



LEE COUNTY BOARD OF COUNTY COMMISSIONERS

COMPREHENSIVE PLAN AMENDMENT
and
ZONING HEARING
AGENDA

Wednesday, May 6, 2020

9:30AM

CPA2019-00006

CONSERVATION LANDS UPDATE - ADOPTION

CPA2018-10012 &
CPA2018-10013

VINTAGE COMMERCE CENTER - ADOPTION

DCI2018-10022
Z-19-035

VINTAGE COMMERCE CENTER CPD

CPA2019-00008

EPCO TEXT AMENDMENT - ADOPTION

DCI2019-00018
Z-20-006

VERDANA VILLAGE MPD

**CPA2018-10012
(Text Amendment)**

and

**CPA2018-10013
(Map Amendment)**

**Vintage Commerce
Center**

**Summary Sheet
Vintage Commerce Center
CPA2018-10012 and CPA2018-10013**

Request:

- Amend the Future Land Use Map designation on ±33.95 acres from Industrial Commercial Interchange to General Interchange.
- Amend Table 1(b) 2030 Population Allocation to accommodate residential development on the subject property.

Public Comments:

No members of the public spoke at the LPA or BoCC Transmittal hearings.

Board Action:

A motion was made to transmit CPA2018-10012 and CPA2018-10013 as recommended by staff. The motion was passed 5 to 0.

VOTE:

BRIAN HAMMAN	<u>AYE</u>
FRANK MANN	<u>AYE</u>
JOHN MANNING	<u>AYE</u>
CECIL L. PENDERGRASS	<u>AYE</u>
RAY SANDELLI	<u>AYE</u>

Agency Comments:

The State Reviewing Agencies had no objections to the amendments.

Staff Recommendation:

Staff recommends the Board of County Commissioners adopt CPA2018-10012 and CPA2018-10013 as provided in Attachment 1.

LEE COUNTY ORDINANCE NO. _____
VINTAGE COMMERCE CENTER
(CPA2018-10012 and CPA2018-10013)

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE “LEE PLAN,” ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT PERTAINING TO THE VINTAGE COMMERCE CENTER (CPA2018-10012 AND CPA2018-10013) APPROVED DURING A PUBLIC HEARING; PROVIDING FOR PURPOSE, INTENT, AND SHORT TITLE; AMENDMENTS TO ADOPTED MAP AND TEXT; LEGAL EFFECT OF “THE LEE PLAN”; PERTAINING TO MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER’S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan (“Lee Plan”) and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners (“Board”); and,

WHEREAS, the Board, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 provide an opportunity for the public to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency (“LPA”) held a public hearing on the proposed amendment in accordance with Florida Statutes and the Lee County Administrative Code on August 26, 2019; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on September 18, 2019. At that hearing, the Board approved a motion to send, and did later send, proposed amendment pertaining to Vintage Commerce Center (CPA2018-10012 and CPA2018-10013) to the reviewing agencies set forth in Section 163.3184(1)(c), F.S. for review and comment; and,

WHEREAS, at the September 18, 2019 meeting, the Board announced its intention to hold a public hearing after the receipt of the reviewing agencies’ written comments; and,

WHEREAS, on February 26, 2020, the applicant, Q. Grady Minor & Associates, P.A., and Lee County agreed to request a time extension for the adoption of the Comprehensive Plan Amendment until June 12, 2020; and,

WHEREAS, on February 27, 2020, the Florida Department of Economic Opportunity granted the extension for the adoption of the proposed amendment until June 12, 2020; and,

WHEREAS, on May 6, 2020, the Board held a public hearing and adopted the proposed amendment to the Lee Plan set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt map and text amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the "Vintage Commerce Center Ordinance (CPA2018-10012 and CPA2018-10013)."**

SECTION TWO: ADOPTION OF COMPREHENSIVE PLAN AMENDMENT

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, to amend the Future Land Use Map designation on 33.95+/- acres from Industrial Commercial Interchange to General Interchange located on the northeast corner of Alico Road and Three Oaks Parkway and amend Table 1(b) 2030 population allocation to provide additional residential development in the General Interchange category within the Gateway/Airport Planning Community, known as Vintage Commerce Center (CPA2018-10012 and CPA2018-10013).

The corresponding Staff Reports and Analysis, along with all attachments and application submittals for this amendment are adopted as "Support Documentation" for the Lee Plan. Proposed amendments adopted by this Ordinance are attached as Exhibit A.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

SECTION FOUR: MODIFICATION

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

SECTION FIVE: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION SIX: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

SECTION SEVEN: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase in order to accomplish this intention; and regardless of whether inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION EIGHT: EFFECTIVE DATE

The plan amendments adopted herein are not effective until 31 days after the State Land Planning Agency notifies the County that the plan amendment package is complete. If timely challenged, an amendment does not become effective until the State Land Planning Agency or the Administrative Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status.

THE FOREGOING ORDINANCE was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____. The vote was as follows:

John Manning	_____
Cecil Pendergrass	_____
Raymond Sandelli	_____
Brian Hamman	_____
Frank Mann	_____

DONE AND ADOPTED this 6th day of May 2020.

ATTEST:
LINDA DOGGETT, CLERK

LEE COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: _____
Deputy Clerk

BY: _____
Brian Hamman, Chair

DATE: _____

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

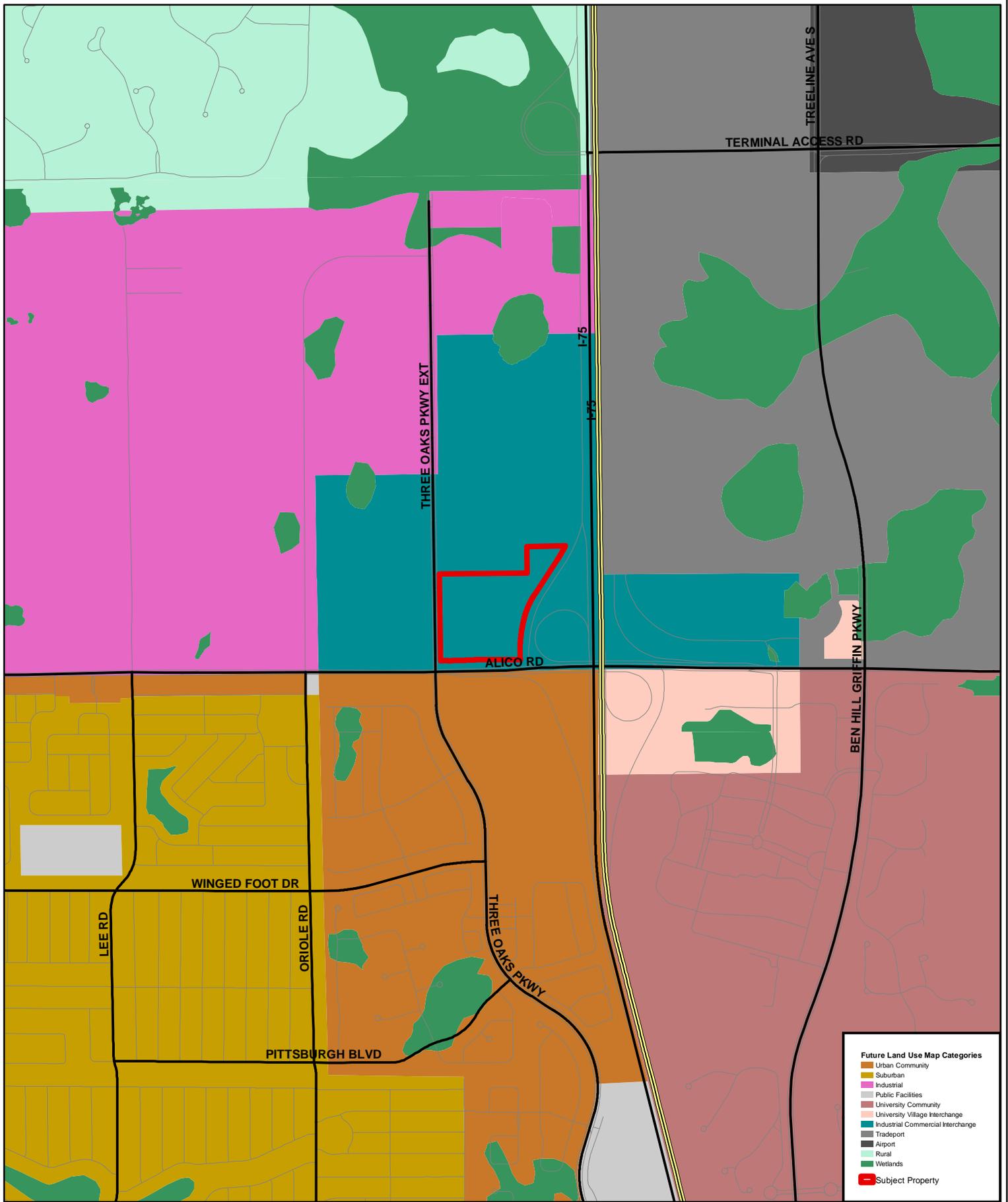
County Attorney's Office

Exhibit A: Adopted revisions to Future Land Use Map and Table 1(b)
(Adopted by BOCC May 6, 2020)

CAO Draft 4/13/20

EXHIBIT A

**Note: Text depicted with underscore represents additions to the Lee Plan.
Strike-through text represents deletions from the Lee Plan.**



