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APR 05 2022

COMMUNITY DEVELOPMENT

April 5, 2022

Lee County Community Development – DCD Planning Section  
Attn: Mr. Brandon Dunn, Principal Planner  
1500 Monroe Street  
Fort Myers, FL 33901

**Subject: Response to Insufficiency Letter**  
**CPA2021-00015 Greenwell SR 31 Map Amendment – A04**

Dear Mr. Dunn:

Please accept this letter in response to your insufficiency letter dated March 17, 2022, for the above subject project. This letter outlines responses to each comment including stipulations. Please find the following list of information and materials that are being submitted electronically:

1. Response to Insufficiency Letter
2. Exhibit M16 – Existing and Future Conditions Analysis
  - FGUA Letter of Availability – In lieu of the LOA, please see the attached email dated 3/18/2022 from Mr. Douglas Black of Government Services Group, LLC. The LOA will be provided on separate cover as soon as it is signed and issued from FGUA.
  - LCU Letter of No Objection
3. Exhibit M4 – Proposed FLUM
4. Exhibit M20 - Alva and North Olga Community Plan Area Meeting Materials

In reply to your review comments, we offer the following responses in **bold**:

1. The applicant's previous response is acknowledged. Please provide a letter of availability from FGUA for sewer service, and provide a letter of no objection from LCU to allow FGUA to provide sewer service to the subject property.

Also, please update the Sanitary Sewer section of Exhibit M16 (Existing and Future Conditions Analysis) to provide an analysis of FGUA sanitary sewer capacity as previously requested. The current analysis is based on the capacity of Lee County Utilities' capacity and must be updated as the applicant has stated sanitary sewer service would be provided by FGUA.

***Response: Please see updated Exhibit M16, which includes the Letter of Availability from FGUA and Letter of No Objection from LCU. NOTE: The Letter of Availability still has not been signed and issued by FGUA. However, please see the email from FGUA confirming the LOA will be signed and issued in due time. Once received, we will provide on separate cover.***

2. The development proposes wetland impacts within the CHHA. These natural systems within the CHHA function as a defense against coastal flooding. How will these proposed wetland impacts protect human life along with current and future development from the impacts of coastal flooding consistent with Lee Plan goal 101? Will the applicant design the development to provide additional storage of water in the event of coastal flooding?

***Response: While wetlands have been determined to be within the property boundary, the applicant anticipates avoiding and minimizing impacts to these wetlands to the greatest extent possible. If some impacts become unavoidable, the applicant will address at the time of development order the possible need for floodplain compensation/water storage as part of the development order and SFWMD ERP process utilizing appropriate independent surface water management plans and/or wetland mitigation programs.***

3. The proposed Wetland future land use boundaries have changed with each submittal. These changes include the addition and removal of lands within the Wetland future land use category. Please provide a formal wetland jurisdictional determination approved by SFWMD or FDEP to support this request as required by Objective 1.5 to modify wetland boundaries.

***Response: A site visit to review the project's wetland lines has been scheduled with South Florida Water Management District (SFWMD) staff for Thursday, April 14, 2022. A copy of the SFWMD formal wetland jurisdictional determination letter will be provided to Lee County upon receipt.***

***As a result of the jurisdictional determination not yet finalized and further coordination with Mr. Dunn on March 29th, the application has been updated to reflect the proposed Wetland future land use boundary (Exhibit M4) based on the existing Wetland FLU data. The applicant will pursue an administrative amendment consistent with Lee Plan Policy 1.5.2 and Chapter XIII when the exact locations of Wetland boundaries are determined.***

4. Community Plan Area requirements (Exhibit M20). The applicant's previous response regarding required public input meetings in the Alva and North Olga Community Plan areas is acknowledged. Please provide the required materials identified in Policy 17.3.4 with the next resubmittal.

***Response: Please see attached Exhibit M20 – Community Plan Area meeting materials identified in Policy 17.3.4 for both the Alva and North Olga Community Planning Areas.***

We believe that all comments and questions have been fully addressed and respectfully request to be found sufficient and scheduled as soon as possible for the next Local Planning Agency hearing.

Should you have any questions or require additional information, please contact Mr. Brian Farrar at 239-580-8840.

Sincerely,  
RWA, Inc.

A handwritten signature in blue ink, appearing to read 'K. S. Gallander', written in a cursive style.

Kenrick S. Gallander, AICP  
Director of Planning

Attachment(s): Application Submittal Requirements (listed above)

cc: Brian Farrar – President, BCF Management Group, LLC  
Michael R. Whitt & Robert A. Cooper, Partner at Hahn Loeser & Parks, LLP  
File: 190136.02.00





**GREENWELL SR31**  
**Comprehensive Plan Map Amendment**  
**EXHIBIT M16**  
**Existing and Future Conditions Analysis**

**Sanitary Sewer**

The subject property is not located within any current sanitary sewer service franchise area or future service area based on Lee Plan Map 4-B. The Lee County Utilities Potable Water Wastewater Availability letter, dated November 8, 2021, indicates that sanitary sewer lines “are not in operation adjacent” to the subject property. For service to be provided by Lee County Utilities (LCU), developer funded system enhancements and a Lee County Comprehensive Plan Amendment will be required. The applicant has been in coordination with Florida Governmental Utility Authority (FGUA) and has confirmed that FGUA will be extending their service area for sanitary sewer to serve the proposed project (See attached LOA confirmation). Additionally, LCU has provided a letter of no objection for FGUA to provide sewer service to the subject property. (See attached letter dated December 21, 2021.)

FGUA currently has capacity to handle 7.0 million gallons of wastewater on an Annual Average Daily Flow (AADF) with a current demand of 7.5 million gallons AADF according to the Lee County Public Facilities 2021 LOS and Concurrency Report (2021 Report).

