



September 7, 2022
Lee County
Tracy Toussaint
Department of Community Development
P.O. Box 398
Fort Myers, FL 33902-2111

Re: **Response to Request of Additional Information**
Project Name: MIVO Diplomat Center DD
Application/Petition No.: DCI2022-00027

Kimley Horn Reference No.: 045973000

Dear Tracy,

We are in receipt of your letter dated September 7, 2022 in which questions and additional information was requested on the above referenced project. The following are your comments followed by our responses in **bold**:

Zoning Review

1. Per LDC Section 33-1532 the applicant must submit a public informational meeting summary document that contains a list of all attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. The current submittal includes the summary document with the date, time, and location. Please provide the remainder of the information to comply with code.

Response: The summary document of the public informational meeting with the North Fort Myers Community Planning Panel has been attached as requested. The attached document outlines the list of attendees and a summary of concerns per LDC Section 33-1532. Per the informational meeting summary, no issues were presented. Planning Board has requested Architectural Elevations the applicant will provide the North Fort Myers Planning Community with Architectural Elevations once the Architectural Elevations have been finalized.

2. Per LDC Section 34-373(a)(6) the applicant must provide copies of the master concept plan in two sizes, 24 inches by 36 inches, and 11 inches by 17 inches in size. Both sizes of the master concept plan must be clearly legible, depict correct scale for the size of the drawing, and be drawn at a scale sufficient to adequately show and identify the information listed per LDC Section 34-373(a)(6). The current one-page MCP is not clearly legible and the cross sections and other details may need to be provided on another page.

Response: The MCP has been to include the cross sections, tables, etc. on a second page as requested. The MCP documents have also been provided in a 24"x 36" format as well as a 11"x17" format as requested.



3. Per LDC Section 33-1596 provide a list of uses that are allowed in the commercial corridor of the North Fort Myers Community Plan Area. Revise the residential unit types per the chart. In addition, please review the uses proposed to include essential services (electrical, phone, sewer, water appliances), signs, and excavation: water retention (lake excavation).

Response: The schedule of uses has been revised as requested, please see attached.

4. Per LDC Section 10-415(b)(1)c, preservation areas require a 20-foot wide building setback and if the preserve is indigenous plant communities subject to fire, such as pine flatwoods, palmetto prairie and xeric scrub, a 30-foot wide building setback is required for fire protection. The Property Development Regulations provided state a 15-foot wide conservation easement setback. Please revise to comply with code.

Response: The existing wetland does show signs of containing Indigenous Plant Communities. The Property Development Regulation Table has been revised as requested, please see attached.

Environmental Sciences Review

1. Courtesy Comment: DEP/SFWMD may determine that there are more wetlands on the property than previously surveyed. Staff is concerned that if the state agencies determine more or less wetland areas, this will affect the density calculations.

Response: Acknowledged. An onsite meeting with SFWMD is being scheduled to discuss the onsite wetland limits.

If you have any questions, I can be reached by phone at 239.984.6524 or directly by email at Sina.Ebrahimi@kimley-horn.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sina Ebrahimi'.

Sina Ebrahimi, P.E.

Project Manager



**MIVO DEVELOPMENT GROUP
MIVO NORTH FORT MYERS PROJECT
RESIDENTIAL PLANNED DEVELOPMENT REZONE
LEE COUNTY, FL**

Schedule of Deviations and Justification:

Page | 1

Property Development Regulation Table

Uses	Minimum Lot Area and Dimensions			Minimum Building Setbacks				Minimum Building Separation (ft)	Maximum Lot Coverage (%)
	Area (sf)	Depth (ft)	Width (ft)	Side (ft)	Rear (ft)	Local Street (ft)	Maximum Height (ft)		
Multi-Family	10,000	100	100	15	15	25	60	20	45
Notes: (1) Improvements, referring to buildings and paved surfaces, must set back a minimum of 30 feet from the conservation easement. (2) All building structures and accessory uses (excluding gates and fences) must set back a minimum of 15 feet from water bodies (i.e. lakes, pond, canals)									



