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Writer's Direct Dial Number: 239-533-8372

October 19, 2022

Tim Keene
Keene Development LLC
10970 S. Cleveland Ave., Ste 405
Fort Myers, FL 33907

Re: Bayshore Pines
DCI2022-00048 - Minor PD

Dear Tim Keene:

The Zoning Section has reviewed the information provided for the above zoning application. The Land Development Code 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 any additional memoranda from the various Lee County reviewing agencies.

A public hearing date will not be scheduled until a complete application is submitted.

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or corrections within 30 calendar days of this letter, the Code requires that this application be considered withdrawn.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,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section

Electronically signed on 10/19/2022 by
Chahram Badamtchian, Planner, Senior

Tim Keene
Keene Development LLC
Re: Bayshore Pines
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Zoning Review:

As required by LDC Sec. 33-1532, please provide a synopsis of the required public informational meeting for this project.

Please include dimensions of recycling dumpster and compactor area in accordance with Ordinance 11-27 and LDC 10-261.

Please contact Chahram Badamtchian at CBADAMTCHIAN@leegov.com or by calling 239-533-8372 with any questions regarding the above review comments.

Planning Review:

Please supplement the Lee Plan analysis to include at a minimum a narrative analysis of the future land use category (Policy 1.1.3), and relevant objectives and policies from Goal 5: Residential Land Uses. Discussion of Policy 1.1.3 should include an analysis of the projects density and proposed uses.

Please contact Brandon D Dunn at BDunn@leegov.com or by calling 239-533-8809 with any questions regarding the above review comments.

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Development Services Review:

1. Deviation(1) – please provide letters of no objection from the applicable emergency response agencies to include Lee County Public Safety, Lee County Sheriff's Office, and North Fort Myers Fire Department. Staff cannot support the requested deviation until these letters are received.

2. Please note the LDC requires the following condition for any deviation from LDC 10-291(3):

The developer must record a notice to all future property owners, in the public record, prior to issuance of a local development order allowing construction of the access to the development. The notice must detail the emergency access plan and provide information as to where a copy of this plan may be obtained from the developer or developer's successor.

3. Deviation (3) – Staff recommends the applicant rewrite the request after the "to allow" statement to include the fencing around the excavation. Staff does not object to the request if it includes a fence surrounding the excavation to property the health, safety, and welfare or the abutting property owners.

4. Deviation (4) – Please note that LDC Section 10-261(d) does allow multifamily developments to use a compactor for garbage collection provided sufficient space for the compactor (including receiver) is provided in addition to the space required for recyclable collection.

Please revise your deviation request to limit any deviation to the space required for recyclable collection. Please provide a calculation of the space required for recyclable collection area in accordance with 10-261(a) (a prorated share can be calculated using the values in the table). Additionally, please provide recyclable waste generation calculations based on the number of proposed units, the size of the container(s) to be used based on the pickup schedule, and the necessary space required to store the container(s) to verify that the request provides adequate storage space for the projected recycling waste.

5. LDC 34-373(a)(6)(c) - The plan must indicate the general location, configuration, and approximate dimensions of the lots or parcels (including subdivided parcels and outparcels). Please provide lot dimension on the MCP.

6. LDC34-373(a)(6)(i) Proposed access and facilities for public transit in accordance with sections 34-411(e) and 10-442. The MCP shows a bus stop. Are any improvements to the bus stop facilities required in accordance with the sections above? These improvements must be shown on the MCP.

Please contact Brian Roberts at BRoberts@leegov.com or by calling 239-533-8890 with any questions regarding the above review comments.

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Environmental Review:

The Protected Species Survey indicates that coontie was found on the site. Revise the species location map to depict where the coontie was found.

Revise the FLUCCS map to indicate the level of exotics on the site. The FLUCCS map may need to be revised to depict the different levels of exotic in various areas. This is important to determine if indigenous is present onsite and the level of replanting that may be needed to comply with buffers.

Provide an indigenous management plan.

The MCP depicts the open space percentage as 40% but does not provide the indigenous credit allocation per LDC Section 10-415(c). The MCP notes that "bonus" indigenous will be allocated but does not provide the information in the open space calculation. Revise MCP to list the percentages and indigenous open space acreage. Please note that indigenous credits is only allowed for indigenous areas (75% or less exotic) and uplands.

The MCP depicts a Type-B buffer being provided along the north property line as well as using the preserve for buffering with supplemental plants proposed as needed per note. Please explain why a Type-B buffer is being provided if the indigenous preserve may serve as screening to comply with code. If it meets the buffer, remove the Type-B buffer depiction and use the entire area as preserve.

The applicant is depicting along the southeast property line on the MCP the preserve to serve as the buffer. Please provide cross sections depicting how the slash pines and oak roots will be protected during the development of the parking area. Indicate if a berm and or drainage features will be constructed and how the indigenous trees within the preserve limits will be protected per the LDC. The indigenous management plan must include information as well as the surface water management plan.

Please indicate if the preserve areas will be used for surface water management. As indicated by the FLUCCS map, these preserves are upland preserves receiving indigenous upland credits per LDC Section 10-415(c). They cannot be used for surface water management as the vegetation will not survive.

The application narrative indicates that enhanced buffers and open space are being provided. It is unclear where these features are being provided.

It is unclear if easements are located on the site. Please revise the MCP to depict any easements that may limit buffer areas.

The MCP depicts a six-foot-in-height decorative wall along the southeastern corner. Deviation #2 is being requested to allow an eight-foot-in-height wall to be installed two feet from the property line at the corner. LDC Section 10-416(d)(6) requires the eight foot wall to be setback 25 feet. The wall is not decorative and is a requirement per code. The wall must be eight-foot-in-height. Revise the MCP to revise note to meet the LDC.

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Revise Deviation #2 to indicate if the required landscape plants will be provided and depict on the detail drawing where the landscape plants will be proposed so that they do not conflict with offsite power lines and survivability.

LDC Section 10-421(a)2 requires a planting area to be no less than five feet. Deviation #2 indicates that in one area the width will be two feet. A deviation may need to be requested to allow less than five feet.

Please contact Elizabeth A Workman at EWorkman@leegov.com or by calling 239-533-8793 with any questions regarding the above review comments.

Natural Resources Review:

The surface water management plan states that inlets for the Carriage Village stormwater system are potentially located on the subject property. Please provide additional details on the location of these inlets and how the proposed development design will account for them.

Please contact Nicholas DeFilippo at NDeFilippo@leegov.com or by calling 239-533-8983 with any questions regarding the above review comments.