

GradyMinor

## LETTER OF TRANSMITTAL

Lee County Development Services

1500 Monroe Street, 1<sup>st</sup> Floor Zoning Counter

Fort Myers, Florida 33901

DATE: July 9, 2019

JOB CODE: CRMALPDO

ATTENTION: 1<sup>st</sup> Floor Zoning County

RE: **Vintage Commerce Center CPA**

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
3	DCI2018-10022 Resubmittal Packet
3	CPA2018-10012 Comprehensive Plan Text Amendment (Revised Documents)
3	CPA2018-10013 Comprehensive Plan Map Amendment (Revised Documents)

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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COMMUNITY DEVELOPMENT  
DCI 2018-10022

SIGNED: \_\_\_\_\_

Sharon Umpenhour

COPY TO:

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

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

RE: DCI2018-10022Vintage Commerce Center CPD  
Review 3 Response

Dear Mr. Block:

This correspondence is our formal response to sufficiency review letter #2, provided to us on April 29, 2019 (via email). Responses to staff comments have been provided in **bold**.

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 TIS site design parameters do not appear to be the same as stated or depicted in the non-TIS submittals. (an example would be Assisted Living units) Please review and revise the TIS and/or non-TIS submittals accordingly. The site development regulations appear to describe 4 individual development scenarios, but other submittals in this application indicate otherwise. Please review and revise the submittal accordingly to be consistent.

**Response:**

As mentioned in the previously submitted sufficiency response for this project, the TIS was completed based on the most intense development scenario in terms of trip generation on the subject site. This "worst-case" development scenario consists of up to 350,000 square feet of retail uses and 300 hotel rooms. Should other residential options be developed on the site, the square footage of the commercial component of the project will be reduced. The residential will not be in addition to the maximum amount of commercial. The Master Concept Plan accompanying the application does support the parameters/intensities used in the TIS. The

schedule of uses includes more specific information on some uses such residential units could be assisted living units. It should be noted that assisted living units have a very low trip generation and would not be included in an analysis of the maximum traffic impact. To emphasize the point, the most intense uses that could be developed on the subject site is 350,000 square feet of retail and 300 hotel rooms.

Also, 350,000 SF of retail equates to approximately 700 hospital beds based on the comparison of the PM peak hour trips.

This is the third attempt to address the TIS questions. The applicant wishes to be deemed sufficient on the traffic impact analysis in order to begin scheduling for a HEX hearing for the CPD.

2. Staff understands the applicant is unclear how to express the calculation of residential units because of the desire for flexibility with the residential options and how much of the property is developed with residential uses. Staff suggests that the applicant could provide multiple Master Concept Plans that would allow the applicant to provide different density and open space calculations for review.

**Response:**

The applicant has revised the maximum number of dwelling units requested to 308, which corresponds to the maximum of 22 du/ac on 14± acres on a single tract identified on the MCP. The Master Plan has been revised to permit residential only on Parcel A. The density calculations have been modified accordingly. In light of this adjustment, the applicant would submit that multiple MCP's are no longer necessary.

3. If the applicant anticipates using TDU's to reduce open space, please provide a Master Concept Plan depicting this. If the applicant provides multiple Plans as mentioned in Item 2 above, then please provide a Plan depicting the design with the reduced open space for each of the Plans.

**Response:**

The MCP includes a note regarding the minimum open space figures for the commercial and residential development options. The applicant proposes to use Pine Island bonus units to address open space. Thus the open space on-site can be reduced should the applicant utilize Pine Island bonus units.

4. LDC Section 34-373(a)(8), Schedule of Uses.
  - Please consider further revising the Schedule of Uses regarding Signs. If the intent of the applicant is to be permitted all Signs consistent with the LDC requirements, then just ask for the use of Signs. As limited in the parenthetical, this may cause problems in the future.

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**Response:**

**The Schedule of Uses has been revised to reference signs as suggested.**

- Staff apologizes for having missed the following and requests the applicant to please address the following:
  - Please consider simplifying the use of "Accessory Uses, commercial and residential" to the LDC wording of "Accessory uses, buildings, and structures". You may also want to consider adding "Residential accessory uses" which is a separate and distinct use.

**Response:**

**The Schedule of Uses has been modified as suggested.**

- Please consider removing the reference to density equivalencies for Assisted Living Facilities. Density equivalency is already addressed by the LDC in Chapter 34.

**Response:**

**The reference to density equivalency has been removed.**

- The proposed changes to Health Care Facility allowing all activity groups should also be supported within the application with intensity noting the maximum number of beds. At this time the proposed development should include intensity for the proposed uses for Groups III and IV. Staff recognizes Group III can be limited by total floor area, but Group IV (Hospitals) have commonly been limited based on the number of beds for the hospital and then the remaining uses would be retail or office space. Please consider revising the Schedule and proposed development intensity to address this.

**Response:**

**The development intensity section of the application has been revised to include the number of beds as has the Schedule of Uses.**

- The proposed use of "Warehouse, mini-storage" is undefined in the LDC. If the proposed use is "Warehouse: mini-warehouse", then please revise. Please note that recent developments of this nature have included a building with multiple stories with interior access to the units in the upper floors. If this is anticipated, then the applicant should consider adding the use of "Warehouse: Public". If the use also anticipates the storage of boats, trucks, and recreational vehicles in an open storage yard, please consider adding the use of "Storage, open".

**Response:**

**The reference has been modified to, "warehouse: mini-storage".**

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DCI 2018-10022



Chip Block, AICP

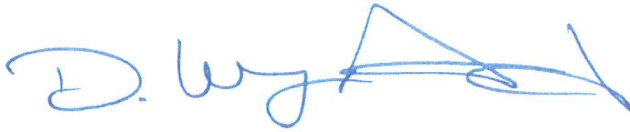
RE: DCI2018-10022 Vintage Commerce Center CPD, Review 3 Response

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

Sincerely,



D. Wayne Arnold, AICP

Cc: Brian Intihar  
Neale Montgomery  
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**DCI 2018-10022**



# 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 ☒ YES<sup>1</sup> for: 183 Bonus Units

<sup>1</sup> 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.

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**PART 1  
APPLICANT/AGENT INFORMATION**

**COMMUNITY DEVELOPMENT**

**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@gradyminor.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

**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

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**PART 3  
PROPERTY INFORMATION**

**COMMUNITY DEVELOPMENT**

**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

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

Industrial Commercial Interchange (existing)	33.95	Acres	100	% of Total
General Interchange (proposed)	33.95	Acres	100	% of Total
		Acres		% of Total

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

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

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

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

**A. Gross Acres (total area within described parcel)**

			33.95	Acres
1. Submerged land subject to tidal influence		0	Acres	
2. a. Preserved freshwater wetlands	0	Acres		
b. Impacted wetlands	0	Acres		
c. Preserved saltwater wetlands	0	Acres		
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)		0	Acres	
3. R-O-W providing access to non-residential uses		0	Acres	
4. Non-residential use areas <sup>(1) (2)</sup>		19.89	Acres	

**B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.).** 19.89 Acres**C. Gross residential acres. (A minus B) <sup>(3)</sup>** 14.06 Acres**D. Gross residential acres (by Land Use Category)**

1. a. Intensive Development – upland	14.06	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

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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)

**14.06 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**

		<b>Lee Plan Table 1(a)</b>		
		<b>Max. standard density</b>		<b>Units</b>
1.	<b>Standard Units</b>			
a.	Total upland acres (from Part 4, D.)	14.06	x 14 equals	196
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.	<b>Total Allowed Standard Units <sup>(1)</sup></b>			<b>196</b>
2.	<b>Bonus Units [2-143]</b>			
a.	Site-built Affordable Housing			112
b.	Transferrable Dwelling Units			112
c.	Sub-total			
3.	<b>Total Permitted Units <sup>(1)</sup></b>			<b>308</b>

**Note:**

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

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2018-10022



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

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



**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.

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**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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COMMUNITY DEVELOPMENT

