Schedule of Uses:** A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by LCLDC Section 34-373(a)(8)]. [34-373(a)(8)]
3. **Schedule of Deviations and Written Justification:** A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan accompanied by documentation including sample detail drawings illustrating how each deviation would enhance the achievement of the objectives of the planned development and will not cause a detriment to public interests. The location of each requested deviation must be located/shown on the Master Concept Plan. [34-373(a)(9)]
- D. **Bonus Density:** [34-202(b)(5)]
- ☐ Not Applicable
- ☒ Bonus Density will be used. Provide the number of Bonus Density units being requested and a narrative of how the request meets the requirements of LDC Section 2-146.

PART 8 ENVIRONMENTAL REQUIREMENTS

- A. **Topography:** Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property. [34-373(a)(4)d.iv.]
The elevation of this site is from 14' to 15'
-
- B. **Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flowways, creek beds, sand dunes, other unique land forms [see LEE Plan Policy 77.1.1 (2)] or listed species occupied habitat [see LCLDC Section 10-473].
N.A.
-
- C. **Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
N.A.
-
- D. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:
N.A.
-
- E. **Soils Map:** Attach maps drawn at the same scale as the Master Concept Plan marked or overprinted to show the soils classified in accordance with the USDA/SCS System. [34-373(a)(4)b.i.]
- F. **FLUCCS Map:** A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands. [34-373(a)(4)c.]
- G. **Rare & Unique Upland Habitat Map:** Maps drawn at the same scale as the Master Concept Plan marked or overprinted to show significant areas of rare and unique upland habitat as defined in the LEE Plan Section XII. [34-373(a)(4)b.iii.]
- H. **Existing and Historic Flow-Ways Map:** Map(s) drawn at the same scale as the master concept plan marked or overprinted to show existing and historic flow-ways. [34-373(a)(4)b.v.]

PART 9 SANITARY SEWER & POTABLE WATER FACILITIES

- A. **Special Effluent:** If the discharge of any special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:
N.A.
-
- B. **Private On-Site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:
1. Method and degree of treatment:
N.A.

2. Quality of the effluent:
N.A.

3. Expected life of the facility:
N.A.

4. Who will operate and maintain the internal collection and treatment facilities:
N.A.

5. Receiving bodies or other means of effluent disposal:
N.A.

C. **Spray Irrigation:** If spray irrigation will be used, specify:

1. The location and approximate area of the spray fields:
N.A.

2. Current water table conditions:
N.A.

3. Proposed rate of application:
N.A.

4. Back-up system capacity:
N.A.

**PART 10
ADDITIONAL REQUIREMENTS**

A. **Major Planned Developments:**

1. **Surface Water Management Plan.** A written description of the surface water management plan as required by LCLDC Section 34-373(b)(1). **[34-373(b)(1)]**
2. **Phasing Program.** If the development is to be constructed in phases or if the Traffic Impact Statement utilized phasing, then a description of the phasing program must be submitted. **[34-373(b)(3)]**
3. **Protected Species Survey.** A protected species survey is required for large developments (as defined in LCLDC Section 10-1) as specified in LCLDC Section 10-473. **[34-373(b)(2)]**

B. **Amendments to Built Planned Developments:** The consent of the owners of the remainder of the original planned development is not required, but these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property. Attach proof of notice to other property. **[34-373(c)]**

C. **Development of Regional Impact:** Binding letter of interpretation from DCA or a complete and sufficient ADA. (See also Application for Public Hearing for DRI Form.) **[34-373(d)(2)]**

D. **Private Recreational Facility Planned Developments (PRFPDs):**

1. **Master Concept Plan, PRFPD.** Master Concept Plan showing and identifying information required by LDC Section 34-941(g)(1). Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. **[34-941(g)]**
2. **Conceptual Surface Water Management Plan.** A Conceptual Surface Water Management Plan must be submitted. The plan must be viable and take into consideration any natural flowway corridors, cypress heads, natural lakes, and the restoration of impacted natural flowway corridors. **[34-941(d)(3)b.i.1)]**
3. **Well Drawdown Information.** If within an area identified as an anticipated drawdown area for existing or future well development, demonstration of compliance with LCLDC Section 34-941(d)(3)d.i & ii. must be provided. **[34-941(d)(3)d.]**

4. **Preliminary Indigenous Restoration Plan.** A Preliminary Indigenous Restoration Plan must be provided if on-site indigenous restoration is being used to meet the indigenous native plant community preservation requirement. [34-941(e)(5)f.iii.]
 5. **Environmental Assessment.** An Environmental Assessment must be provided which includes, at a minimum, an analysis of the environment, historical and natural resources. [34-941(g)(2)]
 6. **Demonstration of Compatibility.** Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. [34-941(g)(4)]
- E. **Potable Water & Central Sewer.** Will the project be connected to potable water and central sewer as part of any development of the property?
- ☒ **YES** (Provide a letter from the appropriate Utility to which the connection(s) are proposed confirming availability of service.) [34-202(b)(8)]
- ☐ **NO** (Provide a narrative explaining why the connection is not planned and how the water and sewer needs of the project will be met.) [34-202(b)(8)]
- F. **Existing Agricultural Use:** If the property owner intends to continue an existing agricultural use on the property subsequent to the zoning approval, an Existing Agricultural Use Affidavit must be provided. Entitle as "Existing Agricultural Uses at Time of Zoning Application." [34-202(b)(7)]
- G. **Flood Hazard:** [34-202(a)(8)]
- ☒ Not applicable
- ☐ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- ☐ The minimum elevation required for the first habitable floor is _____ NAVD (MSL)
- H. **Excavations/Blasting:** [34-202(b)(6)]
- ☒ No blasting will be used in the excavation of lakes or other site elements.
- ☐ If blasting is proposed, provide Information Regarding Proposed Blasting (including soil borings, a map indicating the location of the proposed blasting, and other required information).
- I. **Hazardous Materials Emergency Plan for Port Facilities:** [34-202(b)(4)]
- ☒ Not Applicable
- ☐ Provide a Hazardous materials emergency plan.
- J. **Mobile Home Park:** [34-203(d)]
- ☒ Not Applicable
- ☐ Request includes rezoning of a Mobile Home Park. Provide facts related to the relocation of dislocated owners that meets the requirements of F.S. § 723.083 (1995).
- K. **Airport Zones & Lee County Port Authority (LCPA) Requirements:**
- ☒ Not Applicable
- ☐ Property is located within _____ Airport Noise Zone: [34-1004]
- ☐ Property is located within Airport Protection Zone. Indicate which Zone below. [34-1005]
- ☐ Property is located within Airport Runway Clear Zone: [34-1006]
- ☐ Property is located within Airport School Protection Zone: [34-1007]
- ☐ Property is located within Airport Residential Protection Zone: [34-1009]
- ☐ Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. [34-1009]
- ☐ A Tall Structures Permit is required. [34-1010]

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**PART 5
SUBMITTAL REQUIREMENT CHECKLIST**

Clearly label your attachments as noted in bold below

Copies Required		SUBMITTAL ITEMS
3	<input checked="" type="checkbox"/>	Completed application for Public Hearing [34-201(b)]
1	<input checked="" type="checkbox"/>	Filing Fee - [34-202(a)(9)]
1	<input type="checkbox"/>	Bonus Density Filing Fee - [2-147(A)3]] (if applicable)
3	<input checked="" type="checkbox"/>	Notarized Affidavit of Authorization Form [34-202(b)(1)c]
3	<input checked="" type="checkbox"/>	Additional Agents [34-202(b)(1)c.]
3	<input type="checkbox"/>	Multiple Owners List (if applicable) [34-201; 34-204]
3	<input checked="" type="checkbox"/>	Disclosure of Interest Form (multiple owners) [34-201(b)(2)a]
3	<input checked="" type="checkbox"/>	Legal description (must submit) [34-202(a)(1)]
	<input type="checkbox"/>	Legal description (metes and bounds) and sealed sketch of legal description
		OR
	<input type="checkbox"/>	Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)
3	<input checked="" type="checkbox"/>	Boundary Survey – not required if platted lot (2 originals required) [34-202(a)(2); [34-373(a)(4)a.]
3	<input type="checkbox"/>	Property Owners list (if applicable) [34-202(a)(5)]
3	<input type="checkbox"/>	Property Owners map (if applicable) [34-202(a)(5)]
3	<input checked="" type="checkbox"/>	Confirmation of Ownership/Title Certification [34-202(a)(3)]
3	<input type="checkbox"/>	STRAP Numbers (if additional sheet is required) [34-202(a)(1)]
1	<input checked="" type="checkbox"/>	List of Surrounding Property Owners [34-202(a)(6)]
1	<input checked="" type="checkbox"/>	Map of Surrounding Property Owners [34-202(a)(7)]
1	<input checked="" type="checkbox"/>	Mailing labels [34-202(a)(6)]
3	<input checked="" type="checkbox"/>	List of Zoning Resolutions and Approvals [34-202(a)(8)]
3	<input type="checkbox"/>	Summary of Public Informational Session (if applicable) [34-202(a)(10)]
3	<input type="checkbox"/>	Waivers from Application Submission Requirements (if applicable)
3	<input checked="" type="checkbox"/>	Preliminary Density Calculations (if applicable)
3	<input checked="" type="checkbox"/>	Request Statement
3	<input checked="" type="checkbox"/>	Traffic Impact Statement (TIS) (not required for existing development) [34-341(b)(2)d.1.]
3	<input checked="" type="checkbox"/>	Master Concept Plan (MCP), Non-PRFPD [34-373(a)(6)]
3	<input checked="" type="checkbox"/>	Schedule of Uses [34-373(a)(8)]
3	<input checked="" type="checkbox"/>	Schedule of Deviations and Written Justification [34-373(a)(9)]
3	<input type="checkbox"/>	Topography (if available) [34-373(a)(4)d.iv.]
3	<input checked="" type="checkbox"/>	Soils Map [34-373(a)(4)b.v.]
3	<input checked="" type="checkbox"/>	FLUCCS Map [34-373(a)(4)c.]
3	<input type="checkbox"/>	Rare & Unique Upland Habitat Map [34-373(a)(4)b.iii.]
3	<input type="checkbox"/>	Existing and Historic Flow-Ways Map [34-373(a)(4)b.v.]
3	<input checked="" type="checkbox"/>	Surface Water Management Plan (if applicable) [34-373(b)(1)]
3	<input type="checkbox"/>	Phasing Program (if applicable) [34-373(b)(3)]
3	<input checked="" type="checkbox"/>	Protected Species Survey (if applicable) [34-373(b)(2)]
3	<input type="checkbox"/>	Proof of Notice (if applicable) [34-373(e)]
3	<input type="checkbox"/>	Binding Letter from DCA (if applicable) [34-373(d)(2)]

