

MEMORANDUM
FROM
THE DEPARTMENT OF
COMMUNITY DEVELOPMENT

TO: Amanda L. Rivera
Deputy Hearing Examiner

DATE: May 25, 2023

FROM: Adam Mendez
Senior Planner

RE: DCI2022-00024 – Gator Recreation

An Order of Continuance was agreed upon during the scheduled hearing on April 6, 2023. The Applicant requested the continuance to revise the Master Concept Plan (MCP) design contained in the Staff Report. On May 16, 2023, the applicant formally submitted a revised MCP and Open Space Exhibit depicting the following changes:

- An optional boardwalk connection to the Century Link Sports Complex (Hammond) Stadium property to the north, contingent upon approval from Lee County Parks and Recreation at time of Local Development Order.
- An additional driveway connection along Plantation Road at the northwest corner, which crosses onto the Century Link Sports Complex (Hammond) Stadium property to align with the existing driveway across Plantation Road serving the Arthrex Distribution Warehouse. This modification is also contingent upon approval from Lee County Parks and Recreation and Lee County DOT.
- The formerly depicted parking garage has been shifted north, set back 5 feet from the north property line (as opposed to 15 feet previously).
- An additional 50-foot-high parking garage has been incorporated into the west side of the L-Shaped building and is set back 5 feet from the Plantation Road right-of-way.
- The Open Space Exhibit has been revised to correspond with revised Master Concept Plan and maintains 20 percent code-required open space.

Development otherwise remains limited to the original development program analyzed in the Staff Report, which incorporates maximums of 90,000 square feet of commercial, office and retail, 70,000 square feet of commercial recreation uses, 250 hotel rooms and 210 multi-family units (including 111 bonus density units). No additional deviations are proposed by this submittal.

In response to these proposed changes, attached hereto is the revised Recommended Conditions and Deviations document, which supersedes Attachment E of the Staff Report. The revised document includes:

- An update to Condition 1(a) to reflect the revised MCP Date Stamp “Additional Info Dated 05-17-2023”, and incorporation of Project Density language into Condition 1(a) to eliminate former recommended Condition 6 (Project Density).
- Modify Condition 5, which addresses the parking garage architectural design standard for the façade facing Ben C Pratt/Six Mile Cypress Parkway, to include the same standard for all three façades of the additional garage that is adjacent to the Plantation Road right-of-way.
- Include Condition 6, which pertains to a Water Quality Monitoring Plan, and a copy of the Natural Resources Staff Report pertaining to the subject case dated March 7, 2023. This attachment was erroneously omitted from the staff report. In summary, the project is in the Six Mile Cypress watershed and is directly across the street from the preserve itself. Therefore, to ensure consistency with the Lee Plan Policies contained in the Natural Resources Report, Condition 6 is recommended.
- Include Condition 7 requiring approval of applicable Lee County Departments concerning the pedestrian bridge and vehicular access point depicted on the revised Master Concept Plan.

Attachments:

- Revised Master Concept Plan date stamped 5/17/2023
- Revised Open Space Exhibit date stamped 5/17/2023
- Revised Recommended Conditions of Approval
- Natural Resources Staff Report dated March 7, 2023

