



John Manning
District One

March 27, 2019

Via E-Mail

Cecil L Pendergrass
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, FL 32399-0800

**Re: Amendment to the Lee Plan
March 20, 2019 Transmittal Hearing**

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163, please find attached the proposed Comprehensive Plan Amendment, known locally as CPA2018-10010 (Old Corkscrew Golf Club Map 6). The proposed amendment is being submitted through the expedited state review process as described in Chapter 163.3184. The amendment is as follows:

CPA2018-10010: Amend Map 6 to add 259 ± acres to the Lee County Utilities Future Water Service Areas.

The Local Planning Agency held a public hearing for this plan amendment on February 25, 2019. The Board of County Commissioners voted to transmit the amendment on March 20, 2019. The proposed amendment is not applicable to an area of critical state concern. The Board of County Commissioners stated their intent to hold an adoption hearing following the receipt of the review agencies' comments.

The name, title, address, telephone number, and email address of the person for the local government who is most familiar with the proposed amendments is as follows:

Mr. Brandon Dunn, Principal Planner
Lee County Planning Section
P.O. Box 398
Fort Myers, Florida 33902-0398
(239) 533-8585
Email: bdunn@leegov.com

Included with this package are one paper copy and two CD ROM copies, in PDF format, of the proposed amendments and supporting data and analysis. By copy of this letter and its attachments, I certify that this amendment and supporting data and analysis has been sent on this date to the agencies listed below.

Sincerely,

**Lee County Department of Community Development
Planning Section**



Mikki Rozdolski
Manager, Community Development Operations

All documents and reports attendant to this transmittal are also being sent by copy of this cover in an electronic format to:

Comprehensive Plan Review
Department of Agriculture and Consumer Services

Tracy D. Suber
Department of Education

Plan Review
Department of Environmental Protection

Deena Woodward
Florida Department of State

Scott Sanders
Florida Fish and Wildlife Conservation Commission

Sarah Catala
FDOT District One

Margaret Wuerstle
Southwest Florida Regional Planning Council

Terry Manning, A.I.C.P., Senior Planner, Intergovernmental Coordination Section
South Florida Water Management District

NOTICE OF PROPOSED AMENDMENT
TO THE
LEE COUNTY COMPREHENSIVE LAND
USE PLAN
(TRANSMITTAL HEARING)

Attn:
LCBC-DEPT OF COMM DEVELOPMENT-
1500 MONROE ST
FORT MYERS, FL 33902

The Lee County Board of County Commissioners will hold a public hearing to consider proposed amendments to the Lee County Comprehensive Land Use Plan (Lee Plan) on Wednesday, March 20, 2019. The hearing will commence at 9:30 a.m., or as soon thereafter as can be heard, in the Board Chambers at 2120 Main Street in Downtown Fort Myers. At the hearing, the Board will consider the proposed amendments for transmittal to the Florida Department of Economic Opportunity:

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

CPA2018-10010 Old Corkscrew Golf Club: Amend Map 6, Lee County Utilities Future Water Service Areas, to add 259 acres to the service area.

CPA2019-00001 Wetland Impacts: Amend the Lee Plan to clarify uses allowed in the Wetlands future land use category on property where impacts are authorized by a State agency.

Legal Notices

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

This transmittal hearing is the first step in a two step public hearing process to amend the Lee Plan. A second hearing will follow the Department of Economic Opportunity's review of the application.

03/08/19

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

Documentation for the Proposed Comprehensive Plan Amendment is available at <https://www.leegov.com/dcd/planning/cpa> or at the Department of Community Development located at 1500 Monroe Street, Fort Myers, Florida. This meeting is open to the public. Interested parties may appear at the meeting and be heard with respect to the proposed plan amendment. A verbatim record of the proceeding will be necessary to appeal a decision made at this hearing.

It is the intent of the Board of County Commissioners that the provisions of this Comprehensive Plan Amendment may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

Sworn to and Subscribed before me this 8th of March 2019, by Diana Figueroa who is personally known to me.