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3	<input type="checkbox"/>	Master Concept Plan (MCP), PRFPD (if applicable) [34-941(g)]
3	<input type="checkbox"/>	Conceptual Surface Water Management Plan (if applicable) [34-941(d)(3)b.i.1]
3	<input type="checkbox"/>	Well Drawdown Information (if applicable) [34-941(d)(3)d.]
3	<input type="checkbox"/>	Preliminary Indigenous Restoration Plan (if applicable) [34-941(e)(5)f.iii.]
3	<input checked="" type="checkbox"/>	Environmental Assessment (if applicable) [34-941(g)(2)]
3	<input checked="" type="checkbox"/>	Demonstration of Compatibility (if applicable) [34-941(g)(4)]
3	<input checked="" type="checkbox"/>	Potable Water & Sanitary Sewer. Letter from the appropriate utility entity indicating the utility entity or explanation of how water and sewer needs will be met if connection will not be made. [34-202(b)(8)]
3	<input type="checkbox"/>	Existing Agricultural Use Affidavit (if applicable) [34-202(b)(7)]
3	<input type="checkbox"/>	Information Regarding Proposed Blasting (if applicable). [34-202(b)(6)]
3	<input type="checkbox"/>	Hazardous Materials Emergency Plan (if applicable) [34-202(b)(4)]
3	<input type="checkbox"/>	Mobile Home Park Dislocated Owners Information (if applicable) [34-203(d)]
3	<input type="checkbox"/>	Tall Structures Permit (if applicable) [34-1001]

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Vintage Commerce Center CPD

Demonstration of Compatibility

Demonstration of Compatibility

Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. [34-491(g)(4)]

This PD amendment proposes to modify the commercial uses to increase the allowable square footage from 300,000 to 350,000 and to modify the Schedule of Uses to include additional commercial uses, including hotel/motel, and to provide for a maximum of 400 multi-family dwelling units. Commercial uses have been previously approved by Resolution No. Z -05-19, and the commercial uses were deemed compatible at this location. The proposed residential use is compatible at this location and is consistent with development at other I-75 interchanges in Lee County. If residential dwellings are constructed within the PD, appropriate landscape buffers will be provided internally to insure the commercial and residential uses are compatible. Building setbacks and development standards have been proposed in the PD to further insure that the mix of uses are compatible. There are no immediate external neighbors; however, lighting will be provided for safety of residents and customers. The project will be required to obtain an Environmental Resource Permit to insure drainage is appropriately managed. Adequate facilities for waste disposal and fire safety will be provided at the time of development order approval.

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Vintage Commerce Center CPD

Deviations and Justifications

1. Deviation (1) seeks relief from LDC §10-329(d)(1)a.3 requirement to provide a 50-foot-wide setback from road rights-of-way and private property lines for water retention excavation, to allow a 25-foot-wide setback. This deviation is APPROVED with the following condition:

The developer must provide adequate protection for wayward vehicles along Alico Road and the east property line of the subject property. The elements of protection will be reviewed during the development order process and are subject to the approval of the Director of Development Services. Similarly, the setback along the eastern property line is approved with the condition the lake is adequately buffered from the adjoining property line with berms and/or landscaping to deter unauthorized access. These elements can also be reviewed during the development order process and subject to the approval of the Director.

- ~~2. Deviation (2) WITHDRAWN AT PUBLIC HEARING~~

- ~~3. Deviation (3) seeks relief from LDC §10-285(a) requirement to provide a 660 foot connection separation onto the future extension of Three Oaks Parkway, to allow access approximately 660 feet and 1,311 feet as measured from the centerline of Alico Road. This deviation is APPROVED with the following conditions:~~

- ~~a. The connection approximately 660 feet north of Alico Road is approved.~~
 - ~~b. There will be no driveway connections on the internal east west accessways between Three Oaks Parkway and the parallel internal frontage road. Parcels will only have driveway connections to the parallel internal frontage roadway.~~
 - ~~c. A connection to Three Oaks Parkway will be shared with the property to the north, and a cross-access easement on the internal frontage roadway will be provided. The northern connection may be shifted administratively up to 200 feet based on LCDOT review of consistency with the median access management plan for Three Oaks Parkway.~~
- WITHDRAWN.

- ~~4. Deviation (4) WITHDRAWN AT PUBLIC HEARING~~

- ~~5.2. Deviation (52) seeks relief from LDC §30-153(2)a.4. requirement that on-site identification signs be set back a minimum of 15 feet from any street right-of-way or easement.~~



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Deviations and Justifications

and 10 feet from any other property line, to allow project identification signs in a median within the project's internal road right-of-way. This deviation is APPROVED with the condition that the identification signs are placed and constructed in accordance with LDC §30-93, visibility triangle safe sight distance requirements.

~~6.3.~~ Deviation (~~6.3~~) seeks relief from LDC §10-296(k)(1), which requires dead-end streets to be closed at one end by a circular turnaround for vehicles, to allow the dead-end accessway as shown on the Master Concept Plan to be constructed without a cul-de-sac. This deviation is APPROVED with the following conditions:

- a. Vehicles and emergency vehicles must be able to turn left and/or right into a parking lot and continue in a forward motion to the site exits.
- b. Prior to local development order approval, the developer must submit a letter to Development Services from the local fire authority approving this condition.

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Request Statement

Request Statement: Provide a single narrative explaining the nature of the request and how the property qualifies for the rezoning to a planned development. This narrative should include how the proposed development complies with the Lee Plan, the Land Development Code, and the applicable findings/review criteria set forth in LDC section 34-145(d)(4). This narrative may be utilized by the Board of County Commissioners, Hearing Examiner and staff in establishing a factual basis for the granting or denial of the rezoning. [34-373(a)(5)]

This PD amendment proposes to modify the Master Concept Plan and the Schedule of Uses in order to increase the allowable commercial and office square footage, add hotel/motel uses, and additional commercial uses, and add an option, which includes multi-family residential uses. Companion Lee Plan Amendments have been filed to change the Future Land Use (FLU) Category to General Interchange, which permits the proposed multi-family uses. A text amendment to modify the Table 1b allocation text is proposed. Bonus densities have been requested in order to achieve a density above the 14 du/ac permitted in the General Interchange FLU Category.

The site is well suited for multi-family residential uses and for a variety of commercial land uses. Access to the site is via a signalized intersection at Three Oaks Parkway and Alico Road. The site provides good access to the arterial and interstate roadways, and is conveniently located within an area offering employment, education and entertainment.

The applicant is requesting 350,000 square feet of commercial uses, 300 hotel/motel units and up to 400 multi-family residential dwelling units. The TIS includes a conversion table, which demonstrates that commercial square footage will be reduced proportionally to the number of residential dwelling units constructed.

LDC section 34-145(d)(4)

(4) Findings/review criteria.

a. Before recommending approval for:

1. Rezoning. The Hearing Examiner must find the request:

a) Complies with the Lee Plan;

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The CPD amendment as proposed does comply with the companion Future Land Use Map amendment, which proposes to re-designate the property from Industrial Commercial Interchange to the General Interchange FLU Category. The principal difference between the

Vintage Commerce Center CPD

Request Statement

two interchange categories is that the General Interchange FLU Category permits multi-family residential uses in addition to a wide variety of commercial land uses. The General Interchange Future Land Use Category, Policy 1.3.2. is intended primarily for uses that serve the traveling public, but due to their location, market attractions and desire for flexibility, this category permits a broad range of uses that include tourist commercial, general commercial, light-industrial/commercial and multi-family dwelling units.

The uses listed in the Schedule of Uses is a broad range of Tourist Commercial and General Commercial land uses. The Schedule of Uses also includes multi-family dwellings, consistent with uses permitted by Policy 1.3.2. of the Future Land Use Element.

It is anticipated that staff will include a condition in the zoning resolution requiring the PD to maintain a minimum density of 8 du/ac consistent with Table 1(a) of the Lee Plan. The proposed CPD amendment includes residential uses that may exceed 14 du/ac through the use of the Pine Island Bonus Density provisions, as provided for in the Chapter 2 of the LDC and the General Interchange FLU Category.

