



Civil Engineers • Land Surveyors • Planners • Landscape Architects

June 20, 2019

Ms. Mikki Rozdolski
Manager, Community Development Operations
Lee County Community Development
1500 Monroe Street
Fort Myers, FL 33901

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COMMUNITY DEVELOPMENT

RE: CPA2018-10012 and CPA2018-10013; Alico/I-75 Comprehensive Plan Amendment (Vintage Commerce Center)

Dear Ms. Rozdolski:

As a follow-up to our meeting with you and your staff on May 21, 2019, the applicant has revised the Lee Plan Analysis to further address policies based on our discussion. Specifically additional discussion has been added to address Policies 7.1, 7.1.8 and 7.1.9 of the Future Land Use Element. We have also modified the companion CPD application, which further demonstrates compliance with the Lee Plan Policies relating to residential and industrial development.

As we discussed, the applicant has modified the CPD MCP to isolate the residential development on a single 14± acre tract, which does not have frontage on Three Oaks Parkway or Alico Road; therefore, no industrial traffic in the area will be required to travel through a predominantly residential area, consistent with FLU Policy 7.1.9. Furthermore, the policies were not applied in this manner in the staff report on the solid waste transfer station in the DRGR.

The applicant has further modified the request to seek a maximum of 308 multi-family dwellings in the CPD on the single 14± acre tract. While bonus units are still proposed to be utilized a maximum of 113 bonus units would be necessary in order to achieve the 308 dwelling units.

The applicant is also willing to agree to a zoning condition that will require notice to any resident that they are located in an area subject to noise related to aircraft and industrial development. We trust this addresses staff's concern about potential future complaints regarding noise associated with potential airport and industrial noise.

We have attached the revised Lee Plan Analysis, density calculations from the CPD and the revised Master Plan. We are available to meet again if necessary to further discuss our proposal to modify the Lee Plan application and CPD application.

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Ms. Mikki Rozdolski

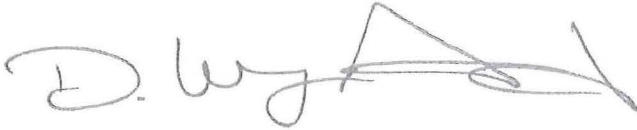
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Please feel free to contact me if you have any questions.

Sincerely,



D. Wayne Arnold, AICP

Cc: Brian Intihar
Neale Montgomery, Esq.
Brandon Dunn
Sharon Jenkin-Owens
GradyMinor File

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The application proposes to amend the Future Land Use Map (FLUM) of the Lee Plan to re-designate approximately 34+/- acres from the Industrial Commercial Interchange Future Land Use (FLU) Category to the General Interchange ~~Future Land Use~~ FLU Category. A text amendment is also proposed to reallocate ~~1814±~~ acres for residential uses in Table 1 (b). The property owner desires to amend the existing Commercial Planned Development (CPD) zoning to enable the property owner to pursue a mixed-use alternative that provides the option of including up to ~~400~~308 multi-family dwelling units in lieu of commercial. The General Interchange ~~Future Land Use~~ FLU Category permits multi-family residential development at a density range of 8 to 14 dwelling units per acre, with up to 22 dwelling units per acre allowed with use of bonus density. The companion CPD must demonstrate compliance with the density standards for the General Interchange ~~Future Land Use~~ FLU Category. The balance of the site would be utilized for a variety of non-residential uses including general commercial and hotel uses consistent with the uses permitted in the General Interchange ~~Future Land Use~~ FLU Category and the current zoning. The vision statement for the Gateway/Airport Planning Community emphasizes the growth and development potential of Southwest Florida International Airport (RSW), which also means that the airport will continue to be a large employment center for a variety of jobs at varying levels of incomes. The proposed amendment recognizes not only the potential support services necessary for airport related operations, but also much needed housing to support the 4,000+ employees today and the anticipated employment growth at RSW into the future. There are a limited number of parcels where residential is permitted in this area of the planning community.

The Vision Statement clearly indicates that the General Interchange FLU category is one of the land use categories that is consistent with this vision. The proposed modification to the General Interchange FLU Category will continue the vision to have airport and Florida Gulf Coast University (FGCU) supporting services, which will include commercial, light industrial and residential uses. Assuming the County is successful in attracting hi-tech clean industry businesses as expressed in the vision, high density residential in close proximity to such uses will provide much needed housing for the employment needed to support this industry.

Development of multi-family residential uses on the subject property represents a much needed land use in this location due to the proximity to I-75 and Alico Road, easy and convenient access to ~~Florida Gulf Coast University~~ FGCU, ~~Southwest Florida International Airport~~ RSW and access to other nearby and future employment, shopping and entertainment opportunities. The County Economic Development Director noted at the Real Estate Investment Society (REIS) luncheon on 3/12/19 that the lack of workforce housing is an impediment to the county's economic expansion. Further, this multi-family residential land use pattern is consistent with other sites having easy access to I-75 interchanges throughout Lee County. An exhibit to this application identifies the various existing and planned residential land uses at or near the I-75 interchanges. Attempts to create higher density multi-family in other locations in Southwest Florida and Lee County have encountered resistance. The subject

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location provides opportunity in that is not adjacent to population centers that resist multi-family and the younger demographic.