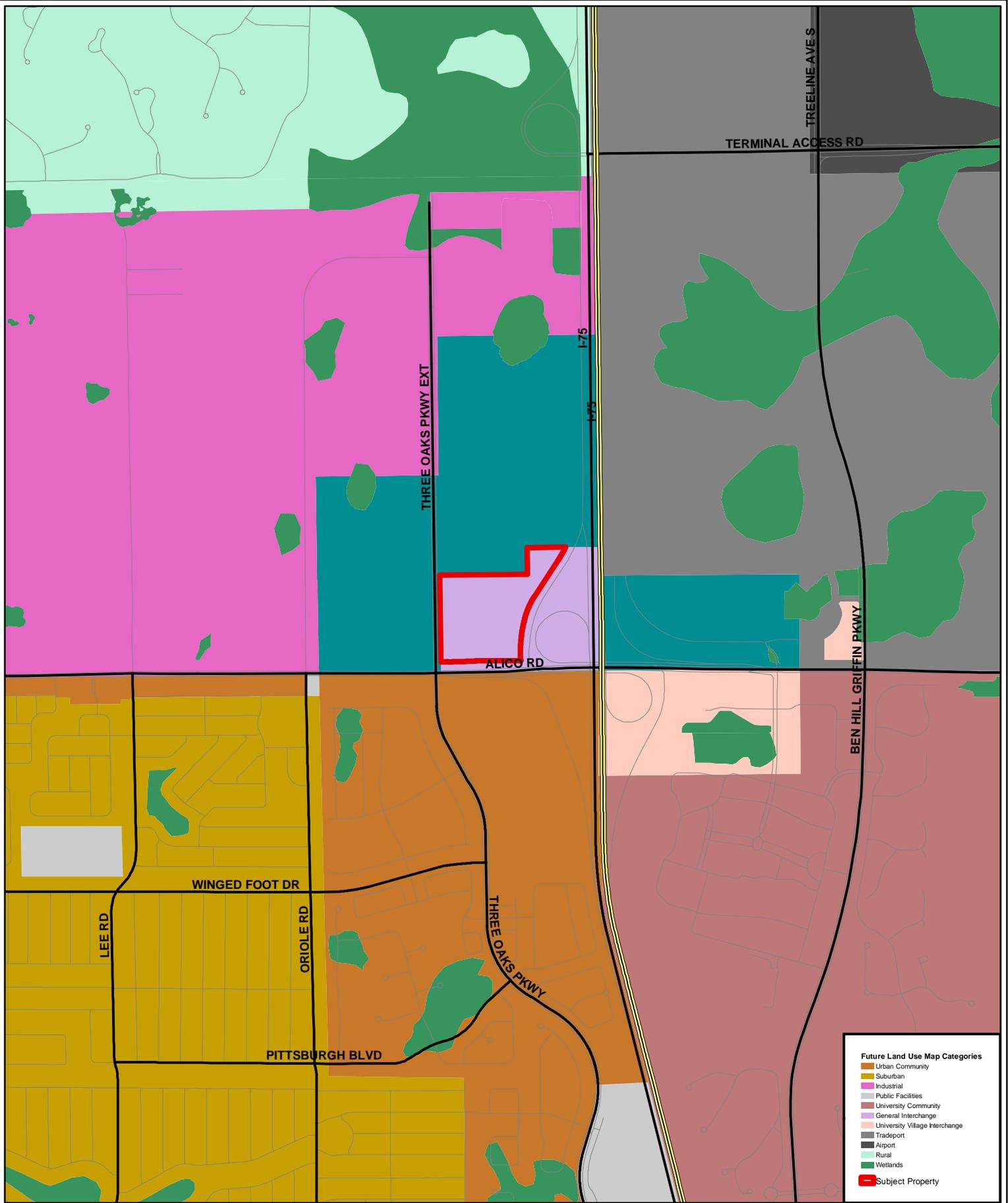
Future Land Use Map Categories

- Urban Community
- Suburban
- Industrial
- Public Facilities
- University Community
- University Village Interchange
- Industrial Commercial Interchange
- Tradeport
- Airport
- Rural
- Wetlands
- Subject Property

0 500 1,000 2,000 3,000
Feet

Map Generated August 2019

CPA2018-10013 - Vintage Commerce Center
EXISTING LEE PLAN
FUTURE LAND USE MAP



Future Land Use Map Categories

- Urban Community
- Suburban
- Industrial
- Public Facilities
- University Community
- General Interchange
- University Village Interchange
- Tradeport
- Airport
- Rural
- Wetlands
- Subject Property

Lee County
Southwest Florida

0 500 1,000 2,000 3,000
Feet

Map Generated August 2019



**CPA2018-10013 - Vintage Commerce Center
PROPOSED LEE PLAN
FUTURE LAND USE MAP**

TABLE 1(b)
Year 2030 Allocation

Future Land Use Category	Lee County Totals		Northeast Lee County	Boca Grande	Bonita Springs	Fort Myers Shores	Burnt Store	Cape Coral	Captiva	Fort Myers	Fort Myers Beach	Gateway/ Airport		Daniels Parkway	
	Existing	Proposed										Existing	Proposed		
<i>Residential By Future Land Use Category</i>	Intensive Development	1,361	1,361			5		27		250					
	Central Urban	14,766	14,766			225				230					
	Urban Community	17,021	16,873	520	485	637						250	250		
	Suburban	16,623	16,623			1,810				85					
	Outlying Suburban	3,843	3,843	30		40	20	2	500					1,438	
	Sub-Outlying Suburban	1,955	1,955			547							227	227	
	Commercial														
	Industrial	79	79							39			20	20	
	Public Facilities	1	1								1				
	University Community	850	850												
	Destination Resort Mixed Use Water Dependent	8	8												
	Burnt Store Marina Village	4	4					4							
	Industrial Interchange														
	General Interchange	151	169										11	29	58
	General Commercial Interchange														
	Industrial Commercial Interchange														
	University Village Interchange														
	Mixed Use Interchange														
	New Community	2,100	2,100	1,200									900	900	
	Airport														
	Tradeport	9	9										9	9	
	Rural	8,313	8,313	1,948			1,400	636							1,500
Rural Community Preserve	3,100	3,100													
Coastal Rural	1,300	1,300													
Outer Island	202	202	5			1			150						
Open Lands	2,805	2,805	250				590							120	
Density Reduction/ Groundwater Resource	6,905	6,905	711									94	94		
Conservation Lands Upland															
Wetlands															
Conservation Lands Wetland															
Unincorporated County Total Residential	81,396	81,267	4,664	485		4,665	1,250	29	651	604		1,511	1,529	3,116	
Commercial	13,893	12,793	177	52		400	50	17	125	150		1,100	1,100	440	
Industrial	16,901	13,801	26	3		400	5	26		300		3,100	3,100	10	
Non Regulatory Allocations															
Public	82,565	82,565	7,100	421		2,000	7,000	20	1,961	350		7,752	7,752	2,477	
Active AG	17,027	17,027	5,100			550	150							20	
Passive AG	43,786	43,786	12,229			2,500	109					1,241	1,241	20	
Conservation	81,933	81,933	2,214	611		1,142	3,236	133	1,603	748		2,947	2,947	1,733	
Vacant	23,874	24,004	1,953			61	931	34		45		300	282	151	
Total	375,127	357,176	33,463	1,572		11,718	12,731	259	4,340	2,197		17,951	17,951	7,967	
Population Distribution (unincorporated Lee County)	495,000	495,000	9,266	1,531		30,861	3,270	225	530	5,744		18,333	19,358	16,375	

TABLE 1(b)
Year 2030 Allocation

Future Land Use Category	Iona/ McGregor	San Carlos	Sanibel	South Fort Myers	Pine Island	Lehigh Acres		Southeast Lee County	North Fort Myers	Buckingham	Estero	Bayshore	
						Existing	Proposed						
<i>Residential By Future Land Use Category</i>	Intensive Development			660	3	42	42		365		9		
	Central Urban	375	17		3,140	8,179	8,179		2,600				
	Urban Community	850	1,000		860	11,359	11,211			110	450		
	Suburban	2,488	1,975		1,200	675			6,690		1,700		
	Outlying Suburban	377				600			382		454		
	Sub-Outlying Suburban		25						140	66		950	
	Commercial												
	Industrial	5	5		10								
	Public Facilities												
	University Community		850										
	Destination Resort Mixed Use Water Dependent	8											
	Burnt Store Marina Village												
	Industrial Interchange												
	General Interchange								15	31		6	30
	General Commercial Interchange												
	Industrial Commercial Interchange												
	University Village Interchange												
	Mixed Use Interchange												
	New Community												
	Airport												
	Tradeport												
	Rural		90			190	14	14		500	50	635	1,350
	Rural Community Preserve										3,100		
	Coastal Rural					1,300							
	Outer Island	1				45							
	Open Lands									45			1,800
Density Reduction/ Groundwater Resource								4,000				2,100	
Conservation Lands Upland													
Wetlands													
Conservation Lands Wetland													
Unincorporated County Total Residential	4,104	3,962		5,870	3,313	19,594	19,446	4,015	10,753	3,326	3,254	6,230	
Commercial	1,100	1,944		2,100	226	1,300	1,300	68	1,687	18	1,700	139	
Industrial	320	450		900	64	300	300	7,246	554	5	87	5	
Non Regulatory Allocations													
Public	3,550	3,059		3,500	2,100	15,289	15,289	12,000	4,000	1,486	7,000	1,500	
Active AG					2,400			7,171	200	411	125	900	
Passive AG					815			17,521	1,532	3,619	200	4,000	
Conservation	9,306	2,969		188	14,767	1,541	1,541	31,210	1,317	336	5,068	864	
Vacant	975	594		309	3,781	9,880	10,028	470	2,060	1,000	800	530	
Total	19,355	12,978		12,867	27,466	47,904	47,904	79,701	22,103	10,201	18,234	14,168	
Population Distribution (unincorporated Lee County)	34,538	36,963		58,363	13,265	153,011	151,987	1,270	71,001	6,117	25,577	8,760	

**STAFF REPORT FOR
CPA2018-10012 and CPA2018-10013:
Vintage Commerce Center**
Privately Initiated Map and Text Amendments to the Lee Plan



Applicant:

CLE FL RE Investment I, LLC

Representative:

D. Wayne Arnold, AICP
Q. Grady Minor & Associates,
P.A.

Property Location:

Northeast corner of Alico Rd &
Three Oaks Pkwy

Size:

± 33.95 acres

Planning Community:

Gateway/Airport

Commissioner District:

District #2

Attachments:

Existing Future Land Use Map
Proposed Future Land Use Map
Table 1(b)

Hearing Dates:

LPA: 8/26/2019
BOCC: 9/18/2019
BOCC: 5/06/2020

REQUEST

- Amend the Future Land Use Map designation on ±33.95 acres from Industrial Commercial Interchange to General Interchange.
- Amend Table 1(b) 2030 population allocation to accommodate residential development on the subject property.

SUMMARY

The requested amendments would allow a mix of residential, commercial and light industrial uses on the subject property. The existing and proposed future land use categories are similar except that the current designation does not allow residential.

PROJECT LOCATION

The subject property is located on the northeast corner of Alico Road and Three Oaks Parkway, and is immediately west of I-75.

FIGURE A: AERIAL LOCATION MAP



RECOMMENDATION

Staff recommends that the Board of County Commissioners **adopt** the requested amendments based on the analysis and findings provided in this staff report.

**PART 1
CONCURRENT APPLICATION REVIEW**

The applicant has filed a companion rezoning application (DCI2018-10022) that is being reviewed concurrently with this plan amendment application. The applicant is seeking to rezone the property to a Commercial Planned Development (CPD) to allow residential and commercial uses, including a hotel.

Florida Statutes Chapter 163.3184(12) provides that “At the request of an applicant, a local government shall consider an application for zoning changes that would be required to properly enact any proposed plan amendment transmitted pursuant to this subsection.” This requires Lee County provide a concurrent review of the rezoning request.

**PART 2
PROPERTY INFORMATION**

Subject Property

The subject property is located on the north side of Alico Road, immediately west of Interstate I-75 and east of Three Oaks Parkway. It is currently zoned CPD for 300,000 square feet of commercial retail and office uses (Zoning Resolution Z-05-019).

The ±33.95 acre subject property is located in the Gateway/Airport Planning Community and is currently designated as Industrial Commercial Interchange on the Future Land Use map (see Attachment 1, Page 1).

Gateway/Airport: The Gateway/Airport Planning Community has three components. The subject property is within the area anticipated to develop with hi-tech/clean industry businesses spurred by its proximity to the Southwest Florida International Airport (SWFIA) and Florida Gulf Coast University (FGCU).

Industrial Commercial Interchange Future Land Use Category: The subject property is designated as Industrial Commercial Interchange on the Future Land Use Map and has been since 1990. The Industrial Commercial Interchange future land use category, as provided in Policy 1.3.4 below, is limited to commercial and light industrial uses. No residential uses are allowed.