The application proposes to utilize up to 183 bonus units through the use of Transfer of Development Rights (TDR) program, available for projects located in the General Interchange Future Land Use Category. The project meets the minimum requirements identified in Section 2-146(b) in that no traffic is required to travel through lower density areas in order to reach a collector or arterial roadway. The project is adjacent to a collector road (Three Oaks Parkway) and Alico Road which is an arterial road. The property is not located in the Coastal High Hazard Area. The project as proposed is compatible with surrounding development due to its provision for buffers consistent with Chapter 10 of the LDC.

LDC Section 2-147(b)(3) requires a PD to be amended in order to increase density utilizing bonus density. The applicant has submitted a PD amendment application, which identifies the area where bonus density will be applied on the property.

The applicant proposes to utilize Greater Pine Island TDU's consistent with LDC 2-147(S). the proposed PD amendment is consistent with the criteria for use of the Greater Pine Island TDU's as the proposed density will not exceed the maximum of 22 du/acre allowed in the General Interchange Commercial Future Land Use Category. The applicant is not proposing to have administrative approval of the bonus density and understands that BOCC approval will be required.

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

January 30, 2019
Request Statement-rev1.docx



GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects

Q. Grady Minor & Associates, P.A.

3800 Via Del Rey, Bonita Springs, FL 34134 • 239-947-1144 • engineering@gradyminor.com • www.gradyminor.com

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Request Statement

The proposed uses are consistent with the Use Activity Groups identified in the LDC. Deviations have been requested for the CPD, consistent with the requirements in Chapter 34 of the LDC. CPD's permit residential dwellings provided a minimum of 50,000 square feet of commercial uses are developed.

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

The property is zoned CPD and most of the uses were previously determined to be compatible with existing and planned surrounding uses. Additional commercial uses including hotel/motel and convention uses are consistent with uses often found at an I-75 interchange. Likewise, multi-family residential uses as proposed are compatible with surrounding land uses. There are multiple examples in Lee County where multi-family residential uses have been developed, and are compatible with nearby commercial and residential land uses. The CPD provides buffering consistent with that required for residential and commercial developments. The CPD provides for enhanced buffers adjacent to Alico and Three Oaks Parkway. The site is not within an airport noise contour, which would prohibit residential dwellings.

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

Principal access to the CPD is from Three Oaks Parkway, which is signalized at Alico Road. An ingress only access is proposed on Alico Road and is subject to FDOT approval.

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

A professional Traffic Analysis has been prepared in support of the CPD and concludes that adequate capacity exists on the surrounding network to support the proposed uses.

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

There is some indigenous vegetation existing on-site; however, it is not environmentally critical or sensitive. There are no listed species inhabiting the site.

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

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Request Statement

Urban services exist proximate to the site. Letters of availability have been submitted to various service providers. There are no known deficiencies in urban services including water, sewer, schools, etc.

2. *Planned Development Rezonings.* The Hearing Examiner must also find:

- a) The proposed use or mix of uses is appropriate at the proposed location;

The CPD includes a variety of general commercial, office, medical office, hotel/motel and high density residential uses. The uses proposed are consistent with the companion FLU Map and text amendments, which provide for a mix of commercial and residential land uses. The proposed mix of uses is consistent with development that has occurred at other I-75 interchanges in Lee County. The MCP and Schedule of Uses identifies the tracts where multi-family residential uses would be permitted.

- 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 conditions of approval provide sufficient safeguards to the public interest.

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

The previously approved deviations will result in development consistent with the MCP. The deviations as proposed promote the general intent of the LDC to protect public health, safety and welfare.

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Vintage Commerce Center CPD

Schedule of Uses

~~a-~~ Schedule of Uses For Tracts A and B

1. Accessory uses, commercial and residential
2. Agricultural Uses (See Condition 4, below)
- 1-3. Assisted Living Facilities, including independent, skilled nursing and memory care, subject to density equivalents in LDC 34-1414.
- 2-4. ATM
- 3-5. Auto Parts Store with or without installation service
- 4-6. Automobile Service Station
- 5-7. Auto Repair and Service, Groups I & II
- 6-8. Banks and Financial Establishments, Groups I & II
- 7-9. Bar or Cocktail Lounge
10. Boat Sales
- 8-11. Building Material Sales
12. Business Services, Groups I & II
- 9-13. Car Wash Convenience Food and Beverage Store, limited to one(1) (Also, see Condition 7)
14. Clothing Store, General
- 10-15. Consumption on premises, indoor and outdoor
16. Contractor and Builders, Group I & II
- 11-17. Department Store
- 12-18. Drive Through Facility for Any Permitted Use
19. Drugstore
- 13-20. Dwelling units, multiple family (Tracts A, B, C and outlot #1 only)
- 14-21. Entrance Gates and Gatehouses
- 15-22. Essential Services
- 16-23. Essential Service Facilities, Group I
24. Excavation, Water Retention
25. Food stores, Group I
26. General Office
- 17-27. Hardware Store
- 18-28. Health Care Facility, Groups III through IV
29. Hobby, Toy and Game Shops
30. Hotel/motel
- 19-31. House of worship
- 20-32. Household and Office Furnishings, Groups I & II
- 21-33. Interchange Quadrant Sign

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Vintage Commerce Center CPD

Schedule of Uses

- 22-34. Insurance Companies
- 23-35. Laundromat
- 24-36. Laundry or Dry Cleaning, Group I
- 25-37. Lawn and Garden Supply Store
- 38. Medical Office
- 26-39. Night clubs
- 27-40. Non-Store Retailers, All Groups
- 28-41. Package Store
- 29-42. Paint, Glass and Wallpaper
- 30-43. Parking Lot, Accessory and Temporary
- 31-44. Personal Services, Groups I through III
- 32-45. Pet Services
- 33-46. Pet Shop
- 34-47. Pharmacy
- 48. Printing and Publishing
- 49. Recreational facilities, commercial, Groups I through V
- 35-50. Religious facilities
- 36-51. Rental or Leasing Establishments, Group II and III
- 52. Repair Shops, Groups I & II
- 37-53. Restaurants, Fast Food
- 54. Restaurants, Groups I through IV
- 38-55. Schools commercial
- 39-56. Social Services, Group I
- 57. Specialty Retail, Groups I through IV
- 40-58. Storage, Indoor
- 59. Studios
- 41-60. Supermarket
- 42-61. Temporary Uses, as identified in LDC Sections 34-3041, 3042, 3043, 3044, 3048 & 3050
- 62. Used Merchandise Store, Group I
- 63. Vehicle and equipment dealers, Groups I through V
- 43-64. warehouse, mini-storage

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b. Schedule of Uses — Additional Uses Only Permitted on Tract A

Building Material Sales

Department Store



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Schedule of Uses

Hardware Store

Supermarket

~~c. Schedule of Uses — Additional Uses Only Permitted on Tract B~~

~~Car Wash Convenience Food and Beverage Store, limited to one (1), having a maximum of 16 fuel pumps (Also, see Condition 7 below)~~

~~Restaurants, Fast Food~~

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PAVESE LAW FIRM

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Board Certified Condominium and
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TITLE CERTIFICATION CLE FL RE INVESTMENT I, LLC

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Pavese Law Firm (as Agent/Title Company)

Plat Number: TBD

Development Order Number: TBD

Effective Date of Title Certification: December 21, 2018

Certified To: Lee County Board of County Commissioners

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I have searched the Public Records of Lee County, Florida and have examined the title to the real property more particularly described in the metes and bounds description attached hereto as Exhibit "A." I have made a careful examination of the Public Records of Lee County, Florida, with respect to the real property described in attached Exhibit "A." Based on the foregoing, we hereby certify Record Title to the above described real property, as of the Effective Date of the Title Certification set forth above, is vested in:

Title to the property is vested in:

CLE FL RE Investment I, LLC, an Ohio limited liability company, by Special Warranty Deed recorded in Official Records Instrument No. 2018000101719, Public Records of Lee County, Florida.

The following are all of those persons or entities holding a mortgage secured by the property:

Commercial Mortgage and Assignment of Rents and Leases in Favor of Seaside National Bank & Trust, recorded April 27, 2018 as Instrument No. 201800010172, Public Records of Lee County Florida.

The following are all easements and rights of way affecting the property to be platted, whether recorded or unrecorded:

1. Easement and Road Construction Agreement recorded in Official Records Book 2019, Page 1681, Public Records of Lee County, Florida.
2. Easement and Road Construction Agreement recorded in Official Records Book 3136, Page 1619, Public Records of Lee County, Florida.
3. Access Easement recorded in Official Records Instrument No. 2008000082083, Public Records of Lee County, Florida.

All Recording references are to the public records of Lee County, Florida.

Note, this is not a certification of ownership of any oil, gas, and mineral rights or interests.

