



Mr. Brandon Dunn, AICP
Principal Planner
Lee County Community Development
1500 Monroe St.
Fort Myers, FL 33902

February 21, 2022

RECEIVED
FEB 21 2022

COMMUNITY DEVELOPMENT

**Re: Alico Crossroads
CPA 2021-00012
Sufficiency #1 Re-Submittal**

Mr. Dunn,

In response to the comment letter dated October 26, 2021, enclosed are the following items for your review:

1. Application Form
2. Exhibit M11
3. Correspondence to Lee County School District
4. Legal Description and Sketch
5. Utility and Stormwater Analysis
6. Topography Map
7. Flood Insurance Rate Map

In addition to the above items, written responses to the comments are provided below:

Application Materials Comments

- 1. Please revise the application to update the project description to identify the proposed amendments as related to the Lee Plan. It is suggested the following description is used: "Amend the Future Land Use Map (Map 1, Page 1), to change the future land use category from Industrial Commercial Interchange to General Interchange."**

Please see the attached revised application form.

- 2. Please provide surrounding property owners list, mailing labels, and map for all parcels within 500 feet of the subject property.**

Per our conversation on January 13th, the mailing labels and variance report have been mailed to you directly under separate cover.

- 3. Please clarify the acreage of the property. The application (Page 1 of 5) and the legal sketch (OR BK 03271, PG 2537) shows 51.5 acres. The Protected Species Assessment shows and the property appraisers show approximately 46.7 acres.**

If the property is less than 50 acres, the application should be revised, as the requested amendment would be processed as a Small-Scale Amendment as provided in F.S. 163.3187.

The subject property is 46.7 +/- acres. Please see the attached revised application form.

4. Lee Plan Analysis

- a. **Please update Lee Plan analysis contained in Exhibit M11 and in any other areas of the application based on the most recently effective ordinance, Ordinance #21-09.**
- b. **In addition, based on proximity to the Southwest Florida International Airport (RSW), please provide an analysis of Objective 47.2 and any applicable policies under that objective.**
- c. **Please provide analysis of Lee Plan policies 60.1.1, 125.1.2 and 125.1.3. Included in this analysis please provide a detailed surface water discussion that addresses water quality and offsite flows.**

Please see the attached revised Exhibit M11

5. Please provide a letter of service availability from Lee County Schools.

Several attempts were made via messages left on voicemail and e-mails sent to contact Lee County Schools. There has been no response. See attached e-mail attempts at contacting Lee County Schools.

6. Please provide the required Public Facilities Impact Analysis (Exhibit M14).

- a. **The Existing and Future Conditions Analysis, Exhibit M16, mentions additional analysis from DeLisi Fitzgerald, Inc for potable water, sanitary sewer, and Surface Water/Drainage Basin analysis, however, this analysis was not included in the application materials.**

Please see the attached potable water, sanitary sewer, and Surface Water/Drainage Basin analysis

- b. **Please note: Anticipated impacts to public facilities, including traffic impact analysis, are based on a concurrent rezoning, however currently a concurrent rezoning application has not been submitted. There may be additional sufficiency comments during the next review if the concurrent rezoning application is not submitted.**

The rezoning application has been submitted and will now run concurrent with the Plan Amendment.

7. The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the

property with accurate bearings and distances for every line. 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 subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

Staff Comment: No state plane coordinates have been shown on the sketch. The metes and bounds description must describe the entire perimeter of the subject property.

Please see the attached revised sketch and description.

8. Environmental Impact Analysis

- a. Please provide a topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).**

Please see the attached Topography map.

- b. Please provide a map delineating the property boundaries on the most recent Flood Insurance Rate Map.**

Please see the attached Flood Insurance Rate Map.

- c. The Protected Species Assessment states the property is 46.71 acres while the Original Application states the property is 51.5 acres. Please address this discrepancy.**

The subject property is 46.7 acres +/- . Please see the attached revised application form.

9. Please see attached letter from Lee County Port Authority, dated October 13, 2021 and address any comments as necessary.

The applicant recognizes that the subject property is located in an area with daily overflights. Only the northwest corner of the subject property is located in Airport Noise Zone C, outside of the area where noise sensitive uses are prohibited. Most of the property however, is located outside of any airport noise zone. Only a very small portion of the residential area of the property is within the Airport noise zone (See Planned Development application). Landscaped areas and water management features will be designed consistent with the goal of minimizing wildlife attractors. The building heights being requested for the added residential use are will within airport limits.

If there are any questions, please do not hesitate to call our office.

Sincerely,

DeLisi, Inc.

A handwritten signature in blue ink, appearing to read 'Daniel DeLisi', with a stylized, cursive script.

Daniel DeLisi, AICP
President



APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT - MAP

ProjectName: Alico Crossroads

ProjectDescription: Amend the Future Land Use Map (Map 1, Page 1), to change the future land use category from Industrial Commercial Interchange to General Interchange.

Map(s) to Be Amended: _____

State Review Process: ☒ Small-Scale Review ☐ State Coordinated Review ☐ Expedited State Review

1. Name of Applicant: Stock Development

Address: 2639 Professional Cir.

