Lee County
Southwest Florida

Kevin Ruane
District One

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

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District Five

Roger Desjarlais
County Manager

Richard Wesch
County Attorney

Donna Marie Collins
County Hearing Examiner

March 11, 2022

Writer's Direct Dial Number: 239-533-8313

12971 MCGREGOR BLVD., RE, LLC
PAUL SEVENE
1170 PITTSFORD-VICTOR ROAD, SUITE 260
PITTSFORD, NY 14534

Re: TCW MCGREGOR BLVD
ADD2022-00007

Dear PAUL SEVENE,

The Zoning Section has reviewed the information provided for the above zoning application. The Land Development Code Sections 34-201 through 34-203 requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached checklists. For your assistance, we have enclosed the insufficiency comments.

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or corrections within 30 calendar days of this letter, the Code requires that this application be considered withdrawn.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

Sincerely,

Electronically signed by
Camryn Siverson, Environmental Planner
March 11, 2022

Camryn Siverson, Environmental Planner
DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section

PAUL SEVENE
Re: TCW MCGREGOR BLVD
March 11, 2022

Environmental Sciences

1. Lee Plan policy 6.1.6 states, “The land development regulations will require that commercial development to provide adequate and appropriate landscaping, open space, and buffering.” Please demonstrate how policy 6.1.6 is being met.

2. Please provide the location of each requested deviation must be indicated on the master concept plan, following Land Development Code 34-203(a)(6)-(8).

3. Please provide a Lee Plan Analysis.

4. Open space is not clearly depicted on the Master Concept Plan. As required by section 34-203(a)(8), please provide an open space design plan. Please label acreages and itemize areas that will be used to meet open space requirements. Please note that the mixed-use overlay does not offer relief to landscaping, but does apply to open space.

5. Please clarify the amount of impervious surface that is being proposed in the buffer area. Please note that a buffer area may not contain more than 20 percent of the width of the buffer as an impervious surface (10-416(d)(11)).

6. 10-425(e) of the Land Development Code states, “Commercial development within the mixed use overlay is required to provide building perimeter planting on only the two sides of the building which are most visible to the public.” Please depict building perimeter on the Master Concept Plan.

7. Section 34-174(h)(2) of the Land Development Code states, “that the director must find the request is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested.” In staffs’ professional opinion, the site plan deviation “to allow for an encroachment into the 25’ landscape buffer” encroaches on the right-of-way public safety. Please contact staff to schedule a meeting. **Staff would like to discuss reconfiguration of the proposed project due to a health and safety concern**.

Please contact Camryn Siverson *at* CSiverson@leegov.com *regarding the review comments above.*

Development Services

1. The administrative deviation from LDC 10-285 (connection separation) does not indicate the intersection connection distance provided. Please indicate the distance on the site plan and callout linking the distance to the requested deviation. Is a deviation required at both the ingress and egress locations?

2. Please provide additional justification information to include a "to provide" statement that will detail the connection separation required. Also provide the appropriate justification narrative to address the requirements in LDC 10-104(b).

3. Please provide the intersection connection distance at the exit point near McGregor Boulevard. Staff is concerned that the egress from the site is located to close to

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McGregor Blvd as well as an existing access point across the entrance. The combination of traffic entering the site from a high speed arterial roadway, the existing access across the entrance from the subject site as well as the proposed egress creates conflicting traffic movements that will have the potential to impact the health, safety and welfare of the public. Please discuss this in your deviation narrative.

Please contact Brian Roberts *at BRoberts@leegov.com regarding the review comments above.*

Department of Transportation

1. The separation distance of the northern access drive (49 feet from McGregor Blvd) does not appear to meet the connection separation requirement in LDC Section 10-285(b). Access roads intersecting another road that also intersects the parallel arterial or collector must have an outer separation of at least 100 feet from the edge of pavement of the arterial or collector. A greater outer separation may be required based upon the estimated queue lengths identified in the FDOT Driveway handbook or an intersection analysis. A deviation from the technical standards in LDC Section 10-285 (connection separation) may be required for this access location as shown on the plans.

2. Please clearly specify the proposed separation distances to be deviated from the technical standards in LDC Section 10-285 on the site plan. The separation distances must be measured in the same alignment of the road/access drive. Please revise the separation distance of the southern access drive from Camelot Dr as necessary. The connection separation distances, measured edge to edge, must be determined on both sides of the roadway for undivided roadways. Existing and approved access points must be depicted on both sides of the road along the project frontage and to the nearest access point beyond the project frontage in each direction.

3. In accordance with LDC Section 10-104 (b), please provide justification demonstrating that: (a) The alternative proposed to the standards contained herein is based on sound engineering practices and (b) The alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested.

Please contact Pakorn Sutitarnnontr *at PSutitarnnontr@leegov.com regarding the review comments above.*