Lee County will not discriminate against individuals with disabilities. To request an accommodation, contact Joan LaGuardia, (239) 533-2314, Florida Relay Service 711, or ADArequests@lee.gov.com, at least five business days in advance.
AD # 3422387 Mar. 8, 2019



Notary



COMMUNITY DEVELOPMENT

**STAFF REPORT FOR
CPA2018-10010: OLD CORKSCREW GOLF CLUB MAP 6**
Privately Initiated Map Amendment to the Lee Plan



Applicants:

Old Corkscrew
Development
Group, LLC

Representative:

Dan Delisi, AICP

Size:

259± acres

Location:

SE Lee County

Commissioner

District: #3

FLUM Category:

DR/GR and
Wetlands

Attachments:

Map 6 Proposed

Hearing Dates:

LPA: 2/25/2019

BOCC: 3/20/2019

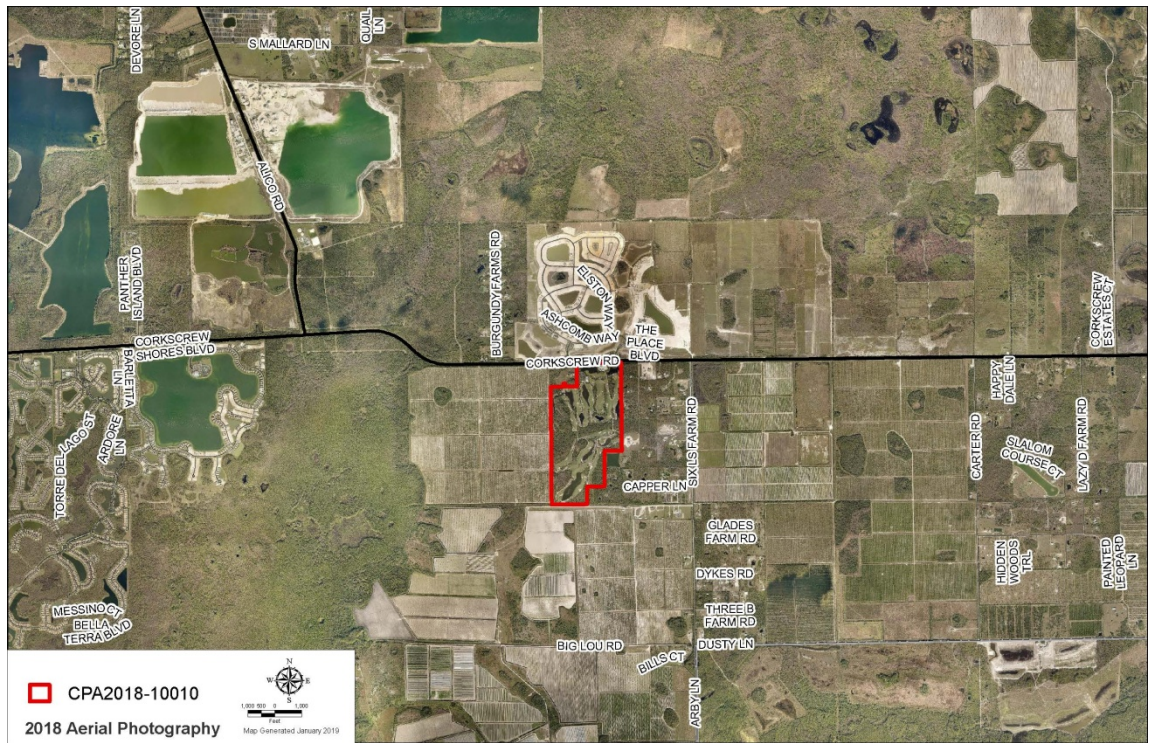
REQUEST

Amend Map 6 to add 259 ± acres to the Lee County Utilities Future Water Service Areas.

PROJECT LOCATION

The subject property's address is 17310 Corkscrew Road and is generally located on the south side of Corkscrew Road, about two miles east of Alico Road.

**FIGURE A
AERIAL LOCATION MAP**



PURPOSE

The proposed amendment will allow the Old Corkscrew Golf Club to connect to public water supply, provided by Lee County Utilities, for non-irrigation purposes.

RECOMMENDATION

Staff recommends that the Board of County Commissioners **transmit** the amendment, as identified in Attachment 1, to add 259 +/- acres to Lee Plan Map 6 based on the analysis and findings in this staff report.

**PART 1
PROPERTY INFORMATION**

History:

The Old Corkscrew Golf Club (f/k/a The Retreat) Private Recreational Facility Planned Development (PRFPD) is located on the 259± acre subject property. The Old Corkscrew Golf Club is an 18-hole golf course that was originally approved in 2001 and then amended in 2011. The PRFPD is also approved for a 7 bedroom Bed & Breakfast facility and a maximum of 25 fractional ownership/timeshare units. The approvals were codified and are contained in Zoning Resolution Z-11-014 (DCI2010-00014).