The Level of Service (LOS) Standard for wastewater per Lee Plan Policy 95.1.3:

- Current & Projected LOS Standard: 200 Gallons Per Day (GPD) per Equivalent Residential Connection (ERC)

Existing Future Land Use Category and Land Uses:

- RURAL & WETLANDS
- Agriculture and residential single-family use with no centralized sewer service connections.
- 0 ERC at 200 GPD = 0 GPD

Proposed Future Land Use Category and Land Uses:

- OUTLYING SUBURBAN & WETLANDS
- Max. 131 Dwelling units (ERC), Commercial Shopping Center, and Amenity Center with pool, per FAC 64E-6.008
  - 131 ERC's at 200 GPD = 26,200 GPD
  - Commercial (maximum 400,000 SF x 0.10 gpd / SF) = 40,000 GPD
  - Amenity Center (estimated at 15,000 SF x 15 gpd / 100 SF) = 2,250 GPD
  - Pool/Playground (estimated 50 people x 10 gpd/person = 500 GPD
  - TOTAL = 68,950 GPD

FGUA has the current capacity of 0.5 million gallons of wastewater per day (MGD) in excess of the current demand. The proposed amendment results in an increased demand of approximately of 68,950 GPD. Thus, there is no lack of wastewater capacity expected from the proposed development.

Ensuring the Greenwell SR 31 residential development is connected to the sanitary sewer facilities and not septic systems is a key benefit to the public as septic system discharges are known to negatively impact surrounding water resources.

### **Potable Water**

The subject property is currently not located within the Lee County Utilities (LCU) service area based on the most recent Lee County Utilities Water Franchise Area Map, dated May 29, 2019. The Lee County Utilities Potable Water and Wastewater Availability letter, dated November 8, 2021, indicates that potable water mains “are not in operation adjacent” to the subject property. For service to be provided, developer funded system enhancements and a Lee County Comprehensive Plan Amendment will be required. A Comprehensive Plan Amendment would amend the Lee County Utilities Future Water Service Areas map (Lee Plan Map 4-A). Once adopted, Lee Plan Map 4-A will identify the subject property within the Lee County Utilities Future Water Service Area and thus able to serve the future development by their Water Treatment Facilities.

According to the Lee County Public Facilities 2021 LOS and Concurrency Report (2021 Report), LCU currently has an available capacity to provide 50.9 million gallons of water per day, or 310 average minimum gallons per day per equivalent residential connection (ERC). The average daily water demand was 30.2 million gallons per day in 2020 and 27.8 in 2016. The needs of the proposed development are expected to stay within the remaining water production capacity provided by LCU’s water treatment facilities.

The Level of Service (LOS) Standard for potable water per the 2021 Report and Lee Plan Policy 95.1.3:

- Current & Projected LOS Standard: 250 Gallons Per Day (GPD) per Equivalent Residential Connection (ERC)

Existing Future Land Use Category and Land Uses:

- RURAL & WETLANDS
- Agriculture/Pasture and Homestead use with no potable water service connections.
- 0 ERC at 250 GPD = 0 GPD

Proposed Future Land Use Category and Land Uses:

- OUTLYING SUBURBAN & WETLANDS
- Max. 131 ERC’s, Commercial Shopping Center, and Amenity Center with pool, per FAC 64E-6.008
  - 131 ERC’s at 250 GPD = 32,750 GPD
  - Commercial (maximum 400,000 SF x 0.10 gpd / SF) = 40,000 GPD

- Amenity Center (estimated at 15,000 SF x 15 gpd / 100 SF) = 2,250 GPD
- Pool/Playground (estimated 50 people x 10 gpd/person = 500 GPD)
- TOTAL = 75,500 GPD

LCU has the current capacity of 11.1 million gallons of water per day (MGD) in excess of the current demand and a planned capacity to provide an additional 3.4 MGD of water for future development. The proposed amendment results in an increased demand of approximately of 75,500 GPD. Thus, there is no lack of potable water capacity expected from the proposed development.

Having the Greenwell SR 31 future mixed-use planned development utilize centralized potable water service and water treatment facilities eliminates potentially hundreds of individual private wells. This results in a key public benefit by eliminating competing water consumption use from groundwater sources and aids in helping to plan and control the surrounding water resources for the growing Lee County.

#### **Surface Water/Drainage Basins – South Florida Water Management District**

The subject property is located within the South Florida Water Management’s (SFWMD) **Tidal Caloosahatchee Basin**. Lee Plan Map 5-D shows a portion of the property within the Owl Creek Watershed area. A North Fort Myers Master Watershed Plan by AECOM shows the property mostly within the Unnamed 2 Creek Watershed. There is an existing lake on site for irrigation, however no existing surface water management permit is on file with the South Florida Water Management District. There are existing wetlands on site. The lack of an existing surface water management system **does not meet or exceed** the applicable County’s LOS Standard, which is as follows per Lee Plan Policy 95.1.3 - 4:

***Policy 95.1.3 - 4: Stormwater Management Facilities LOS: The existing surface water management system in the unincorporated areas of the county will be sufficient to prevent the flooding designated evacuation routes (see Map 3-F) from the 25-year, 3-day storm event (rainfall) for more than 24 hours.***

A storm water management system will be provided for the property and will benefit the public through clearly defining the storm water treatment methods, maintenance accountability, and runoff attenuation. Runoff from the developed site will continue to discharge to tidal creeks and rivers. The Lee County Public Facilities 2021 LOS and Concurrency Report (2021 Report) indicates all watersheds within the county were studied and found no evacuation routes located within these watersheds are expected to be flooded for more than a 24-hour period. Per the 2021 Report, Lee County states that all new developments receiving approval from SFWMD and comply with appropriate standards will be deemed concurrent with the Lee Plan’s surface water management level-of-service standards.

The proposed development will seek and obtain all applicable South Florida Water Management District approvals as well as comply with all Florida Administrative Code Chapter 62-330 standards to ensure consistency with the stated LOS standards per Policy 95.1.3 - 4 of the Lee Plan for surface water management.

## **Parks, Recreation, and Open Space**

The Lee Plan measures the minimum acceptable level of service for parks, recreations and open space utilizing two standards: Regional Parks and Community Parks. According to the Lee County 2021 Public Facilities Level of Service and Concurrency Report, there are over 3,500 acres of developed regional and community park lands. Additionally, there are several county parks and State/Federal recreational areas that provide several thousand more acres of recreational options to the community.