**MIVO DEVELOPMENT GROUP
MIVO NORTH FORT MYERS PROJECT
RESIDENTIAL PLANNED DEVELOPMENT REZONE
LEE COUNTY, FL**

Schedule of Deviations and Justification:

Page | 2

DEVIATIONS & JUSTIFICATIONS

DEVIATION 1

Deviation (1) is a request to deviate from Lee County LDC Section 10-329 (d)(1) which requires excavation to occur no less than 50 feet from existing property line and collector or arterial street, to allow for excavation to occur no less than 25 feet from existing property line. LDC Section 10-104 (a) allows for this deviation request.

Justification

This deviation is requested to allow 25-foot excavation activities from adjacent private property and along Cleveland Ave, where current conditions do not present a risk to the public's health, safety, and welfare. The stormwater detention areas affected by this requirement are proposed in locations where abutting either an existing swale or drainage canal allowing for a proper buffer thus not creating any concern with excavations up to 25' within property lines or right-of-way lines in reference to existing or proposed structures. In addition, due to the limited access points, geometry of property, and in order to maximize development area, stormwater detention areas should be considered along the property boundaries of the site which pushes them closer to the property line. Proper protection along areas of concern will be addressed during the Development Order process meeting LDC requirements.

DEVIATION 2

Deviation (2) is a request to deviate from Lee County LDC Section 34-1748 (5) which requires a paved turn-around, having a turning radius sufficient to accommodate a U-turn for a single unit truck (SU) vehicle as specified in the AASHTO Green Book current edition, must be provided on the ingress side of the gate or gatehouse.

Justification

This deviation is requested to allow for a standard gate entrance with a visitor lane and residents lane for entering and a single exiting lane to accommodate for a three point turn around movement for a single unit truck (SU) vehicle as specified in the AASHTO Green Book current edition, rather than a single U-turn movement at the ingress side of the gate or gatehouse. Based on the current layout provided in the MCP, the mail kiosk, and trash compactor are being proposed near the front of the development prior to the gates, therefore the only vehicles anticipated to frequently enter the gate are moving trucks and pedestrian vehicles. Should these vehicles require to turn around at the gate, the entry will be designed to accommodate for a three-point turn movement, which is typical with the proposed type of development. Alternatively, if these vehicles need to turn around at the gate, there will be management staff on-site to assist in allowing the vehicle to enter and exit the facilities. In addition, due to the traffic patterns anticipated for the proposed development, providing an open pavement condition can create unsafe conditions with vehicular traffic patterns and



**MIVO DEVELOPMENT GROUP
MIVO NORTH FORT MYERS PROJECT
RESIDENTIAL PLANNED DEVELOPMENT REZONE
LEE COUNTY, FL**

Schedule of Deviations and Justification:

Page | 3

potential of vehicular staging, therefore it is recommended to move forward with dissuading a single turning movement in front of the entrance to the development. An autoturn analysis will be provided at the time of development order, showing proper three point turn movements for a single unit truck (SU) vehicle as specified in the AASHTO Green Book current edition.

Schedule of Uses

Accessory apartment

Administrative Offices

Dwelling Unit:

Multiple-family building

Entrance gates and gatehouse

Residential accessory uses

Signs

Electrical

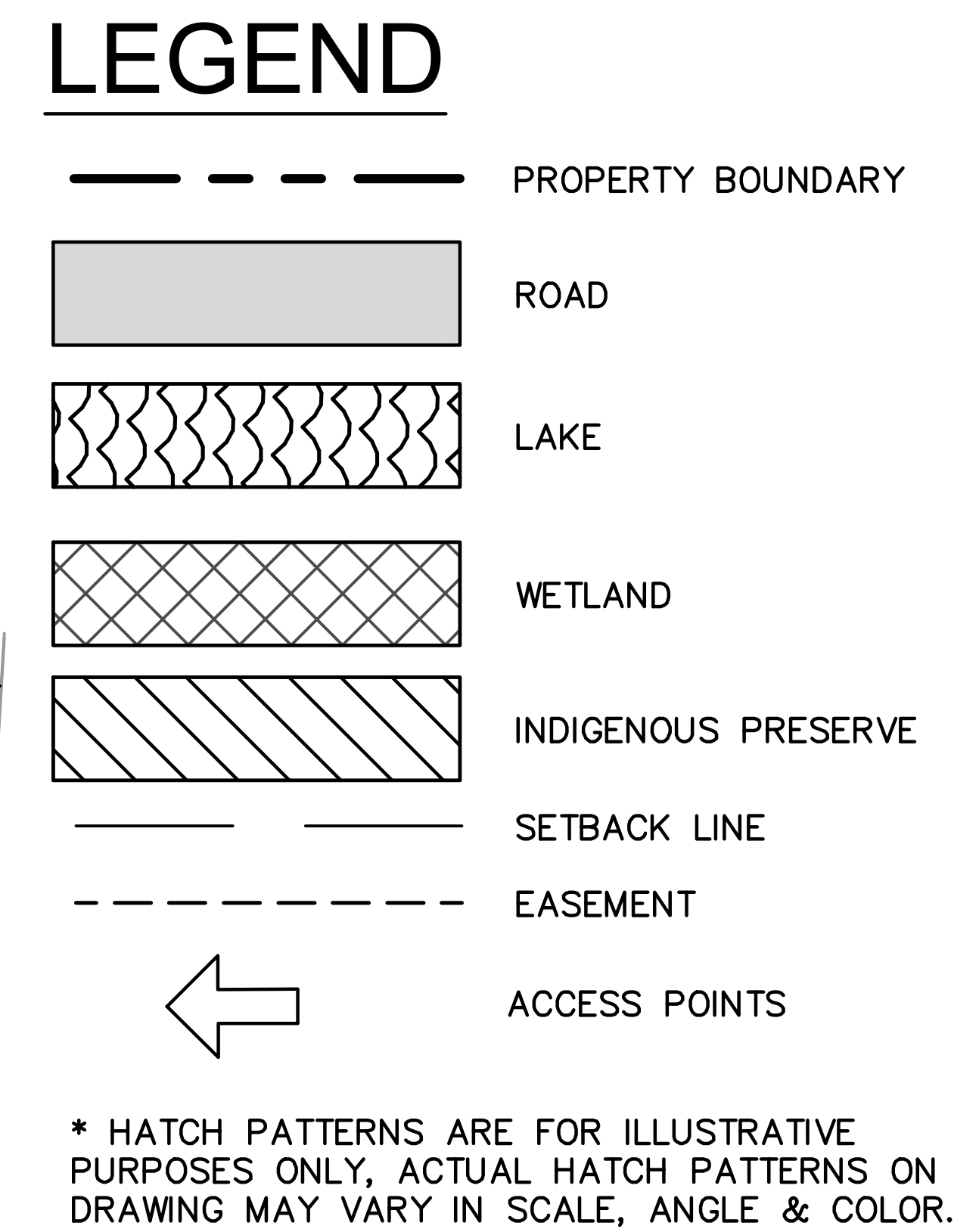
Phone

Water

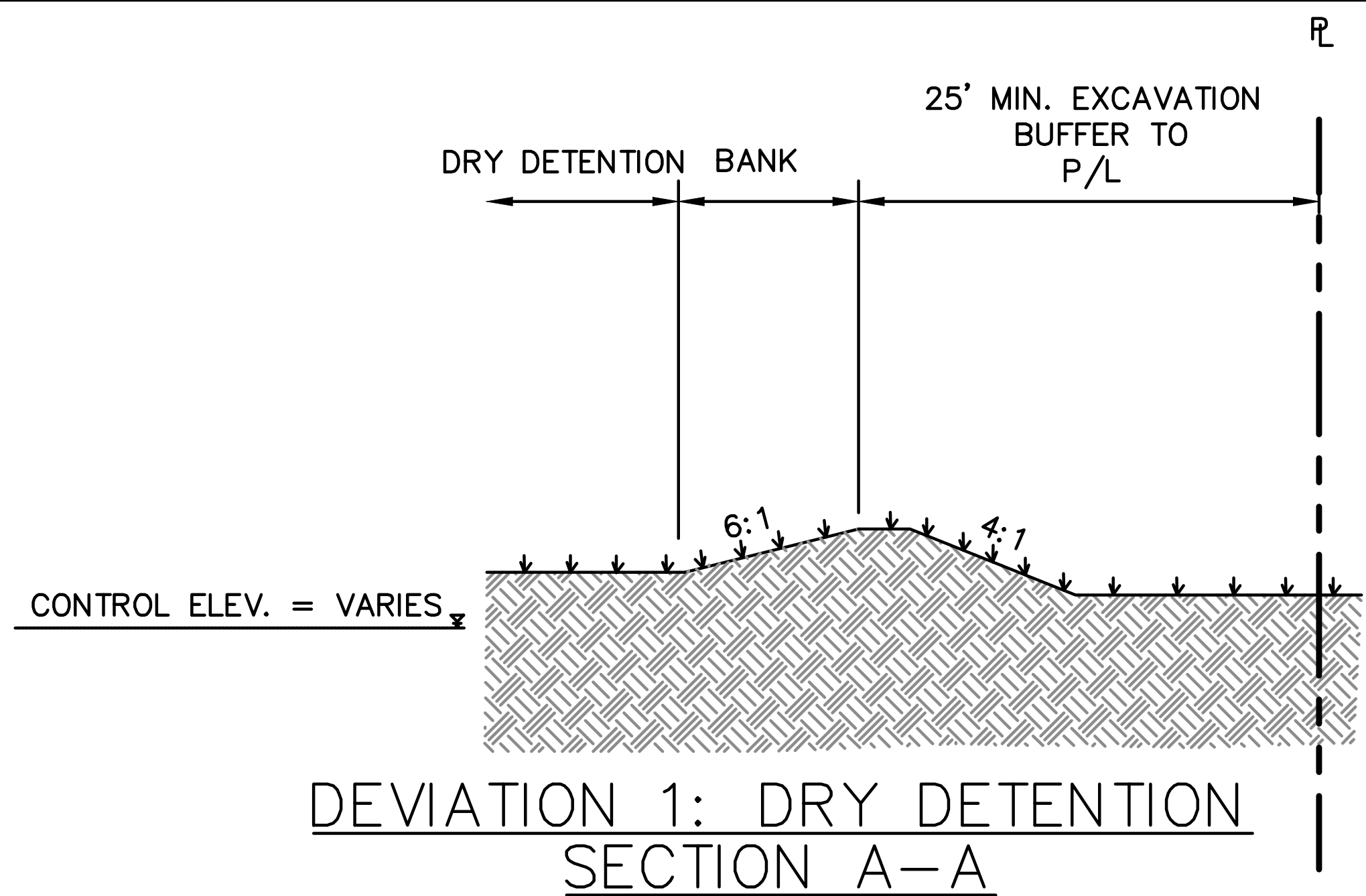
Sewer

Excavation:

Lake excavation



MIVO DIPLOMAT CENTER PREPARED FOR QUADRANT COMMUNITIES, LLC LEE COUNTY FLORIDA	MASTER CONCEPT PLAN	KHA PROJECT DATE 01/2022 SCALE AS SHOWN DESIGNED BY DRAWN BY CHECKED BY	LICENSED PROFESSIONAL SINA EBRAHIMI, PE ### LICENSE NUMBER 82332 DATE:	Kimley»Horn © 2022 KIMLEY-HORN AND ASSOCIATES, INC. 1412 KIMLEY-HORN CENTER, SUITE 300 PHOENIX, ARIZONA 85016 PHONE: 602-971-2600 FAX: 602-971-3709 WWW.KIMLEY-HORN.COM CA 00000696										
SHEET NUMBER MCP-1								No.	REVISIONS	DATE	BY			