City, State, Zip: Naples, FL, 34119

Phone Number: 239-449-5227 E-mail: kgelder@stockdevelopment.com

2. Name of Contact: Daniel DeLisi, AICP

Address: 520 27th Street

City, State, Zip: West Palm Beach, FL 33407

Phone Number: 239-913-7159 E-mail: dan@delisi-inc.com

3. Owner(s) of Record: Three Oaks Land Company, LLC c/o Stock Investments

Address: 1200 Centennial Blvd. #400

City, State, Zip: Hobart, WI 54155

Phone Number: _____ E-mail: _____

4. Property Location:

1. SiteAddress: 16541 Three Oaks Pkwy., Fort Myers, FL 33912

2. STRAP(s): 03-46-25-00-00001.1080

5. Property Information:

Total Acreage of Property: 46.7 Total Acreage Included in Request: 46.7

Total Uplands: 51.546.7 Total Wetlands: 0 Current Zoning: CPD

Current Future LandUse Category(ies): Industrial Commercial Interchange

Area in Each Future LandUse Category: 46.7 acres

Existing Land Use: Vacant

6. Calculation of maximum allowable development under current Lee Plan:

Residential Units/Density: N/A Commercial Intensity: 351,000 Industrial Intensity: _____

7. Calculation of maximum allowable development with proposed amendments:

Residential Units/Density: 475 Commercial Intensity: 200,000 Industrial Intensity: _____

Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on the maximum development.

- 1. Traffic Circulation Analysis:** The analysis is intended to determine the affect of the land use change on the Financially Feasible Highway Plan Map 3A (20-year plus horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit a Traffic Impact Statement (TIS) consistent with Lee County Administrative Code (AC)13-17.
 - a. Proposals affecting less than 10 acres, where development parameters are contained within the Traffic Analysis Zone (TAZ) or zones planned population and employment, or where there is no change in allowable density/intensity, may be eligible for a TIS requirement waiver as outlined in the Lee County TIS Guidelines and AC-13-17. Identification of allowable density/intensity in order to determine socio-economic data for affected TAZ(s) must be coordinated with Lee County Planning staff. Otherwise a calculation of trip generation is required consistent with AC-13-17 and the Lee County TIS Guidelines to determine required components of analysis for:
 - i. Total peak hour trip generation less than 50 total trip ends – tripgeneration.
 - ii. Total peak hour trip generation from 50 to 300 total trip ends – trip generation, trip distribution and trip assignment (manual or Florida Standard Urban Transportation Modeling Structure (FSUTMS) analysis consistent with AC-13-17 and TIS Guidelines), short-term (5 year) and long-range (to current Lee Plan horizon year) segment LOS analysis of the nearest or abutting arterial and major collector segment(s) identified in the Transportation Inventory based on the trip generation and roadway segment LOS analysis criteria in AC-13-17. A methodology meeting is recommended prior to submittal of the application to discuss use of FSUTMS, any changes to analysis requirements, or a combined CPA and Zoning TIS short term analysis.
 - iii. Total peak hour trip generation is over 300 total trip ends - trip generation, mode split, trip distribution and trip assignment (manual or FSUTMS analysis consistent with AC-13-17 and TIS Guidelines), short-term (five-year) and long-range (to current Lee Plan horizon year) segment LOS analysis of arterial and collector segments listed in the Transportation Inventory. LOS analysis will include any portion of roadway segments within an area three miles offset from the boundary of the application legal description metes and bounds survey. LOS analysis will also include any additional segments in the study area based on the roadway segment LOS analysis criteria in AC-13-17. A methodology meeting is required prior to submittal of the application.
 - b. Map amendment - greater than 10 acres -Allowable density/intensity will be determined by Lee County Planning staff.
- 2. Provide an existing and future conditions analysis for the following (see Policy 95.1.3):**
 - a. Sanitary Sewer
 - b. Potable Water
 - c. Surface Water/Drainage Basins
 - d. Parks, Recreation, and Open Space
 - e. Public Schools

Analysis for each of the above should include (but is not limited to) the following (see the Lee County Concurrency Management Report):

- a. Franchise Area, Basin, or District in which the property is located
- b. Current LOS, and LOS standard of facilities serving the site
- c. Projected 2030 LOS under existing designation
- d. Projected 2030 LOS under proposed designation
- e. Existing infrastructure, if any, in the immediate area with the potential to serve the subject property
- f. Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long rangeimprovements
- g. Provide a letter of service availability from the appropriate utility for sanitary sewer andpotablewater

In addition to the above analysis, provide the following for potable water:

- a. Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.
- b. Include the current demand and the projected demand under the existing designation, and the projected demand under the proposed designation.
- c. Include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.
- d. Include any other water conservation measures that will be applied to the site (see Goal 54).

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:

- a. Fire protection with adequate response times
- b. Emergency medical service (EMS) provisions
- c. Law enforcement
- d. Solid Waste
- e. Mass Transit
- f. Schools

In reference to above, the applicant must supply the responding agency with the information from application items 5, 6, and 7 for their evaluation. This application must include the applicant's correspondence/request to the responding agency.

Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed change based upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating the property boundaries on the most recent Flood Insurance Rate Map.
5. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
6. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archaeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites listed on the Florida Master Site File which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archaeological sensitivity map for Lee County.

Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Lee Plan Table 1(b) and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment or that affect the subject property. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.

State Policy Plan and Regional Policy Plan

List State Policy Plan and Regional Policy Plan goals, strategies and actions, and policies which are relevant to this plan amendment.