***POLICY 1.3.4:** The Industrial Commercial Interchange areas are designated to permit a mixture of light industrial and/or commercial uses. This category does not permit heavy industrial uses. Within areas expanded beyond the existing Industrial Commercial Interchange boundaries (on January 1, 2007), retail commercial uses will be limited to 20% of the total floor area and light industrial uses will be a minimum of 50% of the total floor area. (Ordinance No. 07-10)*

Surrounding Properties

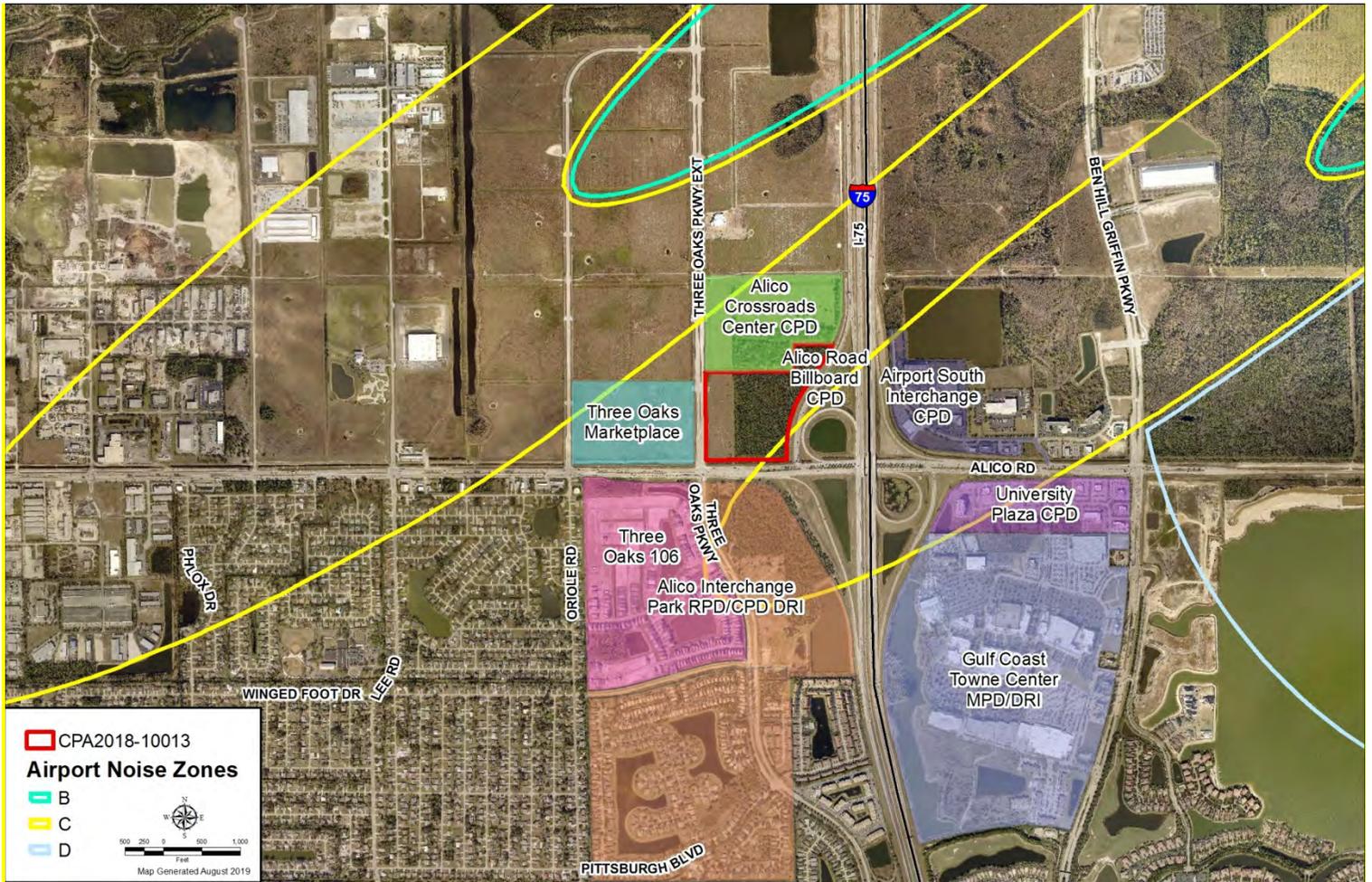
The surrounding properties to the north, northwest, west, and east are predominantly within the Industrial Commercial Interchange future land use category and are zoned CPD, Mixed Use Planned Development (MPD), and Agriculture (AG-2). The properties south of Alico Road, located within the San Carlos Planning Community, have a future land use designation of Urban Community with CPD and Residential Planned Development (RPD) zoning. More detailed information on the surrounding properties is provided below in Table 1 and locations are shown on Figure B.

TABLE 1: SURROUNDING PROPERTIES INFORMATION

	Future Land Use	Zoning	Existing Use
North	Industrial Commercial Interchange; Industrial Development	Alico Crossroads Center CPD - Approved for 351,000 SF commercial & 125 hotel rooms	Grazing lands
Northwest	Industrial Commercial Interchange; Industrial Development	AG-2	Grazing lands
West	Industrial Commercial Interchange; Industrial Development	Three Oaks Marketplace MPD - Approved for 400,000 SF of industrial & commercial uses and 130 hotel rooms	Grazing lands; industrial uses
Southwest	Urban Community (6 units/acre*)	Three Oaks 106 RPD - Approved for 400 units	Alico Road; Westbrook residential subdivision under construction
South	Urban Community (6 units/acre*)	CPD portion of Alico Interstate Park RPD/CPD DRI - Approved for a maximum of 992 dwelling units, 400 hotel rooms, 2,042,000 SF commercial retail & office uses	Alico Road; Undeveloped
Southeast	University Village Interchange	University Plaza CPD - Approved for 300,000 SF commercial & 180 hotel rooms	Alico Road; I-75; University Plaza CPD - commercial retail and hotel uses
East	Industrial Commercial Interchange	Alico Road Billboard CPD; Airport Interchange South CPD - Approved for 310,000 SF commercial & 172 hotel rooms	I-75 Exit Ramp; I-75; Airport Interchange South CPD - commercial retail and hotel uses

*Up to 15 units/acre may be approved using bonus density.

FIGURE B: SURROUNDING PROPERTIES MAP & AIRPORT NOISE ZONES



PART 3

STAFF DISCUSSION AND ANALYSIS OF PROPOSED AMENDMENTS

The applicant is requesting to amend the future land use category of the subject property to General Interchange (see Attachment 1, Page 2) to allow, in addition to commercial and light industrial, residential uses on the subject property. As previously mentioned, the current future land use designation does not allow residential uses.

The General Interchange future land use category allows for commercial development serving the traveling public, light industrial uses, and multi-family development with a standard density range between 8 to 14 dwelling units per acre. Bonus density may be approved up to 22 units per acre.

***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 units per acre (22 du/acre).

Amending the future land use map would expand the types of uses allowed on the subject property to include multi-family residential land uses. Commercial and light industrial uses would continue to be permitted since both are allowed in the Industrial Commercial Interchange and General Interchange future land use categories. There is no restriction on the amount of commercial or industrial square feet allowed on the land since the designation has been on the subject property since 1990. This means the subject property could be developed all commercially, industrially or provide a mix of both.

If approved, the subject property would be a pocket of General Interchange future land use designated land surrounded on three sides by lands within the Industrial Commercial Interchange future land use category. Lands to the south, within the San Carlos Planning Community, are within the Urban Community future land use category which permits a mix of uses including commercial, limited light industrial, and residential with a density of 6 units an acre or up to 15 units an acre using bonus density.

Lee Plan Consistency

As previously stated the subject property is within the Gateway/Airport Planning Community which includes three distinct areas – Gateway, the Southwest Florida International Airport, and the area extending west of I-75, along Alico Road. The subject property is in the area extending west of I-75, along Alico Road. The vision for this area is to develop with hi-tech/clean industry businesses.

Due to compatibility constraints of industrial uses and the conflicts that can arise when locating industrial uses in close proximity to residential uses, the concurrent rezoning must be designed so that the future residential uses do not interfere with future development of industrial uses. Recent activity along the Three Oaks Parkway corridor indicates a transition to Research and Development (R & D) and corporate office type uses. As a result, some of the housing needs stemming from this transition could be served on the subject property which would support the anticipated hi-tech/clean industry businesses. Providing for multi-family dwelling units on the subject property through the planned development rezoning process would further Objective 135.1 and Policy 135.1.9 by adding to the mix of residential types within Lee County.

The proposed General Interchange Future Land Use designation would allow residential development on the subject property. Approximately 3 acres located on the southeast portion of the subject property is in the Airport Noise Zone C (see Figure B). Airport Noise Zone C (Policy 1.7.1) requires formal notification to property owners, but does not restrict land uses.

Lee County Port Authority issued a letter on April 22, 2019 stating:

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

Airport Noise Zone C is only located on a small portion of the subject property. However, the subject property could be affected by air traffic from the expanding Southwest Florida International Airport

(SWFIA). As part of the concurrent rezoning, the applicant has agreed to notify future residences on the subject property of the potential exposure to airport noise and industrial developments.

Policy 5.1.5 protects future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential area. In this case, the residential uses are being added where industrial and commercial uses are currently allowed and expected to develop. The applicant will address the location of the residential area as part of the planned development and demonstrate consistency with Policy 7.1.9 that states industrial traffic will not travel through residential areas.

The request is consistent with Policy 5.1.3 which directs high-density residential developments to locations near employment and shopping centers. The subject property is located in close proximity to the industrial businesses along Alico Road, University Plaza CPD, Gulf Coast Towne Center, SWFIA, and FGCU. Policy 5.1.3 also discusses appropriateness of residential in proximity to parks (Three Oaks Park and the Karl Drews Community Center), schools (San Carlos Park Elementary School, Three Oaks Elementary School, Three Oaks Middle School and Estero High School) and accessibility to mass transit (Bus Route 60 with a bus stop located on the corner of Alico Road and Three Oaks Parkway) and bicycle facilities (bike paths are along Three Oaks Parkway and Alico Road). Just south of the subject property, in San Carlos Park, are single-family, two-family, and multi-family units which are owner-occupied or rented. Adding multi-family uses to the subject property will provide another housing option for workers employed by the area businesses. The amendment would also support the transition from the San Carlos single family residential units to industrial uses further north and west.

Table 1(b): The request to amend Table 1(b) is to accommodate residential development on the subject property. The map amendment, if approved, will require that Table 1(b) be updated to provide additional residential allocation for the General Interchange Future Land Use Category (see Attachment 1, Page 3).

Service Availability

The proposed amendment to the Future Land Use Map would expand the types of uses allowed on the subject property to include residential uses. There are adequate potable water, sanitary sewers, solid waste, police, fire/EMS, schools and mass transit services to accommodate anticipated development on the subject property with or without the proposed amendments.

Transportation: The subject property is located at the northeast corner of Alico Road and Three Oaks Parkway. Interstate I-75 is located along the east boundary of the land.

- I-75 is a six-lane median divided freeway maintained by State.
- Alico Road is a limited access, six-lane median divided arterial roadway. Alico Road, from Three Oaks Parkway to I-75, is maintained by the State. Policy 1.3.7 provides the access control standards for Alico Road and no new accesses would be acceptable within this roadway link. Alico Road, from US 41 to Three Oaks Parkway, is maintained by the County.
- Three Oaks Parkway is a four-lane median divided roadway with sidewalks and bike lanes that are maintained by the County. There are three turn lanes where it nears Alico Road and a turn lane into the subject property.

The 5 year analysis indicates that Alico Road from Three Oaks Parkway to I-75, I-75 from Corkscrew Road to Terminal Access Road and San Carlos Boulevard from Oriole Road to Three Oaks Parkway are projected to operate at LOS "F" with or without the project in Year 2024. The same is true of the Year 2040 projections with the additional failure of US 41 between Alico Road and Six Mile Cypress Parkway.

Mass Transit: The property is within ¼ mile of a fixed route corridor. The closest bus route is Route 60 along Alico Road and bus stop 1952 is located on Three Oaks Parkway.

Utilities: The subject property is within the Lee County Utilities future potable water and sanitary sewer service areas. Potable water and wastewater lines are in operation adjacent to the property on Three Oaks Extension. Potable water is available from the Green Meadows Water Treatment Plant. Wastewater service would be provided by the Three Oaks Wastewater Treatment Plant.

