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May 6, 2021

STACY ELLIS HEWITT
BANKS ENGINEERING
10511 SIX MILE CYPRESS PKWY., STE 101
FORT MYERS, FL 33966

Re: Brightwater RPD
DCI2021-00012 - Amendment

Dear STACY ELLIS HEWITT:

The Zoning Section has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

A public hearing date will not be scheduled until a complete application is submitted.

If you do not provide the requested supplements or corrections within 30 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section

Electronically signed on 5/6/2021 by
Dirk A Danley Jr, Planner, Senior

STACY ELLIS HEWITT
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Zoning Review:

1. LDC Section 34-201(a)(1)c. states that where a property is a subdivision, an application or petition may be initiated by no less than 75 percent of the total number of lot or parcel owners and the homeowners' associates, if applicable. Please provide evidence of compliance of this requirement.
2. The north arrow on the Master Concept Plan is not facing the correct direction, please correct.
3. On Tracts N and O, the proposed use is 'Potential Public Passive Recreational Area'. Please clarify the intended use, and confirm a use that is defined in the Land Development Code. During this exercise please confirm that the use is included in the schedule of uses.
4. On Tract J, there is a 500 foot marker that for the nearest residential property. It appears that there may be residential properties in Tract I that may be closer to the COP boundary. Please confirm.
5. Please clarify the intent of the parcel line that extends from the roadway in tract H to Tract N. Will this be a pedestrian or vehicular connection to Tract N?
6. Please demonstrate points of ingress and egress for Tracts J and B1.
7. Please provide a condition for consideration for the limitation of 590 dwelling units to adult senior housing.
8. Please amend the property development regulations to provide a foot note for townhouses and two-family attached so that in instances where the units cannot be adjoining then a minimum of 10 feet must be provided.
9. Please provide a codified schedule of deviations and conditions from past zoning approvals for consideration.
10. Please provide a condition for consideration regarding the public use of the Brightwater Country Club.
11. Please provide a condition for consideration regarding the movement of fill across Pritchett Parkway

Planning Review:

1. Please provide letters of authorization for all properties within the areas to be amended. If letters cannot be provided, please remove the properties not owned by the applicant, and recalculate density. Update applications as necessary.

Development Services Review:

1. Please verify or correct the scale shown on the MCP.

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2. 10-296(k)(1)] Cul-de-Sacs. Dead-end streets, designed to be so permanently, must be closed at one end by a circular turnaround for vehicles and constructed in compliance with the LCLDC.

Tract E-1 has a dead-end ROW. If that is the case please request a deviation for the dead-end as part of this amendment.

3. [10-418(1) Surface water Management Systems. The design of the shoreline of excavations must be sinuous rather than straight.

Several of the lakes do not have a sinuous lake bank. A deviation may be requested as part of this application.

4. [10-329(d)(1)a.3.] Excavation Setback from Other Property. Excavations must be set back fifty (50) feet from any property line under separate ownership.

Please verify that L1, and L18-L20 meet this requirement. L4, L7, L8, 13 do not appear to meet this requirement.

5. [10-329(d)(1)a.2.] Excavation Setback from Existing Arterial or Collector Street. Excavations must be set back fifty (50) feet from any existing or proposed right-of-way line or easement for a collector or arterial street.

Pritchett Parkway is classified as a county maintained major collector. It appears based on the scale that L1, L5, L11, L24, and L30 don't meet this requirement.

Legal Description Review:

1. Sec. 34-202(a). Additional required submittals.

(6) Please provide a boundary survey in accordance with the requirements of Lee County LDC §34-202(a).

- Legal description provided on title insurance does not match the legal description and sketch of the proposed development. Upon submittal of the boundary survey, remember that the survey must be based upon the title certification.

Environmental Review:

1. Provide an overall open space exhibit depicting wetland and upland Indigenous preserves demonstrating compliance with indigenous definition per LDC Section 10-1), buffers (including 50-foot natural waterway buffers), and enhancement areas.
2. Demonstrate compliance with LDC Section 10-415(d)(2)(d & e) as they pertain to passive recreation such as nature trails, sidewalks, etc.

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3. Sheet 2 of 21 in the Narrative states that one of the requests is to allow increased open space separation to lots along the western perimeter boundary. Please clarify on the open space exhibit where this is located and if it is within common element, indigenous, or general open space.
4. ADD2020-00046 approved or carried over conditions and deviations. Please specify if any of the conditions or deviations must be amended with the subject application. For instance, the narrative states that there is a proposed creek restoration/stabilization of the banks. Please explain if this impacts the existing vegetation being used to comply with the 50-foot natural water way buffer deviation.

Natural Resources Review:

1. Please provide, at a minimum, an analysis of Lee Plan policies 60.1.1, 60.4.1, 125.1.2, 125.1.4, and 125.1.6.
2. Please provide a site plan with the Wellfield protection zones overlaid on the site plan.
3. Please provide a surface water and groundwater Water Quality Monitoring Plan for consistency with Lee plan Policy 125.1.4. The plan must establish a baseline, long term monitoring schedule, constituents, and be consistent with Wellfield Protection Ordinance.
4. Please include all outfall locations on the MCP.
5. With the removal of the two crossings over Popash Creek and changes to the MCP, please update the HEC-RAS model accordingly per condition 26(a) of Z-02-070.
6. Please provide details on what the enhanced natural waterway buffer to Popash Creek will entail. What is being enhanced? Please expand on how the natural creek banks will be restored with the removal of the Popash Creek box culvert. Please expand on what is meant by "potential public water management compensation area for Bayshore Creek"?
7. The project narrative indicates certain enhancements are being provided to the creeks but a HEC-RAS model and stormwater narrative are not provided. Staff cannot review the enhancements without additional information detailing the positive benefits of these enhancements.
8. Please provide further details on the voluntary enhancements to benefit adjacent communities. How will the voluntary enhancements provide positive benefits for drainage, water quality, and environmental impacts?
9. How will Tract N be accessed?
10. Where is the 4.5 acre wetland creation area as called out in the Land Use Summary table on the site plan?

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11. The narrative states that 63.5 acres of wetlands are preserved but the Land Use Summary table on the site plan only identifies 60.6 acres, please address.