The majority of the property is not located within a Southwest Florida International Airport noise zone. Under Less than 2 acres of the property is located within noise zone area C (area not anticipated to be residential), which nevertheless does not prohibit residential development. Even though not required by statute for the areas designated as residential, the applicant agrees to provide A notice to residences would be provided in accordance with Chapter 34 of the LDC with regard to exposure to future airport noise and future industrial development.

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, as well as an identification of Regional and State Plan policies related to the proposed plan amendment.

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2030 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.

A text amendment is proposed in addition to the map amendment. The text amendment includes an amended table 1(b) which incorporates an allocation increase of 1814± acres to the General Interchange Future Land Use Category for the Gateway/Airport Planning Community for residential development.

In order to maintain the population accommodation figures adopted by the BOCC, an adjustment is necessary in another Planning Community to reflect a reduction in acreage equal to that proposed to be added to the Gateway/Airport Planning Community. Due to the large allocation of land in both the Urban and Central Urban Lehigh Acres Planning Community, it is staff's suggestion that the acreage would be reduced in the Lehigh Acres Planning Community with the corresponding increase in the General Interchange Future Land Use Category – Gateway/Airport Planning Community.

The amendment to Table 1(b) 2030 population allocation proposes to increase the residential acreage by 1814± acres in the Gateway/Airport Planning Community with a corresponding decrease in acreage in the Lehigh Acres Planning Community. There is no impact to the population accommodation figures based on the amended acreages.

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The subject property is located at the Alico Road/I-75 interchange, which has all necessary infrastructure in place to serve the allowable commercial and residential development permitted in the General Interchange Future Land Use Category.

Large areas of Lehigh Acres are not serviced with potable water and sanitary services, mass transit, and modern surface water management. The subject property has central water and sewer services available. It is also an urban infill parcel and letters of availability have been obtained from the various service providers. The site is consistent with Goal 5, Objective 5.1 and Policies 5.1.1 – 5.1.4. The site is not located in an area with physical constraints or hazards. The property is not located in Airport Noise Zone B therefore the site is very suitable for residential development and is located in an area convenient to public facilities, transportation services, recreation and employment opportunities. Because the site has urban services, and letters of availability have been provided by the various service providers, the site is appropriate for the addition of residential uses. The Planning Analysis also includes a discussion of the compliance with various goals, objectives and policies of the Lee Plan as discussed below.

2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.

Future Land Use Element

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 80s when Alico Road was primarily industrial.

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The Alico/Ben Hill Griffin 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.

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. 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 Luccett 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.

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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 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 24.75± 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.

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.*

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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.*

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*

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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 companion CPD. Development of the site with residential uses in addition to commercial uses will be consistent with established LOS standards for public facilities. This amendment proposes to revise the table 1 (b) acreage allocation, to increase the acreage by 33.95 +/- 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.

OBJECTIVE 2.11: CARRYING CAPACITY. *Understand the carrying capacity of the future land use map and integrate the concept into planning strategies.*

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The modification is to a FLU category which permits residential uses in addition to commercial land uses is addressing the carrying capacity of the Lee Plan FLU map. Providing for the in-demand use of more residential development central to urban services and employment and where capacity exists to accommodate this growth is consistent with good land use planning strategies.

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)*

The subject site is currently zoned as a 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;*

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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 companion 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:

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);

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- 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 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 due 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

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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.

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).*

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

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- *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.

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.*

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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:*

- *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.*

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- *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:*

<i>Roadway Classification</i>	<i>Centerline Distances (Feet)</i>
<i>Arterial</i>	<i>660</i>
<i>Collector</i>	<i>330</i>
<i>Local Street</i>	<i>125</i>
<i>Frontage road, reverse frontage or accessway</i>	<i>60</i>

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.

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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.

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.

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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.;
- 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.

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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

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.

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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

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 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

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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.

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 on the project.

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.

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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.

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.

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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.

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.

Housing Element

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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 34± acre plan amendment is not adjacent to any other local government jurisdiction and will have no impact to any local government.

4. *List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.*

There are no relevant GOP's in the Regional Policy Plan applicable to this FLU Map amendment.

The proposed Lee Plan Amendment is not inconsistent with the State Comprehensive Plan, Chapter 187 F.S. The proposed Land Use Change affects 35 acres of property. The property has urban development immediately adjacent to the north and the site has access to arterial and collector roadway (Alico Road and Three Oaks Parkway). The site also has urban public utility services available, and Lee County Utilities has confirmed that there is available capacity to serve the proposed mix of uses permitted in this FLU category.

The proposed amendment is consistent with the State Comprehensive Plan.

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