DCI 2018-10022



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

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3	<input type="checkbox"/>	Master Concept Plan ( <b>MCP</b> ), <b>PRFPD</b> (if applicable) [34-941(g)]
3	<input type="checkbox"/>	<b>Conceptual Surface Water Management Plan</b> (if applicable) [34-941(d)(3)b.i.1]]
3	<input type="checkbox"/>	<b>Well Drawdown</b> Information (if applicable) [34-941(d)(3)d.]
3	<input type="checkbox"/>	Preliminary Indigenous <b>Restoration Plan</b> (if applicable) [34-941(e)(5)f.iii.]
3	<input checked="" type="checkbox"/>	<b>Environmental Assessment</b> (if applicable) [34-941(g)(2)]
3	<input checked="" type="checkbox"/>	Demonstration of <b>Compatibility</b> (if applicable) [34-941(g)(4)]
3	<input checked="" type="checkbox"/>	<b>Potable Water &amp; Sanitary Sewer</b> . 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 <b>Agricultural Use Affidavit</b> (if applicable) [34-202(b)(7)]
3	<input type="checkbox"/>	Information Regarding <b>Proposed Blasting</b> (if applicable). [34-202(b)(6)]
3	<input type="checkbox"/>	Hazardous Materials <b>Emergency Plan</b> (if applicable) [34-202(b)(4)]
3	<input type="checkbox"/>	Mobile Home Park <b>Dislocated Owners</b> Information (if applicable) [34-203(d)]
3	<input type="checkbox"/>	<b>Tall Structures Permit</b> (if applicable) [34-1001]

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COMMUNITY DEVELOPMENT

**DCI 2018-10022**



**RECEIVED**  
JUL 09 2019

DCI 2018-10022

**COMMUNITY DEVELOPMENT**

ZONED: CPD (ALICO CROSSROADS CENTER CPD)  
FLU: INDUSTRIAL COMMERCIAL INTERCHANGE  
UNDEVELOPED

ZONED: CPD (ALICO CROSSROADS CENTER)  
FLU: INDUSTRIAL COMMERCIAL INTERCHANGE  
UNDEVELOPED

5' WIDE TYPE  
A LANDSCAPE  
BUFFER

PRESERVE  
(2.55 AC.)

WATER  
MANAGEMENT

ZONED: AG-2 AND CPD (ALICO ROAD BILLBOARD)  
FLU: INDUSTRIAL COMMERCIAL INTERCHANGE  
INTERSTATE ENTRANCE AND EXIT RAMP

15' WIDE TYPE 'D'  
LANDSCAPE  
BUFFER

INTERSTATE 75

ZONED: AG-2  
FLU: INDUSTRIAL COMMERCIAL INTERCHANGE  
INTERSTATE ENTRANCE AND EXIT RAMP

ALICO ROAD (ARTERIAL)

ZONED: MPD (THREE OAKS MARKETPLACE)  
FLU: INDUSTRIAL COMMERCIAL INTERCHANGE  
UNDEVELOPED

THREE OAKS PARKWAY (LOCAL: [FUTURE] ARTERIAL)

OUTPARCEL  
1 (C)\*

OUTPARCEL  
2 (C)\*  
20' WIDE TYPE 'D'  
LANDSCAPE BUFFER

OUTPARCEL  
3 (C)\*

OUTPARCEL  
4 (C)\*

OUTPARCEL  
5 (C)\*

OUTPARCEL  
6 (C)\*

OUTPARCEL  
7 (C)\*

OUTPARCEL  
8 (C)\*

OUTPARCEL  
9 (C)\*

OUTPARCEL  
10 (C)\*

OUTPARCEL  
11 (C)\*

OUTPARCEL  
12 (C)\*

20' WIDE TYPE 'D'  
LANDSCAPE BUFFER

PARCEL B  
(C)

PARCEL C  
(C, HOTEL/MOTEL)

PROPERTY BOUNDARY

PROPERTY BOUNDARY

**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 COMPRISED 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: 308 UNITS

**MINIMUM AREA DIMENSIONS:**

LOT SIZE 10,000 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 INDIGENOUS PRESERVE: 5.1 ACRES (10.18 ACRES X 0.5). A MINIMUM OF 2.55± ACRES SHALL BE PRESERVED ON-SITE, THE REMAINING 2.55± ACRES SHALL BE PRESERVED THROUGH OFF-SITE MITIGATION.

MINIMUM OPEN SPACE: A MINIMUM OF 30% (33.95 AC. X 0.30 = 10.18± 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% (14 AC. X 0.40 = 5.6± ACRES) OPEN SPACE MUST BE PROVIDED AT TIME OF D.O. 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 2-152(c)(1)b.

**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.

\*HOTEL/MOTEL COULD BE A USE ON ANY OUTPARCEL.

**PROJECT NOTES**

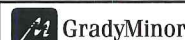
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**LEGEND**

#	DEVIATION	(C)	COMMERCIAL
•••••	PRESERVE	(C/R)	COMMERCIAL/ RESIDENTIAL

Revision	Date	Description	By
2	06/2019	REVISED PER REVIEW #3 COMMENTS	S.U.
2	03/2019	REVISED PER REVIEW #2 COMMENTS	S.U.
1	01/2019	REVISED PER REVIEW #1 COMMENTS	S.U.

DESIGNED BY:	G.G.M.A.
DRAWN BY:	D.C.R.
APPROVED:	D.W.A.
JOB CODE:	CINWALPD
SCALE:	1" = 100'



Civil Engineers • Land Surveyors • Planners • Landscape Architects  
Cert. of Auth. #26 0005131 Cert. of Auth. LB 0005131  
Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380

