



# Lee County

Southwest Florida

## Board of County Commissioners

Kevin Ruane  
District One

February 15, 2023

Cecil L Pendergrass  
District Two

Al Quattrone

Ray Sandelli  
District Three

Quattrone & Associates, Inc.  
4301 Veronica Shoemaker Blvd

Brian Hamman  
District Four

Fort Myers, FL 33916

Mike Greenwell  
District Five

Via E-mail Only: [permits@qainc.net](mailto:permits@qainc.net)

Roger Desjarlais  
County Manager

**RE: CPA2023-00001 Babcock US-41 Map Amendment**

Richard Wm. Wesch  
County Attorney

Dear Mr. Quattrone:

Donna Marie Collins  
County Hearing  
Examiner

Staff has reviewed the application submittal for the map amendment CPA2023-00001, stamped "received" on January 10, 2023. Planning staff finds that the application materials are insufficient and further information is needed.

### APPLICATION MATERIALS COMMENTS

1. Please indicate on page 1 of the application the type of state review required for this submittal. Be advised that the type of state review required will depend on the total acreage included in the application as found on the legal description.
2. Please indicate on page 1 of the application the total acreage of uplands and wetlands which make up the subject property.
3. Please update page 1 of the application to include the total allowable dwelling units currently and with the proposed amendment. Please also include the total allowable commercial intensity. This is typically calculated at 10,000 square feet per acre and would be the same for both the existing and proposed future land use categories.
4. Please provide a completed copy of page 5 of the application.
5. Please provide a graphic depicting an identifying deed, and lot split case number for each parcel (where appropriate).
6. How did the applicant classify the surrounding uses of the property? For example, the property listed as a theater on the surrounding uses map appears to be a food donation site.
7. Please provide a Disclosure of Interest Affidavit for parcel 08-46-25-01-00000.0010, 17-46-25-03-00000.1000.
8. Please clarify if parcel 08-46-25-L4-U1691.2905 will be included in the request. If it is, please provide a Disclosure of Interest Affidavit. If it is not, please ensure that it is not referenced in the application materials.
9. Please provide correspondence with the Bureau of Historic Preservation regarding the search of the Florida Master Site File.

10. Please revise the application using the updated application form included in this letter and combine analysis of the Future Land Use map amendment and Table 1(b) amendment into one application.
11. Please provide physical copies of the mailing labels in Exhibit M3.

#### **LEGAL REVIEW COMMENTS**

12. Please provide 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. This information is also needed to verify the acreage.

#### **LEVEL OF SERVICE ANALYSIS COMMENTS**

13. Please provide the letters or other correspondence to each service provider when requesting letters of service availability.
14. Please provide letters of service availability from the Lee County Sheriff and Lee County Schools.

#### **LEE PLAN ANALYSIS COMMENTS**

15. Please address Lee Plan Policy 5.1.2 as it relates to the flood zone on the subject property. Please provide a narrative of how the applicant plans to adjust the design or density to account for the location's flood risk.
16. Please reach out to Rick Burris in the Planning Section to ensure that changes proposed to Table 1(b) will be the appropriate changes needed to maintain internal consistency in the Lee Plan.
17. Please revise the Lee Plan analysis to include the most recent version of the Lee Plan. For example, Policy 1.7.6 is now Policy 1.6.5 and Objective 2.11 is now Objective 2.9.
18. Please revise and update the analysis of Policy 95.1.3 to remove reference to Billy's Creek. The subject property is not within the Billy's Creek system.
19. Please provide an analysis of Goal 125, Policy 11.2.2, and Policy 126.1.4.
20. Exhibit M19 appears incomplete. Please review and update as necessary.

#### **TRANSPORTATION ANALYSIS COMMENTS**

21. Because the total peak hour net increase in trips is 86 (PM), which falls within the range of 50 to 300 total trip ends, Traffic Circulation Analysis must contain 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 years) 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.

#### **ZONING COMMENTS**

22. Please supply a map showing area of pending rezoning for REZ2022-00024.

## ENVIRONMENTAL ANALYSIS COMMENTS

23. Please provide:

- a. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
- b. A map and description of the soils found on the property, with the source of the information identified.
- c. A topographic map depicting the property boundaries and 100-year flood prone areas indicated as identified by FEMA.
- d. A map delineating the property boundaries on the most recent Flood Insurance Rate Map
- e. A map delineating wetlands, aquifer recharge area, and rare and unique uplands.
- f. 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.

A public hearing date will not be scheduled until a complete application is submitted. If you do not provide the requested supplements of corrections within 90 days of this letter, this application will be considered withdrawn. Please feel free to contact me at (239) 533-8585 if you have any questions.

Sincerely,

**Lee County Department of Community Development**



Joseph Sarracino, Planner, Planning Section

CC: Mikki Rozdolski, Manager, Planning Section