The county's adopted Level of Service for parks per Policy 95.1.3 – Non-regulatory Standards of the Capital Improvements element within the Lee Plan (Comprehensive Plan) is as follows:

- Regional Parks: 6 acres per 1,000 total seasonal county population for all of Lee County
- Community Parks: 0.8 acres per 1,000 unincorporated Lee County permanent population

Existing Future Land Use Category and Land Uses:

- RURAL & WETLANDS
- Agriculture and single-family dwellings with no parks, recreation, and open space required

Proposed Future Land Use Category and applicable Land Uses:

- OUTLYING SUBURBAN & WETLANDS with single-family dwellings
- 131 Dwelling units at 2.34 estimated persons per household (Lee County, Florida) (The Bureau of Economic and Business Research – University of Florida; April 1, 2020) = 306.54 persons projected
  - Regional Park at 6 acres per 1,000 residents = 1.84 acres required
  - Community Park at 0.8 acres per 1,000 residents = 0.24 acres required

The proposed map amendment to allow up to 131 dwelling units within the Greenwell SR31 project results in an added demand of 1.84 acres of Regional Park land and 0.24 acres of Community Park land. According to the Lee County 2021 Public Facilities Level of Service and Concurrency Report, there is currently an overall total of 8,622.1 acres of existing regional parks consisting of local, state and federal lands in operation, exceeding the adopted level of service standard by 1,849 acres ( $867,000$  [Seasonal Population]  $\times$  (6 acres/1,000 population) = 5,202 acres). Additionally, according to the Lee County 2021 Public Facilities Level of Service and Concurrency Report, there is currently 743.1 acres of existing community park land in operation, which exceeds the adopted level of service standard by 454 acres ( $361,315$  [Permanent Population]  $\times$  (0.8 acres/1,000 population) = 289 acres).

The requested 131 dwelling units will not negatively impact the regional or community parks level of service. The current non-regulatory level of service standard for both regional and community parks far exceed the targeted levels. There is adequate acreage within the existing parks to meet the needs of the proposed maximum 131 dwelling units.



The proposed Greenwell SR 31 Mixed Use Planned Development will provide amenity recreational areas for the residents and their guests.

### **Public Schools**

The subject property is located within the School District of Lee County, which is split into Choice Zones and Sub Zones. According to the Lee County 2021 Public Facilities Level of Service and Concurrency Report, the subject property is in the designated East Choice Zone, E1. School concurrency is reviewed at time of local development order and per LDC Section 2-45, further defines school concurrency that “public school facilities needed to serve new development must be in place or under actual construction within three years after the local government approves a development permit, or its functional equivalent, that results in a generation of students.”

According to the Lee Plan Policy 68.1.1, level of service standards for public schools are based upon Permanent Florida Inventory School Houses (FISH). Per Policy 95.1.3 – Regulatory Standards (5), the county adopted LOS standard for Elementary, Middle, High, and Special Purpose Schools to account for measurable programmatic changes are as follows:

- 100% of Permanent FISH Capacity as adjusted by the School Board annually.

The 2021 Concurrency Report shows the following for the E1 Choice Zone:

- Elementary School: 208 seat total available capacity
- Middle School: 829 seat deficit in available capacity
- High School: 430 seat deficit in available capacity

These deficits, according to the 2021 Concurrency Report, within the Middle and High School grade levels will be addressed in two ways: (1) by adding portable seats and (2) by the construction of new schools. The proposed new schools are the “MM” middle school scheduled to open in school year 2021-2022 – adding 1,210 seats, and the “Gateway High School” scheduled to open this following school year (2021) and will create 525 seats with an additional 1,475 seats coming in 2021-2022.

Proposed Future Land Use Category:

- OUTLYING SUBURBAN & WETLANDS
- 131 proposed maximum dwelling units associated with the proposed Greenwell SR31 development at 0.297 students per household (Per School District of Lee County) = approximately 39 potential students
- Per The School District of Lee County, the total number of potential students can be further broken down by grade level:
  - Elementary at  $0.149 \times 131$  dwelling units = 20 students
  - Middle School at  $0.071 \times 131$  dwelling units = 9 students
  - High School at  $0.077 \times 131$  dwelling units = 10 students

The proposed comprehensive plan map amendment effectively would result in 39 additional students within the E1 Choice Zone. Based on the Concurrency Analysis Report and letter of availability provided by The School District of Lee County included with this submittal, there is capacity currently available at all educational levels within E1 Choice Zone to handle the proposed planned development of up to 131 dwelling units.

### **Solid Waste**

Solid waste services for the property will be handled at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill.

According to the 2021 Concurrency Report, the level of service regulatory standards for solid waste disposal are as follows:

- Required Capacity: 7 pounds per day per capita
- Available Capacity: 7.9 pounds per day per capita

#### Existing Development Potential: 66 maximum dwelling units

66 dwelling units x 2.34 persons per household (Lee County, Florida) (The Bureau of Economic and Business Research – University of Florida; April 1, 2020 = 154 persons

154 persons x 7 lbs/day = 1,081 lbs

#### Proposed Development Potential: 65 additional (131 maximum dwelling units)

65 dwelling units x 2.34 person per household = 152 persons

152 persons x 7 lbs/day = 1,065 lbs

Total for 131 max dwelling units: 2,146 lbs

The 2021 Concurrency Report states that all unincorporated areas of Lee County are concurrent with the level of service standard set forth in the Lee Plan for solid waste. Additionally, the report states that at the total system capacity of 1,134,667 tons per year, the Lee County Integrated Waste Management System (IWMS) would be capable of providing a 7.0 pounds-per-capita-per-day level of service to a full-time combined Lee and Hendry County population of 888,000.

The proposed increase in density will result in an additional 2,146 pounds per day. The Lee County Resources Facility and the Lee-Hendry Regional Landfill has available capacity to accommodate the proposed increase in density. Further evidence of adequate capacity is outlined in letter of availability provided by the Lee County Solid Waste Department for the proposed development included with this submittal.

## **Conclusions**

This analysis, as demonstrated and provided above, confirms that there are adequate public facilities to support the proposed mixed-use development of the Greenwell SR31 proposed development with a potential maximum number of 131 dwelling units and 400,000 square feet of commercial area. The comprehensive plan map amendment for Greenwell SR 31 will be adequately supported and will not cause any adverse impacts or deficiencies to the surrounding public facilities.