G. Grady Minor and Associates, P.A.  
3900 Via Del Rey  
Bonita Springs, Florida 34134

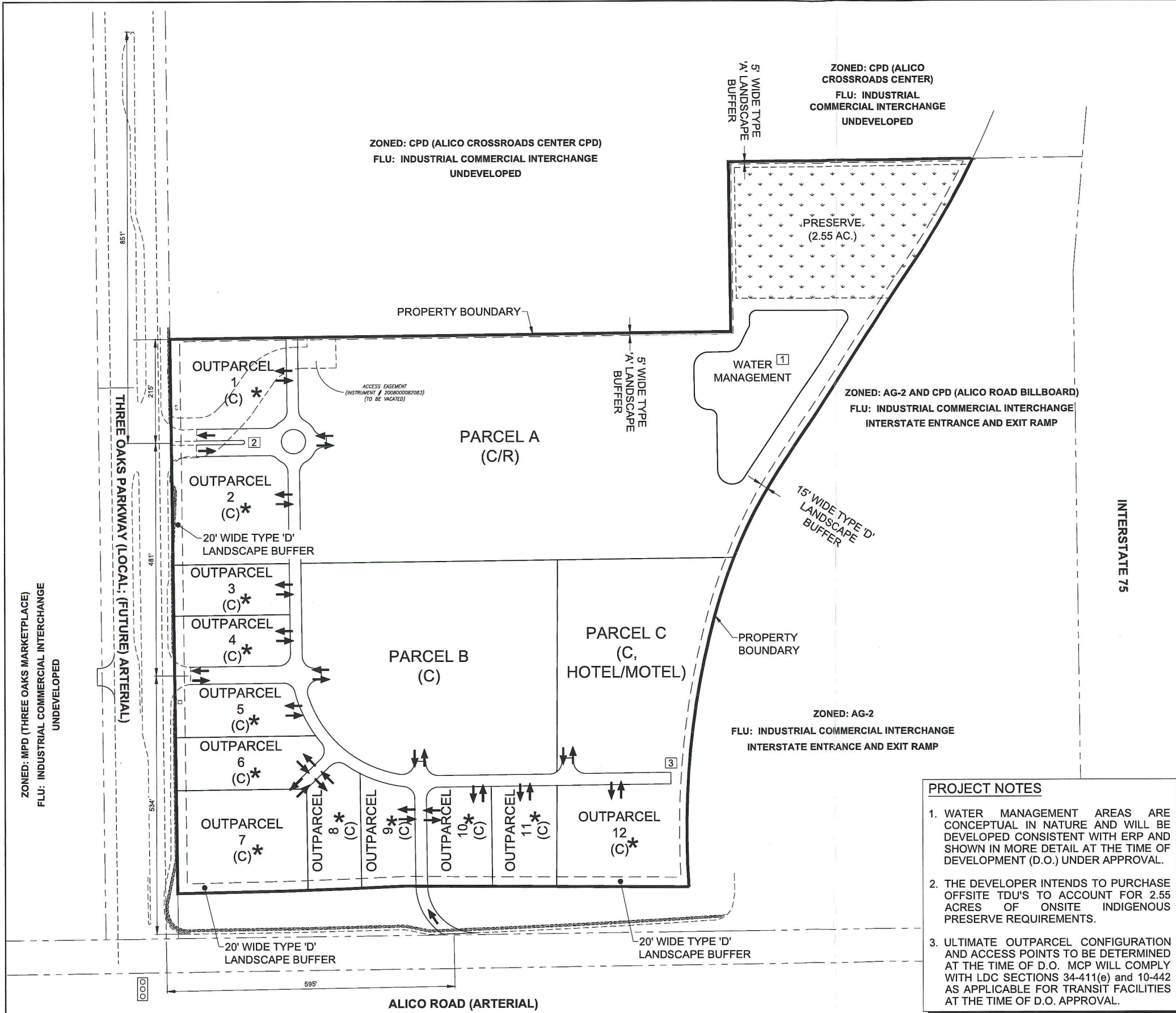
VINTAGE COMMERCE CENTER CPD

MASTER CONCEPT PLAN

MUNICIPALITY:	LEE COUNTY
PROJECT NUMBER:	03/465/25E
DATE:	SEPTEMBER 2018
SUBMITTAL TYPE:	PD AMENDMENT
SHEET	1 OF 1

DCI 2018-10022 - PLANNING/COMPOSD-ALICO BPP AND 100/URBANDESIGN/ALICO/DCI 2018-10022 6/14/2019 9:42 AM





**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

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LOT DEPTH 100 FEET  
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JUL 09 2019  
COMMUNITY DEVELOPMENT

- 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.
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**LEGEND**

#	DEVIATION	(C)	COMMERCIAL
•••	PRESERVE	(C/R)	COMMERCIAL/RESIDENTIAL

DESIGNED BY:	Q.G.M.A.
DRAWN BY:	D.C.R.
APPROVED:	D.W.A.
JOB CODE:	CRMALPD0
SCALE:	1" = 100'

**GradyMinor**

Civil Engineers • Land Surveyors • Planners • Landscape Architects

Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Business LC 26000266

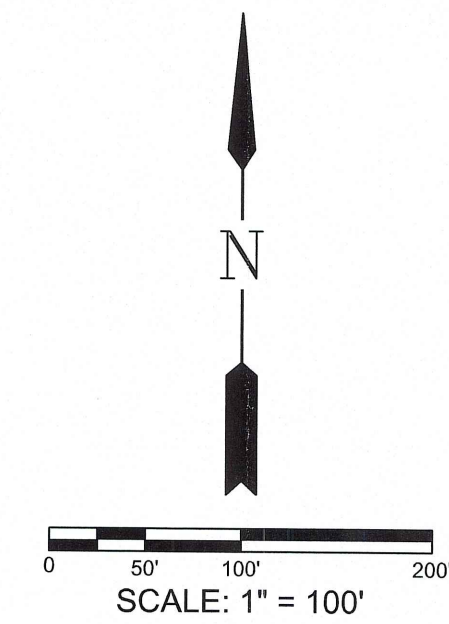
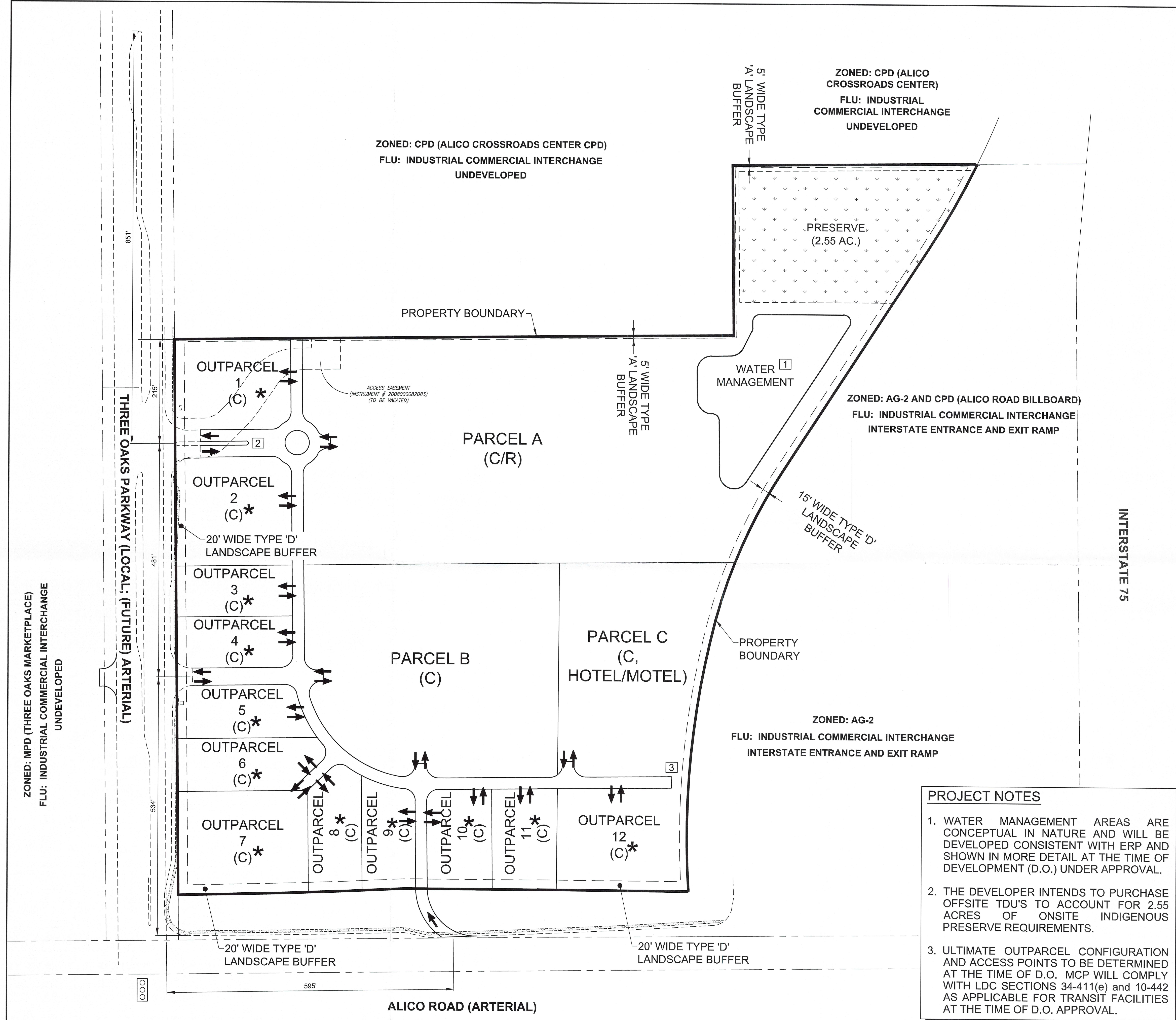
Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380

**VINTAGE COMMERCE CENTER CPD**

MASTER CONCEPT PLAN

MUNICIPALITY: LEE COUNTY  
SEC/TWNSHIP/RNG 03/46S/25E  
DATE: SEPTEMBER 2018  
SUBMITTAL TYPE: PD AMENDMENT  
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
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OCI 2018-10022

SCHEDULE OF DEVIATIONS	
1.	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.
2.	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.
3.	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.

\* HOTEL/MOTEL COULD BE A USE ON ANY OUTPARCEL.

LEGEND				DESIGNED BY: Q.G.M.A.				 GradyMinor Q. Grady Minor and Associates, P.A. 3800 Via Del Rey Bonita Springs, Florida 34134	VINTAGE COMMERCE CENTER CPD		MUNICIPALITY: LEE COUNTY	
#	DEVIATION	(C)	COMMERCIAL	DRAWN BY: D.C.R.					MASTER CONCEPT PLAN		SEC/TWNSHP/RNG 03/46S/25E	
	PRESERVE	(C/R)	COMMERCIAL/ RESIDENTIAL	APPROVED: D.W.A.							DATE: SEPTEMBER 2018	
				JOB CODE: CRMALPDO							SUBMITTAL TYPE: PD AMENDMENT	
				SCALE: 1" = 100'							SHEET 1 OF 1	
Revision	Date	Description	By					Bonita Springs: 239.947.1144      www.GradyMinor.com      Fort Myers: 239.690.4380				
	2	06/2019	REVISED PER REVIEW #3 COMMENTS	S.U.								
	2	03/2019	REVISED PER REVIEW #2 COMMENTS	S.U.								
	1	01/2019	REVISED PER REVIEW #1 COMMENTS	S.U.								