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

Fire: The San Carlos Park Fire District indicated they are capable of providing fire protection. In a letter dated January 25, 2019, the Fire District states the subject property is within 3 miles from Station #51 (Sanibel Blvd.)

EMS: The subject property has access to EMS services. In a letter dated December 6, 2018, Lee County Emergency Medical Services indicates they will be able to serve the property from Medic 9 located 3.1 miles west of the property, and a second EMS facility is located within 5 miles from the property.

Police: The Lee County Sheriff will provide law enforcement services primarily from the South District office in Bonita Springs. The Sheriff indicated in a letter dated November 26, 2018 that the development of the subject property will not affect the ability of the Lee County Sheriff's Office to provide core services at this time.

Schools: There is adequate school seat capacity to serve the subject property.

PART 4 CONCLUSIONS

Commercial and industrial uses are permitted in both the Industrial Commercial Interchange and General Interchange future land use categories. The difference is that General Interchange will allow for multi-family residential uses at a minimum of 8 units and a maximum of 14 units per acre. Up to 22 units per acre would be allowed using bonus density.

The subject property is well situated in a growing industrial and commercial area. Providing multi-family residential units on the subject property will add a new housing type available to workers in the area. The residential/industrial/commercial interface will be limited as proposed by the concurrent planned development. Residents will be given notice of the property's proximity to the airport and the potential for airport noise. There are services available to the site to support the proposed uses.

For the reasons discussed in this staff report, staff recommends that the Board of County Commissioners *transmit* the proposed amendments.

PART 5
LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION
DATE OF PUBLIC HEARING: August 26, 2019

A. LOCAL PLANNING AGENCY REVIEW:

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

Members of the LPA asked questions about the impact on light industrial uses, development within airport noise zone C and residential uses and items that would be addressed during the planned development rezoning.

B. LOCAL PLANNING AGENCY RECOMMENDATION:

A motion was made to find the map amendment request consistent with the Lee Plan and to recommend that the Board of County Commissioners *transmit* CPA2018-10013. The motion passed 7 to 0.

VOTE:

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

A motion was made to find the text amendment request consistent with the Lee Plan; and to recommend that the Board of County Commissioners *transmit* CPA2018-10012. The motion passed 7 to 0.

VOTE:

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

PART 6
BOARD OF COUNTY COMMISSIONERS
TRANSMITTAL HEARING FOR PROPOSED AMENDMENT

DATE OF PUBLIC HEARING: September 18, 2019

A. BOARD REVIEW:

Staff provided a brief presentation for the proposed amendments which covered consistency with the Lee Plan and the LPA and staff recommendation. No members from the public spoke. The Board discussed the potential residential use on the subject property, allowing a mix of uses, notice requirements for airport noise zones, and the need for employee housing in the area.

B. BOARD ACTION:

A motion was made to transmit CPA2018-10012 and CPA2018-10013 as recommended by staff. The motion was passed 5 to 0.

VOTE:

BRIAN HAMMAN	<u>AYE</u>
FRANK MANN	<u>AYE</u>
JOHN MANNING	<u>AYE</u>
CECIL L. PENDERGRASS	<u>AYE</u>
RAY SANDELLI	<u>AYE</u>

PART 7
STATE REVIEWING AGENCIES'
OBJECTIONS, RECOMMENDATIONS, AND COMMENTS

Comments from the State Reviewing Agencies were due to Lee County by October 30, 2019.

A. OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

Lee County received responses from the following review agencies addressing the transmitted amendment:

- Florida Department of Economic Opportunity (DEO)
- Florida Fish and Wildlife Conservation Commission (FWC)
- Florida Department of Environmental Protection (DEP)
- South Florida Water Management District (SFWMD)
- Florida Department of Transportation (FDOT)

There were **no objections** concerning the proposed amendments; however, a technical assistance comment was received by the Florida Fish and Wildlife Conservation Commission, and three technical assistance comments from FDOT.

FWC:

*Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the Lee County proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes. At this time, our comments are limited to advisory information and recommendations for reducing potential conflicts with the Florida black bear (*Ursus americanus floridanus*) at the proposed residential development project located adjacent to and northwest of the intersection between Alico Road and I-75 in Lee County.*

FWC has received 145 reports of human-bear conflicts within roughly a 5-mile radius of the project site since 2004. Florida black bears are abundant in this area, which is within the South Bear Management Unit identified in the 2012 Bear Management Plan. We would ask that the applicant review the attached document for important information related to potential measures that can be taken to avoid or minimize negative wildlife interactions during the planning, construction, and operation phases of this project.

Response:

Lee County staff appreciates the technical guidance provided by Florida Fish and Wildlife Conservation Commission. Coordination between the applicant and County will continue during the regulatory approval process to address human-bear conflicts. The Planned Development rezoning (DCI2018-10022) is being reviewed concurrently with this plan amendment.

FDOT:

FDOT Technical Assistance Statement #1:

Alico Road is a limited access, six-lane median divided arterial roadway from Three Oaks Parkway to 1-75, maintained by the Department. The Lee County Comprehensive Plan Future Land Use Element Policy 1.3.7 provides access control standards for this roadway, and based upon that policy, no new access would be acceptable within the Alico Road roadway segment between Three Oaks Parkway and 1-75.

The applicant has requested to create a break in the Federal Highway Limited Access (LA) for the interchange of 1-75 and Alico Road. The Department's position on access request of this nature is as follows:

An access point on Florida's Interstate System is defined as a break in the control of access to the right-of-way of the System. FHWA policy dictates that managing the location and design of accesses within the Federal Highway Limited Access (LA) is essential to maintaining the safety, operational, and engineering acceptability of the Interstate System, and to providing the highest level of service possible. Full control of accesses on the crossroad at an interchange is critical to providing such service because these accesses introduce points of traffic conflict creating "turbulence" in the traffic flow. As such, as stated in the FDOT Interchange Access Request Users Guide, dated January 2018, access management standards require more stringent regulation of driveway connections and median openings in interchange areas. Interchange areas are defined as either ¼ mile from the interchange, if the crossroad is a controlled-access facility (measured from the end of the ramp that is farthest from the interchange), or up to the first intersection with an arterial road, whichever is less. However, these distances may be increased on State owned crossroads at the discretion of FDOT to improve the operations and safety of the Interstate System.

Any proposal for a new access point requires adequate justification and FHWA approval. It is important to note that it is the intent of FHWA to avoid adding any access to the Interstate System that exclusively serves a narrow, private interest. An FHWA decision to approve new or revised access points must be supported by substantiated information justifying and documenting that decision. Technical analysis must clearly demonstrate the proposed change in access does not have a significant adverse impact on traffic safety and operation of the Interstate facility or on the crossroad under both current and future conditions. It is strongly recommended that before undertaking any such technical analysis, the analysis methodology be reviewed and approved by the applicable FDOT District Interchange Review Coordinator.

Response to FDOT Statements #1

Lee County staff appreciates the technical guidance provided by Florida Department of Transportation. The subject property is undergoing planned development rezoning concurrently with this plan amendment request (DCI2018-10022). The planned development Master Concept Plan does not provide access directly onto Alico Road. Two access points are located on Three Oaks Parkway to serve the development.

FDOT Technical Assistance Statement #2:

The interstate is a maturing system with an increasing demand. The volume of traffic traversing 1-75 generates considerable impacts such as noise, odor, and glare, which affects adjacent development. The rezone application contemplates multifamily residential uses within the parcel with a 15-foot buffer along the south-bound interchange ramps. The Department encourages consideration of a more intensive buffering strategy to minimize the impacts of the existing interstate structure and future widening improvements for the proposed residential development. An example is the tiered buffering system for the Talis Park development (Collier County) adjacent to 1-75 (west side) between the Bonita Beach Road and Immokalee Road Interchanges.

Response to FDOT Statements #2

The subject property is undergoing planned development rezoning concurrently with this plan amendment request (DCI2018-10022). The planned development Master Concept Plan shows a large water management lake along a portion of the residential boundary (labeled as Tract A) and the I-75 exit ramp. The lake is setback 25 ft from the property boundary and will also contain a 15 foot type D buffer. Per LDC 10-416, a type D buffer requires a minimum of 5 trees and a 36 inch high double hedge per every 100 linear feet. Also, the Hearing Examiner has recommended a condition stating that the Developer must provide adequate protection for wayward vehicles along Alico Road and the property's eastern property line. The elements of protection will be reviewed during the development order process and are subject to approval of the Director of Development Services. Similarly, the setback along the eastern property line is approved with the condition the lake is adequately buffered from the adjoining property line with berms or landscaping to deter unauthorized access. These elements can also be reviewed during the development order process and are subject to the Director's approval. Coordination between the applicant and County will also continue during the regulatory approval process to address potential impacts resulting from the proposed development.

FDOT Technical Assistance Statement #3:

FDOT supports the planning and development of communities that promote the use of multimodal alternatives that aid in mitigating potential transportation impacts, promote safety and economic development, and improve quality of life for all communities in the County. These development

designs decrease overall passenger vehicle trips on the roadway network by encouraging compact and dense developments that provide multimodal connectivity between existing and future development areas. This context sensitive approach promotes healthy, safe, and economically viable communities that encourages quality of life, and incorporates all modes of transportation. FDOT offers several initiatives to assist the County in creating quality developments while protecting future mobility on the regional roadway network, including "Complete Streets" and a commitment to bicycle and pedestrian safety.

The Department encourages the applicant to partner with the County, LeeTran and other neighboring property owners to improving headways to 30-60 minutes, adding Sunday service and adding additional morning trips per the recommendations presented in the LeeTran 2016 TDP as they help with the reduction of automobile dependency on the local and regional roadway network. FDOT welcomes the opportunity to partner with and provide technical assistance to the Lee County to create multimodal transportation facilities to serve all users.

Response to FDOT Statements #3:

Lee County will continue to coordinate with the MPO to assess the financial feasibility of the roadway improvement projects and with Lee Tran to assess the need for additional transit connections to provide transit alternatives. Currently, LeeTran Route 60 travels east and west along Alico Road and south along Three Oaks Parkway. Bus stops are located along Alico Road to the west of the subject property and south along Three Oaks Parkway. Coordination between the applicant and County will also continue during the regulatory approval process to address potential impacts resulting from the proposed development.

B. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners **adopt** the amendment to the Lee Plan as transmitted to the State Reviewing Agencies as provided in Attachment 1.