The subject property is located on the south side of Corkscrew Road, about two miles east of Alico Road. It is located in the Southeast Lee County Community Plan area.

Southeast Lee Vision Statement:

The subject property is within the Southeast Lee County Community Plan area. The area is anticipated to develop at very low densities and is mostly within the DR/GR, Wetlands and Conservation future land use categories.

Current Future Land Use Category - Density Reduction/Groundwater Resource (DR/GR) and Wetlands:

The subject property is designated as DR/GR and Wetlands on the Future Land Use Map. The DR/GR future land use category is limited to very low density residential development with a maximum of one dwelling unit per 10 acres. Agriculture, mining and public and private recreational facilities, such as the Old Corkscrew Golf Club are allowed.

The Wetlands Future Land Use category is limited to a maximum of one dwelling unit per 20 acres and passive recreational uses that do not affect the ecological function of the wetlands.

Surrounding Properties:

The surrounding properties are within the DR/GR and Wetlands future land use categories and are zoned Residential Planned Development (RPD), Private Recreational Facilities Planned Development (PRFPD) and Agriculture (AG-2). Table 1 provides detailed information on the surrounding properties.

**TABLE 1
SURROUNDING PROPERTIES INFORMATION**

	Future Land Use	Zoning	Existing Use
North	DR/GR Wetlands	RPD	The Place RPD, approved for 1,325 units, 50,000 SF residential amenities, conservation, parks and water management.
East	DR/GR Wetlands	AG-2	Large lot single family residences
South	DR/GR Wetlands	AG-2	Citrus Groves; 21 large lot single family residences
West	DR/GR (1 unit/10 ac) Wetlands (1 unit/20 ac)	AG-2	Citrus Groves

PART 2
STAFF DISCUSSION AND ANALYSIS OF PROPOSED AMENDMENTS

The applicant desires to connect the Old Corkscrew Golf Club to public water supply, provided by Lee County Utilities (LCU), for non-irrigation purposes. The Lee Plan requires that areas to be served by Lee County Utilities are identified on Map 6: Lee County Utilities Future Water Service Areas. Therefore, the applicant is proposing to amend Map 6 to include the Old Corkscrew Golf Club in the Future Water Service Area. The Lee Plan, in Standard 4.1.1 (6), allows a developer/owner to request to be added to a water service area. Standard 4.1.1(6) is provided below:

6. If a development lies outside any service area as described above, the developer may:
 - request that the service area of Lee County Utilities or an adjacent water utility be extended to incorporate the property;
 - establish a community water system for the development; or
 - develop at an intensity that does not require a community water system.

The applicant has stated that the golf course will not use LCU potable water for irrigation. Irrigation will be provided via existing on-site wells.

LCU has indicated in a letter dated August 23, 2018 that potable water lines are in operation adjacent to the property and there is currently adequate availability to serve the estimated flow of approximately 1,871 gallons per day.

Lee Plan Consistency

Protection of Water Resources

The request is consistent with Goal 33: Southeast Lee County, which in part, seeks to protect the groundwater resource area for long-term water storage. This is supported by the requirements found in Goal 13, Objective 13.4, Policy 13.4.2, Goal 63, Objective 63.1, and other applicable Lee Plan provisions. These provisions address general water resource protection and wellfield protection requirements. Lee County has a wellfield that extends along Corkscrew Road adjacent to the subject property. Extending Map 6 will help to reduce the number of individual wells and help protect the adjacent Lee County wellfield and aquifers.

Source of Irrigation Water

Policy 61.1.6 establishes preferred irrigation sources in Lee County, and in part states *“Where reuse water is not available, surface water or low quality groundwater should be utilized for irrigation. All other potential water sources must be eliminated prior to selecting potable water as the sole source for meeting the irrigation needs of a development.”* In the event the golf course should decide to use potable water for irrigation, it would be inconsistent with Policy 61.1.6. However, the applicant has stated that the golf course will not use potable water and will continue to use the on-site well to irrigate which is consistent with Policy 61.1.6.

Identifying the subject property within the Future Water Service Area on Map 6 will not change the existing land use or densities. The PRFPD approved in 2001 and later amended in 2011 was deemed consistent with Goal 33 (Southeast Lee County), Goal 1.4.5 (DR/GR), and Goal 13 (Private Recreation

Facilities in the DR/GR). Any changes to the Old Corkscrew Golf Course must continue to be consistent with all applicable requirements of the Lee Plan, including those identified in this report.

Infrastructure and Service Analysis

The applicant is not proposing any changes to the allowable uses or densities on the subject property as part of this application. Therefore, granting the request will have minimal impact, if any, on services needed to support the existing golf course development.