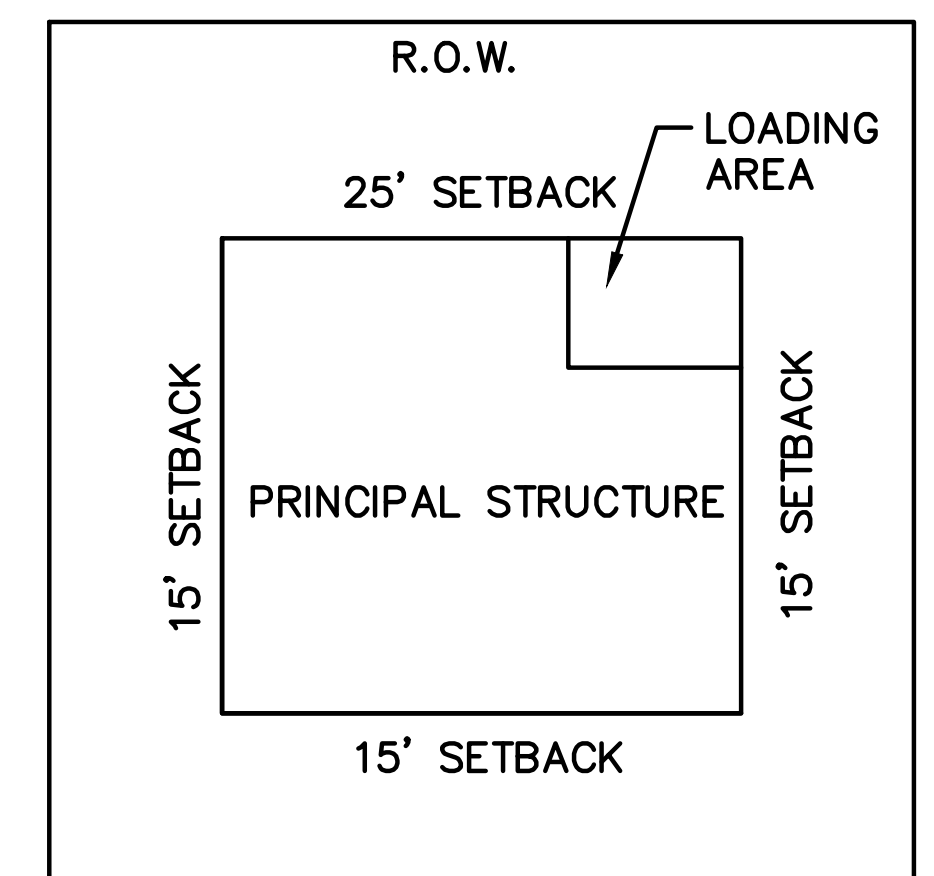


DEVIATION 1: DRY DETENTION
SECTION A-A

NTS

NOTES:

- 1. TOP OF BANK LOCATION & ELEVATION WILL VARY DEPENDING ON EX GROUND ELEVATION.



- 1. SETBACKS, LOT COVERAGES, AND BUILDING HEIGHTS PER RESIDENTIAL PLANNED DEVELOPMENT AND MIXED-USE OVERLAY REGULATION TABLES