Justify the proposed amendment based upon sound planning principles

Support all conclusions made in this justification with adequate data and analysis.

Planning Communities/Community Plan Area Requirements

If located within a planning community/community plan area, provide a meeting summary document of the required public informational session [Lee Plan Goal 17].

Sketch and Legal Description

The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. 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 subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

SUBMITTAL REQUIREMENTS

Clearly label all submittal documents with the exhibit name indicated below.

For each map submitted, the applicant will be required to submit a 24"x36" version and 8.5"x11" reduced map for inclusion in public hearing packets.

MINIMUM SUBMITTAL ITEMS (3 Copies)

<input type="checkbox"/>	Completed Application (Exhibit – M1)
<input type="checkbox"/>	Filing Fee (Exhibit – M2)
<input type="checkbox"/>	Disclosure of Interest (Exhibit – M3)
<input type="checkbox"/>	Surrounding Property Owners List, Mailing Labels, and Map For All Parcels Within 500 Feet of the Subject Property (Exhibit – M3)
<input type="checkbox"/>	Future Land Use Map - Existing and Proposed (Exhibit – M4)
<input type="checkbox"/>	Map and Description of Existing Land Uses (Not Designations) of the Subject Property and Surrounding Properties (Exhibit – M5)
<input type="checkbox"/>	Map and Description of Existing Zoning of the Subject Property and Surrounding Properties (Exhibit – M6)
<input type="checkbox"/>	Signed/Sealed Legal Description and Sketch of the Description for Each FLUC Proposed (Exhibit – M7)
<input type="checkbox"/>	Copy of the Deed(s) of the Subject Property (Exhibit – M8)
<input type="checkbox"/>	Aerial Map Showing the Subject Property and Surrounding Properties (Exhibit – M9)
<input type="checkbox"/>	Authorization Letter From the Property Owner(s) Authorizing the Applicant to Represent the Owner (Exhibit – M10)
<input type="checkbox"/>	Lee Plan Analysis (Exhibit – M11)
<input type="checkbox"/>	Environmental Impacts Analysis (Exhibit – M12)
<input type="checkbox"/>	Historic Resources Impact Analysis (Exhibit – M13)
<input type="checkbox"/>	Public Facilities Impacts Analysis (Exhibit – M14)
<input type="checkbox"/>	Traffic Circulation Analysis (Exhibit – M15)
<input type="checkbox"/>	Existing and Future Conditions Analysis - Sanitary Sewer, Potable Water, Surface Water/Drainage Basins, Parks and Rec, Open Space, Public Schools (Exhibit – M16)
<input type="checkbox"/>	Letter of Determination For the Adequacy/Provision of Existing/Proposed Support Facilities - Fire Protection, Emergency Medical Service, Law Enforcement, Solid Waste, Mass Transit, Schools (Exhibit – M17)
<input type="checkbox"/>	State Policy Plan and Regional Policy Plan (Exhibit – M18)
<input type="checkbox"/>	Justification of Proposed Amendment (Exhibit – M19)
<input type="checkbox"/>	Planning Communities/Community Plan Area Requirements (Exhibit – M20)

APPLICANT – PLEASE NOTE:

Once staff has determined the application is sufficient for review, 15 complete copies will be required to be submitted to staff. These copies will be used for Local Planning Agency hearings, Board of County Commissioners hearings, and State Reviewing Agencies. Staff will notify the applicant prior to each hearing or mail out to obtain the required copies.

If you have any questions regarding this application, please contact the Planning Section at (239)533-8585.