This certification is provided pursuant to the requirements of § 177.041, Florida Statute, for the uses and purposes specifically stated therein and is not to be used as the basis for the issuance of a title insurance commitment or policy. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

By: 
Charles Mann
Managing Partner

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EXHIBIT "A"

A PARCEL OF LAND LOCATED WITHIN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

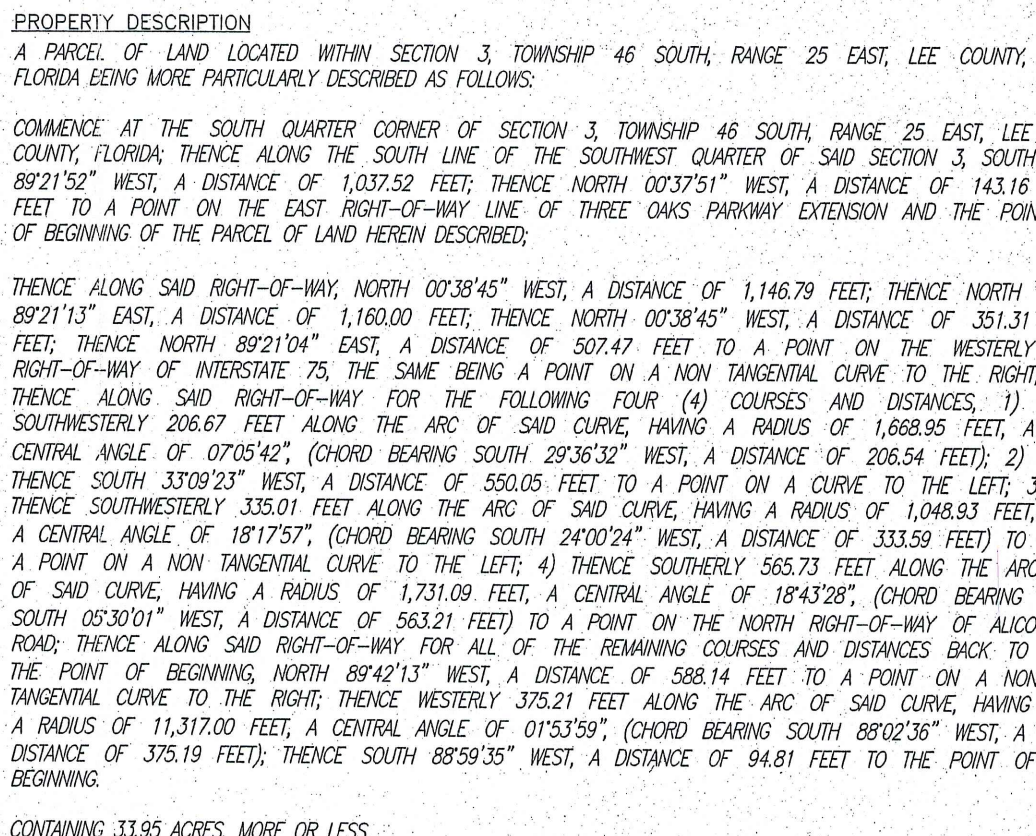
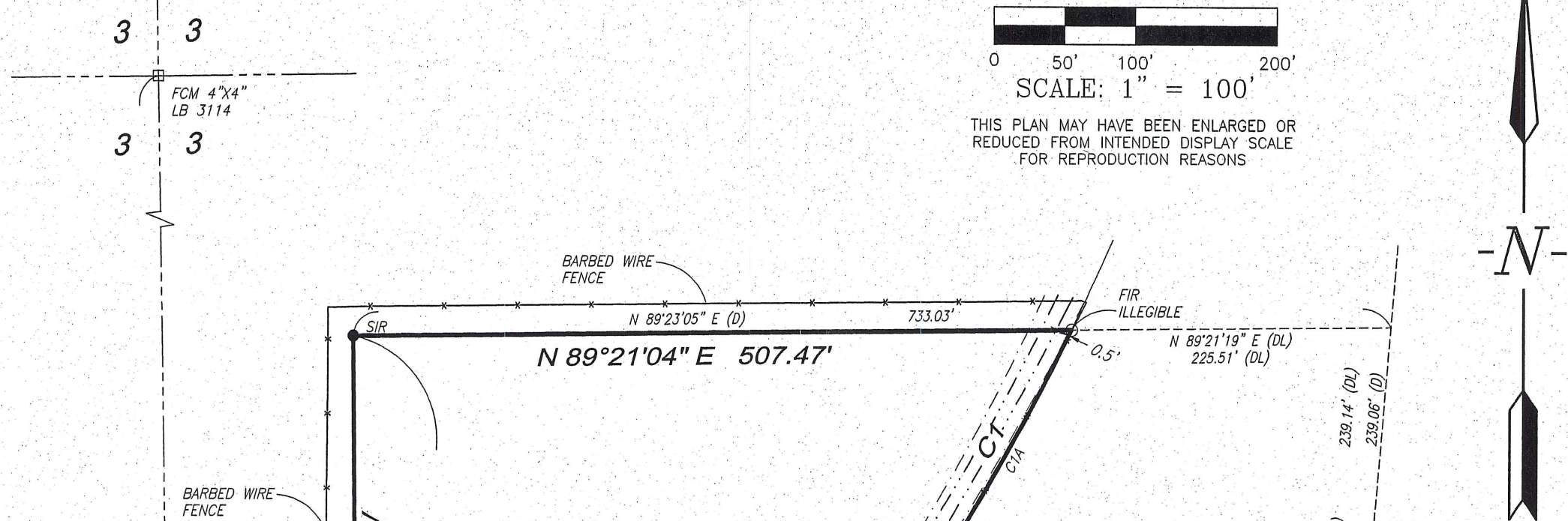
COMMENCE AT THE SOUTH QUARTER CORNER OF SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, SOUTH 89°21'52" WEST, A DISTANCE OF 1,037.52 FEET; THENCE NORTH 00°37'51" WEST, A DISTANCE OF 143.16 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY EXTENSION AND THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE ALONG SAID RIGHT-OF-WAY, NORTH 00°38'45" WEST, A DISTANCE OF 1,146.79 FEET; THENCE NORTH 89°21'13" EAST, A DISTANCE OF 1,160.00 FEET; THENCE NORTH 00°38'45" WEST, A DISTANCE OF 351.31 FEET; THENCE NORTH 89°21'04" EAST, A DISTANCE OF 507.47 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF INTERSTATE 75, THE SAME BEING A POINT ON A NON TANGENTIAL CURVE TO THE RIGHT; THENCE ALONG SAID RIGHT-OF-WAY FOR THE FOLLOWING FOUR (4) COURSES AND DISTANCES, 1) SOUTHWESTERLY 206.67 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,668.95 FEET, A CENTRAL ANGLE OF 07°05'42", (CHORD BEARING SOUTH 29°36'32" WEST, A DISTANCE OF 206.54 FEET); 2) THENCE SOUTH 33°09'23" WEST, A DISTANCE OF 550.05 FEET TO A POINT ON A CURVE TO THE LEFT; 3) THENCE SOUTHWESTERLY 335.01 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,048.93 FEET, A CENTRAL ANGLE OF 18°17'57", (CHORD BEARING SOUTH 24°00'24" WEST, A DISTANCE OF 333.59 FEET) TO A POINT ON A NON TANGENTIAL CURVE TO THE LEFT; 4) THENCE SOUTHERLY 565.73 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 1,731.09 FEET, A CENTRAL ANGLE OF 18°43'28", (CHORD BEARING SOUTH 05°30'01" WEST, A DISTANCE OF 563.21 FEET) TO A POINT ON THE NORTH RIGHT-OF-WAY OF ALICO ROAD; THENCE ALONG SAID RIGHT-OF-WAY FOR ALL OF THE REMAINING COURSES AND DISTANCES BACK TO THE POINT OF BEGINNING, NORTH 89°42'13" WEST, A DISTANCE OF 588.14 FEET TO A POINT ON A NON TANGENTIAL CURVE TO THE RIGHT; THENCE WESTERLY 375.21 FEET ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 11,317.00 FEET, A CENTRAL ANGLE OF 01°53'59", (CHORD BEARING SOUTH 88°02'36" WEST, A DISTANCE OF 375.19 FEET); THENCE SOUTH 88°59'35" WEST, A DISTANCE OF 94.81 FEET TO THE POINT OF BEGINNING.

CONTAINING 33.95 ACRES, MORE OR LESS.

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CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	1668.95	206.67	7°05'42"	S 29°38'32" W	206.54
C1A(10)	1668.95	206.67	7°05'42"	S 29°38'47" E	
C2	1048.93	335.01	18°17'53"	S 24°00'24" W	333.59
C2A(10)	1048.93	335.01	11°17'36"	N 27°30'50" E	
C2B(10)	1048.93	128.18	7°00'06"	S 18°23'50" W	128.10
C2C(10)	1048.93	128.17	7°00'03"	N 18°22'01" E	
C3	1731.09	565.73	18°43'28"	S 53°01'01" W	563.21
C3(10)	1731.09	565.82	18°43'39"	S 53°10'55" W	563.30
C3A(10)	1731.09	565.81	18°43'39"	S 53°10'55" E	
C4	11317.00	375.21	1°53'59"	S 88°02'36" W	375.19
C4(10)	11317.00	375.25	1°53'59"	S 88°02'38" W	375.21
C4A(10)	11317.00	375.24	1°53'59"	S 88°04'51" W	

- NOTES:**
1. COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED BY THE NATIONAL GEODETIC SURVEY FOR FLORIDA WEST ZONE 1983 DATUM WITH 1980 ADJUSTMENT OBTAINED UTILIZING RTK GPS OBSERVATIONS ON THE FOOT OF THE SOUTH LINE OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA AS BEING SOUTH 89°21'52" WEST.
 2. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE CERTIFICATION LETTER PROVIDED BY PAYVEE LAW FIRM, DATED AN EFFECTIVE DATE OF 21 DECEMBER, 2018, MAY BE SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD. ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
 3. THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE X, HAVING NO BASE FLOOD ELEVATION, PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP # 12071C 0581 F, DATED 28 AUGUST 2008.
 4. CERTAIN FEATURES REPRESENTED BY SYMBOLS MAY NOT BE SHOWN AT THEIR TRUE LOCATION AND/OR SCALE IN ORDER TO BE ABLE TO DEPICT THEM ON THIS MAP.
 5. DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.
 6. THIS SURVEY DOES NOT ADDRESS ANY ENVIRONMENTAL CONCERNS, ENDANGERED WILDLIFE OR JURISDICTIONAL WETLANDS, IF ANY, EXCEPT AS SHOWN ON THIS SURVEY.
 7. THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.
 8. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER. NO ADDITIONS OR DELETIONS TO THIS SURVEY MAP ARE PERMITTED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE SIGNING PARTY.
 9. UNLESS OTHERWISE NOTED, BELOW GROUND UTILITIES AND FOUNDATIONS WERE NOT LOCATED FOR THE PURPOSES OF THIS SURVEY.
 10. BY SIGNING BELOW I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.051, F.A.C., PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.
 11. DATE OF LAST FIELD WORK: 29 SEPTEMBER 2017.