TYPICAL LOT INFORMATION

NTS

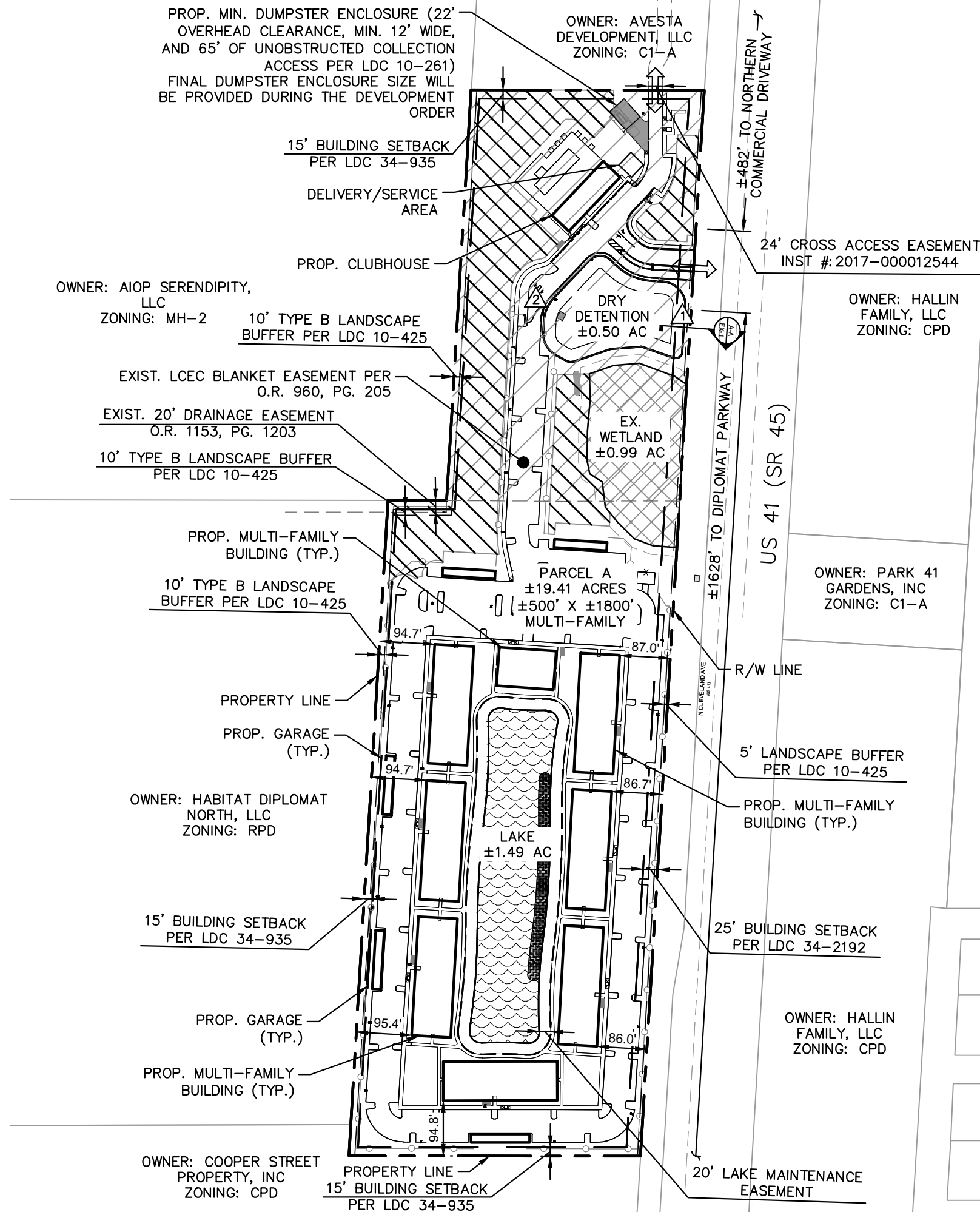
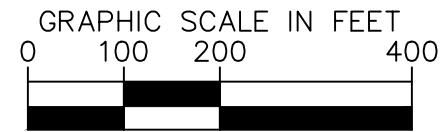
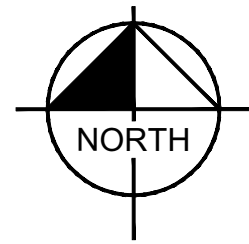
OPEN SPACE TABLE			
	AREA (AC.)	OPEN SPACE REQUIRED (AC)	OPEN SPACE PROVIDED (AC.)
PARCEL A ***	-	-	5.12
DRY DETENTION	-	-	0.50
LAKE	-	-	1.49
WETLAND	-	-	0.99
INDIGENOUS VEGETATION **	-	1.94 **	2.73
TOTAL PROPERTY	19.41	3.88 *	10.83

*OPEN SPACE MEETS 20% REQUIREMENT PER LCD CH 10 IS FOR RESIDENTIAL USE. OPEN SPACE PROVIDED INCLUDES LANDSCAPE & A PORTION OF THE LAKE ALLOWED PER LDC 10-415