**FGUA Operations Office**

Government Services Group, Inc.  
280 Wekiva Springs Rd., Ste 2070  
Longwood, FL 32779-6026

(877) 552-3482 Toll Free  
(407) 629-6900 Tel  
(407) 629-6963 Fax

April 1, 2022

Mr. Michael C. Pappas P.E.  
RWA, Inc.  
12800 University Drive, Suite 175  
Fort Myers, FL 33907  
mpappas@consult-rwa.com

**RE: Wastewater and Reclaim Water Availability – LOA ID#: 22-030 NFMD**  
**Parcel ID No.: 18-43-26-00-00001.0000; 18-43-26-00-00001.0200;**  
**18-43-26-00-00001.0180; 18-43-26-00-00001.0190.**  
**18500/18672 SR 31, Alva, FL 33920**  
**Greenwell SR 31**

Dear Mr. Michael C. Pappas:

The FGUA has received your Application for Service Availability, and upon review, it has been determined that wastewater disposal service is generally available to the address provided. The attached site map indicates the approximate size and location of the existing mains in the area. Please be advised that main extensions, connection to the reclaimed water system, and other system enhancements funded by the project sponsor may be required.

The application indicated that the proposed project consists of 131 single family homes with an estimated wastewater usage demand of 75,500 GPD for wastewater disposal. Currently, FGUA facilities are able to accommodate these demands. During the design process, if existing conditions warrant, a hydraulic analysis may need to be performed by the project engineer to evaluate the impacts the proposed project may have on the existing wastewater systems.

This letter should not be construed as a commitment to serve, but only as a statement of the availability of service and is effective for twelve (12) months from the date of issue. The FGUA commitment to serve will be made once a Utility Infrastructure Conveyance and Service Agreement (CSA) is fully executed. To move this project forward, contact Development Services via email at [SSpencer@govmserv.com](mailto:SSpencer@govmserv.com) to receive a plan submittal package and schedule the pre-application meeting if required.

**FGUA Board of Directors**

PAM KEYES, P.E. Chair, Lee County / KEN CHEEK, P.E. Vice Chair, Citrus County / SHANE PARKER, P.E., Hendry County / TAMARA RICHARDSON, P.E., Polk County / MICHAEL CARBALLA, P.E., BCEE, Pasco County / JODY KIRKMAN, P.E., Marion County/ HEIDI PETITO, Flagler County

Sincerely,

**FLORIDA GOVERNMENTAL UTILITY AUTHORITY**

*Douglas W. Black*

Digitally signed by Douglas W  
Black  
Date: 2022.04.05 08:09:10 -04'00'

Douglas W. Black, PSM, PLS  
Property & Development Manager

CC: Mike Currier, South Region Area Manager

Encl.

1. Pre-Development Meeting Information
2. Utility Locates
3. Fee Statement/Receipt



## Development Services Division

### Pre-Application Meeting Information

#### **Purpose:**

The pre-application meeting is designed to be an informative discussion, specifically geared toward assisting the applicant (owner/developer/engineer) understand the FGUA's policies and development process. The pre-application meeting may be required prior to the formal submission and review of any utility construction plans by the Development Division.

It is our goal to assist you through the FGUA development process as smoothly as possible, and for your development to be a success. This pre-application meeting, if required, will provide you with the details you need to make this a successful and stress-free process.

#### **What to Expect:**

If the meeting is required, you will be provided with a variety of both general and specific information regarding the FGUA's development process. This will include, but not be limited to staff contact information, plan review guidelines, current fees, conveyance, and closeout procedures.

#### **Who Should Attend:**

It is encouraged that a representative from the property owner, developer, and engineer, at a minimum, attend this meeting. Representatives of the FGUA's Development Division, including the Development Technician, Development Coordinator, Real Property Coordinator and utility system Area Manager will also be in attendance as required.

In an effort to accommodate the potential long-distance commute between the FGUA's Operations Office in Longwood, Florida and the FGUA system areas, these meetings will take place via Microsoft Teams.

#### **Meeting Requests:**

Please e-mail Development Services to request a meeting at [SSpencer@govmserv.com](mailto:SSpencer@govmserv.com).

Please have your FGUA Letter of Availability (LOA) Number (included on the first page of your previously issued Letter of Availability) ready when you email to schedule this meeting.

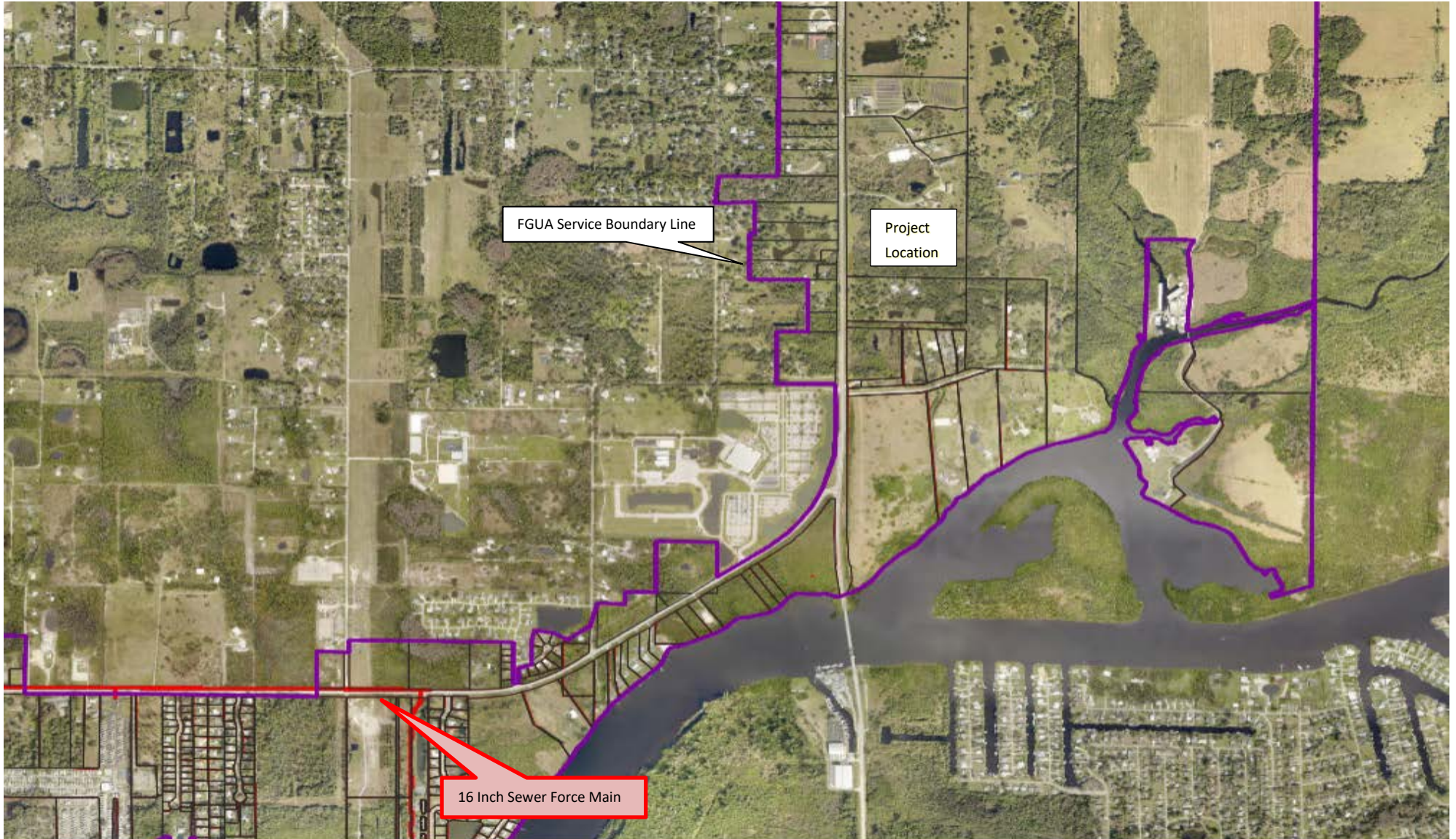
You will also be required to provide a preliminary site utility plan for staff review before the meeting is scheduled.