AFFIDAVIT

I, _____, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

Signature of Applicant

Date

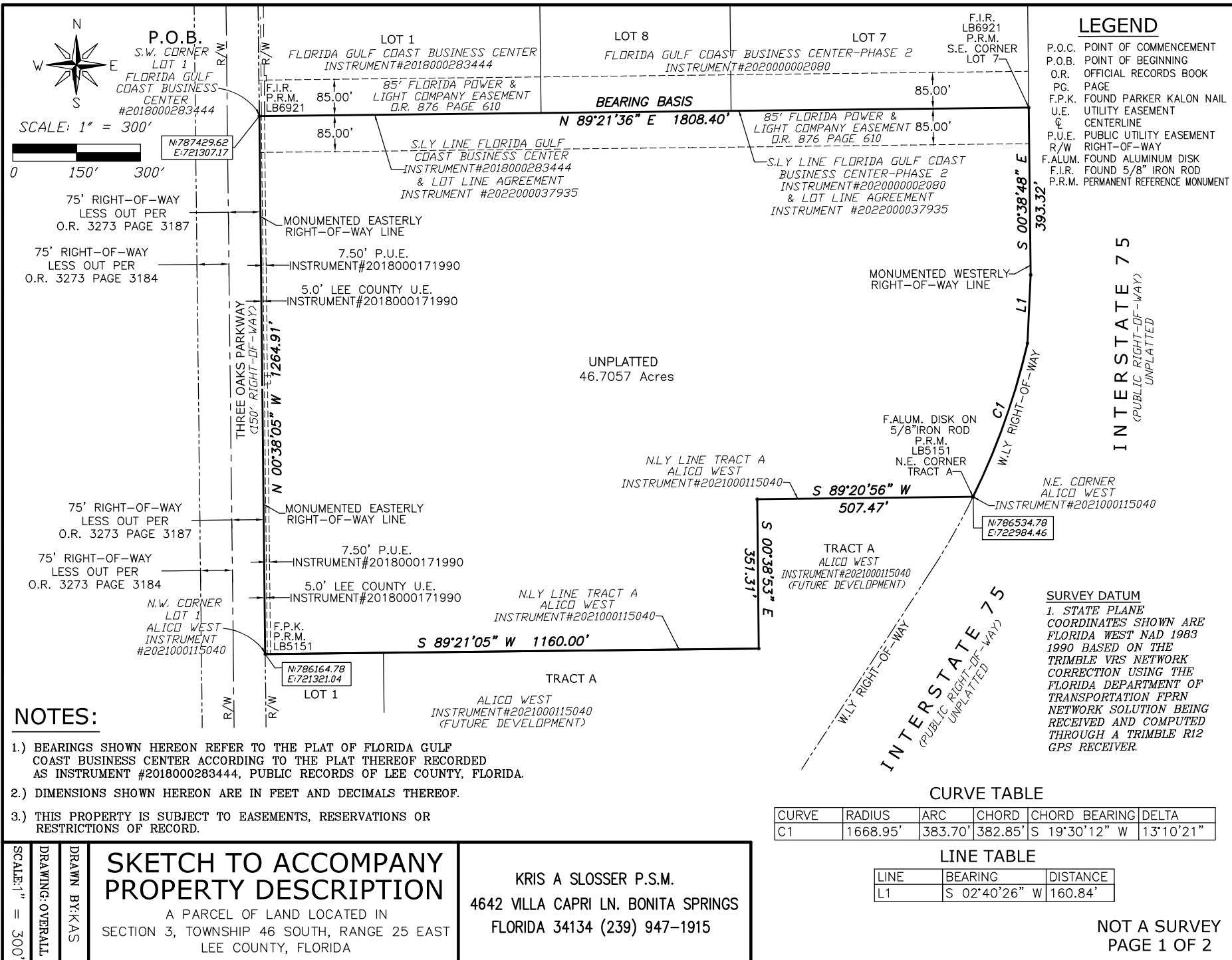
Printed Name of Applicant

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization on _____ (date) by (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

Signature of Notary Public

(Name typed, printed or stamped)



OVERALL PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, FLORIDA GULF COAST BUSINESS CENTER, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT #2018000283444, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A POINT ON THE OCCUPIED EASTERLY RIGHT-OF-WAY LINE OF THREE OAKS PARKWAY (150 FOOT WIDE) ACCORDING TO SAID PLAT OF FLORIDA GULF COAST BUSINESS CENTER AND THE BEGINNING OF A LOT LINE AGREEMENT AS DESCRIBED IN INSTRUMENT #2022000037935 PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N 89°21'36" E ALONG SAID LOT LINE AGREEMENT AND THE SOUTH LINE OF SAID FLORIDA GULF COAST BUSINESS CENTER FOR A DISTANCE OF 1808.40 FEET TO THE SOUTHEAST CORNER OF LOT 7, FLORIDA GULF COAST BUSINESS CENTER-PHASE 2, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT #2020000002080 IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A POINT ON THE OCCUPIED WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 75 (WIDTH VARIES) AS SHOWN ON SAID PLAT OF FLORIDA GULF COAST BUSINESS CENTER-PHASE 2 AND THE END OF SAID LOT LINE AGREEMENT; THENCE S 00°38'48" E ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 393.32 FEET; THENCE S 02°40'26" W ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 160.84 FEET TO THE BEGINNING OF A NON-TANGENTIAL CIRCULAR CURVE CONCAVE WESTERLY; THENCE RUN SOUTHWESTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 1668.95 FEET THROUGH A CENTRAL ANGLE OF 13°10'21", SUBTENDED BY A CHORD OF 382.85 FEET AT A BEARING OF S 19°30'12" W FOR A DISTANCE OF 383.70 FEET TO THE NORTHEAST CORNER OF TRACT "A", ALICO WEST, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 2021000115040 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S 89°20'56" W ALONG SAID TRACT "A" FOR A DISTANCE OF 507.47 FEET; THENCE S 00°38'53" E ALONG SAID TRACT "A" FOR A DISTANCE OF 351.31 FEET; THENCE S 89°21'05" W ALONG SAID TRACT "A" FOR A DISTANCE OF 1160.00 FEET TO THE NORTHWEST CORNER OF LOT 1 OF SAID PLAT OF ALICO WEST AS RECORDED IN INSTRUMENT NUMBER 2021000115040 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID THREE OAKS PARKWAY(150 FOOT WIDE) ACCORDING TO THE PLAT OF SAID ALICO WEST; THENCE N 00°38'05" W ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 1264.91 TO THE POINT OF BEGINNING.

BEARINGS SHOWN HEREON REFER TO THE SOUTH LINE OF FLORIDA GULF COAST BUSINESS CENTER, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT #2018000283444, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AS BEING N 89°21'36" E.

