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

April 19, 2023

Al Quattrone
Quattrone & Associates, Inc.
4301 Veronica Shoemaker Blvd
Fort Myers, FL. 33916

Re: Oriole Alico West, MPD
DCI2022-00061 - Major PD

Dear Al Quattrone:

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or corrections within 30 calendar days of this letter, the Code requires that this application be considered withdrawn.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 4/19/2023 by
Chahram Badamtchian, Planner, Senior

Al Quattrone

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Development Services Review:

1. The MCP does not depict the fire department access on the west side of the fire department parcel to the existing road. Please show that access on the MCP. Additionally, please request a deviation for the access that lines up with the fire department access on the south side side of the site. Staff did not locate an approved deviation for the existing fire department access that is less than 125'. This deviation will complete the record and allow the proposed access to tract "B".

2. Staff recommends the applicant combine deviation #6 into a single deviation for tracts 1-6. Staff agrees with the applicants narrative that the proposed roadway will provide the required interconnect for Lots C1 through C6. Staff recommends: "Deviation from LDC 10-610(e) and 34-2015(2)(f) which requires adjacent commercial uses to provide parking lot interconnections for automobile, bicycle and pedestrian traffic to allow the proposed local roadway as shown on the Master Concept Plan to serve as the required interconnection for Lots C-1 through C-6."

3. Deviation #7 needs to be rewritten to remove the lot numbers from the request. Staff supports the deviation to allow a 60' connection separation as shown on the MCP for Lots C-5 , C-6 and Tract "A" but not for all lots in the proposed subdivision.

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

Legal Description Review:

Sec. 34-202(a). Submittal requirements for applications requiring public hearing.

(6) Please provide a boundary survey in accordance with the requirements of Lee County LDC §34-202(a)(6).

- The survey must be based upon the title certification submitted in accord with section 34-201(a)(7). The legal description on the boundary survey does not match the legal description on the title opinion. The size of the property as described is different. Please correct either the boundary survey and legal description or the title opinion to accurately reflect the property being subject to this zoning action.

Please contact Hunter Searson at HSearson@leegov.com or by calling 239-533-8585 with any questions regarding the above review comments.

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Environmental Review:

The applicant has requested deviation 3A in terms of open space. Please provide an open space chart depicting the open space calculations for both the preserve and the tracts. Additional comments may follow.

The applicant is demonstrating a 20-foot Type D buffer along Alico Road. However, the planting area is only being depicted as 7.5 feet. Section 10-421(a)(2) states that trees and shrubs used in buffers must be planted in a minimum width area equal to one-half the required width of the buffer. Please provide a planting area half of the minimum width of the buffer.

Deviation 3C request no planted littoral shelf, however deviation 3D request to allow a 100% native trees. Please note that littoral shelves are used to promote water quality per Lee Plan Policy 60.4.1 and Objective 60.4. Please provide further information for the request. Additional comments may follow.

Please add Lee county approved methodology to the environmental assessment per ordinance 89-34.

Please contact Camryn Siverson at CSiverson@leegov.com or by calling 239-533-8313 with any questions regarding the above review comments.

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Natural Resources Review:

Please revise the Surface Water Management Plan to comply with LDC 34-373(b)(1).

There are inconsistencies regarding the buffer distance proposed around LE-093. The MCP depicts a 200' buffer and the USFWS permit requires a 200' buffer, but the BEMP proposes a 196' buffer. Which buffer is proposed? Please revise accordingly.

The "Line-Of-Sight-Elevation" only depicts a buffer of 186'. This distance is inconsistent with the required buffer per USFWS permit and the buffer on the MCP. Please revise or clarify.

The "Proposed Conservation Measures Within 660 feet" section of the BEMP references a "Figure 2" but the figures within the BEMP are not labeled. Please revise.

The "Proposed Conservation Measures Within 660 feet" section of the BEMP states that "the proposed buildings present no restraint on the birds flight path". The flight path to and from the nest was not provided, as required by LDC 14-119(4)(c), to support this claim. Please provide a flight path map and identify the nearest known foraging area per LDC 14-119(4)(c).

The "Proposed Activities Between the 330'-660' Buffer of LE-093" section of the BEMP is not proposing monitoring consistent with the USFWS bald eagle monitoring guidelines. Furthermore, under the "Monitoring and Reporting Requirements" section the BEMP outlines a monitoring schedule which only includes 6 monitoring events. Please revise the proposed monitoring to be consistent with the USFWS bald eagle monitoring guidelines.

Staff encourages the applicant to provide a native vegetation buffer as opposed to the 25'-30' bamboo. Staff believes it will be difficult to source 25'-30' bamboo to plant as the bamboo buffer is not existing. Please look at some of the previously approved BEMPs in the area for examples of buffer plantings. In addition, ETAC historically has not included a non-native vegetation buffer in their recommendation.

A revised Schedule of Uses was not provided with the resubmittal. Please identify which uses are contemplated on Tract A, Tract C-6, C-5, and C-4. The Site Plan in the BEMP depicts a loading/unloading area on the back side of the Tract A building. How will the site design of these Tracts minimize potential adverse impacts that may result in abandonment of the nest?

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