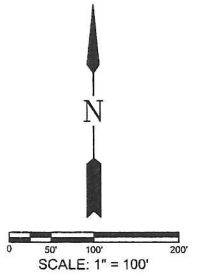
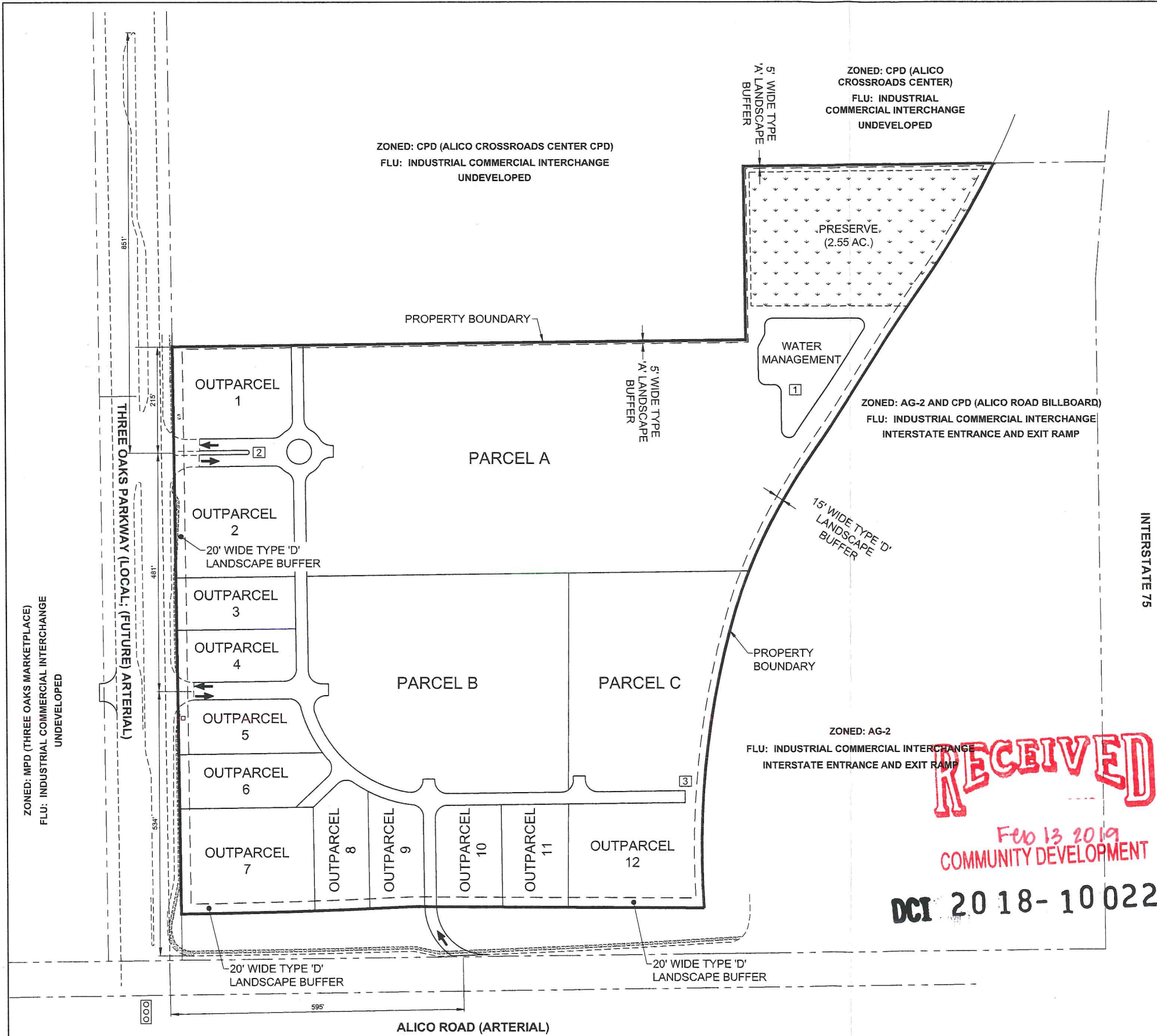
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DOI 2018-10022

LEGEND									
POB	POINT OF COMMENCEMENT	(C)	CALCULATED	ELEV	ELEVATION	☐	CATCH BASIN	✱	LIGHT POLE
POR	POINT OF BEGINNING	(D)	PER DEED OR TITLE COMMITMENT	INVC	INVERT ELEVATION	☐	DRAINAGE MANHOLE	MT	TELEPHONE POLE
PR	POINT OF RECORD	(L)	PER LESS AND EXCEPT	N/A	NORTH ELEVATION	ME	TRIP-ARM ELEVATION	TR	TELEPHONE RISER BOX
RF	ROUND 5/8" ROUND ROD	(P)	PLAT BOOK	CONC	AIR CONDITIONING UNIT/PAD		YDRN DRAIN	CB	CABLE TELEVISION RISER/BOX
SR	SET 5/8" IRON ROD w/CAP. LBL. #5151	OR	OFFICIAL RECORDS BOOK	CONC	CONCRETE	WV	WATER VALVE	EM	ELECTRIC MANHOLE
SW	SET 3/4" CON. NAILMENT W/ALUMINUM LBL. #5151	OR	ORIGINATED METAL PIPE	CONC	CONCRETE REINFORCED METAL PIPE		WATER METER	EM	ELECTRIC RISE/BOX METER
		PSW	PROFESSIONAL SUPERVISOR AND MAPPER	CONC	CORRUGATED PLASTIC PIPE		BACK FLOW PREVENTOR		ELECTRIC TRANSFORMER
		LB	LICENSED BUSINESS	TCB	REINFORCED CONCRETE PIPE		FIRE HYDRANT	TR	TRAFFIC LIGHT
FKF	FOUND FINGER KOLN NAIL w/ALUMINUM LBL. #5151	SPC	SINK PLANE COORDINATES	TOB	CONCRETE REINFORC.		FIRE DEPARTMENT CONNECTION	SGN	SIGN ON POLE
		ROW	RIGHT-OF-WAY	TOP	TOP OF BANK		BACTERIA SAMPLE POINT		OAK TREE
		PUE	PUBLIC UTILITY PASSENGER	UE	UNDER SLOPE		AIR RELEASE VALVE		PALM TREE
FMH	SET NAIL w/ALUMINUM LBL. #5151	PUE	UTILITY PASSENGER	UE	CENTER LINE	IRV	IRRIGATION VALVE / CONTROL VALVE	IRE	GRASS TREE
SH	FOUND HOLE	UE	UTILITY PASSENGER	UE	EDGE OF PRECIPITANT	GV	GS GAS VALVE		IRRIGATION CASSETTE
SHI	SET DRILL HOLE	UE	ACCESS PASSENGER	GT	● GROUND	UPW	GS GAS METER/SERVICE	GM	2" FLOW RATE STOP
FOH	FOUND HOLE	UE	WAKE MAINTENANCE PASSENGER	GT	○ SANITARY MANHOLE	UPW	UTILITY POLE - WOOD		GS WIRE MARK
		UE	LANDSCAPE BUFFER PASSENGER	GT	○ CLEAN UT	UPW	UTILITY POLE - CONCRETE		GS WIRE MARK
(N)	NEASURED	UNO	NORTH AMERICAN VERTICAL DATUM OF 1988	SV	SEWER VALVE	OH	OVERHEAD WIRES		
		NGVD	NORTH AMERICAN GEODETIC VERTICAL DATUM OF 1929						


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 Q. Grady Minor and Associates, P.A.
 3800 Via Del Rey
 Bonita Springs, Florida 34134
 Civil Engineers • Land Surveyors • Planners • Landscape Architects
 Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266
 Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380

DRAWN BY: KJG	<p style="text-align: center;"><i>BOUNDARY SURVEY</i></p> <p style="text-align: center;">A PARCEL OF LAND</p> <p style="text-align: center;">LYING IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA</p>	<p>2/1/19</p> <p>DATE SIGNED: 2/1/19</p> <p>FLORIDA SURVEYING BOARD</p> <p>REG. NO. 6761</p> <p><i>Donald G. Saintodon, P.S.</i></p> <p>DONALD G. SAINTODON, P.S.</p> <p>FL. LICENSE #6761</p>
CHECKED BY: DLS		
JOB CODE: CRMLPDO		
SCALE: 1" = 100'		
DATE: 29 JANUARY 2019		
FILE: 19-18-BS.DWG		
SHEET: 1 of 1		



SITE SUMMARY

PLAN DESIGNATION: GENERAL INTERCHANGE
EXISTING ZONING: VINTAGE COMMERCE CENTER CPD
PROPOSED ZONING: VINTAGE COMMERCE CENTER CPD
EXISTING LAND USE: UNDEVELOPED
GROSS AREA: ± 33.95
STRAP NUMBER: 03-46-25-00-00001.1100, 03-46-25-00-00001.1090
STREET ADDRESS: 9401 ALICO ROAD, FT MYERS, FL

PROPERTY DEVELOPMENT REGULATIONS

COMMERCIAL / RETAIL: 350,000 SF (THIS CAN BE COMPRISE OF ALL RETAIL OR COMBINATION OF ALL USES. HOWEVER, IF MULTI-FAMILY RESIDENTIAL UNITS ARE CONSTRUCTED, THE COMMERCIAL / RETAIL SF WILL DECREASE IN ACCORDANCE WITH THE APPROVED CONVERSION TABLE.