Transportation

Access to the property is from Corkscrew Road which is a paved two-lane arterial roadway. I-75 is located approximately 7 miles west of the subject property. I-75 is a six-lane median divided freeway maintained by State.

Mass Transit

The closest bus route is Route 60 along Corkscrew Road. The nearest bus stop is over 6 miles from the subject property. The property is not within $\frac{1}{4}$ mile of a fixed route corridor or $\frac{3}{4}$ miles of the Passport corridor (ADA Service). The 2016 Transit Development Plan does not have any routes or extensions planned near this site.

Utilities

The subject property is not currently located within the LCU Potable water or wastewater service areas. Potable water and wastewater lines are in operation adjacent to the property. Potable water capacity is available from the Corkscrew Water Treatment Plant. The applicant is not proposing to connect to public wastewater service. The applicant will be required to pay for the extension of any necessary water lines, consistent with Lee Plan Policy 53.1.8 and 53.1.9.

Solid Waste

The subject property has access to solid waste services. Solid waste collection services will be provided by Lee County using the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill.

Fire

The Estero Fire Rescue indicated they are capable of providing fire protection.

EMS

The Lee County Division of Emergency Medical Services indicates that they do not object to the request to add the subject property to Map 6 since there are no use or density changes proposed.

Police

The Lee County Sheriff indicated in a letter dated August 22, 2018 that the request will not affect the ability of the Lee County Sheriff's Office to provide core services at this time.

PART 3 CONCLUSIONS

LCU water lines are immediately adjacent to the subject property and LCU currently has adequate capacity to accommodate the request. Granting the expanded Map 6 boundaries will help to protect groundwater resources by reducing the need for individual wells and the potential for contamination. The applicant has stated that the LCU potable water will be for non-irrigation purposes.

The amendment to expand the Lee County Utilities Future Water Service Areas on Map 6 is consistent with the Lee Plan. For the reasons discussed in this staff report, Staff recommends that the Board of County Commissioners *transmit* the proposed amendment as identified in Attachment 1.

PART 4 ATTACHMENTS

Attachment 1:

- Proposed Map 6: Lee County Utilities Future Water Service Areas

Electronic File: <https://www.leegov.com/dcd/planning/cpa/compplansearch?case=CPA2018-10010>

**PART 5
LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: February 25, 2019

A. LOCAL PLANNING AGENCY REVIEW:

The Applicant presented an overview of the proposed map amendment and consistency with the Lee Plan. Staff provided a brief presentation for the amendment which covered consistency with the Lee Plan and staff recommendation. No members of the public addressed the LPA concerning this case.

Members of the LPA asked questions about the existing structures to be served by potable water and the potential to include the subject property on Map 7: Lee County Utilities Future Sewer Services Areas.

B. LOCAL PLANNING AGENCY RECOMMENDATION:

A motion was made to find the request consistent with the Lee Plan; encourage the applicant to add the subject property to Map 7: Lee County Utilities Future Sewer Service Area; and, to recommend that the Board of County Commissioners transmit CPA2018-10010. The motion passed 7 to 0.

VOTE:

RAYMOND BLACKSMITH	AYE
RHONDA BREWER	AYE
JAMES INK	AYE
DON SCHROTENBOER	AYE
KRISTINE SMALE	AYE
STAN STOUDE	AYE
HENRY ZUBA	AYE

PART 6
BOARD OF COUNTY COMMISSIONERS
TRANSMITTAL HEARING FOR PROPOSED AMENDMENT

DATE OF PUBLIC HEARING: March 20, 2019

A. BOARD REVIEW:

Staff provided a brief presentation for the proposed amendment which covered consistency with the Lee Plan and the LPA and staff recommendation. No members from the public spoke. The Board did not have questions.

B. BOARD ACTION:

A motion was made to transmit CPA2018-10010 as recommended by staff. The motion was passed 4 to 0.