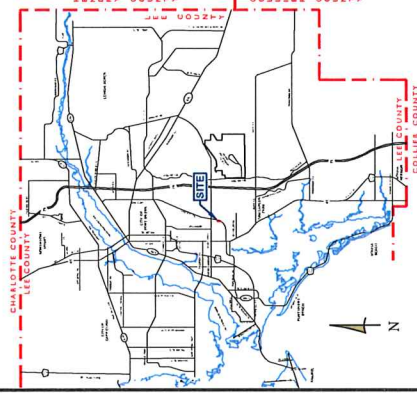
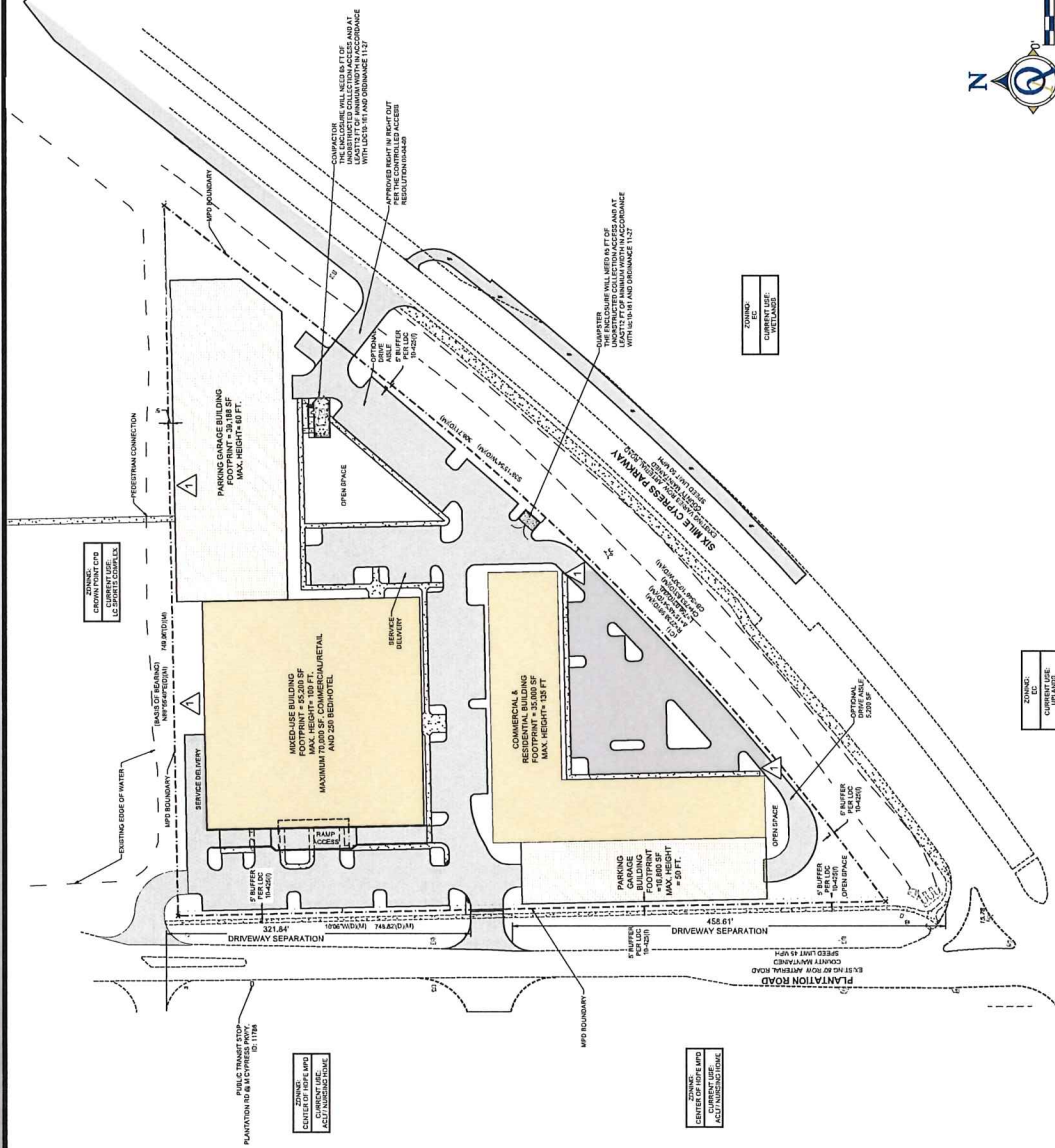
Respectfully Submitted,

Adam Mendez
Senior Planner, Zoning Section

GATOR RECREATION COMPLEX

LOCATED IN SECTION 30, TOWNSHIP 45-S, RANGE 25-E, LEE COUNTY, FLORIDA

MASTER CONCEPT PLAN



PROJECT SUMMARY:

ZONING
FUTURE LAND USE INTENSIVE DEVELOPMENT WITHIN THE MIXED USE OVERLAY TO INFU (MIXED PLANNED DEVELOPMENT)

STRAP #
30-45-25-00-00002.0000

PROJECT ACRES
7.1 ACRES (309,276 SF)

PROJECT INTENSITY
MAXIMUM FLOOR AREA: 90,000 SF COMMERCIAL OFFICE AND RETAIL
MAXIMUM HEIGHT: 135 F
MAXIMUM RESIDENTIAL UNITS: 250
MAXIMUM RESIDENTIAL UNITS: 210

*** (BOWLING / CONVENTION CENTER)**

OPEN SPACE:
MINIMUM 20% = 1.42 ACRE (61,855 SF)
OPEN SPACE PROVIDED 20% = 1.42 ACRE (61,855 SF)
APPLICANT MAY REDUCE OPEN SPACE TO 15% WITH THE PURCHASE OF CREDITING THE EXISTING OPEN SPACE WITHIN THE DEVELOPMENT UNITS (TDS) IN ACCORDANCE WITH 10-426(a)(2)