12/17/2021

STRAP/PID #: 18-43-26-00-00001.0000; 18-43-26-00-00001.0200; 18-43-26-00-00001.0180;  
18-43-26-00-00001.0190.

Project Name: 22-030 NFMD Greenwell SR 31

Property Address: 18500 State Road 31, Alva, FL 33920



**ALL UTILITY LOCATIONS SHOWN HERE ARE APPROXIMATE. THE DEVELOPER IS SOLELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS VIA POTHOLING OR OTHER ACCEPTABLE MEANS.**



## FGUA Fee Statement Letter of Availability and/or Locate Request

Property Address or PID: 18-43-26-00-00001.0000

System: North Fort Myers 416

Development/Project Name: Greenwell SR 31

Date: December 17, 2021

County: Lee

LOA ID: 22-030 NFMD

All fee amounts are based on the rates in effect as of the date of this statement and are subject to change.

Fees based on:

0 Letter of Utility Location Availability and Locate Map	\$	100.00
1 Utility Availability Map (Map Only)	\$	75.00
2 Letter of Utility Location Availability (Letter Only)	\$	25.00

<i>FGUA</i>	G/L Code	Fees	Total fees	Amt Previously Paid	Balance Due
<b>LOA Request</b>	<b>202098</b>	\$ 100.00	\$ 100.00	\$ 100.00	\$ -

*Fees Due:* \$ -

<i>Payment History</i>	Date	Check Date	Check #	Payer Name	Amount
0 Letter and Locate Map	12/17/2021	12/7/2021	2220	RWA, INC.	\$ 100.00
1 Map Only					
2 Letter Only					



Kevin Ruane  
*District One*

December 21, 2021

Via E-Mail

Cecil L. Pendergrass  
*District Two*

Blake J. Finnegan, MSP, MPA

Ray Sandelli  
*District Three*

RWA Engineering

12800 University Drive, Suite 175

Brian Hamman  
*District Four*

Fort Myers, FL 33907

Frank Mann  
*District Five*

**RE: Letter of No Objection for sewer service by FGUA  
Greenwell SR-31; 18672 and 18500 SR-31, 12201 and 12251 Lucky Lane  
Strap #s: 18-43-26-00-00001.0200, 18-43-26-00-00001.0190,  
18-43-26-00-00001.0180, and 18-43-26-00-00001.0000**

Roger Desjarlais  
*County Manager*

Richard Wesch  
*County Attorney*

Donna Marie Collins  
*County Hearing Examiner*

Dear Mr. Finnegan:

This letter is in response to your request for a Letter of No Objection to Florida Governmental Utility Authority (FGUA) providing sanitary sewer service to the above referenced addresses.

Please be advised that the subject addresses are not located within Lee County Utilities' (LCU) service area and we have no sanitary sewer lines in operation adjacent to the site.

Per Lee Plan Policy 56.1.1, LCU may object to sanitary sewer utilities applying to provide or expand service to areas within unincorporated Lee County that are not included in the areas illustrated on Map 4A.

LCU has no objection to the FGUA providing sanitary sewer service to the subject addresses.

If you should have any questions, or require further assistance, please do not hesitate to contact our office at (239)533-8181.

Sincerely,



Nathan Beals, PMP  
Utilities Planning Manager  
(239) 533-8157  
LEE COUNTY UTILITIES



## **GREENWELL SR31**

### **Comprehensive Plan Map Amendment**

#### **EXHIBIT M20**

#### **Planning Communities/Community Plan Area Requirements**

##### **PLANNING COMMUNITY:**

The applicant has conducted the required public information meetings as stated in Policy 17.3.4 and consistent with Goal 17, Objective 17.3 and its corresponding Policies.


A meeting summary document is attached providing the date, time, and location of the public information meeting along with a list of those in attendance, and outline summary of concerns and questions raised and the applicant's response for the petition to be found sufficient.



## MEMORANDUM

**DATE:** March 11, 2022

**TO:** **Brandon Dunn, Principal Planner**  
Lee County Department of Community Development – Planning Section; and  
**Patrick Doty, Principal Planner**  
Lee County Department of Community Development – Zoning Section

**FROM:** Kenrick S. Gallander, AICP  
Director of Planning  
RWA Engineering 

**PROJECT NAME(S):** Greenwell SR31 Comprehensive Plan Map Amendment (**CPA2021-00015**); and  
Greenwell SR31 Mixed Use Planned Development (MPD)  
(**DCI2021-00050**)

**SUBJECT:** Alva Planning Community – Public Information Meeting Summary

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An Alva Planning Community Public Information Meeting was held on March 1, 2022, at 5:30pm located at The Alva Community Center located at 21471 North River Road, Alva, FL 33920. The public information meeting was held in compliance with Lee Plan Goal 17, Policies 17.3.2, 17.3.3, 17.3.4, and 27.1.8.