PARCEL CONTAINS 46.7057 ACRES MORE OR LESS

KRIS A. SLOSSER, STATE OF FLORIDA, (P.S.M. #5560)
SEE ATTACHED SKETCH

NOT A SURVEY
PAGE 2 OF 2

DRAWING-OVERALL

DRAWN BY: KAS

OVERALL PARCEL PROPERTY DESCRIPTION

A PARCEL OF LAND LOCATED IN
SECTION 3, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

KRIS A SLOSSER P.S.M.
4642 VILLA CAPRI LN. BONITA SPRINGS
FLORIDA 34134 (239) 947-1915

Daniel DeLisi

From: Daniel DeLisi
Sent: Friday, January 7, 2022 1:29 PM
To: Ebaugh, Kathie
Subject: Letter of Service Availability
Attachments: Location Aerial.pdf

Kathie,

I represent the owners of a property along the Three Oaks Extension, just north of Alico Road, on the west side of I-75. The property has the following STRAP number (see attached map).

03-46-25-00-00001.1080

This e-mail is to request a letter of service availability for a proposed comprehensive plan amendment. The property is currently in the Industrial Commercial Interchange Land Use Category and zoned for 300,000 square feet of retail, 51,000 square feet of office and 125 hotel rooms. The proposed Plan Amendment would change the property to the General Interchange land use category and allow for 50,000 square feet of retail, 150,000 square feet of office, 250 hotel rooms and 475 multi-family residential units.

The Plan amendment requires that I request a letter of service availability from you. Should you have any questions, or require any additional information, please do not hesitate to contact me. I may be reached at the contact information below.

Best regards.

Daniel DeLisi, AICP
DeLisi, Inc.

dan@delisi-inc.com
www.delisi-inc.com



Daniel DeLisi

From: Daniel DeLisi
Sent: Friday, January 7, 2022 8:37 AM
To: Ebaugh, Kathie
Subject: Letter of service availability

Kathie,

Can you tell me who I reach out to for a letter of school availability? I believe Dawn is no longer there?

Thanks.

Daniel DeLisi, AICP
DeLisi, Inc.

dan@delisi-inc.com

www.delisi-inc.com



Daniel DeLisi

From: Daniel DeLisi
Sent: Friday, September 17, 2021 4:31 PM
To: Ebaugh, Kathie
Subject: FW: Letter of Service Availability

Is Dawn no longer working for the School district? Please let me know who I can send this to to get a letter of service availability.

Thanks.

Dan

From: Daniel DeLisi
Sent: Thursday, August 26, 2021 11:54 AM
To: 'dawnmhu@leeschools.net' <dawnmhu@leeschools.net>
Subject: RE: Letter of Service Availability

Dawn,

My apologies for the correction, but the proposed entitlements are 50,000 square feet of retail, 150,000 square feet of office, 250 hotel rooms and 475 multi-family residential units. Should you have any questions, please let me know.

Best regards.

Dan

From: Daniel DeLisi
Sent: Thursday, August 26, 2021 10:51 AM
To: 'dawnmhu@leeschools.net' <dawnmhu@leeschools.net>
Subject: Letter of Service Availability

Ms. Huff,

I represent the owners of a property along the Three Oaks Extension, just north of Alico Road, on the west side of I-75. The property has the following STRAP number (see attached map).

03-46-25-00-00001.1080

This e-mail is to request a letter of service availability for a proposed comprehensive plan amendment. The property is currently in the Industrial Commercial Interchange Land Use Category and zoned for 300,000 square feet of retail, 51,000 square feet of office and 125 hotel rooms. The proposed Plan Amendment would change the property to the General Interchange land use category and allow for 100,000 square feet of office, 125 hotel rooms and 475 multi-family residential units.

The Plan amendment requires that I request a letter of service availability from you. Should you have any questions, or require any additional information, please do not hesitate to contact me. I may be reached at the contact information below.

Best regards.

Daniel DeLisi, AICP
DeLisi, Inc.

dan@delisi-inc.com

www.delisi-inc.com



Infrastructure Analysis

WATER AND SEWER DEMANDS

The current CPD approved within this General Interchange property would allow 300,000 SF commercial retail, 51,000 SF office, and a 125-room hotel or the optional development scenarios identified with the CPD development program. The proposed entitlements would allow a maximum of 50,000 SF commercial retail, 150,000 SF office, 250 hotel rooms and 475 multi-family residential units. To assess any water and sewer infrastructure impacts, the maximum demand under the existing entitlement will be compared to the maximum demand under the proposed entitlements. The maximum demands are summarized below:

Existing Water / Sewer Demands					
Units	Summary	Average Daily Flow per Unit (GPD)	Average Daily Flow (GPD)	Peak Factor (Water/Sewer)	Peak Flow (GPM) (Water/Sewer)
300,000 SF	Commercial Retail	0.15	45,000	2.5 / 3.0	78 / 94
51,000 SF	Office	0.15	7,650	2.5 / 3.0	13 / 16
125 Rooms	Hotel	100	12,500	2.5 / 3.0	22 / 26
Maximum Demand (Existing)			65,150		113 / 136
Proposed Water / Sewer Demands					
Units	Summary	Average Daily Flow per Unit (GPD)	Average Daily Flow (GPD)	Peak Factor (Water/Sewer)	Peak Flow (GPM) (Water/Sewer)
50,000 SF	Commercial Retail	0.15	7,500	2.5 / 3.0	13 / 16
150,000 SF	Office	0.15	22,500	2.5 / 3.0	39 / 47
250 Rooms	Hotel	100	25,000	2.5 / 3.0	43 / 52
475 Units	Multi-Family Residential	200	95,000	2.5 / 3.0	165 / 198
Maximum Demand (Proposed)			150,000		260 / 313

POTABLE WATER

Existing Conditions:

Currently Lee County Utilities owns a 16-inch water main along the west side of Three Oaks Parkway and an 8-inch force main along the east side of Three Oaks Parkway.