DEVIATIONS
A PERMETER SETBACKS

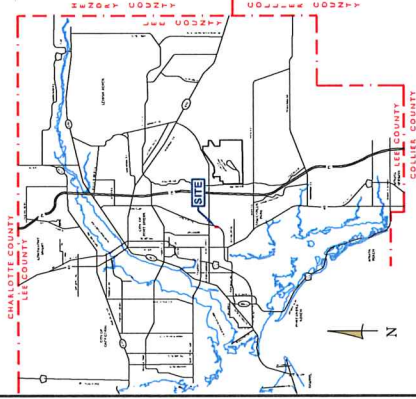
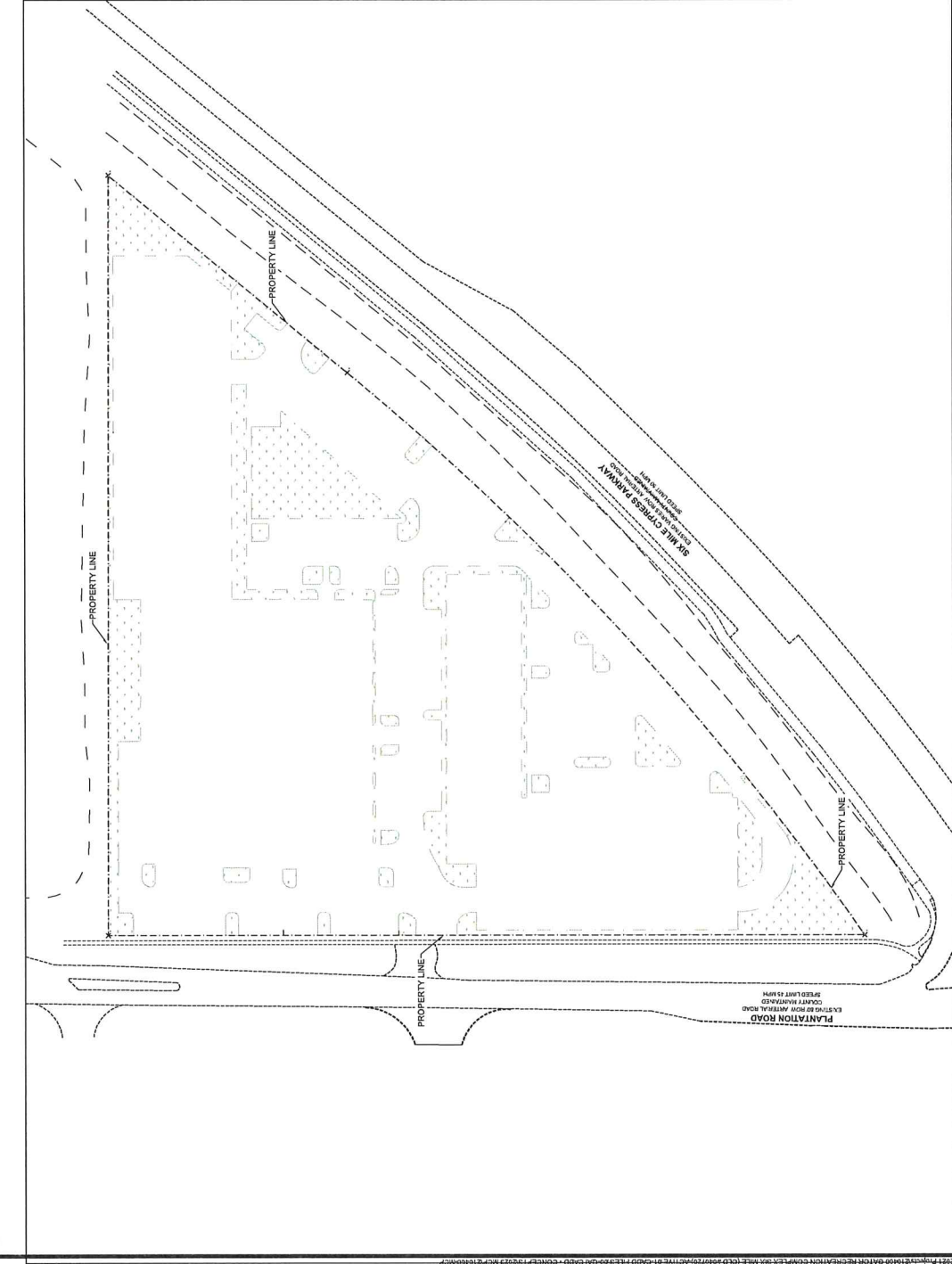
NOTE:
THIS CONCEPT PLAN ASSUMES FOR UNDERGROUND STORMWATER STORAGE CHAMBERS.