## Vintage Commerce Center CPD

### 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 previously approved Master Concept Plan and the Schedule of Uses in order to increase the allowable commercial and office square footage, add hotel/motel uses, assisted living facilities 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 also 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~~**308** multi-family residential dwelling units or assisted living 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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**COMMUNITY DEVELOPMENT**

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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 34.95± acre property from Industrial Commercial Interchange to the General Interchange FLU Category. The principal difference between the two interchange categories is that the General Interchange FLU Category permits





## Vintage Commerce Center CPD

### Request Statement

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.

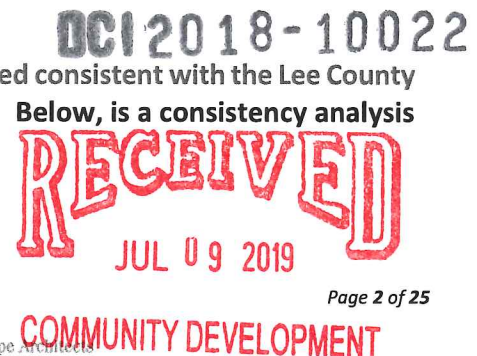
The applicant has suggested a condition of the zoning requiring the PD to maintain a minimum density of 8 du/ac consistent with Table 1(a) of the Lee Plan. The proposed CPD amendment includes residential uses that may exceed 14 du/ac through the use of the Pine Island Bonus Density provisions, as provided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

The application proposes to utilize 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.

A full analysis of the public capacity impacts has been completed consistent with the Lee County Comprehensive Plan Amendment Application requirements. Below, is a consistency analysis with other Goals, Objectives and Policies of the Lee Plan.





## Future Land Use Element

COMMUNITY DEVELOPMENT

**OBJECTIVE 1.3: INTERSTATE HIGHWAY INTERCHANGE AREAS.** *Special areas adjacent to the interchanges of Interstate 75 that maximize critical access points will be designated on the Future Land Use Map. Development in these areas must minimize adverse traffic impacts and provide appropriate buffers, visual amenities, and safety measures. Each interchange area is designated for a specific primary role: General, General Commercial, Industrial Commercial, Industrial, and University Village. Residential uses are only permitted in these categories in accordance with Policy 1.3.2. (Ordinance No. 94-30, 99-18, 00-22, 16-02, 17-13, 18-05).*

**POLICY 1.3.2:** *The General Interchange areas are intended primarily for land uses that serve the traveling public: service stations, hotel, motel, restaurants, and gift shops. But because of their location, market attractions, and desire for flexibility, these interchange uses permit a broad range of land uses that include tourist commercial, general commercial, light industrial1 /commercial, and multi-family dwelling units. The standard density range is from eight dwelling units per acre (8 du/acre) to fourteen dwelling units per acre (14 du/acre). Maximum density is twenty-two dwelling units per acre (22 du/acre). (Ordinance No. 94-30, 99-18, 16-02, 17-12)*

The site is presently designated Industrial Commercial Interchange on the FLU map. The area has substantially changed since the designation in the 1980's when Alico Road was primarily industrial. The Alico/Three Oaks Parkway intersection and the Alico/I-75 interchange have become increasing more important as an area that serves the traveling public, as well as those heading south to FGCU. This application proposes to designate the property to the General Interchange FLU category. Both land use categories implement objective 1.3 of the FLU element due to the adjacency to I-75. The proposed map amendment allows this critical interchange to be maximized in accordance with objective 1.3. Policy 1.3.2. Includes residential uses as a permitted use in the proposed General Interchange FLU category, which allows for a broader range of uses and increased flexibility to maximize the use of the Interchange area. Further, including a multi-family residential use at this location will provide opportunities to diversify the housing types in our community and provide additional opportunities for workforce housing to support existing and future commercial and industrial development in the area, in addition to the university and RSW.

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The Development of FGCU, ~~Southwest Florida International Airport~~ RSW and Florida Gulf Coast Town Center provide desirable destinations for residents. Easy access to Alico Road and I-75 provide convenient and centralized accessibility to employment centers located in Lee and Collier County. The property owner intends to file for a companion CPD amendment to add MF residential as a permitted land use, in addition to a variety of general commercial land uses, also requiring convenient access to I-75 and Alico Road.





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**The CPD will contain appropriate development standards to insure that both residential and commercial uses will be developed in a compatible manner within the development, as well as the nearby existing and future development.**

***POLICY 1.3.7:*** *The following access control standards will apply to the interstate interchange areas of Lockett Road, Alico Road, Corkscrew Road, and Bonita Beach Road. The specified turning movements are not to be construed as conveying a property right or creating any expectation that they will be a permanent feature. The county reserves the right to modify or further restrict movements as it deems necessary to address operational and safety issues. Access control issues for Daniels Parkway west of I-75 are governed by the controlled access resolution adopted by the Board of County Commissioners on October 4, 1989, as may be amended from time to time. The other interchange areas are state roads where access is controlled by the Florida Department of Transportation under the provisions of Rule 14-97.003, FAC. The standard is a strict requirement during the rezoning and development order processes for cases after the effective date of this policy.*

**A potential right in only access to Alico Road has been shown on the companion CPD master concept plan. The property owner is meeting with FDOT officials to determine whether access in the limited access area of I-75 can be granted. The applicant understands that access directly to Alico Road will be determined by FDOT and the USDOT.**

***POLICY 1.7.6:*** *The Planning Communities Map and Acreage Allocation Table (see Map 16 and Table 1(b) and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses for the year 2030. Acreage totals are provided for land in each Planning Community in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded. This policy will be implemented as follows:*

- 1. For each Planning Community the County will maintain a parcel based database of existing land use. The database will be periodically updated at least twice every year, in September and March, for each Planning Community.*
- 2. Project reviews for development orders must include a review of the capacity, in acres, that will be consumed by buildout of the development order. No development order, or extension of a development order, will be issued or approved if the project acreage, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Table 1(b), Acreage Allocation Table regardless of other project approvals in that Planning Community. For limerock*



Request Statement

*mining in Planning Community #18, see special requirements in Policy 33.1.4 regarding industrial acreages in Table 1(b).*

3. *At each regularly-scheduled date for submission of the Lee Plan Evaluation and Appraisal Report, the County must conduct a comprehensive evaluation of Planning Community Map and the Acreage Allocation Table system, including but not limited to, the appropriateness of land use distribution, problems with administrative implementations, if any, and areas where the Planning Community Map and the Acreage Allocation Table system might be improved.*

The acreage allocation table will need to be modified to reflect that there will be an additional ~~1814±~~ acres of land added to the General Interchange ~~Future Land Use~~FLU Category in the Airport/Gateway Planning Community. This is an amendment necessary to reflect the FLU Map amendment re-designating the 34± acres from Industrial Commercial Interchange to General Commercial ~~Future Land Use~~FLU Category. A separate companion text amendment has been filed to modify the Table 1(b) allocation table.

**OBJECTIVE 2.1: DEVELOPMENT LOCATION.** *Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.*

**POLICY 2.1.1:** *Most residential, commercial, industrial, and public development is expected to occur within the designated Future Urban Areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.*

Objective 2.1 and implementing policy 2.1.1 encourage the use of existing urban areas where services and infrastructure exist to serve new development. The General Interchange FLU category is a future urban area and has the full range of urban services available directly at the subject property, including water, sewer and road way capacity. Development in this location provides for a compact and contiguous growth pattern.

**OBJECTIVE 2.2: DEVELOPMENT TIMING.** *Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance.*

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**POLICY 2.2.1:** *Rezoning and development-of-regional-impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.*

Urban services are available at or near the project site. Schools, EMS, fire and sheriff's office services are available in the vicinity of the project consistent with objective 2.2 and policy 2.2.1 of the FLU element.

