Kevin Ruane
District One

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Mike Greenwell
District Five

Roger Desjarlais *County Manager*

Richard Wesch
County Attorney

Donna Marie Collins
County Hearing Examiner

February 28, 2023

Writer's Direct Dial Number: 239-533-8793

Stacy Hewitt
Banks Engineering
10511 Six Mile Cypress Parkway
Suite 101
Fort Myers, FL 33966

Re: Minor Commercial Planned Development
Winkler Junction Minor CPD
DCI2023-00004

Dear Ms. Hewitt,

The Zoning Section has reviewed the submission package for the above-referenced application in accordance with the Lee County Land Development Code (LDC). Please be advised that the application is insufficient at this time. The insufficiency comments must be addressed within thirty (30) calendar days of this letter or the case will be considered withdrawn in accordance with the LDC.

If you have any questions, please contact me at (239) 533-8793 or EWorkman@leegov.com.

Sincerely,
DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section
Electronically signed on February 28, 2023
Elizabeth A. Workman
Principal Planner
EAW

Legal Review

1. Please provide a boundary survey in accordance with the requirements per Section 34-202(a)(6). The survey must be tied to the state plane coordinate system for the Florida West Zone (the most current adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner.

2. The survey must be based upon the title certification, title opinion, or title insurance policy submitted in accordance with section 34-201(a)(7). The survey must be based on one of the acceptable forms of title certification listed in LDC §34-202(a)(7)(a). This survey is based on a title commitment, which is not one of these acceptable forms. The legal description on the boundary survey must match that which is shown on the title opinion. The surveyor legal description may still be provided on the boundary survey, but the legal description from the title opinion must be provided as well.

Zoning Review

3. Revise Master Concept Plan to depict the amount of impervious, existing and proposed easements, and parking.

4. If the impervious is two or more acres, the project is considered a large development and must provide 30 percent open space with half of the open space provided as indigenous preserve per LDC Section 10-415. The site does have indigenous vegetation. Please revise MCP pending development size.

5. Revise the MCP to depict where the U-haul rental location is proposed. The narrative and the schedule of uses indicate a site specific location under the building. It is not clear where this will be located in relation to the residential uses located to the south.

6. Revise MCP to depict where the open storage is proposed and in compliance with Ordinance 22-12 (LDC Section 34-3006).

7. The narrative mentions a deviation and how the request complies with the Lee Plan and LDC, however the deviation and justification was not included in the submittal. Please submit for review and note that additional comments may follow upon review of the request.

8. Revise the narrative to provide more detail regarding the different type of warehousing being proposed. Please include information regarding hybrid warehouse to demonstrate compliance with Ordinance 22-12 (LDC Section 34-3006).

9. Revise the Schedule of Uses to allow "Temporary Uses, constructions trailers and equipment storage sheds" and remove the word "only" from "Storage, indoor and outdoor".

10. Revise the Environmental Assessment to state what type of sampling method was used, provide transect sampling map, and a map depicting the nest-like structures and burrows found on the site.

Development Services

11. The survey provided includes the statement “This survey is not valid without the signature and the original seal of a Florida surveyor & mapper. Additionally, the survey provided isn’t electronically signed.

12. The survey certification and General Note #2 lists the address as 15891 Summerlin Rd. The application address is 15881 Summerlin Rd. Please clarify.

13. LDC 34-373(a)(4) requires the boundary survey to identify and depict all easements effecting the subject property, whether recorded or unrecorded, and all other physical encumbrances readily identified by a field inspection. Surveyor’s Note #1 does not meet this requirement.

14. NOTE: The Schedule of Uses include Entrance Gates/Gatehouse as a potential use. At time of development order any entrance gate/gatehouse will be required to meet LDC 34-1748(1-5). The MCP submitted does not meet those requirements.

15. Note: At time of development order LDC 10-261 requires solid waste enclosures based on the building square footage. The space reserved on the MCP does not appear to meet this requirement.
16. Note: At time of development order LDC 10-256 requires a sidewalk in the right-way connecting to the facility along Summerlin Rd. This is not shown on the MCP.

17. LDC 34-373(a)(6)(j) requires MCPs to show facilities for public transit in accordance with section LDC 10-442. Please verify that the existing bus stop is within ¼ mile and show any improvements that may be required on the MCP.

18. Please show the general location of service areas for delivery of goods or services in accordance with LDC 34-373(a)(6)(e).

Environmental Sciences

19. The subject property is within the Coastal High Hazard Area. The environmental report and boundary survey states there is a swale system and "other surface water", located on the subject property. Please provide an analysis for Lee Plan Policy 101.1.1 and describe how the development will meet CHHA goals.

20. The MCP depicts a small development. Please indicate if two or more acres of the site will be considered impervious. Please note that a large development (2 or more acres of

impervious) is required 30% open space; half of which, must be indigenous preserve area (10-415(b)).

21. The MCP demonstrates 2 areas of detention. Please indicate if those areas are wet or dry detention. If the areas are wet detention, please provide sinuous structure and the required littorals per 10-418 of the Land Development Code.

Natural Resources

22. Please provide an analysis of Lee Plan Goal 101 and policies 60.4.1 and 126.1.4.

23. Please clarify whether the onsite ditch conveys offsite flows.

24. Please note the project must comply with LDC 10-330 at time of local development order for approval to discharge into a County maintained road right-of-way.

Infrastructure Planning - DOT

25. Please provide the required document having information regarding the cross-access agreement through RaceTrac.

LeeTran

26. Based on the Lee County Transit LDC, an 8’ x 30’ pad is required, a pedestrian walkway exists from the proposed development, a bicycle storage rack is needed, and unsure if curbing meets the code, and will need to be determined by the developers’ engineer. Therefore, the developer would be required to make the necessary improvements based on the current Lee County Transit LDC 10-442.

27. If you have any questions or require further information, please do not hesitate to contact me at (239) 533-0340.