Quattrone & Associates, Inc.
Planners & Development Consultants
1001 Veterans Boulevard, Fort Myers, Florida 33906-1219-946-5221 | Q@lee.net

GATOR RECREATION COMPLEX

LOCATED IN SECTION 30, TOWNSHIP 45-S, RANGE 25-E, LEE COUNTY, FLORIDA

OPEN SPACE EXHIBIT

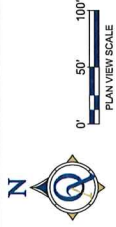


PROJECT SUMMARY:

OPEN SPACE SUMMARY	
LAND USE	AREA
REQUIRED OPEN SPACE	= 1.42 AC. (61,855.2 SF)
20% OF THE MPD	
PROVIDED OPEN SPACE = 1.42 AC. (61,855 SF)	
REQUIREMENTS TO BE REDUCED THROUGH THE USE	
GREATER PINE ISLAND TRANSFER OF DEVELOPMENT UNITS	
(TDUs)	

PLAN LEGEND
OPEN SPACE

- NOTES**
- 1) THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO MODIFICATION DUE TO AGENCY PERMITTING REQUIREMENTS.
 - 2) ALL ACREAGE/SQUARE FOOTAGE ARE APPROXIMATE AND SUBJECT TO MODIFICATION AT THE TIME OF DEVELOPMENT ORDER.



Conditions

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

(1) Master Concept Plan and Development Parameters

- (a) Development of the subject property must be consistent with the two-page Master Concept Plan Entitled "Gator Recreation Complex" stamped "Additional Info Dated 05-17-2023", attached hereto as Attachment D.

Development is limited to a maximum of 90,000 square feet of commercial, office and retail, 70,000 square feet of commercial recreation uses, 250 hotel rooms, and 210 multi-family units, including 111 bonus density units. The 210 dwelling units within this MPD approval are distinguished as follows:

- The project must include a minimum of 50 dwelling units in accordance with the MPD threshold contained in the LDC.
 - A maximum of 99 standard units are permitted.
 - 57 additional units may be obtained through the Lee County Bonus Density Programs at the developer's choice.
 - The project density may be increased by an additional 54 units (from 156 to 210) solely with the utilization of Greater Pine Island Transferable Development Units.
- (b) Development must comply with all the requirements of the LDC at the time of local development order approval, except as may be granted by deviation as part of this planned development. Subsequent amendments to the Master Concept Plan or its auxiliary documentation attached thereto are subject to the planned development amendment process established by the Land Development Code.

(2) Schedule of Uses and Property Development Regulations

(a) Schedule of Uses

Accessory uses and structures
Administrative offices
Animal clinic or kennel
ATM (Automatic Teller Machine)
Auto parts store (no installation)
Banks and financial establishments, All Groups
Bar or cocktail lounge
Business services, Group I
Cleaning and maintenance services
Clothes stores, general
Clubs:
 Commercial

- Fraternal
- Membership organization
- Private
- Computer and data processing services
- Consumption on premises
- Contractors and builders, Group I
- Cultural facilities
- Department store
- Drive through facility for any permitted use
- Drug store
- Dwelling unit:
 - Multi-family building (see Condition 6)
 - ~~Townhome~~ (see Condition 4 for strike-through rationale)
- Entrance gates and gatehouses
- EMS, fire or sheriff's station
- Essential services

- Essential service facilities, Group I
- Excavation:
 - Water retention
- Fences, Walls
- Food and beverage service limited
- Food stores, All Groups
- Gasoline dispensing system, special
- Gift and souvenir shop
- Hardware store
- Health care facilities, Groups I, II & III
- Hobby, toy and game shops
- Hotel (250 maximum rooming units)
- Household and office furnishings, Groups I, II & III
- Insurance companies
- Laundromat
- Laundry or dry cleaning, Groups I and II
- Medical Office
- Motion picture production studio
- Nightclubs
- Nonstore retailers, All Groups
- Package store
- Paint, glass and wallpaper store
- Parking lot:
 - Accessory
 - Commercial
 - Garage, public
 - Park-and-ride
 - Temporary
- Personal services, Groups I, II, III & IV (Excluding Steam or Turkish baths, Escort services, Palm readers, Fortunetellers or Card readers)
- Pet services
- Pharmacy
- Place of worship
- Post office