**POLICY 2.2.2:** *Map 1 of the Future Land Use Map series indicates the uses and density ranges that will ultimately be permitted on a given parcel. However, it is not a guarantee that such densities or uses are immediately appropriate, as the map provides for the county's growth beyond the Lee Plan's planning horizon of 2030. During the rezoning process the Board of County Commissioners will balance the overall standards and policies of this plan with three additional factors:*

- 1. Whether a given proposal would further burden already overwhelmed existing and committed public facilities such that the approval should be delayed until the facilities can be constructed; and*
- 2. Whether a given proposal is for land so far beyond existing development or adequate public facilities that approval should be delayed in an effort to encourage compact and efficient growth patterns; and*
- 3. Whether a given proposal would result in unreasonable development expectations that may not be achievable because of acreage limitations contained in the Acreage Allocation Table (see Policy 1.7.6, Map 16 and Table 1(b)). Additional provisions related to mining are provided in Policy 33.1.4.*

*In all cases where rezoning is approved, such approval does not constitute a determination that the minimum acceptable levels of service (see Policy 95.1.3) will be available concurrent with the impacts of the proposed development. Such a determination must be made prior to the issuance of*

The applicant has analyzed public service availability and confirmed that capacity is available at the present time to serve the uses permitted by the proposed General Interchange FLU map designation. Residential uses are included in the CPD. Development of the site with residential uses in addition to commercial uses will be consistent with established LOS standards for public





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facilities. This amendment proposes to revise the table 1 (b) acreage allocation, to increase the residential acreage by ~~1814~~<sup>1814</sup>+/- acres to accommodate the proposed change in FLU categories, and a corresponding reduction in acreage is proposed in the Industrial Commercial FLU category community.

**OBJECTIVE 2.4: FUTURE LAND USE MAP AMENDMENTS.** Regularly examine the Future Land Use Map in light of new information and changed conditions, and make necessary modifications.

**POLICY 2.4.1:** The County will accept applications from private landowners or non-profit community organizations to modify the boundaries as shown on the Future Land Use Map. Procedures, fees, and timetables for this procedure will be adopted by administrative code.

The proposed FLU map amendment provides for an interchange category with a broader range of uses that is more consistent with the existing surrounding land uses and supportive of the goals of Lee County Vision Statement for nearby or to be developed parcels. The category also permits multi-family residential development on the property. As central Lee County has evolved, the property is now ideally situated to support a mixture of general commercial and residential land uses. This pattern of development is ~~not a~~ typical of other Lee County I-75 interchange areas. Ease of access to I-75 for our workforce and proximity to shopping, education, entertainment and SW Florida International Airport makes the site well-suited for both residential and commercial land uses.

**GOAL 4: SUSTAINABLE DEVELOPMENT DESIGN.** To pursue or maintain land development regulations which encourage creative site designs and mixed use developments. Using an overlay, locate appropriate areas for Mixed Use, Traditional Neighborhood Development, and Transit Oriented Development. (Amended by Ordinance No. 94-30, 07-15)

**OBJECTIVE 4.1:** Maintain the current planned development rezoning process which combines site planning flexibility with rigorous review. (Amended by Ordinance No. 91-19, 94-30, 07-15)

**POLICY 4.1.1:** Development designs will be evaluated to ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site, and that the placement of uses or structures within the development minimizes the expansion and construction of street and utility improvements. (Amended by Ordinance No. 91-19, 00-22)

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The subject site is currently zoned as a Commercial Planned Development and it is the intent of the owner to file a companion CPD amendment. The MCP demonstrates the location of proposed uses, buffers, water management and on-site preserves.

**GOAL 5: RESIDENTIAL LAND USES.** *To provide sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County in the year 2030 in attractive and safe neighborhoods with a variety of price ranges and housing types.*

**OBJECTIVE 5.1:** *All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 11, and other provisions of this plan.*

**POLICY 5.1.1:** *Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as planned residential developments.*

**POLICY 5.1.2:** *Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.*

**POLICY 5.1.4:** *Prohibit residential development in all Industrial Development areas and Airport Noise Zone B as indicated on the Future Land Use Map, except for residences in the Industrial Development area for a caretaker or security guard. (Ordinance No. 94-30, 07-09, 18-05)*

The CPD application is an amendment to an existing CPD. The intent is to modify the schedule of uses to include a larger variety of commercial uses, as well as, multi-family residential uses consistent with the proposed General Interchange future land use category.

The majority of the site is outside the noise contours for Southwest Florida International Airport. A very small portion in the northwest corner of the site is within zone C of the noise contour, requiring notice to property owners for potential impacts from noise associated with the airport. No portion of the site is within noise zone B.

**POLICY 7.1.1:** *In addition to the standards required herein, the following factors apply to industrial rezoning and development order applications:*

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1. The development must comply with local, state, and federal air, water, and noise pollution standards.
2. When located next to residential areas, industry must not generate noise levels incompatible with the residential development.
3. Bulk storage or production of toxic, explosive, or hazardous materials will not be permitted near residential areas.
4. Contamination of ground or surface water will not be permitted.
5. Applications for industrial development will be reviewed and evaluated as to:
  - a. air emissions (rezoning and development orders);
  - b. impact and effect on environmental and natural resources (rezoning and development orders);
  - c. effect on neighbors and surrounding land use (rezoning);
  - d. impacts on water quality and water needs (rezoning and development orders);
  - e. drainage system (development orders);
  - f. employment characteristics (rezoning);
  - g. fire and safety (rezoning and development orders);
  - h. noise and odor (rezoning and development orders);
  - i. buffering and screening, except properties within the Industrial Development future land use category adjacent to lands redesignated to the Urban Community future land use category by Ordinance 16-17 will retain their development potential and land development regulations (including buffers and setbacks) consistent with the requirements previous to the redesignation, as though the redesignated lands are nonresidential in use (planned development rezoning and development orders);
  - j. impacts on transportation facilities and access points (rezoning and development orders);
  - k. access to rail, major thoroughfares, air, and, if applicable, water (rezoning and development orders);
  - l. utility needs (rezoning and development orders); and
  - m. sewage collection and treatment (rezoning and development orders).

Development of a portion of the subject property for residential development will not deter future industrial uses from developing in the area. Conversely, provision of multi-family housing opportunities in proximity to commercial and other employment opportunities is seen as a draw for corporations looking to locate due to the convenience and shorter travel times for employees. Regulations exist in the LDC, which provide for setbacks for certain heavy industrial land uses. The most restrictive setback is 660 feet for bulk storage or production of



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toxic, explosive or hazardous materials such as batch plants, landfills, junkyards and chemical manufacturing. The existing nearby zoned properties largely do not permit heavy commercial or heavy industrial land uses, therefore, this increased setback would not likely be applicable, nor be a deterrent for future light industrial development anticipated in the vicinity. Further, the aforementioned uses one to the economics associated with the area in proximity to the subject property would not typically seek this highly visible location with greater potential for retail commercial, hotel or residential uses.

The proposed area for residential development is completely separated from adjacent development to the north by an indigenous preservation area, to the east by I-75 and to the west by Three Oaks Parkway. The companion CPD amendment proposes residential use only on a single tract, which is not contiguous to Three Oaks Parkway or Alico Road.

Furthermore, Lee County has adopted a noise ordinance, which establishes permissive decibel levels for industrial and commercial uses, which have been determined to be acceptable and compatible with residential development. The CPD Master Plan is designed so that the residential component is isolated from any nearby industrial activities with commercial and office development, which would act to temper any nearby industrial noise from the residences. This arrangement of commercial uses will effectively buffer the residential uses from any industrial related noise in the area. Even though it is not required by the Land Development Code, the applicant will agree to provide notice on any residential lease indicating to residents that they are in an area subject to airport and industrial noise and traffic.

*POLICY 7.1.8: Land development regulations will require that industrial uses be adequately buffered and screened from adjacent existing or proposed residential areas so as to prevent visual blight and noise pollution.*

The Land Development Code contains standards for buffering and screening of land uses, including industrial, commercial and residential uses.