**Applicant and Agent Attendees are as follows:**

- Brian Farrar, President - BCF Management Group, LLC
- Kenrick Gallander, AICP, Director of Planning - RWA Engineering
- Patrick Vanasse, AICP, Director of Community Development - RWA Engineering
- Blake Finnegan, Associate Planner - RWA Engineering
- Shane Johnson, Vice President, Senior Ecologist III - Passarella & Associates
- Yury Bykau, E.I - TR Transportation Consultants, Inc.
- Michael J. Jessich - Water Science Associates

**Attached are related meeting documents for reference:**

- Meeting sign-in sheet
- Affidavit of public notice

**The following provides a summary of the meeting presentation along with questions, concerns or issues that were raised at the meeting; and the applicant's responses**

**Presentation Summary (Started at 5:35 pm):**

Mr. Farrar began the meeting introducing himself and the project Team and proceeded to outline the Public Information Meeting format and presentation outline. He then began providing a brief overview of the Comprehensive Plan Map Amendment and Planned Development rezone under review by the Lee County Community Development Department staff. Mr. Gallander then took over and explained the background of the existing property and details with regard to its location to existing adjacent uses.

From there, Mr. Gallander further detailed the request of the applicant that was submitted to Lee County. This involved detailing the Comprehensive Plan Map Amendment and reviewing the existing Future Land Use Map (FLUM). He then explained the proposed amendment to the FLUM from Rural and Wetlands to Outlying Suburban and Wetlands. He also detailed the proposed amendment to the Future Water Service Area associated with Lee Plan Map 4-A.

Mr. Gallander then briefly reviewed the proposed Planned Development rezone from AG-2 to RPD. He discussed the Master Concept Plan (MCP) and the specific details proposed related to the plan, such as the clustered style development, open space, buffers, water retention, and environmentally sensitive components of the property. These components included the wetlands identified in the environmental assessment conducted by Passerella & Associates. Mr. Gallander then described the current allowed density and proposed density associated with the request as well as potential additional density associated with conserving the wetlands on the property. An open space analysis slide was then shown to provide an overview of the open space provided on the MCP. Mr. Gallander then spoke to some of the benefits of the project while also emphasizing the project remains compatible to surrounding properties and remains consistent with the Lee Plan and LDC. The brief presentation concluded with Mr. Gallander outlining the process and timeline for the application review process and future public hearings for the public to attend. The floor was then opened for questions.

**Questions/Comments/Concerns/Issues Summary:**

**Q:** What types of housing are being considered for the residential portion?

**A:** We are considering a multiple number of options which include, but not limited to, single-family and multi-family uses broken down into different styles.

**Q:** What is the typical price range for the homes going to be?

**A:** We are too early in the process to provide an estimated price point of the homes, especially given the current market trends and unpredictability of the market.

**Q:** Does this project extended past North River Road?

**A:** No.

**Q:** How are the roads going to handle the traffic associated with the project?

**A:** A Transportation Impact Study was done for the project, which has been submitted to the county. A lot of work is being done by Babcock Ranch and the special district working through a (PD&E) study with FDOT and I would encourage you to look at the FDOT website for more information on this.

**Q:** Have there been any particular stores with interest in the site?

**A:** We are too early in the process to have this kind of information.

**Q:** There is a proposed widening of SR31 which is believed to be underway and would take a large chunk off Mr. Greenwell's property. How are you considering this proposed improvement to SR31?

**A:** While we are aware of the PD&E study in progress and our team has not received any formal determination from DOT yet. We cannot plan for what may happen in the future. Mr. Greenwell has property rights, and we have to maintain moving forward based on the highest and best opportunity for Mr. Greenwell.

**C:** That must be a considerable risk being taken going to construction and then having to stop due to the FDOT proposed improvements for SR 31.

**A:** We have no idea when this will take place and the Greenwell's can choose to do whatever it is they desire with their property until that time.

**Q:** Has water management made an official assessment of the wetlands on site?

**A:** Passerella & Associates has conducted a study and determined what they would identify as the wetland locations currently existing on site. We are now awaiting formal determination from the state.

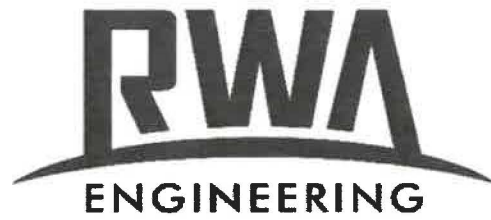
**Q:** Owl Creek found lots of archaeological artifacts on site and had to build around them. Have you had this kind of study done?

**A:** An archaeological sensitivity study was conducted and found there we no historically sensitive concerns on the property.

Since there were no further questions or comments, Mr. Farrar adjourned the meeting at approximately 6:05 p.m.

Attachments:

- Meeting Sign-in Sheet
- News-Press Legal Ad Publication Affidavit



### Sign-In Sheet

Alva Public Information Meeting: Greenwell SR31  
3/1/2022 at 5:30pm

Name	Company	Street Address	City	Phone #	Email
Ken DeWalt	On The River	7 Jute St.	Alva	610-223-8630	ken Dewalt 1@gmail.com
Brian Farzan	BEF MGMT Group	2717 Harbor Dr	Bonita Springs	239-580-8840	Brian@BEFManagement.com
KEN GALLANDER	RWA ENGINEERING	12800 UNIVERSITY DR SUIT 175	FORT MYERS	239-260-4330	kgallander@consult-rwa.com
BLAKE FINNEGAN	" " "	" " "	"	239-449-8877	bfinnegan@consult-rwa.com
Steven Brodtkin	Concerned Citizens of Bayshore Women for a Better Lee	17720 Durrance Rd.	N. Ft. Myers	239-470-3475	SteveB239@aol.com
Yury Bykau	Tt Transportation	2726 Oak Ridge Ct	Fort Myers	239-276-3090	yury@tetrans.net
Tracy Greenwell		18500 SR31	Alva	239-707-1119	mace639@gmail.com
Mike Greenwell		18900 SR31	Alva	239-707-1118	"
B. Greenwell		12201 Luckey Ln	Alva	239-340-0188	"
Garrett Greenwell		12251 Luckey Ln	Alva	239-229-5898	"
Patty Walker					pattywalkerremix@gmail.com
Michael Jessich	Water Science Associates	13620 Metropolis Ave Ste 110 Ft. Myers		239-529-4394	michaelj@wsaconsult.com
Denise Eberle	ALVA INC	Tuckahoe Rd ALVA	ALVA	239-728-6321	EEMSOUCH@AOL.COM
Shane Johnson	Passarella & Assoc.	13620 Metropolis Ave Suite 200	Ft. Myers	239-274-0067	shanej@passarella.net
PAT VANASSE					

# The News-Press media group

news-press.com A GANNETT COMPANY

Attn:  
**RWA ENGINEERING  
STE 150  
FORT MYERS, FL 33907**

STATE OF FLORIDA COUNTY OF LEE:

Before the undersigned authority personally appeared Linda Feltz, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

**Legal Notices**

In the Twentieth Judicial Circuit Court was published in said newspaper editions dated or by publication on the newspaper's website, if authorized, on:

**02/12/2022**

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 22nd of February 2022, by legal clerk who is personally known to me.