**INDIGENOUS VEGETATION PRESERVATION MEETS THE 50% OF THE TOTAL OPEN SPACE REQUIREMENT PER LDC 10-415

***PARCEL A INCLUDES ALL OTHER OPEN SPACE

SHEET NUMBER		MCP-2	
MIVO DIPLOMAT CENTER PREPARED FOR QUADRANT COMMUNITIES, LLC		LEE COUNTY FLORIDA	
MASTER CONCEPT PLAN DETAILS		KHA PROJECT DATE: 01/2022 SCALE: AS SHOWN DESIGNED BY: DRAWN BY: CHECKED BY:	
LIMLEY-HORN		LIMLEY-HORN SINA EBRAHIMI, PE ### LICENSE NUMBER 82332 DATE:	
© 2022 LIMLEY-HORN AND ASSOCIATES, INC. 1412 JACKSON STREET, SUITE 2, FORT MYERS, FL 33901 PHONE: 239-271-2650 FAX: 941-379-4352 WWW.LIMLEY-HORN.COM CA 0000696		No.	
		REVISIONS	
		DATE	
		BY	



LEGEND

- PROPERTY BOUNDARY
- ROAD
- LAKE
- WETLAND
- INDIGENOUS PRESERVE
- SETBACK LINE
- EASEMENT
- ACCESS POINTS

* HATCH PATTERNS ARE FOR ILLUSTRATIVE PURPOSES ONLY, ACTUAL HATCH PATTERNS ON DRAWING MAY VARY IN SCALE, ANGLE & COLOR.

Kimley»Horn

© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
1412 JACKSON STREET, SUITE 2, FORT MYERS, FL 33901
PHONE: 239-271-2650 FAX: 941-379-4352
WWW.KIMLEY-HORN.COM CA 0000696

LICENSED PROFESSIONAL

SINA EERAHIMI, PE

LICENSE NUMBER
82332

DATE:

KHA PROJECT

DATE
01/2022

SCALE AS SHOWN

DESIGNED BY

DRAWN BY

CHECKED BY

MASTER CONCEPT PLAN

MIVO DIPLOMAT
CENTER

PREPARED FOR
QUADRANT COMMUNITIES,
LLC

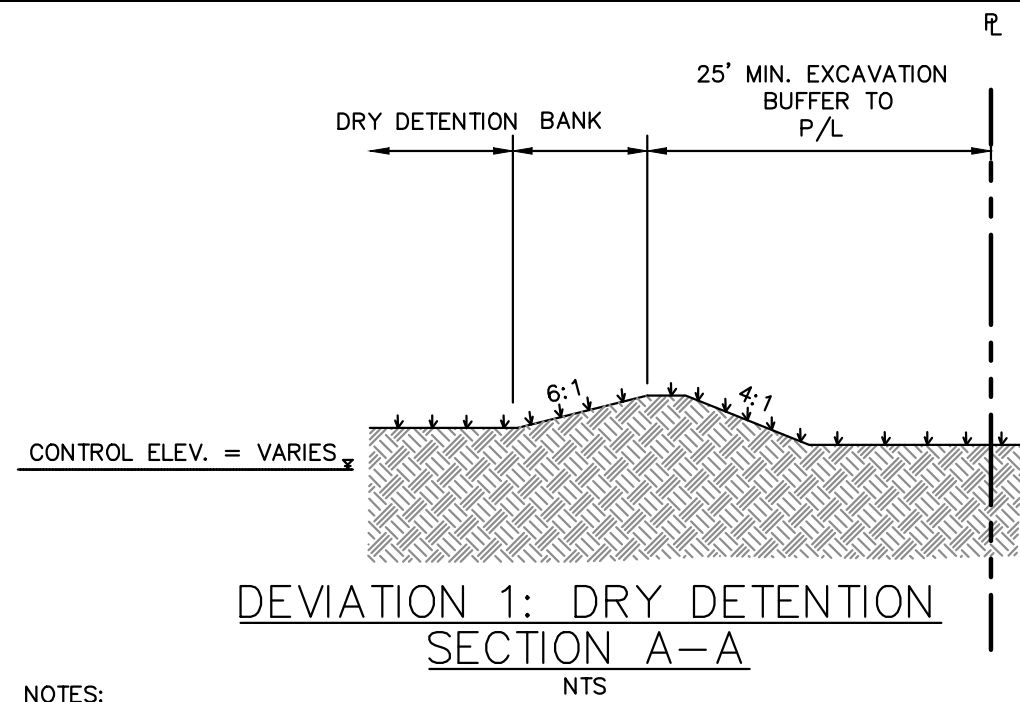
LEE COUNTY FLORIDA

SHEET NUMBER
MCP-1

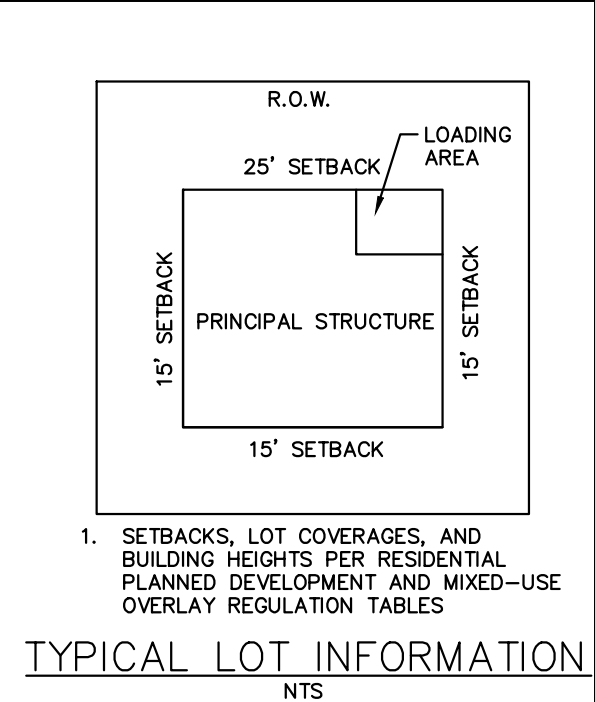
REVISIONS

DATE

BY



- NOTES:
1. TOP OF BANK LOCATION & ELEVATION WILL VARY DEPENDING ON EX GROUND ELEVATION.



OPEN SPACE TABLE			
	AREA (AC.)	OPEN SPACE REQUIRED (AC)	OPEN SPACE PROVIDED (AC.)
PARCEL A ***	-	-	5.12
DRY DETENTION	-	-	0.50
LAKE	-	-	1.49
WETLAND	-	-	0.99
INDIGENOUS VEGETATION**	-	1.94**	2.73
TOTAL PROPERTY	19.41	3.88*	10.83

*OPEN SPACE MEETS 20% REQUIREMENT PER LCD CH 10 IS FOR RESIDENTIAL USE. OPEN SPACE PROVIDED INCLUDES LANDSCAPE & A PORTION OF THE LAKE ALLOWED PER LDC 10-415

**INDIGENOUS VEGETATION PRESERVATION MEETS THE 50% OF THE TOTAL OPEN SPACE REQUIREMENT PER LDC 10-415

***PARCEL A INCLUDES ALL OTHER OPEN SPACE

REVISIONS

No.	DATE	BY

Kimley»Horn
© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
1412 JACKSON STREET, SUITE 2, FORT MYERS, FL 33901
PHONE: 239-271-2650 FAX: 941-379-4352
WWW.KIMLEY-HORN.COM CA 0000696

LICENSED PROFESSIONAL

SINA EBRAHIMI, PE
82332

DATE:

KHA PROJECT

DATE
01/2022

SCALE AS SHOWN

DESIGNED BY

DRAWN BY

CHECKED BY

MASTER
CONCEPT PLAN
DETAILS

MIVO DIPLOMAT
CENTER
PREPARED FOR
QUADRANT COMMUNITIES,
LLC

LEE COUNTY
FLORIDA

SHEET NUMBER
MCP-2