**PART 8
ATTACHMENTS**

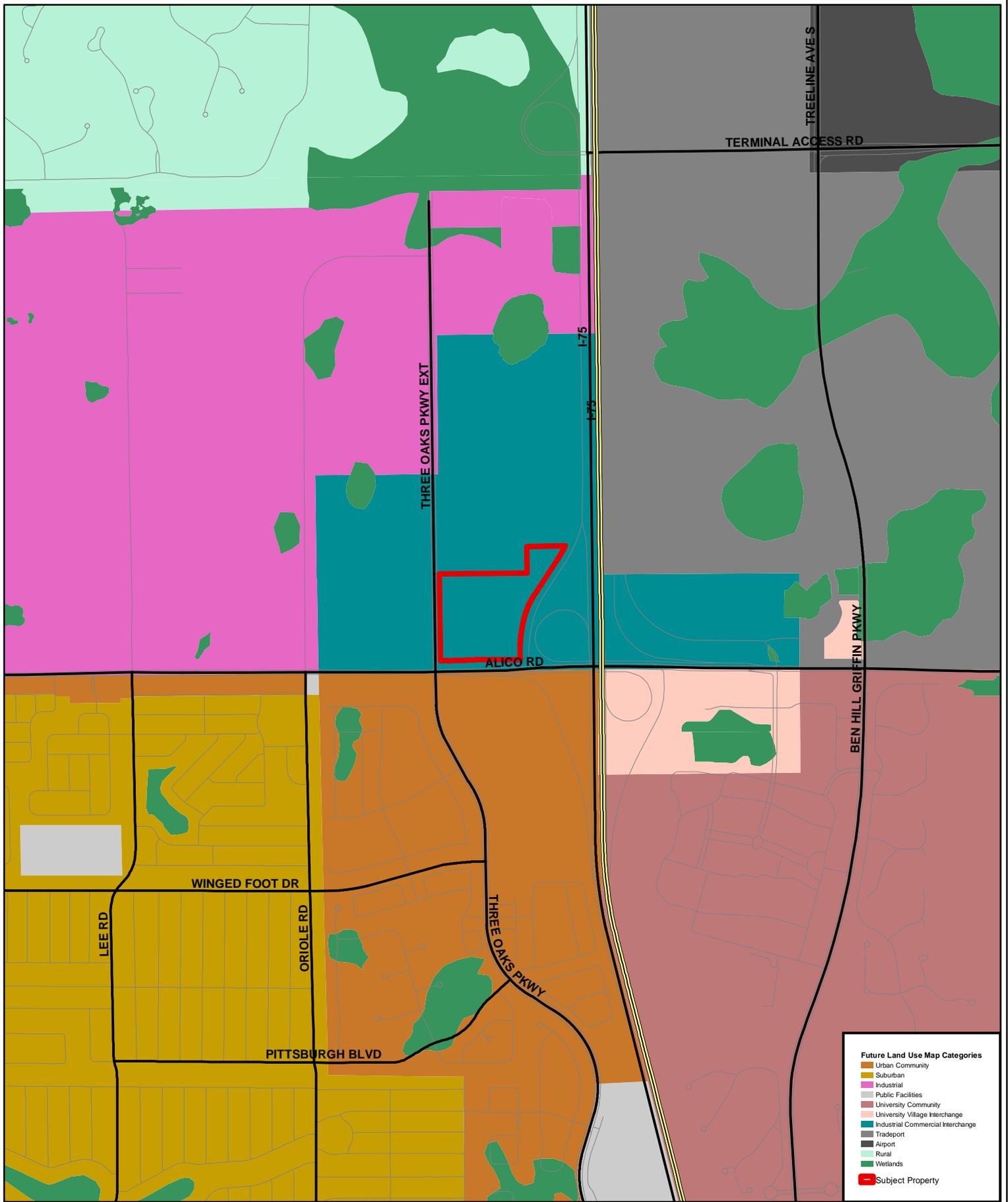
Attachments:

- Existing Future Land Use Map
- Proposed Future Land Use Map
- Proposed Table 1(b)
- Staff Comments
- Agency Comments

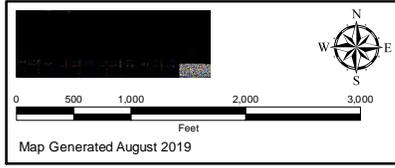
Electronic Files:

<https://www.leegov.com/dcd/planning/cpa/compplansearch?case=CPA2018-10012> and
<https://www.leegov.com/dcd/planning/cpa/compplansearch?case=CPA2018-10013>

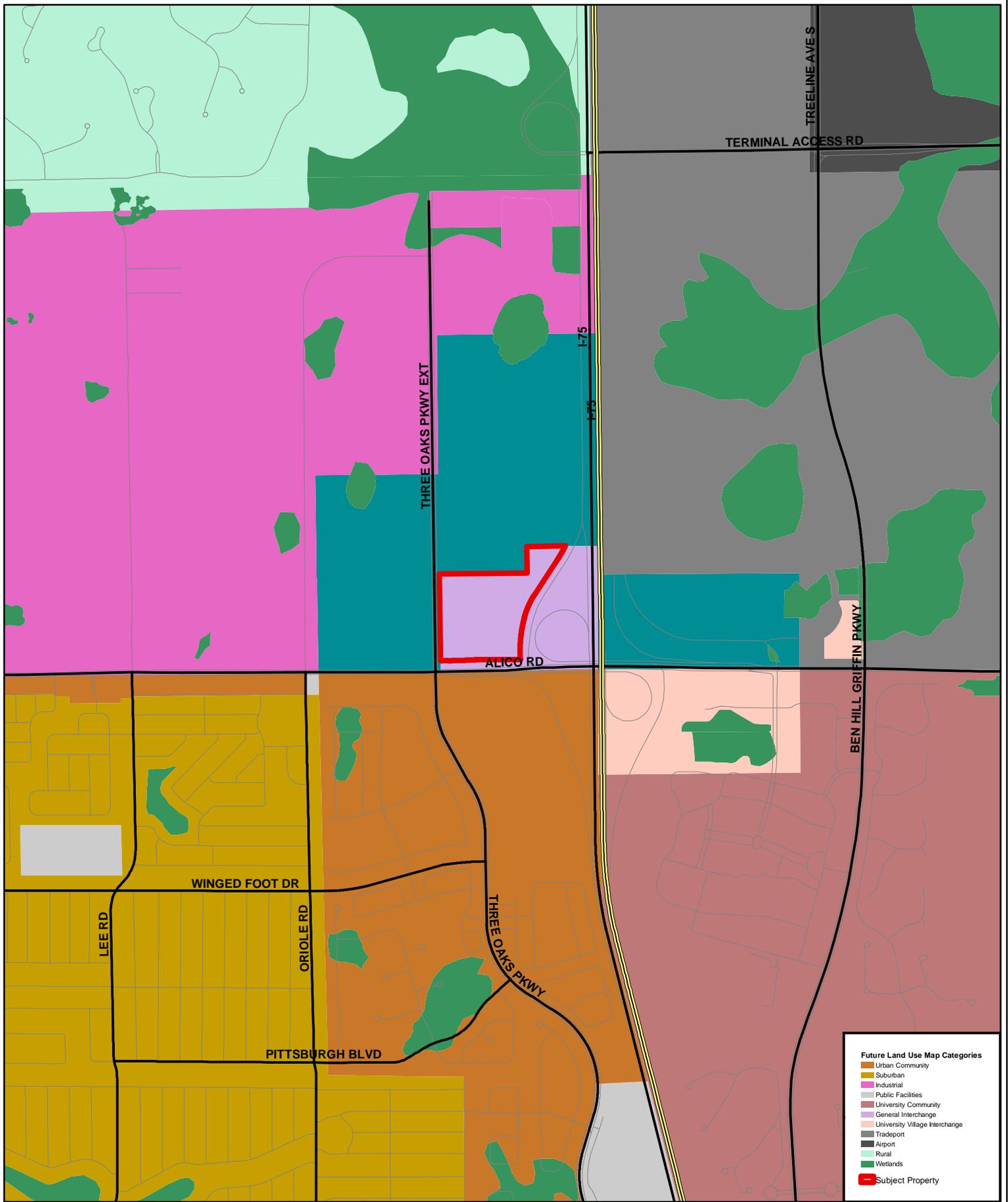
ATTACHMENT 1



Future Land Use Map Categories	
	Urban Community
	Suburban
	Industrial
	Public Facilities
	University Community
	University Village Interchange
	Industrial Commercial Interchange
	Tradeport
	Airport
	Rural
	Wetlands
	Subject Property

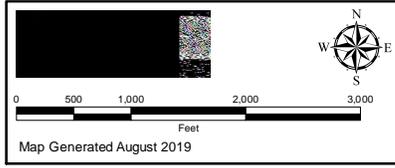


CPA2018-10013 - Vintage Commerce Center
EXISTING LEE PLAN
FUTURE LAND USE MAP



Future Land Use Map Categories

- Urban Community
- Suburban
- Industrial
- Public Facilities
- University Community
- General Interchange
- University Village Interchange
- Tradeport
- Airport
- Rural
- Wetlands
- Subject Property



**CPA2018-10013 - Vintage Commerce Center
PROPOSED LEE PLAN
FUTURE LAND USE MAP**

TABLE 1(b)
Year 2030 Allocation

Future Land Use Category	Lee County Totals		Northeast Lee County	Boca Grande	Bonita Springs	Fort Myers Shores	Burnt Store	Cape Coral	Captiva	Fort Myers	Fort Myers Beach	Gateway/ Airport		Daniels Parkway	
	Existing	Proposed										Existing	Proposed		
<i>Residential By Future Land Use Category</i>	Intensive Development	1,361	1,361			5		27		250					
	Central Urban	14,766	14,766			225				230					
	Urban Community	17,021	16,873	520	485	637						250	250		
	Suburban	16,623	16,623			1,810				85					
	Outlying Suburban	3,843	3,843	30		40	20	2	500						1,438
	Sub-Outlying Suburban	1,955	1,955			547							227	227	
	Commercial														
	Industrial	79	79								39		20	20	
	Public Facilities	1	1							1					
	University Community	850	850												
	Destination Resort Mixed Use Water Dependent	8	8												
	Burnt Store Marina Village	4	4					4							
	Industrial Interchange														
	General Interchange	151	169										11	29	58
	General Commercial Interchange														
	Industrial Commercial Interchange														
	University Village Interchange														
	Mixed Use Interchange														
	New Community	2,100	2,100	1,200									900	900	
	Airport														
	Tradeport	9	9										9	9	
	Rural	8,313	8,313	1,948			1,400	636							1,500
	Rural Community Preserve	3,100	3,100												
Coastal Rural	1,300	1,300													
Outer Island	202	202	5			1			150						
Open Lands	2,805	2,805	250				590							120	
Density Reduction/ Groundwater Resource	6,905	6,905	711									94	94		
Conservation Lands Upland															
Wetlands															
Conservation Lands Wetland															
Unincorporated County Total Residential	81,396	81,267	4,664	485		4,665	1,250	29	651	604		1,511	1,529	3,116	
Commercial	13,893	12,793	177	52		400	50	17	125	150		1,100	1,100	440	
Industrial	16,901	13,801	26	3		400	5	26		300		3,100	3,100	10	
Non Regulatory Allocations															
Public	82,565	82,565	7,100	421		2,000	7,000	20	1,961	350		7,752	7,752	2,477	
Active AG	17,027	17,027	5,100			550	150							20	
Passive AG	43,786	43,786	12,229			2,500	109					1,241	1,241	20	
Conservation	81,933	81,933	2,214	611		1,142	3,236	133	1,603	748		2,947	2,947	1,733	
Vacant	23,874	24,004	1,953			61	931	34		45		300	282	151	
Total	375,127	357,176	33,463	1,572		11,718	12,731	259	4,340	2,197		17,951	17,951	7,967	
Population Distribution (unincorporated Lee County)	495,000	495,000	9,266	1,531		30,861	3,270	225	530	5,744		18,333	19,358	16,375	