Plant Capacity:

The project is served by the Green Meadows Water Treatment Plant. Presently this plant is design to 14.0 Million Gallons per Day (MGD) of production per the 2020 Lee County Public Facilities Level of Service and Concurrency Report. Per the Potable Water and Wastewater Availability Letter dated September 17, 2021, Lee County Utilities presently has sufficient capacity to provide potable water service to this project.

The existing South Florida Water Management District (SFWMD) consumptive water use permit #36-00003-W states that the permitted annual allocation is 12,508 million gallons which is the equivalent of 34.3 MGD of raw water.

Future Conditions:

For this project, the ideal connection point is along Three Oaks Parkway. It is recommended to loop the water main system internally to allow for redundancy in the system. Although the proposed change results in increased water demand, the additional plant capacity to serve the project is available. The calculated Average Daily Flow of 150,000 GPD (0.15 MGD) is available in the existing system.

SANITARY SEWER

Existing Conditions:

Currently Lee County Utilities owns the existing 8-inch force main along the east side of Three Oaks Parkway which ultimately discharges into the Three Oaks Wastewater Treatment Plant.

Plant Capacity:

The project is served by the Three Oaks Wastewater Treatment Plant. Presently this plant is designed with an average daily capacity of 6.0 MGD per the 2020 Lee County Public Facilities Level of Service and Concurrency Report. Per the Potable Water and Wastewater Availability Letter dated September 17, 2021, Lee County Utilities presently has sufficient capacity to provide sanitary sewer service to this project.

Future Conditions:

For this project, the ideal connection point is the existing force main along Three Oaks Parkway. Although the proposed change results in an increase in sewer flows, the existing Three Oaks Wastewater Treatment Plant has the additional capacity to serve the project. The calculated Average Daily Flow is 150,000 GPD (0.15 MGD) and the existing system has the capacity for the proposed project.

SURFACE WATER

Existing Conditions:

The Alico Crossroads Site is located within the Ten Mile Canal (South) Watershed and the TM3 Sub-watershed. The site is relatively flat with a general surface flow direction from the east to the west. Elevations on the site average at 18' NAVD±. Runoff from the site is currently uncontrolled.

As part of the Three Oaks Parkway and Oriole Road Extension, a SFWMD permit was issued (Permit 36-05268-P). The permitted surface water management system requires dry detention areas to provide pre-treatment for runoff from the proposed development prior to discharge into the master surface water management system which discharges into waters of the Ten Mile Canal via the Alico Road / Briarcliff Ditch.

Proposed Conditions:

With this Comprehensive Plan Amendment, a mixed use project is envisioned with commercial outparcels along Three Oaks Parkway and multi-family residential on the remainder of the site. Dry detention will be provided prior to discharge into the lake / wetland system. The surface water management system provides the required water quality and attenuation for the 25 year – 3 day storm including an additional 50% above the required water quality volume. The surface water management system will maintain historic flow patterns and discharge to the master surface water management system as currently permitted. The system will be designed in accordance with the rules of the South Florida Water Management District as well as the Development Standards of the Lee County Land Development Code.



LEE PLAN ANALYSIS – M11

The subject property is located at the northwest quadrant of I-75 and Alico Road, approximately ¼ mile north of Alico Road. The proposed amendment would extend the General Interchange land use category over the subject property, consistent with the property to the south. The proposed amendment is consistent with the Lee County Comprehensive Plan as outlined below.

OBJECTIVE 1.3: INTERSTATE HIGHWAY INTERCHANGE AREAS. *Special areas adjacent to the interchanges of Interstate 75 that maximize critical access points will be designated on the Future Land Use Map. Development in these areas must minimize adverse traffic impacts and provide appropriate buffers, visual amenities, and safety measures. Each interchange area is designated for a specific primary role: General, General Commercial, Industrial Commercial, Industrial, and University Village. Residential uses are only permitted in these categories in accordance with Policy 1.3.2.*

The proposed amendment will maximize the use of this critical interchange by providing a greater diversity of uses on the subject property and the ability to develop a mixed use plan. The added residential uses will be in proximity to major employment centers at or near the Alico Interchange as well as at interchanges throughout Lee County.

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 industrial/commercial, and multi-family dwelling units. The standard density range is from eight dwelling units per acre (8 du/acre) to fourteen dwelling units per acre (14 du/acre). Maximum density is twenty-two dwelling units per acre (22 du/acre).*

The General Interchange land use category has a broad range of uses allowed, including multi-family residential. The subject property is seeking a concurrent zoning which will allow for approximately 14 dwelling units per acre. The flexibility of uses and the residential allowed is the most appropriate designation for the subject property based on its location adjacent to General Interchange on the south and the employment centers to the north. The proposed mixed-use plan will be well positioned to provide a needed diversity of housing types to the surrounding employment uses.

It is important to note that similar to the Commercial Industrial Interchange land use category, the General Interchange land use category allows for light industrial uses. While neither the existing zoning or the proposed zoning seeks industrial uses, the proposed

change to the future land use category will have no effect on the amount of industrial acreage within Lee County.