HOTEL: 300 ROOMS
MULTI-FAMILY RESIDENTIAL: 400 UNITS

MINIMUM AREA DIMENSIONS:
LOT SIZE 20,000 SQUARE FEET
LOT DEPTH 100 FEET
LOT WIDTH 100 FEET

MINIMUM SETBACKS:
STREETS INTERNAL OR EXTERNAL: 25 FEET
SIDE: 15 FEET
REAR: 20 FEET
WATERBODY: 25 FEET
MAXIMUM BUILDING HEIGHT: 85 FEET
MAXIMUM LOT COVERAGE: 45 PERCENT
MINIMUM OPEN SPACE: A MINIMUM OF 10.18 X 0.30 = 3.05 ACRES OF GENERAL OPEN SPACE MUST BE PROVIDED WITHIN THE OVERALL DEVELOPMENT SITE IF DEVELOPED WITH ALL NON-RESIDENTIAL USES. IF RESIDENTIAL IS DEVELOPED, A MINIMUM 40% OPEN SPACE MUST BE PROVIDED FOR THE RESIDENTIAL USE. EACH DEVELOPMENT TRACT MAY CONTAIN A MINIMUM OF 10 PERCENT OPEN SPACE PER LDC §34-414(C) PROVIDED THE DEVELOPER DEMONSTRATES THE OVERALL OPEN SPACE REQUIREMENT WILL BE MET WITH EACH LOCAL DEVELOPMENT ORDER SUBMITTAL. A 35% REDUCTION IN OPEN SPACE MAY BE TAKEN IF PROJECT UTILIZES PINE ISLAND TDU'S CONSISTENT WITH LDC 2-152C1b.

- SCHEDULE OF DEVIATIONS**
- RELIEF FROM THE LDC §10-329(D)(1)A.3 REQUIREMENT TO PROVIDE A 50-FOOT-WIDE SETBACK FROM ROAD RIGHTS-OF-WAY AND PRIVATE PROPERTY LINES FOR WATER RETENTION EXCAVATION, TO ALLOW A 25-FOOT-WIDE SETBACK.
 - RELIEF FROM THE LDC §30-153(2)A.4. REQUIREMENT THAT ON-SITE IDENTIFICATION SIGNS BE SET BACK A MINIMUM OF 15 FEET FROM ANY STREET RIGHT-OF-WAY OR EASEMENT, AND 10 FEET FROM ANY OTHER PROPERTY LINE, TO ALLOW PROJECT IDENTIFICATION SIGNS IN A MEDIAN WITHIN THE PROJECT'S INTERNAL ROAD RIGHT-OF-WAY. THIS DEVIATION IS APPROVED WITH THE CONDITION THAT THE IDENTIFICATION SIGNS ARE PLACED AND CONSTRUCTED IN ACCORDANCE WITH LDC §30-93, VISIBILITY TRIANGLE SAFE SIGHT DISTANCE REQUIREMENTS.
 - RELIEF FROM THE LDC §10-296(K)(1), WHICH REQUIRES DEAD-END STREETS TO BE CLOSED AT ONE END BY A CIRCULAR TURNAROUND FOR VEHICLES, TO ALLOW THE DEAD-END ACCESSWAY AS SHOWN ON THE MASTER CONCEPT PLAN TO BE CONSTRUCTED WITHOUT A CUL-DE-SAC.

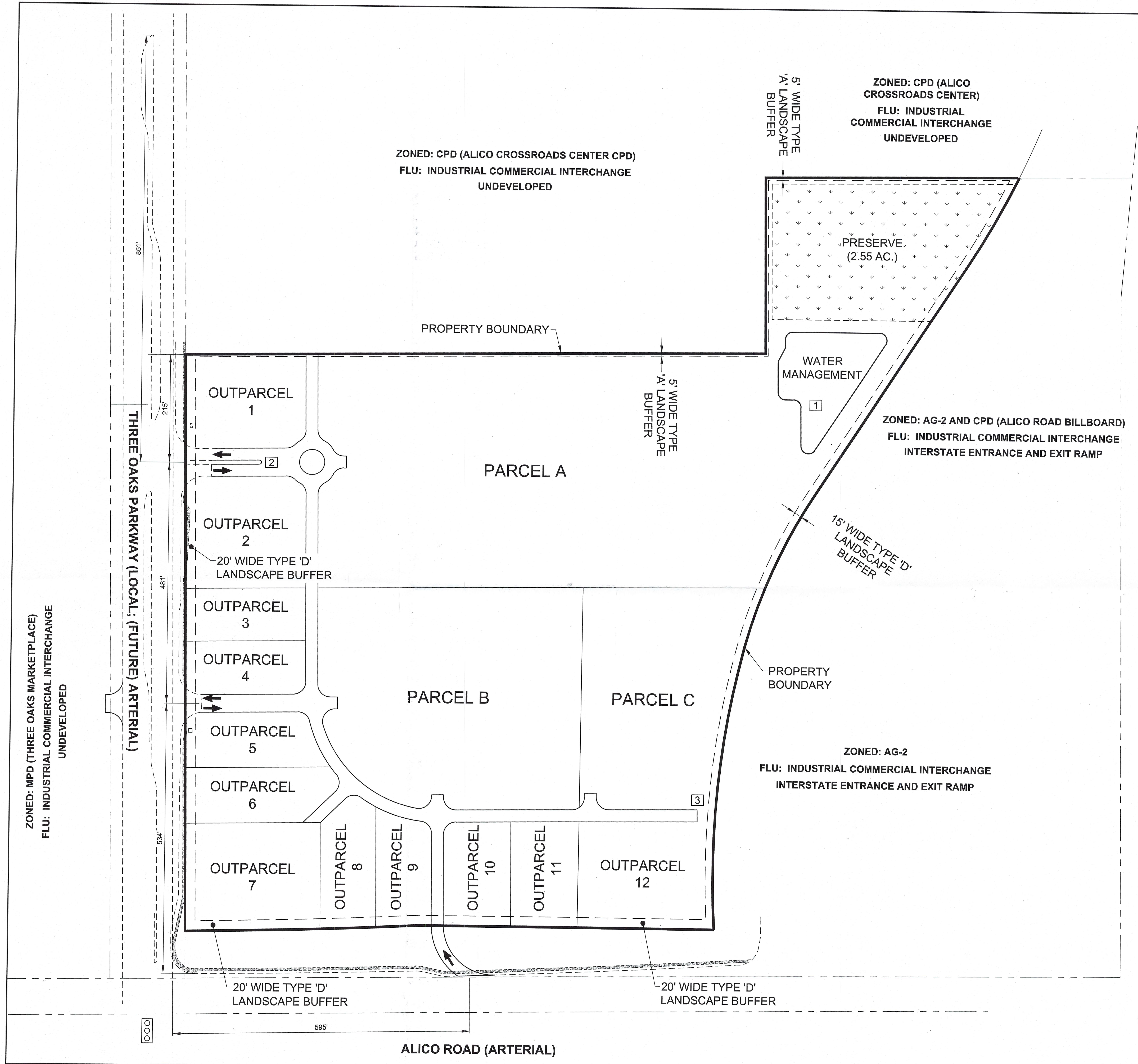
PROJECT NOTES

WATER MANAGERMENTS AREA ARE CONCEPTUAL IN NATUR AND WILL BE DEVELOPED CONSISTENT WITH ERP AND SHOWN IN MORE DETAIL AT THE TIME OF DEVELOPMENT UNDER APPROVAL.

* THE DEVELOPER INTENDS TO PURCHASE OFFSITE TDU'S TO ACCOUNT FOR 2.55 ACRES OF ONSITE INDIGENOUS PRESERVE REQUIREMENTS

ULTIMATE OUTPARCEL CONFIGURATION TO BE DETERMINED AT THE TIME OF D.O. MCP WILL COMPLY WITH LDC SECTIONS 34-411(e) AND 10-442 AS APPLICABLE FOR TRANSIT FACILITIES AT THE TIME OF DEVELOPMENT ORDER APPROVAL.

# DEVIATION	LEGEND	Revision Date Description	By	DESIGNED BY: Q.G.M.A.		O. Grady Minor and Associates, P.A. 3800 Via Del Rey Bonita Springs, Florida 34134	VINTAGE COMMERCE CENTER CPD	MUNICIPALITY: LEE COUNTY SBC/TWNSHIP/ENG 03/46S/25E DATE: SEPTEMBER 2018 SUBMITTAL TYPE: PD AMENDMENT SHEET 1 OF 1
				DRAWN BY: D.C.R.				
PRESERVE				APPROVED: D.W.A.				
				JOB CODE: CRMLPOD				
				SCALE: 1" = 100'				



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LEGEND

DEVIATION

PRESERVE

Revision	Date	Description	By

DESIGNED BY: Q.G.M.A.

DRAWN BY: D.C.R.

APPROVED: D.W.A.