TABLE 1(b)
Year 2030 Allocation

Future Land Use Category	Iona/ McGregor	San Carlos	Sanibel	South Fort Myers	Pine Island	Lehigh Acres		Southeast Lee County	North Fort Myers	Buckingham	Estero	Bayshore	
						Existing	Proposed						
<i>Residential By Future Land Use Category</i>	Intensive Development			660	3	42	42		365		9		
	Central Urban	375	17		3,140	8,179	8,179		2,600				
	Urban Community	850	1,000		860	11,359	11,211			110	450		
	Suburban	2,488	1,975		1,200	675			6,690		1,700		
	Outlying Suburban	377				600			382		454		
	Sub-Outlying Suburban		25						140	66		950	
	Commercial												
	Industrial	5	5		10								
	Public Facilities												
	University Community		850										
	Destination Resort Mixed Use Water Dependent	8											
	Burnt Store Marina Village												
	Industrial Interchange												
	General Interchange								15	31		6	30
	General Commercial Interchange												
	Industrial Commercial Interchange												
	University Village Interchange												
	Mixed Use Interchange												
	New Community												
	Airport												
	Tradeport												
	Rural		90			190	14	14		500	50	635	1,350
	Rural Community Preserve										3,100		
	Coastal Rural					1,300							
	Outer Island	1				45							
	Open Lands									45			1,800
Density Reduction/ Groundwater Resource								4,000				2,100	
Conservation Lands Upland													
Wetlands													
Conservation Lands Wetland													
Unincorporated County Total Residential	4,104	3,962		5,870	3,313	19,594	19,446	4,015	10,753	3,326	3,254	6,230	
Commercial	1,100	1,944		2,100	226	1,300	1,300	68	1,687	18	1,700	139	
Industrial	320	450		900	64	300	300	7,246	554	5	87	5	
Non Regulatory Allocations													
Public	3,550	3,059		3,500	2,100	15,289	15,289	12,000	4,000	1,486	7,000	1,500	
Active AG					2,400			7,171	200	411	125	900	
Passive AG					815			17,521	1,532	3,619	200	4,000	
Conservation	9,306	2,969		188	14,767	1,541	1,541	31,210	1,317	336	5,068	864	
Vacant	975	594		309	3,781	9,880	10,028	470	2,060	1,000	800	530	
Total	19,355	12,978		12,867	27,466	47,904	47,904	79,701	22,103	10,201	18,234	14,168	
Population Distribution (unincorporated Lee County)	34,538	36,963		58,363	13,265	153,011	151,987	1,270	71,001	6,117	25,577	8,760	

AGENCY COMMENTS

CPA2018-10012
&CPA2018-10013

Vintage Commerce
Center

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

September 30, 2019



Ms. Mikki Rozdolski, Planning Manager
Lee County Department of Community Development
Planning Section
Post Office Box 398
Fort Myers, Florida 33902-0398

Dear Ms. Rozdolski:

Thank you for submitting Lee County's proposed comprehensive plan amendments submitted for our review pursuant to the Expedited State Review process. The reference number for this amendment package is **Lee County 19-06ESR**.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than **October 30, 2019**.

If you have any questions please contact Anita Franklin, Senior Plan Processor at (850) 717-8486 or Barbara Powell, Regional Planning Administrator, whom will be overseeing the review of the amendments, at (850) 717-8504.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/af

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

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Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

MEMORANDUM

TO: Florida Department of Environmental Protection
Florida Department of Education
Florida Department of State
Florida Department of Transportation District 1
Southwest Florida Regional Planning Council
South Florida Water Management
Florida Fish and Wildlife Conservation Commission
Florida Department of Agriculture and Consumer Services

DATE: September 30, 2019

SUBJECT: COMMENTS FOR PROPOSED EXPEDITED STATE REVIEW PLAN AMENDMENT

LOCAL GOVERNMENT/ STATE LAND PLANNING AGENCY AMENDMENT #: LEE CO 19-06ESR

STATE LAND PLANNING AGENCY CONTACT PERSON/PHONE NUMBER: Barbara Powell/(850)717-8504

The referenced proposed comprehensive plan amendment is being reviewed pursuant to the Expedited State Review Process according to the provisions of Section 163.3184(3), Florida Statutes. Please review the proposed documents for consistency with applicable provisions of Chapter 163, Florida Statutes.

Please note that your comments must be sent directly to and received by the above referenced local government within 30 days of receipt of the proposed amendment package. A copy of any comments shall be sent directly to the local government and to the State Land Planning Agency to the attention of Ray Eubanks, Administrator, Plan Review and Processing at the Department E-mail address: DCPexternalagencycomments@deo.myflorida.com

Please use the above referenced State Land Planning Agency AMENDMENT NUMBER on all correspondence related to this amendment.

Note: Review Agencies - The local government has indicated that they have mailed the proposed amendment *directly to your agency*. See attached transmittal letter. *Be sure to contact the local government if you have not received the amendment*. Also, letter to the local government from State Land Planning Agency acknowledging receipt of amendment is attached.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

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John Manning
District One

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

September 25, 2019

Via E-Mail

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

**Re: Amendment to the Lee Plan
September 18, 2019 Transmittal Hearing
CPA2018-10012 & CPA2018-10013**

RECEIVED
Lee County Planning Agency
SEP 30 2019
Div. of
Exp.

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163, please find attached the proposed Comprehensive Plan Amendments, known locally as CPA2018-10012 & CPA2018-10013 (Vintage Commerce Center). The proposed amendments are being submitted through the expedited state review process as described in Chapter 163.3184. The amendments are as follows:

CPA2018-10012: Amend Table 1(b) 2030 population allocation to accommodate residential development on the subject property.

CPA2018-10013: Amend the Future Land Use Map designation on ±33.95 acres from Industrial Commercial Interchange to General Interchange.

The Local Planning Agency held a public hearing for these plan amendments on August 26, 2019. The Board of County Commissioners voted to transmit the amendments on September 18, 2019. The proposed amendments are not applicable to an area of critical state concern. The Board of County Commissioners stated their intent to hold an adoption hearing following the receipt of the review agencies' comments.

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

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

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

Sincerely,

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



Mikki Rozdolski
Manager, Community Development Operations

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

Comprehensive Plan Review
Department of Agriculture and Consumer Services

Mark Weigly
Department of Education

Plan Review
Department of Environmental Protection

Robin Jackson
Florida Department of State

Scott Sanders
Florida Fish and Wildlife Conservation Commission

Sarah Catala
FDOT District One

Margaret Wuerstle
Southwest Florida Regional Planning Council

Terry Manning, AICP, Senior Planner, Intergovernmental Coordination Section
South Florida Water Management District

Ron DeSantis
GOVERNOR



February 27, 2020

Ken Lawson
EXECUTIVE DIRECTOR

RECEIVED
MAR 06 2020

COMMUNITY DEVELOPMENT

Ms. Mikki Rozdolski, Manger
Lee County
Community Development Operations
Post Office Box 398
Fort Myers, Florida 33902-0398

Dear Ms. Rozdolski:

This letter is in response to the letter dated February 26, 2020, notifying of an extension for the adoption of a proposed amendment DEO 19-06ESR to the Lee County Comprehensive Plan pursuant to Section 163.3184(3), Florida Statutes.

The Department acknowledges receipt of the extension notification. The new extended adoption date is June 12, 2020. The Department reminds the County that all citizens who commented on the amendment need to be notified of the extension.

If the proposed amendment is adopted, please submit the amendments to the Florida Department of Economic Opportunity, Bureau of Community Planning, Plan Processing Team within 10 working days of adoption pursuant to Section 163.3184(3), Florida Statutes.

If you have any questions concerning this matter, please do not hesitate to contact Ms. Barbara Powell at (850) 717-8499, or myself, at (850) 717-8504.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Ray Eubanks', is written over a light blue horizontal line.

D. Ray Eubanks
Plan Processing Administrator

DRE/me

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

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LEE COUNTY
 SOUTHWEST FLORIDA
 BOARD OF COUNTY COMMISSIONERS

John E. Manning
 District One

Cecil L. Pendergrass
 District Two

Rey Sandelli
 District Three

Brian Hamman
 District Four

Frank Mann
 District Five

Roger Desjarlais
 County Manager

Richard Wm. Wesch
 County Attorney

Donna Marie Collins
 Hearing Examiner

February 26, 2020

Mr. Ray Eubanks
 Plan Processing Administrator
 Florida Department of Economic Opportunity
 Division of Community Development
 107 East Madison Street, MSC 160
 Tallahassee, Florida 32399-4120

**Re: Comprehensive Plan Amendment No. 19-06ESR
 Vintage Commerce Center
 Extension of 180-Day Adoption Deadline**

Dear Mr. Eubanks:

In accordance with the provisions of Section 163.3184(3)(c)1., Florida Statutes, this letter is to provide notice to the Florida Department of Economic Opportunity ("DEO") and other state and regional review agencies of an agreement between the applicant, CLE FL RE Investment I LLC and the County to extend adoption of Comprehensive Plan Amendment No. 19-06ESR (the "CPA").

The CPA consists of a map and a text amendment to amend the Future Land Use Map designation on ±33.95 acres from Industrial Commercial Interchange to General Interchange and to amend Table 1(b) 2030 population allocation to accommodate residential development on the subject property. The CPAs are locally known as CPA2018-10012 & CPA2018-10013.

The Lee County Board of County Commissioners (BoCC) held a public hearing to transmit the CPA on September 18, 2019, and subsequently transmitted the CPA to the reviewing agencies on September 25, 2019. The County received no comments from the reviewing agencies on the transmitted CPA application. Pursuant to Section 163.3184(3)(c)1., Florida Statutes, the BoCC is required to conduct its second public (adoption) hearing to take final action on the CPA by April 13, 2020 (180 days after receiving no comments) or else the CPA will be deemed withdrawn, unless an agreement to extend the deadline is approved and notice is provided to the Florida Department of Economic Opportunity ("DEO") and any affected person that provided comments on the CPA.

On February 26, 2020, the applicant requested to extend the second public hearing on the CPA until June 12, 2020. A copy of this letter is attached. The concurrent planned development rezoning is in process and the Hearing Examiner Report is pending. The extension is necessary in order to coordinate the CPA and

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 Dept. Economic Opportunity

planned development rezoning requests so that both applications may be heard concurrently by the BoCC.

The County agrees to this time extension and respectfully requests that DEO issue a letter recognizing the extension from April 13, 2020 to June 12, 2020, to forward an adopted amendment to DEO and other state and regional agencies for final review. Upon receipt of such acknowledgment, the County will notify all citizens who commented on the amendment of the extension.

Thank you for your time and attention to this matter. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,
**Department of Community Development
Planning Section**


Mikki Rozdolski
Manager, Community Development Operations

cc: Comprehensive Plan Review
Department of Agriculture and Consumer Services

Mark Weigly
Department of Education

Plan Review
Department of Environmental Protection

Robin Jackson
Florida Department of State

Scott Sanders
Florida Fish and Wildlife Conservation Commission

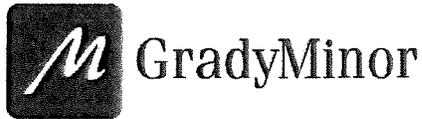
Community Planning Services
FDOT District One

Margaret Wuerstle
Southwest Florida Regional Planning Council

Terry Manning, AICP, Senior Planner, Intergovernmental Coordination Section
South Florida Water Management District

D.Wayne Arnold, AICP Applicant's Representative
Q. Grady Minor & Assoc.

Michael Jacob, Deputy County Attorney
Lee County Attorney's Office



Civil Engineers • Land Surveyors • Planners • Landscape Architects

February 26, 2020

Ms. Mikki Rozdolski, Manager
Community Development Operations
Lee County DCD Planning Section
1500 Monroe Street
Fort Myers, Florida 33901

RE: CPA2018-10012 & CPA2018-10013, Vintage Commerce Center amendments

Dear ^SM~~r~~. Rozdolski:

On behalf of our client CLE FL RE Investment I, LLC, we respectfully request a 60-day extension of the statutory 180-day deadline (F.S. 163.3184(3)(c)) for the BoCC to hold the second hearing on the plan amendment(s). Lee County uses a Hearing Examiner for zoning applications. The county is desirous of the zoning application and the comprehensive plan applications tracking together. The Hearing was completed in December 2019. The Hearing Examiner has not yet issued a recommendation to the Board of County Commissioners. The BoCC only meets the first and the third Wednesday of every month. The March hearing agendas (BoCC) are already set. The applicant is concerned that due to no fault of the applicant the time will run. Thus, the property owner and applicant respectfully request an extension of time.