POLICY 1.6.5: *The Planning Districts Map and Acreage Allocation Table (Map 1-B and Table 1(b)) depict the proposed distribution, extent, and location of generalized land uses through the Plan's horizon. Acreage totals are provided for land in each Planning District in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded.*

Table 1b includes 15 acres in the Gateway/Airport Planning community available for residential development. Based on how the County calculates the total available acreage for residential development, there is sufficient acreage available to meet the needs of the proposed residential area for this project.

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

This policy will be analyzed more during the concurrent re-zoning. However, the proposed future land use change represents an opportunity for compact development patterns. The subject property is within an urban area near the Alico Interchange. Public services are available to the subject property as evidenced by the existing zoning approval, the development contiguous to the north, development on nearby properties in all directions, and through the letters of service availability obtained from each public service department. Locating residential on the subject property will minimize urban sprawl by allowing for multi-family residential development adjacent, in close proximity and with easy access to employment centers throughout Lee County.

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

The subject property is currently within a future urban area on the future land use map and is surrounded by urban designated properties. The proposed land use category allows for urban levels of residential development.

OBJECTIVE 2.2: DEVELOPMENT TIMING. *Direct new growth to those portions of the future urban areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in Section 163.3164(7), F.S.) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, F.S. and the concurrency requirements in the Land Development Code.*

As part of the submitted applications, letters of service availability have been obtained from each of the service providers. The subject property is in an urban area where public facilities exist, and capacity is available to serve the proposed development.

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

The subject property is located along the Three Oaks Extension, a future arterial road, just to the north of the Alico Interchange with I-75. Water and sewer service is available to the subject property. As evidenced by the attached letters of service availability, public facilities exist to serve the proposed development.

STANDARD 4.1.1: WATER.

1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a “community” water system as that is defined by Chapter 62-550, F.A.C.).

Potable water service is available to the subject property. Future development will be required to connect to Lee County’s central water system.

STANDARD 4.1.2: SEWER.

1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.

Sanitary sewer service is available to the subject property. Future development will be required to connect to Lee County’s central wastewater system.

STANDARD 4.1.4: ENVIRONMENTAL FACTORS.

1. In any case where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District, or other applicable regulatory agency), the developer/applicant must prepare an environmental assessment that examines the existing conditions, addresses existing or anticipated environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources.

Dex Bender has conducted an environmental assessment for the property. According to the report, “The majority of the site is improved pasture with the remaining forested areas containing high levels of exotics.” There are no environmentally sensitive areas on site.

However, the developer will meet the County's indigenous preservation requirements, which will preserve and restore a portion of the pine flatwoods area of the property.

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

The proposed comprehensive plan amendment will implement Goal 5 by located additional opportunity for residential multi-family development, providing a diversity of housing opportunities just north of San Carlos.

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

There are no physical constraints or hazards that exist on the subject property that would limit residential development.

POLICY 5.1.3: *During the rezoning process, direct high-density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities.*

The proposed comprehensive plan amendment directly implements the intent of Policy 5.1.3 in that it will locate a high density residential near major employment centers. Directly to the north of the subject property is the new Neogenomics headquarters as well as several other corporate office buildings. Southwest Florida International Airport is within a 3-mile drive of the subject property, and several employment centers that have developed under the industrial/commerce designations in the comprehensive plan are located within a few miles of the subject property. The proposed development is strategically located to provide multi-family housing in close proximity to major employment areas as well as the Interstate, giving the property easy access to employment centers throughout Lee County.

POLICY 5.1.4: *Prohibit residential development in all Industrial Development areas and Airport Noise Zone B as indicated on the Future Land Use Map, except for residences in the Industrial Development area for a caretaker or security guard.*

The subject property is not in Noise Zone B. Noise Zone C covers only the northwest corner of the subject property. Very little, if any, of the residential area will even be in Noise Zone C. Most of the property is not located in any Noise Zone.

POLICY 5.1.5: *Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential*

environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments.

The residential portion of the subject property is well located to be protected from the encroachment of industrial or commercial uses. To the south of the subject property is land zoned for residential use, in the General Interchange land use category. To the north of the subject property are existing built office development. To the east is I-7 and to the west will be the commercial development that is part of the proposed Mixed Use Planned Development that is be submitted concurrent with this application.

POLICY 6.1.4: *Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities.*

The proposed plan amendment currently allows for commercial development and will continue to provide for commercial development. The proposed land use change will simply allow residential uses, compatible with the surrounding existing and planned commercial and residential development.

POLICY 6.1.5: *The land development regulations will require that commercial development be designed to protect the traffic-carrying capacity of roads and streets. Methods to achieve this include, but are not limited to...*

The proposed plan amendment is in an area where capacity exists on the adjacent roadway network. As shown in the attached Transportation Impact Statement, this proposed amendment will not cause any negative impacts to the County Long Range Transportation Plan. The proposed development will be a decrease in trips as compared to the existing zoning and land use use approvals.

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

The proposed plan amendment and concurrent rezoning represents a change to a mixed-use development with multi-family residential, retail, office and hotel uses. The addition of the multi-family residential development within the context of the surrounding land uses will provide a housing opportunity in close proximity to major employment centers and create a

mixed-use environment that decreases trip lengths and diversifies that housing options in close proximity to the workplace.

OBJECTIVE 47.2: DEVELOPMENT COMPATIBILITY IN VICINITY OF AIRPORTS.

