

ADMINISTRATIVE AMENDMENT (PD) ADD2022-00167

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Brendan Sloan, PE, on behalf of Entrada Apartment Investors, LLC, filed an application for an administrative amendment to the RPD-zoned portion of the Estates at Entrada Residential and Commercial Planned Development (RPD/CPD) to amend the approved Master Concept Plan for Multifamily Tract #1 and request three deviations from the Lee County Land Development Code to facilitate development on property located at 3216-3240 Maryns Loop, North Fort Myers, described more particularly as:

LEGAL DESCRIPTION: In Section 27, Township 43 South, Range 24 East, Lee County, Florida

ATTACHED AS EXHIBIT "A"

WHEREAS, the applicant has indicated that the property's current STRAP number is 27-43-24-L1-U0987.5436; and

WHEREAS, the property was originally rezoned by Resolution Z-06-039 and was subsequently amended by ADD2006-00240, ADD2007-00189, ADD2013-00021, ADD2015-00086, and ADD2020-00129A; and

WHEREAS, the subject property is located in the Central Urban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the applicant has filed a request to amend the approved Master Concept Plan for Multifamily Tract #1 to modify the lake configuration, remove the previously approved model units and associated temporary parking lot, and incorporate the previously approved amenity area into a new 300-unit multiple-family development on the subject property (see Exhibit "B"); and

WHEREAS, the subject application includes a request for three deviations from parking-related requirements of the Land Development Code to facilitate the proposed multiple-family development (see Exhibit "C"); and

WHEREAS, Deviation (1) seeks relief from LDC Section 34-2020(a), which establishes a total parking requirement of 686 parking spaces for the proposed development based on the calculation in Table 1, to allow a 15-space (2.2 percent) reduction in the total parking requirement for the proposed development; and

TABLE 1: PARKING CALCULATION

USE	Parking Requirement	Required Spaces
MULTIPLE-FAMILY UNITS (300 UNITS)	2 spaces/unit	600
GUEST PARKING	10 percent of required parking for multiple-family units	60
CLUBHOUSE/ANCILLARY USES (6,476 SQUARE FEET)	4 spaces/1,000 square feet of total floor area	26
TOTAL PARKING REQUIREMENT		686

WHEREAS, the applicant's justification for the requested deviation notes that the minimal parking reduction will allow for an increase in open space from 40 percent to 47 percent (see Exhibit "C"); and

WHEREAS, the proposed master concept plan and companion development order application each demonstrates code-compliant parking is provided for the proposed number of multiple-family dwelling units and the associated guest parking (see Exhibit "B"); and

WHEREAS, the concurrent development order application for the proposed development (DOS2022-00076) indicates that a 1,200-square-foot leasing office is the only portion of the proposed 6,476-square-foot clubhouse that is open to the public, with the remainder of floor area within the clubhouse dedicated to ancillary amenities accessible only to the residents of the development; and

WHEREAS, the proposed development is oriented around a central lake and will be developed with a network of pedestrian facilities oriented around the lake to facilitate non-vehicular movement throughout the project (see Exhibit "B"); and

WHEREAS, Deviation (2) seeks relief from LDC Section 34-2016(1)b, which requires parking spaces to be a minimum of nine (9) feet by 18 feet, to allow a maximum of 88 parking spaces shown on the master concept plan to be designated as compact parking spaces measuring 8.2 feet by 18 feet; and

WHEREAS, the applicant's justification for the requested deviation notes that the proposed number of compact parking spaces equates to 13.1 percent of the total required parking for the proposed development, and cites an uptick in the sales of compact cars and electric vehicles in support of the request (see Exhibit "C"); and

WHEREAS, Deviation (3) seeks relief from LDC Section 34-2015(2)c, which permits stacking of vehicles only for single-family, duplex, two-family, and townhouse dwelling unit types when each dwelling unit has an appurtenant garage or driveway, to

allow stacking of vehicles for multiple-family dwelling units having access to individual garages within the development; and