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

Sincerely,

D. Wayne Arnold, AICP

Cc: Sharon Jenkins-Owen, AICP
D. Ray Eubanks
Barbara Powell, DEO
Brian Intihar
Neale Montgomery, Esq.
GradyMinor File

Q. Grady Minor & Associates, P.A.
3800 Via Del Rey
Bonita Springs, FL 34134

Ph. 239-947-1144 Fax. 239-947-0375
EB 0005151 LB 0005151 LC 26000266
www.gradymenor.com

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

October 16, 2019

The Honorable Larry Kiker
Chairman, Lee County
Board of County Commissioners
Post Office Box 398
Fort Myers, Florida 33902-0398

Dear Chairman Kiker:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for Lee County (Amendment No. 19-06ESR) received on September 30, 2019. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The County should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the County is reminded that:

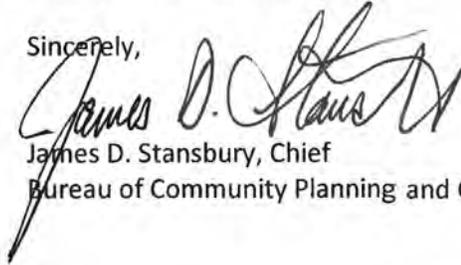
- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the County. **If the County receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the County that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.FloridaJobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

If you have any questions concerning this review, please contact Scott Rogers, Planning Analyst, by telephone at (850) 717-8510 or by email at scott.rogers@deo.myflorida.com.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Stansbury". The signature is fluid and cursive, with a large initial "J" and "S".

James D. Stansbury, Chief

Bureau of Community Planning and Growth

JDS/sr

Enclosure(s): Procedures for Adoption

cc: David Loveland, Director, Lee County Department of Community Development
Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

From: [Dunn, Brandon](#)
To: [Miller, Janet](#); [Jenkins-Owen, Sharon](#)
Cc: [Rozdolski, Mikki](#)
Subject: FW: Lee County 19-06ESR (CPA2018-10013)
Date: Wednesday, October 09, 2019 2:48:05 PM
Attachments: [FWC Florida Black Bear Technical Assistance SEP 10 2019.pdf](#)

Please see correspondence below for Vintage Commerce Center CPAs.

From: Hoehn, Ted [mailto:ted.hoehn@MyFWC.com]
Sent: Wednesday, October 09, 2019 12:57 PM
To: Dunn, Brandon; warnold@gradyminor.com; DCPexternalagencycomments@deo.myflorida.com; Wallace, Traci; Greene, Sean
Subject: [EXTERNAL] Lee County 19-06ESR (CPA2018-10013)

Dear Mr. Dunn:

Florida Fish and Wildlife Conservation Commission (FWC) staff has reviewed the Lee County proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes. At this time, our comments are limited to advisory information and recommendations for reducing potential conflicts with the Florida black bear (*Ursus americanus floridanus*) at the proposed residential development project located adjacent to and northwest of the intersection between Alico Road and I-75 in Lee County.

FWC has received 145 reports of human-bear conflicts within roughly a 5-mile radius of the project site since 2004. Florida black bears are abundant in this area, which is within the South Bear Management Unit identified in the 2012 Bear Management Plan. We would ask that the applicant review the attached document for important information related to potential measures that can be taken to avoid or minimize negative wildlife interactions during the planning, construction, and operation phases of this project.

If you need any further assistance, please do not hesitate to contact our office by email at ConservationPlanningServices@MyFWC.com. If you have specific technical questions, please contact Sean Greene at (386) 406-0814 or by email at Sean.Greene@MyFWC.com.

Sincerely,

Ted Hoehn
Biological Administrator II
Office of Conservation Planning Services
Division of Habitat and Species Conservation
620 South Meridian Street, MS 5B5
Tallahassee, FL 32399-1600
(850) 488-8792

Lee County 19-6ESR_40405_100919

From: [Dunn, Brandon](#)
To: [Miller, Janet](#); [Jenkins-Owen, Sharon](#)
Cc: [Rozdolski, Mikki](#)
Subject: FW: Lee County, DEO #19-7ESR Comments on Proposed Comprehensive Plan Amendment Package
Date: Monday, October 21, 2019 1:56:24 PM

Please see correspondence below for the Vintage cases.

From: Oblaczynski, Deborah [mailto:doblaczy@sfwmd.gov]
Sent: Monday, October 21, 2019 1:49 PM
To: Rozdolski, Mikki
Cc: Dunn, Brandon; Eubanks, Ray; Barbara Powell (barbara.powell@deo.myflorida.com); ext-Wuerstle, Margaret (swfrpc.org); DCPexternalagencycomments@deo.myflorida.com
Subject: Lee County, DEO #19-7ESR Comments on Proposed Comprehensive Plan Amendment Package

Dear Ms. Rozdolski:

The South Florida Water Management District (District) has completed its review of the proposed amendment package from Lee County (County). The package adds a 40-acre parcel to the Environmental Enhancement and Preservation Communities Overlay. The proposed changes do not appear to adversely impact the water resources within the District; therefore, the District has no comments on the proposed amendment package.

The District offers its technical assistance to the County in developing sound, sustainable solutions to meet the County's future water supply needs and to protect the region's water resources. Please forward a copy of the adopted amendments to the District. Please contact me if you need assistance or additional information.

Sincerely,

Deb Oblaczynski
Policy & Planning Analyst
Water Supply Implementation Unit
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406
(561) 682-2544 or email: doblaczy@sfwmd.gov

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Miller, Janet

From: Dunn, Brandon
Sent: Friday, October 25, 2019 7:57 AM
To: Miller, Janet; Jenkins-Owen, Sharon
Cc: Rozdolski, Mikki
Subject: FW: Lee County 19-6ESR Proposed

Please see correspondence for the two Vintage cases.

From: Plan_Review [<mailto:Plan.Review@dep.state.fl.us>]
Sent: Thursday, October 24, 2019 4:26 PM
To: Dunn, Brandon; DCPexternalagencycomments@deo.myflorida.com
Cc: Plan_Review
Subject: Lee County 19-6ESR Proposed

To: Mr. Brandon Dunn, Principal Planner

Re: Lee County 19-6ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department’s jurisdiction.

Please submit all future amendments by email to Plan.Review@FloridaDEP.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.



Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.



Florida Department of Transportation

RON DESANTIS
GOVERNOR

10041 Daniels Parkway
Fort Myers, FL 33913

KEVIN J. THIBAUT, P.E.
SECRETARY

October 28, 2019

Mr. Brandon Dunn
Principal Planner
Lee County Planning Section
P.O. Box 398
Fort Myers, Florida 33902-0398

**RE: Lee County 19-06ESR Proposed Comprehensive Plan Amendment (CPA),
Expedited State Review Process – FDOT Review Letter**

Dear Mr. Dunn:

The Florida Department of Transportation (FDOT), District One, has reviewed the Lee County 19-06ESR Proposed Comprehensive Plan Amendments, CPAs (locally known as CPA2018-10012 & CPA2018-10013 (Vintage Commerce Center)). The proposed CPA package was transmitted under the Expedited State Review process by the Board of County Commissioners, in accordance with the requirements of Florida Statutes Chapter 163. The following is a summary of the Department's review.

GENERAL OVERVIEW:

The proposed Lee County 19-06ESR CPA package consists of two (2) amendments. The proposed amendments are as follows:

- **CPA2018-10013 (Vintage Commerce Center):**

This is a map amendment, which proposes to amend the Future Land Use Map (FLUM) designation on approximately 33.95± acres from Industrial Commercial Interchange (ICI) to General Interchange (GI).

- **CPA2018-10012:**

This is a text amendment, which proposes to amend Table 1(b) 2030 population allocation to accommodate residential development on the subject property.

The proposed amendments would allow a mix of residential at a maximum density of 14 dwelling units per acre, commercial and light industrial uses on the subject property. The adopted and proposed FLU categories are similar except that the current designation does not allow residential.



The subject property encompasses approximately 33.95± acres and is generally located on the northeast corner of Alico Road and Three Oaks Parkway and is immediately west of I-75, in Lee County, Florida.

For the purpose of the proposed FLU analysis, it was assumed that retail uses will be limited to 20% of the subject property (6.79 acres), 50% of the property assumed as industrial (16.98 acres) and the remaining 30% of the subject property assumed as residential at 14 DUs/acre (10.19 acres).

It is noted that a concurrent rezoning planned development (PD) application (PD DCI2018-10022) dated August 26, 2019 is in process with the following proposed development:

- 400 Multi-Family residential dwelling units
- 350,000 square feet of commercial uses
- 300 Hotel Rooms

The rezoning application includes a Master Concept Plan depicting a right-in access within the limited access section on Alico Road between Three Oaks Parkway and I-75.

FDOT REVIEW:

Even though the property is currently vacant, the adopted land use category, Industrial Commercial Interchange, (assuming maximum development potential) would generate approximately 14,666 net new trips. According to the information provided, and based on a planning level analysis, the proposed land use category, General Interchange, (assuming the maximum potential development) would result in 12,891 net new trips.

Based upon our review of the comprehensive plan amendment, rezone application, and discussions with the applicant regarding a connection to Alico Road, the Department offers the following technical assistance comments for Lee County's consideration:

FDOT Technical Assistance Statement #1:

Alico Road is a limited access, six-lane median divided arterial roadway from Three Oaks Parkway to I-75, maintained by the Department. The Lee County Comprehensive Plan Future Land Use Element Policy 1.3.7 provides access control standards for this roadway, and based upon that policy, no new access would be acceptable within the Alico Road roadway segment between Three Oaks Parkway and I-75.

The applicant has requested to create a break in the Federal Highway Limited Access (LA) for the interchange of I-75 and Alico Road. The Department's position on access request of this nature is as follows:

An access point on Florida's Interstate System is defined as a break in the control of access to the right-of-way of the System. FHWA policy dictates that managing the location and design of accesses within the Federal Highway Limited Access (LA) is essential to maintaining the safety, operational, and engineering acceptability of the Interstate System, and to providing the highest level of service possible. Full control of accesses on the crossroad at an interchange is critical to providing such service because these accesses introduce points of traffic conflict creating "turbulence" in the traffic flow. As such, as stated in the FDOT Interchange Access Request Users Guide, dated January 2018, access management standards require more stringent regulation of driveway connections and median openings in interchange areas. Interchange areas are defined as either ¼ mile from the interchange, if the crossroad is a controlled-access facility (measured from the end of the ramp that is farthest from the interchange), or up to the first intersection with an arterial road, whichever is less. However, these distances may be increased on State owned crossroads at the discretion of FDOT to improve the operations and safety of the Interstate System.

Any proposal for a new access point requires adequate justification and FHWA approval. It is important to note that it is the intent of FHWA to avoid adding any access to the Interstate System that exclusively serves a narrow, private interest. An FHWA decision to approve new or revised access points must be supported by substantiated information justifying and documenting that decision. Technical analysis must clearly demonstrate the proposed change in access does not have a significant adverse impact on traffic safety and operation of the Interstate facility or on the crossroad under both current and future conditions. It is strongly recommended that before undertaking any such technical analysis, the analysis methodology be reviewed and approved by the applicable FDOT District Interchange Review Coordinator.

FDOT Technical Assistance Statement #2:

The interstate is a maturing system with an increasing demand. The volume of traffic traversing I-75 generates considerable impacts such as noise, odor, and glare, which affects adjacent development. The rezone application contemplates multifamily residential uses within the parcel with a 15-foot buffer along the south-bound interchange ramps. The Department encourages consideration of a more intensive buffering strategy to minimize the impacts of the existing interstate structure and future widening improvements for the proposed residential development. An example is the tiered buffering system for the Talis Park development (Collier County) adjacent to I-75 (west side) between the Bonita Beach Road and Immokalee Road Interchanges.