Evaluate development proposals for property located within the vicinity of existing or planned aviation facilities to ensure land use compatibility, to preclude hazards to aircraft operations, and to protect airport capacities and facilities.

The northwest corner of the subject property is located in Airport Noise Zone C, outside of the area where noise sensitive uses are prohibited. Most of the property is located outside of any airport noise zone. The proposed development is separated from airport operations by I-75 and will not have any impact on the growth of RSW. Landscaped areas and water management features will be designed consistent with the goal of minimizing wildlife attractors.

POLICY 47.2.1: Land use compatibility will be considered when reviewing development proposals within the vicinity of existing or planned aviation facilities.

The northwest corner of the subject property is located in Airport Noise Zone C, outside of the area where noise sensitive uses are prohibited. Most of the property is located outside of any airport noise zone. The proposed development is separated from airport operations by I-75 and will not have any impact on the growth of RSW. Landscaped areas and water management features will be designed consistent with the goal of minimizing wildlife attractors.

POLICY 47.2.2: Maintain regulations in the LDC which restrict land uses in areas covered by the Airport Noise Zones to uses that are compatible with the operation of the airport.

The northwest corner of the subject property is located in Airport Noise Zone C, outside of the area where noise sensitive uses are prohibited. Most of the property is located outside of any airport noise zone. The proposed development will comply with all other land use regulations ensuring compatibility with airport operations.

POLICY 47.2.3: Utilize the currently adopted Airport Master Plans, rules of Ch. 333, Fla. Stat., and the Southwest Florida International Airport FAR Part 150 Study, including updates, as a basis to amend the Lee Plan and the LDC to prohibit development that is incompatible with the Southwest Florida International Airport or Page Field Airport; and, to ensure future economic enhancement consistent with Objective 47.1.

The northwest corner of the subject property is located in Airport Noise Zone C, outside of the area where noise sensitive uses are prohibited. Most of the property is located outside of any airport noise zone. The proposed development will comply with all other land use regulations ensuring compatibility with airport operations.

POLICY 47.2.4: In the interest of the safety of air commerce, the County will not approve a temporary or permanent structure which is an obstruction to air navigation and affects the safe and efficient use of navigable airspace or the operation of planned or existing air navigation and communication facilities; or, does not comply with placement, lighting and marking standards established by the Port Authority, Florida Statutes, or FAA rules and regulations.

The proposed development is not requesting building heights that would interfere with airport operations.

POLICY 47.2.5: The safety of aircraft operators, aircraft passengers, and persons on the ground will guide the Port Authority's airports operations. Hazardous wildlife attractants within 10,000 feet of a Port Authority airport's Air Operations Area (AOA) will be avoided by minimizing and correcting any wildlife hazards arising from wetlands or water bodies in accordance with FAA AC 150/5200-33B, or as otherwise amended. Site improvements on or near the Port Authority's airports must be designed to minimize attractiveness to wildlife of natural areas and man-made features such as detention/retention ponds, landscaping, and wetlands, which can provide wildlife with ideal locations for feeding, loafing, reproduction and escape.

Through the planned development process, the applicant will seek deviations to ensure that landscaped areas and water management features will be designed consistent with the goal of minimizing wildlife attractors.

POLICY 60.1.1: Require design of surface water management systems to protect or enhance the groundwater.

The subject property is part of the overall Stormwater Management System for McGarvey Research Park. The overall system is permitted by South Florida Water Management District under Permit # 36-05268-P and provides the required water quality treatment prior to discharge. The restricted water quality and quantity discharge rates detain water within the stormwater system which promotes infiltration to maintain groundwater levels.

POLICY 125.1.2: New development and additions to existing development must not degrade surface and ground water quality.

The subject property is part of the overall Stormwater Management System for McGarvey Research Park. The overall system is permitted by South Florida Water Management District under Permit # 36-05268-P and provides the required water quality treatment prior to discharge. The restricted water quality and quantity discharge rates detain water within the stormwater system which reduce nutrients and suspended solids prior to discharge offsite. Commercial area provide a minimum of ½" dry pre-treatment prior to discharge into the master stormwater system.

POLICY 125.1.3: The design, construction, and maintenance of artificial drainage systems must provide for retention or detention areas and vegetated swale systems that minimize nutrient loading and pollution of freshwater and estuarine systems.

The subject property is part of the overall Stormwater Management System for McGarvey Research Park. The overall system is permitted by South Florida Water Management District under Permit # 36-05268-P and provides the required water quality treatment prior to discharge. The restricted water quality and quantity discharge rates detain water within the stormwater system which reduce nutrients and suspended solids prior to discharge offsite. Commercial area provide a minimum of ½" dry pre-treatment prior to discharge into the master stormwater system which then provides the remaining water quality treatment.

OBJECTIVE 135.1: HOUSING AVAILABILITY. To ensure the types, costs, and locations of housing are provided to meet the needs of the County's population by working with private and public housing providers.

The proposed land use change will allow for the development of 475 new multi-family residential units.

POLICY 135.1.9: The county will ensure a mix of residential types and designs on a countywide basis by providing for a wide variety of allowable housing densities and types through the planned development process and a sufficiently flexible Future Land Use Map.

The proposed land use change will diversify the housing types in the local area by providing for higher density multi-family units in an area with predominantly single-family development to the south in the San Carlos neighborhood.