WHEREAS, the applicant's justification for the requested deviation notes that individual garages will be offered for lease to tenants and will provide assigned parking spaces for tenants who elect to lease garages (see Exhibit "C"); and

WHEREAS, other multiple-family developments in unincorporated Lee County have implemented the garage-for-lease concept, and similar relief has been granted to facilitate this concept elsewhere in the County; and

WHEREAS, Development Services staff reviewed the requested deviations and offered no objection; and

WHEREAS, the subject property is located in the North Fort Myers Community Plan area as designated by the Lee Plan; and

WHEREAS, LDC Section 33-1532 requires an applicant seeking an amendment to a planned development or approval of a local development order to conduct a public information session within the North Fort Myers Community Plan area prior to approval or a finding of sufficiency; and

WHEREAS, the applicant conducted the required public information session on November 1, 2022 and furnished the required meeting summary document in compliance with LDC Section 33-1532 (see Exhibit "E"); and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for an administrative amendment to the RPD-zoned portion of the Estates at Entrada Residential and Commercial Planned Development (RPD/CPD) to amend the approved Master Concept Plan for Multifamily Tract #1 and request three deviations from the Lee County Land Development Code to facilitate development on property located at 3216-3240 Maryns Loop, North Fort Myers is **APPROVED subject to the following conditions:**

- 1. The Development must be in substantial compliance with the Master Concept Plan for Multifamily Tract #1 entitled RPD Administrative**

Amendment, prepared by Avalon Engineering, Inc., a copy of which is attached hereto as Exhibit "B."

2. **Deviation (1), which seeks relief from LDC Section 34-2020(a), which establishes a total parking requirement of 686 parking spaces for the proposed development, to allow for a 15-space (2.2 percent) reduction in the total parking requirement for the proposed development, is hereby APPROVED subject to the following conditions:**
 - a. **This deviation applies only to development on Multifamily Tract #1 depicted on the Master Concept Plan for the Estates of Entrada RPD/CPD approved by ADD2020-00129(A).**
 - b. **This deviation is approved based on the parking requirements calculated pursuant to Table 1 herein. Any change to the densities or intensities of the proposed development in a manner that increases the parking requirement for the development must be approved in accordance with the Land Development Code.**
3. **Deviation (2), which seeks relief from LDC Section 34-2016(1)b, which requires parking spaces to be a minimum of nine (9) feet by 18 feet, to allow a maximum of 88 parking spaces shown on the master concept plan to be designated as compact parking spaces measuring 8.2 feet by 18 feet, is hereby APPROVED subject to the following condition:**
 - a. **The use of compact parking spaces is limited to those areas depicted on the approved master concept plan.**
4. **Deviation (3), which seeks relief from LDC Section 34-2015(2)c, which permits stacking of vehicles only for single-family, duplex, two-family, and townhouse dwelling unit types when each dwelling unit has an appurtenant garage or driveway, to allow stacking of vehicles for multiple-family dwelling units having access to individual garages within the development, is APPROVED subject to the following conditions:**
 - a. **Stacked parking spaces are limited to the garage locations depicted on the Master Concept Plan attached hereto as Exhibit "B."**
 - b. **Each set of stacked parking spaces must be assigned to the same rental unit within the multiple-family development.**
5. **The terms and conditions of the original zoning resolution and subsequent amendments thereto remain in full force and effect, except as amended herein.**
6. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when**

rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.

Duly passed, adopted, and electronically signed on 3/24/2023

Anthony R. Rodriguez, AICP, CPM, Zoning Manager

List of Exhibits

Exhibit A: Legal Description

Exhibit B: Master Concept Plan, Multifamily Tract #1

Exhibit C: Request Narrative and Deviation Justifications

Exhibit D: ADD2020-00129(A) (includes Resolution Z-06-039, ADD2006-00240, ADD2007-00189, ADD2013-00021, and ADD2015-00086)

Exhibit E: Public Information Session Summary