



## Board of County Commissioners

Kevin Ruane  
District One

October 12, 2021

Via E-mail Only

Cecil L. Pendergrass  
District Two

Linda Miller, AICP

Ray Sandelli  
District Three

Avalon Engineering

Brian Hamman  
District Four

2503 Del Prado Blvd. South, Suite 200  
Cape Coral, FL 33914

Frank Mann  
District Five

### **RE: CPA2021-00009 Burnt Store Mixed-Use Development**

Roger Desjarlais  
County Manager

Dear Ms. Miller:

Richard Wm. Wesch  
County Attorney

Staff has reviewed the application submittal for the text amendment CPA2021-00009, stamped "received" on September 13, 2021. Planning staff finds that the application materials are insufficient and further information is needed. A public hearing date will not be scheduled until a complete application is submitted. If you do not provide the requested supplements of corrections within 90 days of this letter, this application will be considered withdrawn.

Donna Marie Collins  
County Hearing Examiner

### **APPLICATION MATERIALS COMMENTS**

1. Please provide a certified metes and bounds legal description specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The currently provided legal description is not a metes and bounds legal description. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner.  
  
If the property contains wetlands, a metes and bounds legal description, as described above, must be submitted to describe the boundary of the wetlands in addition to the perimeter boundary of the property. (Application submittal item Exhibit M7)
2. Environmental Impact Analysis:
  - a. Please, at a minimum, provide an analysis of Lee Plan policies 60.1.1, 60.1.2, 60.4.2, 60.4.3, 61.3.2, 61.3.3, 61.3.7, 123.1.5, 123.2.3, 123.2.10, 123.2.15, 125.1.2, 125.1.3, 125.1.4, 126.1.1, and 126.1.4.
  - b. Please amend the Lee Plan consistency to include analysis of relevant Lee Plan Policies within the Community Facilities and Services Element, and the Conservation and Coastal Management Element.
  - c. Please submit a topographic map depicting the property boundaries and the 100-year flood prone areas as identified by FEMA.
3. Please provide Historic Resources Impact Analysis (Application submittal item Exhibit – M13).
4. Please provide a Public Facilities Impact Analysis, including analysis of existing and future conditions of public facilities as described on page 2 of the application (Application submittal items Exhibit M14 and Exhibit M16).
5. Please provide a Traffic Impact Study/Traffic Circulation Analysis as described on page 2 of the application (Application submittal item Exhibit M15).

6. Please provide additional letters of service availability for Fire, EMS, and Law Enforcement Services (Application submittal item Exhibit M17).
7. Please provide analysis of impacts of the proposed amendments to the State and Regional Policy Plans as described on page 3 of the application (Application submittal item Exhibit M18).
8. Please provide a narrative to justify the proposed amendments based on Lee Plan policies and sound planning principles as described on page 3 of the application (Application submittal items Exhibit M11 and Exhibit M19).

Note: this narrative will likely be similar to the narrative that was provided as part of the cover letter/project narrative, but at a minimum should be updated to include additional Lee Plan analysis and should be based on the most recently effective amending Ordinance (Ord. # 21-09) and sound planning principles.

9. Will the applicant be submitting a concurrent rezoning request for the subject property?

Please feel free to contact me at (239) 533-8585 if you have any questions.

Sincerely,

**Lee County DCD Planning Section**



Brandon Dunn, Principal Planner, DCD Planning Section

CC: Case File