*POLICY 7.1.9: Industrial development will not be permitted if it allows industrial traffic to travel through predominantly residential areas.*

Approval of the land use change to permit residential on 14± acres of the 34± acre property will not result in industrial traffic traveling through predominantly residential areas. The CPD Master Plan identifies the area in which residential use would be permitted. The residential uses will not be permitted immediately adjacent to Three Oaks Parkway or Alico Road. Even though both roadways are public roads all land uses including industrial traffic may utilize them, no units will be immediately adjacent to them.







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**GOAL 11: MIXED USE:** Encourage mixed use developments that integrate multiple land uses, public amenities and utilities at various scales and intensities in order to provide: diversified land development; a variety of housing types; greater connectivity between housing, workplaces, retail businesses, and other destinations; reduced trip lengths; more transportation options; and pedestrian and bicycle-friendly environments.

**OBJECTIVE 11.1: MIXED USE DEVELOPMENT.** Allow and encourage mixed use development within certain future land use categories and at appropriate locations where sufficient infrastructure exists to support development.

*POLICY 11.1.1: Developments located within the Intensive Development, Central Urban, or Urban Community future land use categories that have existing connectivity or can demonstrate that connectivity may be created to adjacent neighborhoods are strongly encouraged to be Future Land Use II-36 October 2018 developed with two or more of the following uses: residential, commercial (including office), and light industrial (including research and development use).*

The proposed CPD amendment does include a residential option, which is a mixed-use development option. The CPD proposes to utilize bonus density for the area that has been identified for residential development on the MCP.

POLICY 11.1.2: Residential densities may be calculated from the entire project area when the development is consistent with the following:

- At least three uses are proposed and must include residential, commercial (including office) and light industrial (including research and development use)
- The development is located in the Intensive Development, Central Urban, or Urban Community future land use categories.

The Lee Plan also promotes mixed-use development, which will result with approval of CPA2018-10012 and CPD2018-10013. Given the proximity of this site to RSW and Florida Gulf Coast University, providing additional housing choices for these two large and growing employers is a logical planning/development pattern. In a recent real estate program, representatives of the Lee County Port Authority indicated that RSW has 4,000 people working at the airport. FGCU has approximately 875 staff working at their campus. Other employment in the immediate area include extensive retail opportunities associated with area hotels and Gulf Coast Town Center. Policy 11.1.1 clearly finds that residential mixed use can include commercial and light industrial land uses. With easy access to the arterial road network and I-75, the site is well suited for mixed-use development, consistent with the Lee Plan.

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Sound planning principles support placing employment opportunities near accessible residential areas. In this particular case, the residential site will be integrated into a mixed-use project, while still providing convenient access to nearby employment centers, including RSW, FGCU, Gulf Coast Town Center, or other area in the region via convenient access to Alico Road and I-75. The Lee Plan is meant to be a forward thinking document. Given the land use pattern and growth occurring, and anticipated to continue to grow, due to RSW and FGCU, it makes good planning practice to locate residences in areas that are conveniently located and having the necessary infrastructure in place to support development. Providing for higher density development in these locations will limit public expenditures for infrastructure expansion, add more diversity to the available housing types in our community, provide opportunities to shorten employee commute times; thereby, reducing the necessity to expand our future roadway network in our urban area.

### **Transportation Element (Please see Traffic Impact Statement prepared by TR Transportation Consultants, Inc.)**

**GOAL 37: LEVEL OF SERVICE STANDARDS.** Establish and maintain specified levels of service on state and county roads within unincorporated Lee County and the roads the county maintains within the municipalities, including those level of service standards adopted by Rule by the Florida Department of Transportation for Florida Intrastate Highway System (FIHS) facilities.

**POLICY 37.1.1:** LOS "E" is the minimum acceptable LOS for principal and minor arterials, and major collectors on county-maintained transportation facilities. LOS standards for the State Highway System during peak travel hours are "D" in urbanized areas and "C" outside urbanized areas.

The minimum acceptable LOS for Pine Island Road between Burnt Store Road and Stringfellow Boulevard is also subject to Objective 14.2.

For minimum acceptable levels of service determination, the peak season, peak hour and peak direction conditions will be defined as the 100th highest volume hour of the year in the predominant traffic flow direction. The 100th highest hour approximates the typical peak hour during the peak season. Peak season, peak hour and peak direction conditions will be calculated using K-100 factors and "D" factors from the nearest, most appropriate county permanent traffic count station.

**POLICY 39.1.1:** New development must:

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- Have adequate on-site parking.
- Have access to the existing or planned public road system except where other public policy would prevent such access.
- Fund all private access and intersection work and mitigate all site-related impacts on the public road system; this mitigation is not eligible for credit against impact fees.

**POLICY 40.1.1:** The through traffic capacity of the county's expressways, arterials, and collectors will be protected by:

- Regulating accesses to collector and arterial streets to the extent permitted by state law.
- Providing sufficient distance between land access and expressway/freeway interchanges.
- Spacing signalized intersections on arterials and collectors for efficient traffic signal operation.
- Prohibiting on-street parking on arterials and collectors except in areas designated by the Board of County Commissioners.
- Developing a system of parallel access or frontage roads along identified collectors, arterials, and limited access facilities.
- Requiring access to arterials and collectors to be designed, funded, or built to meet forecasted use needs, including turn lanes, acceleration and deceleration lanes, and funding for future signalization. (Amended and Relocated by Ordinance No. 99-15)

**POLICY 40.1.2:** The following standards are hereby established as the minimum desirable distances between connections to the county-maintained road network:

Roadway Classification

Centerline Distances (Feet)

Arterial  
Collector  
Local Street

660  
330  
125

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Frontage road, reverse frontage  
or accessway

60



*Exceptions to these standards, and any criteria that would govern these exceptions, will be specified in the county's land development code. Certain roadways in the county are designated by the board as "controlled access," to which permanent access points are restricted to locations established and set by a specific access plan adopted by the Board by resolution.*

### **Community Facilities and Services**

**GOAL 53: POTABLE WATER INFRASTRUCTURE.** Provide high-quality central potable water service throughout Lee County. Ensure that the costs of providing facilities is borne by those who benefit from them.

**The proposed project falls within the Lee County Utilities Water Service Area and will connect to the water distribution system at the two 12 inch existing water main stub out locations that enter into the project on the East side of the Three Oaks Parkway extension. The construction cost associated with the water main connection will be paid for by the parcel developer.**

**OBJECTIVE 53.1:** The county will ensure the provision of acceptable levels of potable water service throughout the future urban areas of the unincorporated county, either directly by Lee County Utilities, or indirectly through franchised utility companies.

**The proposed project falls within the Lee County Utilities Water Service Area. Acceptable levels of service will be maintained by LCU. The proposed project will be designed to meet the applicable requirements to meet the regulatory agency requirements.**

**POLICY 53.1.2:** The minimum acceptable level of service standards for potable water connections to Lee County Utilities are established in Policy 95.1.3.

**The project will provide acceptable levels of service to the end users of the property through a network of water distribution and sewer collection services that will be designed in accordance with Lee County Utilities, Florida Department of Environmental Protection, and the Department of Health standards.**

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**POLICY 53.1.5:** Maintain regulations that require development to connect to Lee County Utilities or other franchised/certificated potable water service provider.

**Proposed utility services will be designed and constructed in accordance with the appropriate local and state standards and regulations.**

**POLICY 53.1.8:** The costs of new or augmented potable water infrastructure that is developed by Lee County will be borne by those who benefit from the improved supply.

**The construction costs associated with the installation of the initial water distribution and sewer collection systems that will service the proposed development will be borne by the overall developer.**

**GOAL 54: CONSERVATION.** To ensure that future populations have access to potable water supplies and services at a reasonable price by using and encouraging conservation and resource management measures to reduce consumption of potable water.

**It is anticipated that the proposed project will utilize a separate irrigation water use permit to irrigate the project landscaping via onsite wells which will reduce the potential demand on the existing potable water system.**

**OBJECTIVE 54.1:** Continue programs in education, technical advice, demonstration, rate revisions, and reuse to reduce potable water consumption and the consumption of large volumes of potentially potable water.