JOB CODE: CRMALPDO

SCALE: 1" = 100'

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3800 Via Del Rey

Bonita Springs, Florida 34134

VINTAGE COMMERCE CENTER CPD

MASTER CONCEPT PLAN

RECEIVED

Feb 13 2019

COMMUNITY DEVELOPMENT

MUNICIPALITY: LEE COUNTY

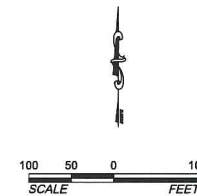
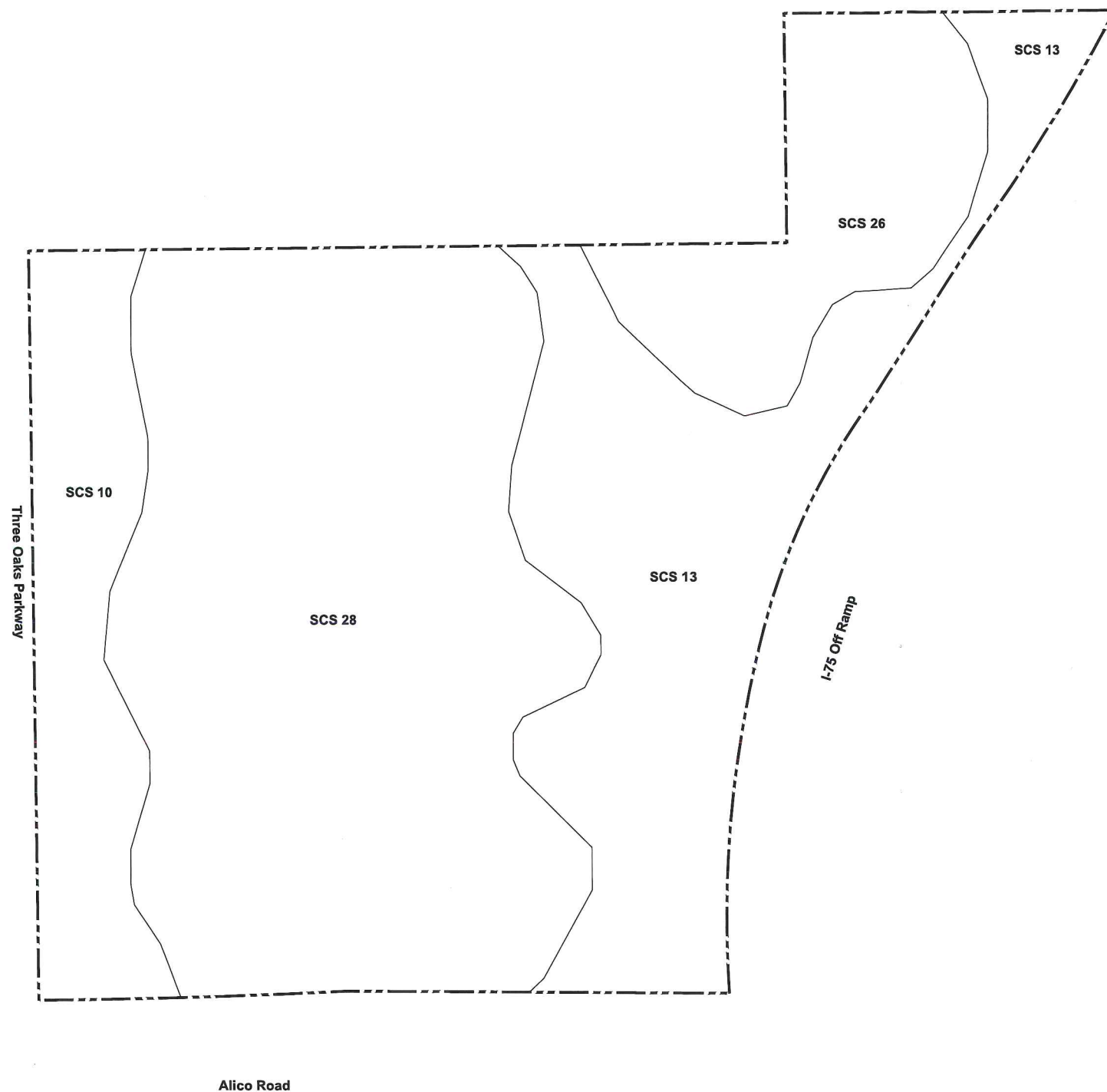
SEC/TWNSHP/RNG: SEC/TWNSHP/RNG 03/46S/25E

DATE: SEPTEMBER 2018

SUBMITTAL TYPE: PD AMENDMENT

SHEET 1 OF 1

SECTION: 3
TOWNSHIP: 46 S
RANGE: 25 E



Soil Legend
SCS 10 - Pompano fine sand
SCS 13 - Boca fine sand
SCS 26 - Pineda fine sand
SCS 28 - Immokalee sand

RECEIVED
FEB 13 2019

COMMUNITY DEVELOPMENT

DCI 2018:10022

Notes:
1. Property boundary is approximate and was obtained from the Lee County Property Appraiser's Website.
2. Soils information obtained from the Florida Geographic Data Library.

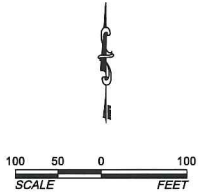
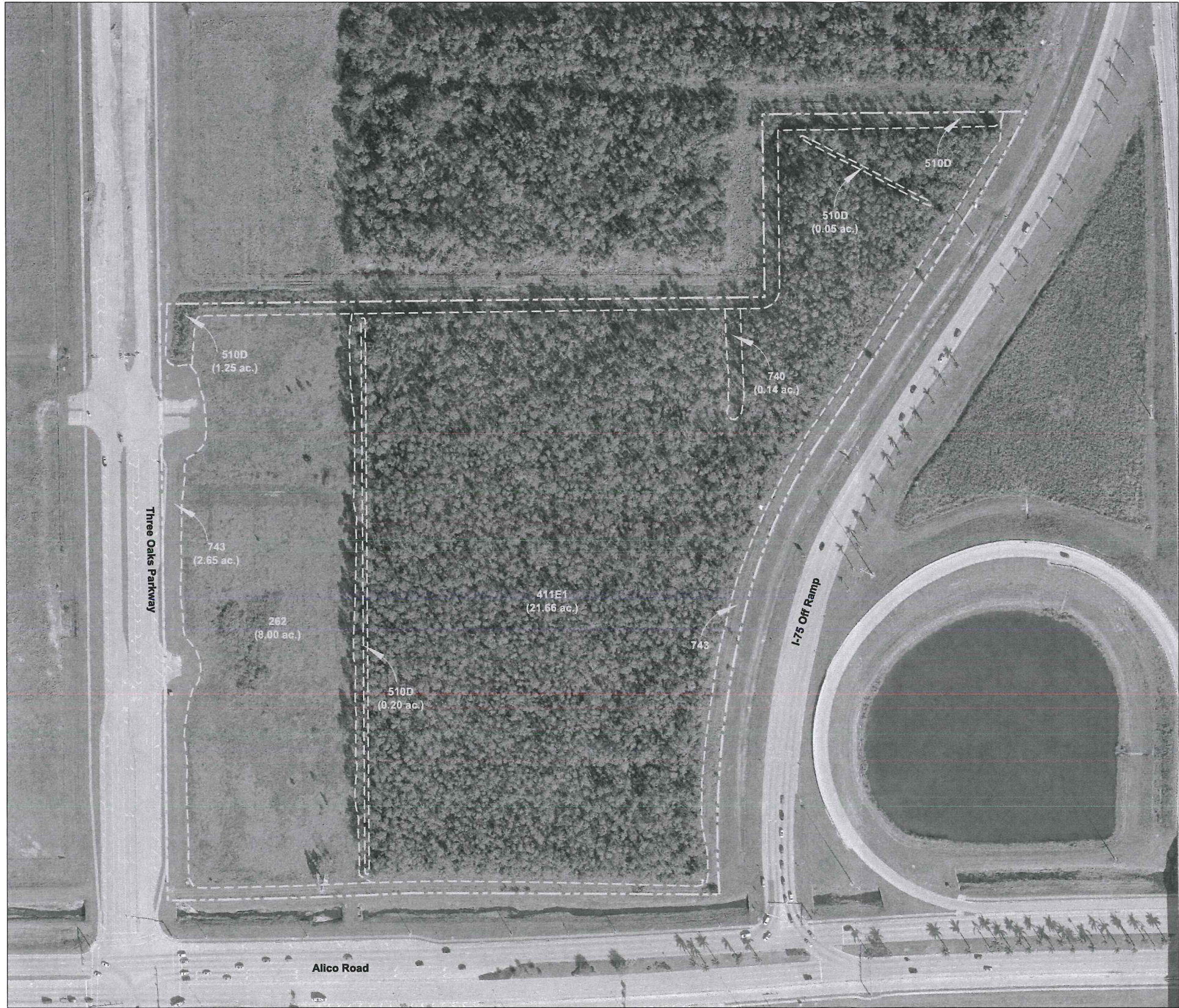
October 25, 2018 10:24:00 am
Drawing: DR01PLAN.DWG