Linda Feltz  
Affiant

Vicky Felty  
Notary State of Wisconsin, County of Brown  
9/19/25  
My commission expires

VICKY FELTY  
Notary Public  
State of Wisconsin

# of Affidavits: 1  
**This is not an invoice**


**NOTICE OF PUBLIC INFORMATION MEETING:** A Public Information Meeting will be held for DCI2021-00050 Greenwell SR 31 Mixed Use Planned Development and CPA2021-00015 Greenwell SR 31 Comprehensive Plan Map Amendment on Tuesday, March 1st at 5:30 pm, located at the Alva Community Center located at 21471 N River Road, Alva, FL 33920. The 76.82 acre subject property is within the Alva Planning Community and is located just south of the intersection of North River Road and SR 31. This information meeting will provide a general overview of an application for a Comprehensive Plan Map Amendment to amend the Future Land Use Map designation from Rural/Wetlands to Outlying Suburban/Wetlands and a concurrent Residential Planned Development Zoning application. For any questions or comments, they can be directed by mail, phone, or e-mail to Brian Farrar at BCF Management Group, LLC 27171 Harbor Drive Bonita Springs, FL 34135 239-580-8840c 239-495-2435c Brian@BCFMGMTGroup.com Feb 12, 2022 No. 5129280



## MEMORANDUM

**DATE:** March 11, 2022

**TO:** **Brandon Dunn, Principal Planner**  
Lee County Department of Community Development – Planning Section; and  
**Patrick Doty, Principal Planner**  
Lee County Department of Community Development – Zoning Section

**FROM:** Kenrick S. Gallander, AICP  
Director of Planning  
RWA Engineering 

**PROJECT NAME(S):** Greenwell SR31 Comprehensive Plan Map Amendment (**CPA2021-00015**); and  
Greenwell SR31 Mixed Use Planned Development (MPD)  
(**DCI2021-00050**)

**SUBJECT:** North Olga Planning Community – Public Information Meeting Summary

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A Planning Community Public Information Meeting was held on March 2, 2022, at 5:30pm at the 31 Produce/Cracker Shack Cafe SR31, located at 18672 FL-31, Alva, FL 33920. The public information meeting was held in compliance with Lee Plan Goal 17, Policies 17.3.2, 17.3.3, 17.3.4, 27.1.8, and Land Development Code (LDC) Section 33-1663.

**Applicant and Agent Attendees are as follows:**

- Brian Farrar, President - BCF Management Group, LLC
- Kenrick Gallander, AICP, Director of Planning - RWA Engineering
- Patrick Vanasse, AICP, Director of Community Development - RWA Engineering
- Blake Finnegan, Associate Planner - RWA Engineering
- Shane Johnson, Vice President, Senior Ecologist III - Passarella & Associates



**Attached are related meeting documents for reference:**

- Meeting sign-in sheet
- Affidavit of public notice

**The following provides a summary of the meeting presentation, concerns or issues that were raised at the meeting; and the applicant's response to any issues that were raised:**

**Presentation Summary (Started at 5:30 pm):**

Mr. Farrar began the meeting introducing himself and the project Team and proceeded to outline the Public Information Meeting format and presentation outline. He then began providing a brief overview of the Comprehensive Plan Map Amendment and Planned Development rezone under review by the Lee County Community Development Department staff. Mr. Gallander then took over and explained the background of the existing property and details with regard to its location to existing adjacent uses.

From there, Mr. Gallander further detailed the request of the applicant that was submitted to Lee County. This involved detailing the Comprehensive Plan Map Amendment and reviewing the existing Future Land Use Map (FLUM). He then explained the proposed amendment to the FLUM from Rural and Wetlands to Outlying Suburban and Wetlands. He also detailed the proposed amendment to the Future Water Service Area associated with Lee Plan Map 4-A.

Mr. Gallander then briefly reviewed the proposed Planned Development rezone from AG-2 to RPD. He discussed the Master Concept Plan (MCP) and the specific details proposed related to the plan, such as the clustered style development, open space, buffers, water retention, and environmentally sensitive components of the property. These components included the wetlands identified in the environmental assessment conducted by Passarella & Associates. Mr. Gallander then described the current allowed density and proposed density associated with the request as well as potential additional density associated with conserving the wetlands on the property. An open space analysis slide was then shown to provide an overview of the open space provided on the MCP. Mr. Gallander then spoke to some of the benefits of the project while also emphasizing the project remains compatible to surrounding properties and remains consistent with the Lee Plan and LDC. The brief presentation concluded with Mr. Gallander outlining the process and timeline for future public meetings associated with the project for the public to attend. The floor was then opened for questions.

**Questions/Comments/Concerns/Issues Summary:**

**Q:** Could you show me the location we are in right now in reference to the proposed project on the MCP?

**A:** Mr. Gallander responded using a laser pointer to show where we were currently located on the location map as part of the presentation slides.

**Q:** How long would this take to be fully developed?

**A:** A good estimate might be 2-3 years, but there are a lot of moving parts and we could not be completely sure. After the rezoning and the comprehensive plan map amendment, we must obtain the Development Order Permit and ERP approval after that, which could take some time.

**Q:** What is the price range for the homes?

**A:** It is too early in the process to say. We are unable at this time to provide an estimated price point of the homes especially given the current market trends and unpredictability of the market.

**Q:** Is this going to be a gated community?

**A:** We do not know yet, its too early in the process.

**Q:** How many stories will the residential units be and who would the houses be marketed towards.?

**A:** We are looking at 3 stories at the moment and we are still too early in the process to determine the market.

**Q:** Will there be a red light put in on SR31?

**A:** We cannot guarantee that but we're going to try to encourage it, however, that kind of request is trip driven.

**Q:** Can you give me a timeframe to the finished product? I'm concerned SR31 could not handle all the traffic and it certainly is bad enough now.