**As part of the final development of each aspect of the project, internal developments will be encouraged to review water consumption as part of their designs.**

**POLICY 54.1.1:** Continue to offer public information and education programs highlighting and advocating various strategies of water conservation, including:

- creating incentives for “gray water” systems or other recycling activities;
- adopting incentives for household and commercial use of appliances and ultralow volume plumbing fixtures with low water consumption rates;
- advising householders to reduce water use;
- creating a demand for low water use appliances by publishing ratings of water use efficiency for appliances analogous to the energy efficiency ratings for electrical appliances;
- advocating the cost-effective use of appliances and water: i.e. run only full loads or use low water settings when appropriate;
- encouraging maintenance of water systems, i.e. timely repair of dripping faucets, leaking water closets, broken or maladjusted sprinkler heads, etc.;

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- installing alternatives to spray irrigation devices for lawns and grounds management such as drip or seep systems, or at least attending to the ambient humidity and evapo-transpiration rates in controlling sprinkler systems;
- promoting the installation of a "rain sensor device" or "automatic switch" on all new irrigation systems to override the irrigation cycle of the sprinkler system when adequate rainfall has occurred;
- encouraging the use of drought-tolerant ground covers and shrubbery according to the principles of "Florida Friendly Landscaping" (see glossary and Objective 117.2) and demonstrating the uses of native vegetation in landscaping; and
- encouraging the thoughtful use of water.

**As part of the final development of each aspect of the project, internal developments will be encouraged to review water consumption as part of their designs.**

**POLICY 54.1.2:** In developing and implementing local landscape regulations including the preservation, reforestation, and wetlands restoration requirements, preference will be given to native species which are adapted to the region's climatic regime.

**It is anticipated that Florida Native plant and tree species will be used for any preservation, reforestation, and potential restoration requirements.**

**POLICY 54.1.3:** Florida Friendly Landscaping, stressing the use of native vegetation, is to be emphasized through modifications to the county's development regulations and through direct action while landscaping county-owned projects.

**It is anticipated that Florida Native plants and tree species will be utilized in the creation of the code required landscape plans as part of the Development Order process to meet the Lee County development regulations.**

### **b. Sanitary Sewer**

**GOAL 56: SANITARY SEWER INFRASTRUCTURE.** In partnership with franchised/certificated utilities providers, provide sanitary sewer service and wastewater treatment and disposal throughout Lee County.

**The proposed project falls within the Lee County Utilities Sewer Service Area and will connect to the sewer collection system at the two 6 inch existing sewer main stub out locations that enter into the project on the East side of the Three Oaks Parkway extension. The construction cost associated with the sewer main connection will be paid for by the parcel developer**



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**OBJECTIVE 56.1:** The county will ensure the provision of acceptable levels of sanitary sewer service throughout the future urban areas of the unincorporated county, either directly by Lee County Utilities or a utility authority, or indirectly through franchised utility companies.

**The proposed project falls within the Lee County Utilities Sewer Service Area. Acceptable levels of service will be maintained by LCU. The proposed project will be designed to meet the applicable requirements to meet the regulatory agency standards.**

**POLICY 56.1.2:** The minimum acceptable level of service standard for sanitary sewer connections to Lee County Utilities are established in Policy 95.1.3.

The minimum acceptable level of service standards adopted for Lee County Utilities' sanitary sewer systems will apply in those franchised/certificated areas and will be used in enforcing concurrency regulations (see Policy 95.1.3)

Private utilities that cannot meet the level of service standards may petition for a plan amendment for a revised level of service requirement for the specific private utility system if it can be proved that the utility has sufficient plant and system capacity to service the franchised/certificated area. Proof must include flow reports, occupancy rates or related statistical information. The data must cover the last two years.

**The proposed project falls within the Lee County Utilities Sewer Service Area. Acceptable levels of service will be maintained by LCU. The proposed project will be designed to meet the applicable requirements to meet the regulatory agency standards.**

**POLICY 56.1.4:** Maintain regulations that require development to connect to Lee County Utilities or other franchised/certificated sanitary sewer service provider, if capacity is available within ¼ mile of the development.

**The proposed project falls within the Lee County Utilities Sewer Service Area.**

**OBJECTIVE 56.2:** The county will maintain and enforce such ordinances as are necessary to require the connection of commercial and larger residential establishments to such public or private central utility systems when those systems are available for service.

**The project currently has sewer collection stub outs at the property line that will be utilized to provide sewer service for the project.**

**c. Surface Water Management**



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**GOAL 59: PROTECTION OF LIFE AND PROPERTY.** To reduce the hazards to life, health, and property created by flooding due to rainfall in a manner consistent with the community's criteria for the preservation of environmental values and the conservation of natural resources.

**The project falls within a master stormwater management system that has been permitted through the South Florida Water Management District (SFWMD). The proposed project has previously been permitted for construction through the SFWMD. The current proposed improvements will be required to be permitted through the SFWMD in order to ensure that all relevant stormwater and environmental requirements and criteria are met.**

**OBJECTIVE 59.1:** Lee County will continue its efforts in developing a surface water management planning process designed to produce and maintain an up-to-date body of technical information, and, based on that information, the necessary surface water management plans, regulatory mechanisms, and facility proposals that will improve the protection of present and future uses of real property from stormwater flooding, while preserving or enhancing the environmental and natural resource values of both land and water.

**The proposed project is part of a master planned stormwater management system that discharges its storm water into the Alico Road drainage ditch through a concrete water control structure that controls the discharge in accordance with the South Florida Water Management Districts permit requirements. Each parcel inside the master system is required to obtain its own South Florida Water Management District permit and show how its respective stormwater discharge rate will be controlled and treated in order to meet SFWMD standards and requirements.**

**OBJECTIVE 60.1: COUNTY-WIDE PROGRAM.** Lee County will continue its efforts in developing a surface water management program that is multi-objective in scope and is geographically based on basin boundaries.

**As part of the Lee County DO, the proposed stormwater management system will be reviewed by Lee County Community Development Staff to ensure that not only the South Florida Water Management District requirements are met but also Lee County specific requirements are also met.**

**POLICY 60.1.5:** Lee County will maintain in its land development regulations requirements that proper stormwater management systems be installed when land is being redeveloped. Appropriate exemptions will be provided to this requirement for individual residential structures and for historic districts. The regulations may also provide modified stormwater management standards for publicly sponsored projects within community





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redevelopment areas (as defined by Chapter 163, Part III, Florida Statutes). However, this policy will not be interpreted so as to waive any concurrency level-of-service standards.

**A Lee County Development Order permit will be applied for and obtained. The proposed stormwater improvements will be designed to meet the current Lee County and SFWMD requirements at the time of permitting.**

**POLICY 60.1.7:** The level of service standards identified in Policy 95.1.3 will be updated as necessary based on new basin studies or more accurate information and will guide future investments in surface water management facilities. Procedures will be maintained to: keep levels of service current; maintain capacity of existing facilities; and, identify demand for new facilities.

**The proposed improvements associated with the proposed project will be owned and maintained by the Property Owner's Association for the subject land parcel.**

**OBJECTIVE 60.2: BASIN PROGRAM.** Promote water management permitting on a basin-wide basis, as opposed to the current individual-site approach used by Lee County and the South Florida Water Management District.

**As part of the Lee County and South Florida Water Management District permitting, basin wide considerations are reviewed and addressed as necessary.**

**OBJECTIVE 60.5: INCORPORATION OF GREEN INFRASTRUCTURE INTO THE SURFACE WATER MANAGEMENT SYSTEM.** The long-term benefits of incorporating green infrastructure as part of the surface water management system include improved water quality, improved air quality, improved water recharge/infiltration, water storage, wildlife habitat, recreational opportunities, and visual relief within the urban environment.

**Green infrastructure may be considered during the permitting process with the South Florida Water Management District to address potential stormwater benefits. This type of green stormwater treatment element will be evaluated during the permitting process to determine the proper stormwater treatment process. The required native vegetation preservation requirements will be reviewed and addressed to meet Lee County standards and requirements.**

**POLICY 60.5.1:** The county encourages new developments to design their surface water management systems to incorporate best management practices including, but not limited to, filtration marshes, grassed swales planted with native vegetation, retention/detention lakes with enlarged littoral zones, preserved or restored wetlands, and meandering flow-ways.