FDOT Technical Assistance Statement #3:

FDOT supports the planning and development of communities that promote the use of multimodal alternatives that aid in mitigating potential transportation impacts, promote safety and economic development, and improve quality of life for all communities in the County. These development designs decrease overall passenger vehicle trips on the roadway network by encouraging compact and dense developments that provide multimodal connectivity between existing and future development areas. This context sensitive approach promotes healthy, safe, and economically viable communities that encourages quality of life, and incorporates all modes of transportation. FDOT offers several initiatives to assist the County in creating quality developments while protecting future mobility on the regional roadway network, including "Complete Streets" and a commitment to bicycle and pedestrian safety.

The Department encourages the applicant to partner with the County, LeeTran and other neighboring property owners to improving headways to 30-60 minutes, adding Sunday service and adding additional morning trips per the recommendations presented in the LeeTran 2016 TDP as they help with the reduction of automobile dependency on the local and regional roadway network.

FDOT welcomes the opportunity to partner with and provide technical assistance to the Lee County to create multimodal transportation facilities to serve all users.

FDOT staff are immediately available to meet with you to discuss our comment and recommendation. If you have any questions or need to discuss these comments further, please contact me at (239) 225-1981 or sarah.catala@dot.state.fl.us.

Sincerely,



Sarah Catala
SIS/Growth Management Coordinator
FDOT District One

attachment

cc: D. Ray Eubanks, Florida Department of Economic Opportunity
Margaret A. Wuerstle, Southwest Florida Regional Planning Council

COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Lee County
DEO Amendment #: 19-06ESR

FUTURE LAND USE MAP AMMENDMENT

Elements: Future Land Use Element
Rule Reference: Chapter 163, Florida Statutes

Background:

PROJECT OVERVIEW:

The proposed Lee County 19-06ESR package consists of two (2) amendments, the proposed amendments are as follows:

- **CPA2018-10013 (Vintage Commerce Center):**
This is a map amendment, which proposes to amend the Future Land Use Map (FLUM) designation on approximately 33.95± acres from Industrial Commercial Interchange (ICI) to General Interchange (GI).
- **CPA2018-10012:**
This is a text amendment, which proposes to amend Table 1(b) 2030 population allocation to accommodate residential development on the subject property.

The proposed amendments would allow a mix of residential at a maximum density of 14 dwelling units per acre, commercial and light industrial uses on the subject property. The adopted and proposed FLU categories are similar except that the current designation does not allow residential.

CPA2018-10012:

The Department has reviewed the updated Table 1(b), 2030 population allocation which accommodates residential development on the subject property. The Department offers no comments on the updated Table 1(b), 2030 population allocation.

CPA2018-10013 (Vintage Commerce Center):

The Comprehensive Plan Amendment (CPA), CPA2018-10013 (Vintage Commerce Center) is a privately initiated map amendment which proposes to amend the FLUM designation on the subject property from Industrial Commercial Interchange (ICI) to General Interchange (GI). The subject property encompasses approximately 33.95± acres and is generally located on the northeast corner of Alico Road and Three Oaks Parkway and is immediately west of I-75, in Lee County, Florida.

FDOT Contact: Sarah Catala
FDOT District 1
Community Planning Coordinator
Telephone: 239-225-1981
E-mail: Sarah.Catala@dot.state.fl.us

Reviewed by: Joedel Zaballero, P.E., PTOE
Vanasse Hangen Brustlin, Inc.
407-839-4006
jzaballero@vhb.com

COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Lee County
DEO Amendment #: 19-06ESR



According to the Lee County Comprehensive Plan Future Land Use Element Policy 1.3.4 (Industrial Commercial Interchange), 2019 Codification (dated May 2019), it is noted that “The Industrial Commercial Interchange areas are designated to permit a mixture of light industrial and/or commercial uses. This category does not permit heavy industrial uses. Within areas expanded beyond the existing Industrial Commercial Interchange boundaries (on January 1, 2007), retail commercial uses will be limited to 20% of the total floor area and light industrial uses will be a minimum of 50% of the total floor area”.

According to the Lee County Comprehensive Plan Future Land Use Element Policy 1.3.2 (General Interchange), it is noted that “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 industrial/commercial, and multi-family dwelling units. The standard density range is from eight dwelling units per acre (8 DUs/acre) to fourteen dwelling units per acre (14 DUs/acre). Maximum bonus density is twenty-two dwelling units per acre (22 DUs/acre)”.

FDOT Contact: Sarah Catala
FDOT District 1
Community Planning Coordinator
239-225-1981
E-mail: Sarah.Catala@dot.state.fl.us

Reviewed by: Joedel Zaballero, P.E., PTOE

Vanasse Hangen Brustlin, Inc.
407-839-4006
jzaballero@vhb.com

COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Lee County

DEO Amendment #: 19-06ESR

For the purpose of the proposed FLU analysis, it was assumed that retail uses will be limited to 20% of the subject property (6.79 acres), 50% of the property assumed as industrial (16.98 acres) and the remaining 30% of the subject property assumed as residential at 14 DUs/acre (10.19 acres).

It is noted that a concurrent rezoning planned development (PD) application (PD DCI2018-10022) dated August 26, 2019 is in process with the following proposed development:

- 400 Multi-Family residential dwelling units
- 350,000 square feet of commercial uses
- 300 Hotel Room

The rezoning application includes a Master Concept Plan depicting a right-in access within the limited access section on Alico Road between Three Oaks Parkway and I-75.

TRIP GENERATION:

The planning-level trip generation analysis evaluates the maximum development allowable on the approximately 33.95± acres property. According to the adopted FLU designation, approximately 6.79 acre of the commercial and the 27.16 acre of the general light industrial may be developed on the subject property. The adopt FLU would generate approximately 14,666 net new daily trips and 1,593 net new p.m. peak hour trips assuming a pass by rate of 30%.

According to the proposed FLU designation, the maximum allowable commercial remains unchanged at 6.79 acres, light industrial use is reduced to 16.98 acres and residential use is allowed in the remaining 10.19 acres. The Proposed FLU under maximum development potential would generate approximately 12,891 net new daily trips or 1,344 net new p.m. peak hour trips assuming internal capture of 4% and pass by trips of 30%. As a result, the proposed amendment would result in a net decrease of 1,776 net new daily trips or net decrease of 249 net new p.m. peak hour trips. The following table summarizes the maximum potential trip generation for the currently adopted and proposed FLU designations.

TRIP GENERATION BASED ON THE APPLICANT MAXIMUM DEVELOPMENT POTENTIAL

Scenario	Land Use Designation	Maximum Allowed Density / Intensity	Land Use Code	Size of Development		Daily Trips ¹	PM Peak Hour Trips ¹
				Acres	Allowed Development		
Adopted	COM	0.2 FAR	820	6.79	295,772 SF	12,568	1,212
	IND	0.8 FAR	110	27.16	1,183,089 SF	5,868	745

FDOT Contact: Sarah Catala
 FDOT District 1
 Community Planning Coordinator
 Telephone: 239-225-1981
 E-mail: Sarah.Catala@dot.state.fl.us

Reviewed by: Joedel Zaballero, P.E., PTOE

Vanasse Hangen Brustlin, Inc.
 407-839-4006
jzaballero@vhb.com

COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Lee County

DEO Amendment #: 19-06ESR

						Subtotal	18,436	1,957	
						Pass-By (30%)	3,770	364	
						Net New Trips	14,666	1,593	
Proposed	COM	0.2 FAR	820	6.79	295,772 SF	12,568	1,212		
	IND	0.5 FAR	110	16.98	739,649 SF	3,669	466		
	RES	14 du/ac	221	10.19	143 DU	776	63		
							Subtotal	17,013	1,741
							Internal Capture (4%)	503	48
							Pass-By (30%)	3,620	349
							Net New Trips	12,891	1,344
Change in Trips							-1,776	-249	

Trip generation based on the rates and equations obtained in the ITE Trip Generation Manual (10th Edition)

The planning level trip generation analysis based on maximum development potential indicates that the CPA would result in a net decrease of 1,776 net new daily trips or net decrease of 249 net new p.m. peak hour trips.

COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Lee County
DEO Amendment #: 19-06ESR

TRANSIT CONNECTIVITY:

The subject property is adjacent to LeeTran Route 60. The nearest Route 60 bus stop is located approximately 650 feet from the property along Three Oaks Parkway. Route 60 traverses along Constitution Boulevard, Lee Road, Alico Road, Three Oaks Parkway, Corkscrew Road, Ben Hill Griffin Parkway, FGCU Lake Parkway W. and Gulf Center Drive. The site is within the ¼-mile fixed route corridor and ¾-mile Americans with Disabilities Act (ADA) corridor. Currently, Route 60 operates Monday thru Saturday with headways varying between 45 minutes to 85 minutes between 6:20 a.m. and 9:45 p.m.

The LeeTran 2016 Transit Development Plan (TDP) recommends improving frequencies to 30-60 minutes, adding Sunday service and adding additional morning trips but these improvements are currently not funded.

The Department recommends the applicant to partner with the County, LeeTran and other neighboring property owners to include additional bus stops to Route 60, along Alico Road, between I-75 WB Ramps and the Three Oaks Parkway or adding a new transit route with bus stops along the nearby roadways to service the residents of the proposed development and surrounding area, as they help with the reduction of automobile dependency on the local and regional roadway network.

PEDESTRIAN CONNECTIVITY:

Sidewalks are present along Alico Road on the south side from SR 45/US 41 to Ben Hill Griffin Parkway and on the north side from Three Oaks Parkway to Ben Hill Griffin Parkway. Sidewalks are also present on both sides of Three Oaks Parkway from Estero Parkway to the northern terminus north of Oriole Road. Bike lanes are provided on Alico Road from SR 45/US 41 to Ben Hill Griffin Parkway and along Three Oaks Parkway from Estero Parkway to the northern terminus north of Oriole Road.

Consistent with Lee County Comprehensive Plan Transportation Element Policies 39.6.1-4, the Department recommends that sidewalks and/or bicycle lanes be included as part of the subject development plan, as well as any future development plans, to encourage connectivity to the development. It is also recommended that the applicant coordinates with the County and the neighboring development owners to construct a robust interconnected multi-modal transportation network (bicycle and pedestrian facilities) to encourage connectivity to the development.

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COMPREHENSIVE PLAN AMENDMENT PROPOSED REVIEW COMMENTS

Local Government: Lee County
DEO Amendment #: 19-06ESR

LAND USE:

The surrounding properties to the north and west have a FLU of Industrial Commercial interchange and Industrial Development. Properties to the southwest and south have a FLU designation of Urban Community. Properties to the southeast and east have a FLU designation of University Village Interchange and Industrial Commercial Interchange, respectively.

SCHOOL:

The proposed development site is within the South Choice Zone, Sub-Zone S2. The following schools are the closest public schools to the subject property:

Elementary Schools:

- San Carlos Park Elementary school (approximately 1.2 miles southwest)

Middle School:

- Three Oaks Middle School (approximately 1.5 miles south).

High Schools:

- Island Park High School (approximately 3.7 miles west).

The Department recommends that sidewalks and/or bicycle lanes be included as part of the subject development plan, as well as any future development plans to provide safe connection between the students attending the surrounding schools and the school buses serving the subject property and the surrounding areas.

TO VIEW APPLICANT MATERIALS,
CLICK THE LINK BELOW:

CPA2018-10012 (Text Amendment)

[Click Here](#)

CPA2018-10013 (Map Amendment)

[Click Here](#)