**A:** Our best estimate is about 2-3 years. Our team has provided a TIS to the county and are working with staff. The project would not have a level of service issue once approved.

**Q:** Are you aware of when the lane improvement would happen?

**A:** I would encourage you to visit FDOT's website for more information on that topic. While we are aware that there is a PD&E study in progress, we have no confirmation as to its timing and/or potential fruition.

**Q:** Are you planning to continue development to the east of the proposed project?

**A:** We have no plans to do so. Mr. and Mrs. Greenwell's property is the only one being proposed for development through this proposal.

**C:** I would hope that the road would be improved prior to the development going in because the traffic is not good, especially with what's happening in Babcock to the north.

**A:** The proposed mixed use project will provide an environment in which people live and work in the same location. This would actually take some trips off SR31. We are working to provide a product accomplish this. The project would not result in a level of service issue once approved.

**Q:** How many houses would there be?

**A:** We are asking for a maximum of 125 units.

**Q:** The space between the Greenwell property and Owl Creek, is that area going to be developed?

**A:** We are not involved in any other development within that location and have no idea what may or may not happen there.

**C:** I would assume that everyone is aware of the SR31 widening and that it seems to be moving along and is financed and the current plans would have to shrink.

**A:** It's hard for us to have an opinion on this because they are still in the PD&E study phase of the project, and we are not completely sure what the alignment of the road will be.

**C:** I understand they do not have an exact number of feet of which the road would be widening, but I am confident that it will happen because the PD&E was accepted with only one alignment shown and it was found financially feasible.

**A:** I appreciate your comments, but you have made a number of assumptions that we do not have enough evidence on at the moment for us to act on.

**Q:** How much square feet of commercial are those buildings to the back and what type of uses would go there?

**A:** The list of uses provided on the application are broad and we have not made any determination yet. The configuration you see today is a mixed configuration of a typical plaza that has been constructed in the past where you may have what's called an "anchor facility" and then other sub pieces of out parcels.

**Q:** I remember reading somewhere, but I can't recall where, that the plan for the area was to have parking placed behind the buildings. Are you aware of that?

**A:** We are aware and have constructed the MCP to reflect this best we could with commercial uses abutting the road and parking to back. When we get to the DO phase, all those base criteria of development standards such as buffering, drive isle widths etc., will come to fruition.

**Q:** Is there a required parking for 400,000 SF of commercial and is the plan based on that?

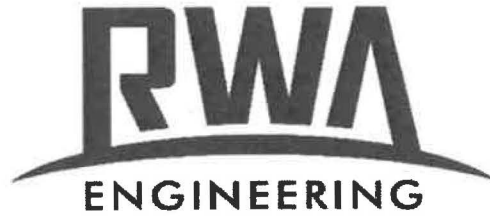
**A:** The required number of parking will be dependent on the use.

Since there were no further questions or comments, Mr. Farrar thanked everyone for attending and adjourned the meeting at approximately 6:00 p.m.

**Attachments:**

- Meeting Sign-in Sheet
- News-Press Legal Ad Publication Affidavit

# Sign-In Sheet



## North Olga Public Information Meeting: Greenwell SR31 3/2/2022 at 5:30pm

Name	Company	Street Address	City	Phone #	Email
KEN GALLANDER	RWA ENGINEERING	12800 UNIVERSITY DR, SUITE 171	FORT MYERS		kgallander@consult-rwa.com
BLAKE FINNEGAN	" "	" " "	"		" "
BRENN FARRAR	BLF Management Group	2717 Harbor Dr	Bonita Springs		Brenn@BLFManagementGroup.com
Tracy Greenwell		1850 SK 31			
Mike Corewell					
Judy Parsons	Self	10240 Deal Rd	NFM	239 691-6659	
Armo r Parsons				"	
Rick & Lisa Clay		40871 Hoeseshoe Rd	Punta Gorda		rna 40871@yahoo.com
Ken DeWalt	On The River	7 Jute St.	Alva, FL 33920	810 223 8630	ken Dewalt1@gmail.com
Patrick Vasseur					
Garrett Greenwell		12251 Lucky Ln Alva, FL	Alva, FL 33920	239 229 5898	GG@BLBFL.com
Bill Smith	News Press			239-771-1583	
Carolyn Monton	Palm Tree Nursery	11480 Bayshore	N.F.T. Myers	239-543-4806	monton palm@yahoo.com
Steven Bradkin	CCBC				

The News-Press  
media group  
news-press.com A GANNETT COMPANY

Attn:  
RWA ENGINEERING  
STE 150  
FORT MYERS, FL 33907

STATE OF FLORIDA COUNTY OF LEE:

Before the undersigned authority personally appeared Linda Feltz, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

Legal Notices

In the Twentieth Judicial Circuit Court was published in said newspaper editions dated or by publication on the newspaper's website, if authorized, on:

02/12/2022

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 22nd of February 2022, by legal clerk who is personally known to me.

Linda Feltz  
Affiant

Vicky Felty  
Notary State of Wisconsin, County of Brown

9/19/28  
My commission expires

VICKY FELTY  
Notary Public  
State of Wisconsin

# of Affidavits: 1

This is not an invoice

NOTICE OF PUBLIC INFORMATION MEETING: A Public Information Meeting will be held for DCI2021-00050 Greenwell SR 31 Mixed Use Planned Development and CPA2021-00015 Greenwell SR 31 Comprehensive Plan Map Amendment on Wednesday, March 2nd at 5:30 pm, located at the 31 Produce/Cracker Shack Cafe located at 18672 SR 31, Alva, FL 33920. The 76.82 acre subject property is within the North Olga Planning Community and is located just south of the intersection of North River Road and SR 31. This information meeting will provide a general overview of an application for a Comprehensive Plan Map Amendment to amend the Future Land Use Map designation from Rural/Wetlands to Outlying Suburban/Wetlands and a concurrent Residential Planned Development Zoning application. For any questions or comments, they can be directed by mail, phone, or e-mail to Brian F. Farrah BCF Management Group, LLC 27171 Harbor Drive Bonita Springs, FL 34135 239-580-8840 brian@bcfmgmtgroup.com Feb 12, 2022 No. 5129288