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**The suggested best management stormwater management practices will be evaluated during the permitting process to determine which options provide the best treatment options in conjunction with the final project configuration.**

**POLICY 60.5.2:** The county encourages new developments to design their surface water management system to incorporate existing wetland systems.

**There currently are not any wetland systems within the CPD.**

**POLICY 61.1.6:** When and where available, reuse water should be the first option for meeting irrigation needs of a development. 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. New developments will coordinate with county staff regarding the source of irrigation water.

**Reuse water is currently not available at the project site. At this time, a well system is being contemplated as a source of irrigation water and will be permitted as necessary thru Lee County and the South Florida Water Management District.**

**OBJECTIVE 61.2: MIMICKING THE FUNCTIONS OF NATURAL SYSTEM.** Support a surface water management strategy that relies on natural features (flow ways, sloughs, strands, etc.) and natural systems to receive and otherwise manage storm and surface water.

**The proposed project site is inside a permitted South Florida Water Management District master stormwater system. This system has already created a drainage ditch collection system that ultimately discharges into the Alico Road Drainage ditch on the North side of the right of way through a concrete water control structure. There are no natural flow ways, sloughs, or strands on the subject property or the surrounding area.**

**POLICY 61.2.4:** Where feasible within future urban areas, surface water management plans are encouraged that mimic the functions of natural systems, notwithstanding the type or intensity of development permitted.

**The design of the final stormwater management system will be in accordance with the appropriate South Florida Water Management District requirements as well as the ultimate use of the subject property. Where possible, green infrastructure associated with stormwater best management practices will be considered dependent on the ultimate use of the project.**





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**OBJECTIVE 61.3: GENERAL SURFACE WATER MANAGEMENT STANDARDS.** Lee County will continue to provide sufficient performance and/or design standards for development protective of the function of natural drainage systems.

**The proposed project is inside a created drainage system that is permitted by the South Florida Water Management District. There are no Natural Drainage Systems inside the subject property except for the man-made drainage ditches that are part of the master stormwater collection system.**

**POLICY 61.3.1:** Provide sufficient performance and design standards to require postdevelopment runoff to approximate the total characteristics of the natural flow prior to development.

**A South Florida Water Management District permit will be obtained meeting the current design standards and requirements.**

**POLICY 61.3.6:** Developments must have and maintain an adequate surface water management system, provision for acceptable programs for operation and maintenance, and post-development runoff conditions which reflect the natural surface water flow in terms of rate, direction, quality, hydroperiod, and drainage basin. Detailed regulations will continue to be integrated with other county development regulations.

**A South Florida Water Management District permit will be obtained meeting the current design standards and requirements.**

**POLICY 61.3.8:** The banks of wet retention and detention areas must be sloped to promote growth of vegetation and safeguard against accidents.

**The proposed stormwater management improvements will be designed to meet Lee County and South Florida Water Management District requirements for slope treatment and shape.**

**POLICY 61.3.12:** The design of shorelines of retention and detention areas and other excavations must be sinuous rather than straight.

**The proposed stormwater management improvements will be designed to meet Lee County and South Florida Water Management District requirements for slope treatment and shape.**

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**POLICY 61.3.13:** Installation of erosion control devices for development activities adjacent to waterbodies, water courses, and wetlands will be required. Such control devices must be maintained to ensure operational effectiveness.

The proposed improvements will be designed to meet Lee County and South Florida Water Management District criteria associated with erosion control and the specific erosion control devices. Additionally, the project will obtain the required FDEP National Pollution Discharge Elimination System permit further defining erosion control measures.

**Conservation and Coastal Management (Please see Environmental Report prepared by DexBender)**

**OBJECTIVE 107.1: RESOURCE MANAGEMENT PLAN.** The county will continue to implement a resource management program that ensures the long-term protection and enhancement of the natural upland and wetland habitats through the retention of interconnected, functioning, and maintainable hydroecological systems where the remaining wetlands and uplands function as a productive unit resembling the original landscape.

**POLICY 107.2.4:** Encourage the protection of viable tracts of sensitive or high-quality natural plant communities within developments.

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### **Housing Element**

***POLICY 135.1.4: Provide for housing bonus density to stimulate the construction of very-low, low and moderate income affordable housing in Lee County.***

3. *Describe how the proposal affects adjacent local governments and their comprehensive plans.*

**The location of the CPD amendment is not adjacent to any other local government jurisdiction and will have no impact to any local government.**

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

**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.**



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- 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, if located in a Future Urban area category.

**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



## Vintage Commerce Center CPD

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- 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

All non-residential uses shall be permitted on all Outparcels and Parcels within the Master Concept Plan of the CPD. Residential dwelling units shall be permitted only on Parcel A.

1. Accessory uses, commercial and residential

~~1. Agricultural Uses (See Condition 4, below)~~

2. Assisted Living Facilities, subject to density equivalents in LDC 34-1414 (Parcel A, B and C only, as noted on the MCP)

~~2.3.~~ ATM

~~3.4.~~ Auto Parts Store with or without installation service

4.5. Automobile Service Station

~~5.6.~~ Auto Repair and Service, Groups I & II

~~6.7.~~ Banks and Financial Establishments, Groups I & II

7.8. Bar or Cocktail Lounge

~~8.9.~~ Boat Sales

10. Building material sales

~~9.11.~~ Business Services, Groups I & II

12. Car wash

~~10.13.~~ Clothing Store, General

14. Consumption on premises, indoor and outdoor

~~11.15.~~ Contractor and Builders, Group I & II

16. Convenience Food and Beverage Store, limited to one (1) (also, see Condition 7)

17. Department Store

~~12.18.~~ Drive Through Facility for Any Permitted Use

~~13.19.~~ Drugstore

20. Dwelling units, multiple family (Parcel A only, as noted on the MCP)

14.21. Entrance Gates and Gatehouses

~~15.22.~~ Essential Services

~~16.23.~~ Essential Service Facilities, Group I

17.24. Excavation, Water Retention

25. Food stores, Group I

26. Hardware Store

~~18.27.~~ Health Care Facility, Group II through IV

19.28. Hobby, Toy and Game Shops

29. Hotel/motel (Parcel C and outparcels 1 through 12)

~~20.30.~~ Household and Office Furnishings, Groups I & II

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## Vintage Commerce Center CPD

### Schedule of Uses

- ~~21-31.~~ Insurance Companies
- ~~22-32.~~ Laundromat
- ~~23-33.~~ Laundry or Dry Cleaning, Group I
- ~~24-34.~~ Lawn and Garden Supply Store
- ~~25-35.~~ Medical Office
- ~~36.~~ Night clubs
- ~~26-37.~~ Non-Store Retailers, All Groups
- ~~27-38.~~ Package Store
- ~~28-39.~~ Paint, Glass and Wallpaper
- ~~29-40.~~ Parking Lot, Accessory and Temporary
- ~~30-41.~~ Personal Services, Groups I through III
- ~~31-42.~~ Pet Services
- ~~32-43.~~ Pet Shop
- ~~33-44.~~ Pharmacy
- ~~45.~~ Place of worship
- ~~34-46.~~ Printing and Publishing
- ~~47.~~ Recreational facilities, commercial, Groups I through V
- ~~48.~~ Religious facilities
- ~~35-49.~~ Rental or Leasing Establishments, Group II & III
- ~~36-50.~~ Repair Shops, Groups I & II
- ~~51.~~ Restaurants, Fast Food
- ~~37-52.~~ Restaurants, Groups I through IV
- ~~53.~~ Schools commercial
- ~~54.~~ Signs per Chapter 30 of the LDC, including interchange quadrant sign
- ~~38-55.~~ Social Services, Group I
- ~~39-56.~~ Specialty Retail, Groups I through IV
- ~~57.~~ Storage, Indoor
- ~~40-58.~~ Studios
- ~~41-59.~~ Temporary Uses, as identified in LDC Sections 34-3041, 3042, 3043, 3044, 3048 & 3050
- ~~42-60.~~ Used Merchandise Store, Group I
- ~~61.~~ Vehicle and equipment dealers, Groups I through V
- ~~62.~~ Warehouse, mini-storage

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

~~Building Material Sales~~

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## Vintage Commerce Center CPD

### Schedule of Uses

Department Store

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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