B DEXBENDER
B ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3880

Vintage Commerce Center CPD

Soils Map

SHEET



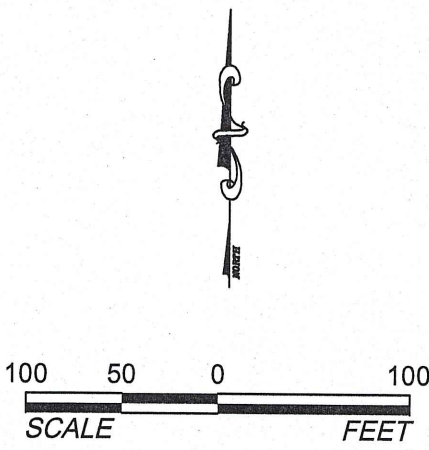
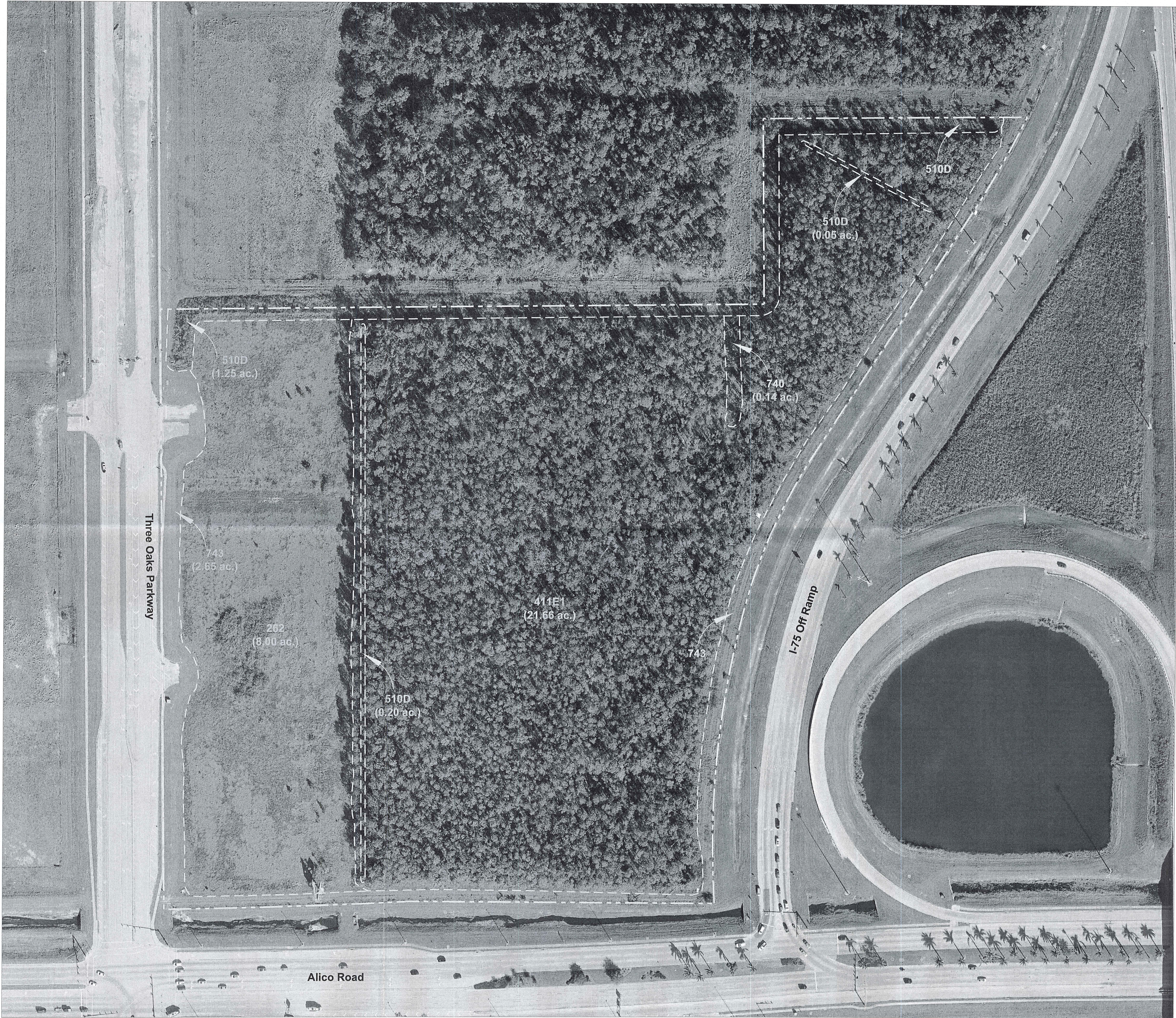
FLUCCS	Description	Acreage
262	Fallow Pasture	8.00 ac.
411E1	Pine Flatwoods Invaded by Exotics (10-25%)	21.66 ac.
510D	Ditches	1.50 ac.
740	Disturbed Land	0.14 ac.
743	Spoil Areas	2.65 ac.
Total		33.95 ac.

RECEIVED
FEB 13 2019

COMMUNITY DEVELOPMENT

DCI 2018-10022

Notes:
1. Property boundary and top of bank lines provided by GradyMinor.
2. Mapping based on photointerpretation of 2018 aerial photography and ground truthing in September 2018.
3. Delineation of jurisdictional wetlands is preliminary and subject to field review/approval by applicable regulatory agencies.

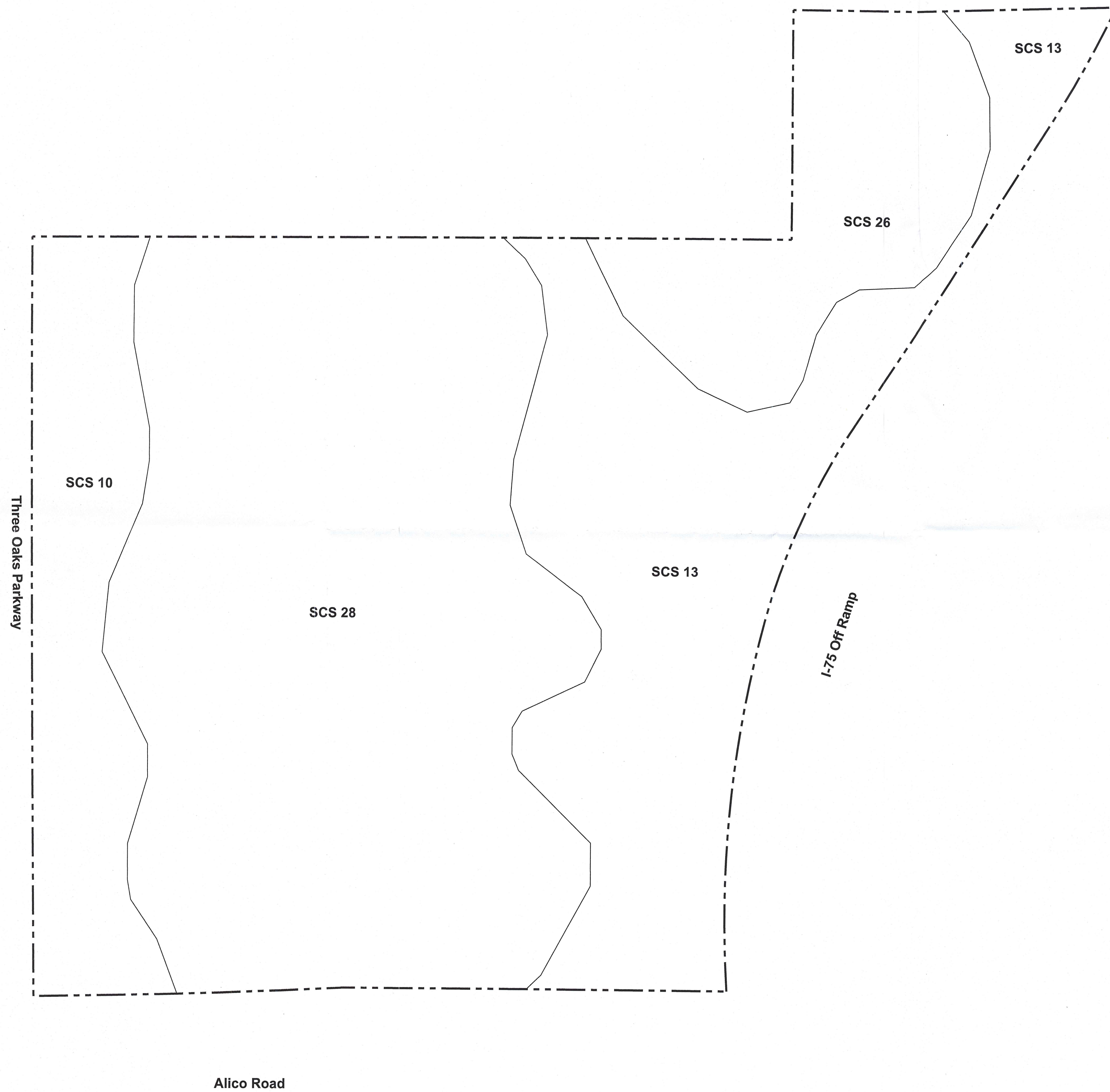


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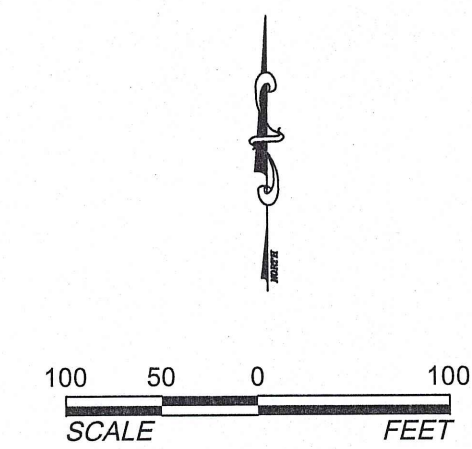
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F-10 13 2019
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