VOTE:



BRIAN HAMMAN	AYE
LARRY KIKER	ABSENT
FRANK MANN	AYE
JOHN MANNING	AYE
CECIL L. PENDERGRASS	AYE

ATTACHMENT 1:


Map 6 Proposed

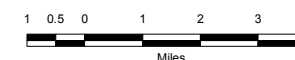
LEE COUNTY UTILITIES FUTURE WATER SERVICE AREAS

Legend

-  City Limits
-  Future Water Service Areas

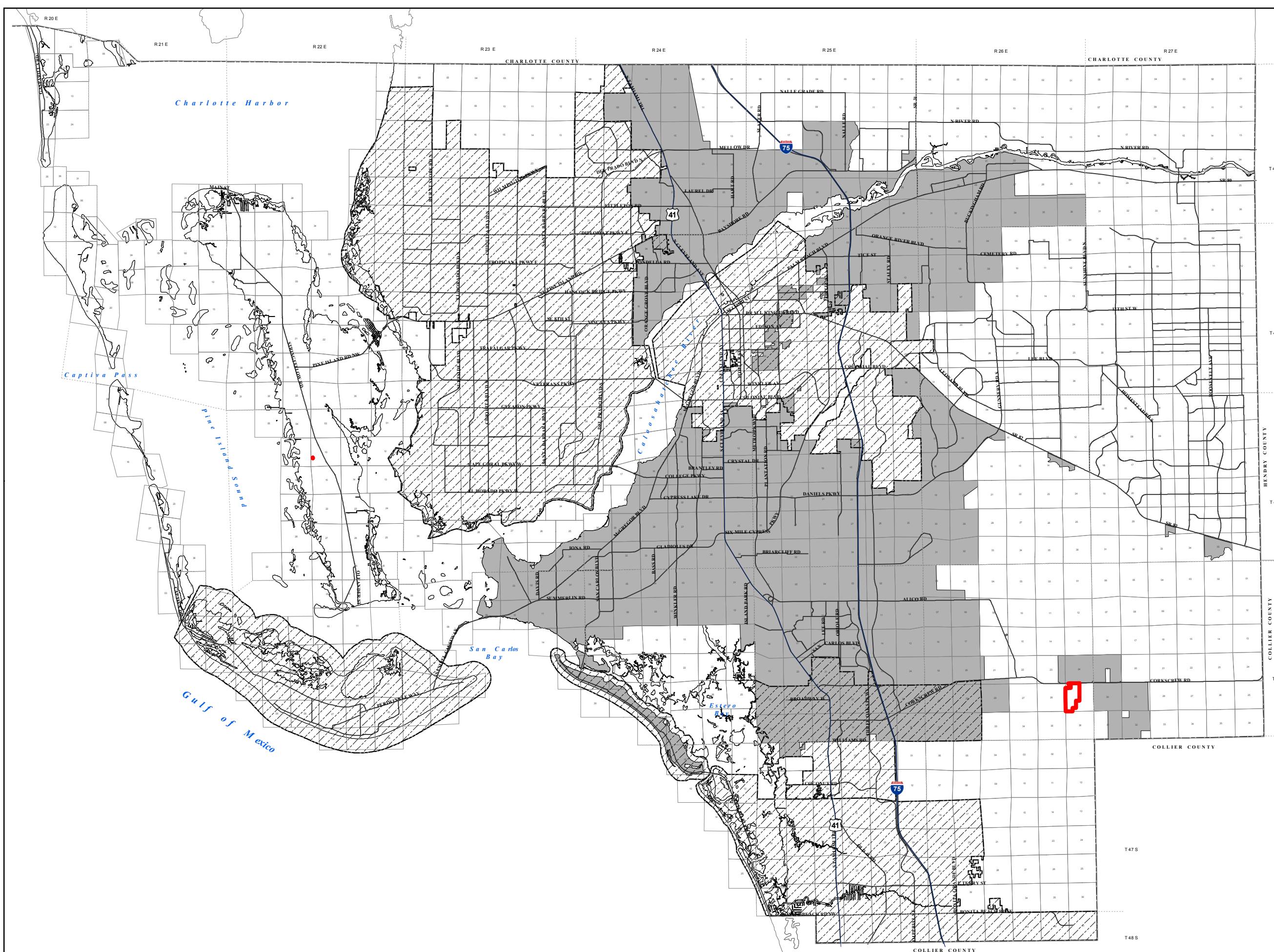
CPA2018-10010
OLD CORKSCREW GOLF CLUB

 Extend the existing service area to cover subject property



Map Generated: January 2019
 Produced By: DCD/Division of Planning
 City Limits current to date of map generation
 Adopted by Ord. No. 89-02, 1/31/1989
 Amended by Ord. Nos. 00-22, 03-19, 10-06, 10-40, 10-43,
 12-24, 13-16, 14-21, 15-13, 15-14, 17-06, 17-23

Lee Plan Map 6



FOR ADDITIONAL SUPPORT
DOCUMENTATION, CLICK THE LINK
BELOW:

[Click Here](#)