Real estate sales office
 Recreational facilities, commercial, All Groups (excluding gun ranges)
 Restaurants, All Groups
 Restaurant, fast food
 Retail and wholesale ancillary to an approved use
 Signs
 Specialty retail shops, All Groups
 Storage, indoor
 Studios
 Temporary uses
 Theater, indoor
 Transportation services, Groups II, III & IV
 Used merchandise stores, All Groups
 Variety store
 Warehouse
 High-cube⁴
 Hybrid
 Mini
 Private
 Public
 Wholesale establishments, Groups I & III

(b) Property Development Regulations

Minimum Lot Area and Dimensions

Lot Area:	0
Lot Width:	0 feet
Lot Depth:	0 feet

Minimum Building Setbacks and Maximum Building Heights:

Street:	0 feet
Side:	0 feet
Rear:	0 feet
Maximum building heights	
Mixed-Use Building:	100 feet
Commercial & Residential Building:	135 feet
Parking Garages:	As annotated on MCP

¹ "Warehouse, high cube means large warehouses and distribution centers with a high level of mechanization and low level of on-site employment located within a building with a minimum gross floor area of 100,000 square feet, a minimum ceiling height of 24 feet, dock-high loading bays at a minimum ratio of one door per 10,000 square feet of high cube warehouse floor area, and a maximum accessory office floor area of five percent of the overall building. High-cube warehouses may only be located within IPD and MPD and may not be used for manufacturing or labor-intensive purposes." The use, as defined, does not fit within proposed development allocation and MCP program.

(3) Open Space

Prior to local development order approval, the project must depict 20 percent or 1.42 acres of open space in substantial compliance with the MCP.

(4) Transportation Impacts

Buildings containing multi-family units may not be less than four habitable stories in accordance with ITE Land Use Code 221 (Multifamily Housing – Mid-Rise).

(5) Parking garage

In addition to the architectural requirements in LDC Sections 10-600 through 10-650, the eastern building façade of the parking garage facing Ben C Pratt/Six Mile Parkway and all building façades of the parking garage adjacent to Plantation Road must provide additional design treatments. Design treatments may include, but are not limited to, a combination of landscaped trellises, opaque covers and permanent landscaping. In addition, surfaces of exposed parking aisles and drives must be finished with specialty pavers or colored stamped concrete having nonreflective, matte surface. Final design of these façades is subject to the Director's discretion, to obscure view of multi-tier parking from the perimeter rights-of-way.

(6) Water Quality Monitoring Plan

Prior to local development order approval, the developer must provide a Water Quality Monitoring Plan for review and approval by the Lee County Division of Natural Resources. At a minimum, the Water Quality Monitoring Plan must establish:

- i) The overall Goals and Objectives of the Water Quality Monitoring Plan.
- ii) The constituents that will be monitored and an outfall monitoring schedule during “wet” season and “dry” season.
- iii) A baseline monitoring event to be part of the monitoring plan that must be completed prior to commencement of construction.
- iv) An underground stormwater chamber maintenance schedule.
Underground stormwater chamber maintenance records must be provided to the Division of Natural Resources.
- v) Water quality monitoring data must be provided to the Division of Natural Resources annually for a minimum of 5 years and must include a report with a comparison of

State water quality standards, plots of parameters, and recommendations. After five years of meeting or exceeding state water quality monitoring standards, the developer may amend water quality monitoring and reporting after written request, review, and approval by the Division of Natural Resources. Results must be reported as an Electric Data Deliverable (EDD), in a format approved by the Division of Natural Resources.

- vi) A contingency plan in the event an exceedance of State Water Quality Standards is discovered. This plan must include notification to impacted residents and applicable authorities.

(7) Connection to Lee County Owned Property

The pedestrian connection and northeast vehicular connection on Plantation Road depicted on the Master Concept Plan are located outside of the perimeter of the subject property and are proposed on property owned by Lee County. At time of local development order the applicant must obtain approval from Lee County Parks and Recreation and Lee County Department of Transportation to incorporate these connection points. Lee County DOT may limit vehicular connection points onto Plantation Road to one in the event an agreement is reached for cross access.

Deviation

Deviation #1:

Seeks relief from LDC §34-935(b)(1)b. which requires varying setbacks between buildings and structures and the development perimeter based on building height, to allow perimeter setbacks which align with the proposed height and location of the buildings and structures located on the MCP. Staff recommends **APPROVAL** of this deviation with the condition that perimeter setbacks are consistent with the MCP, as scaled, and further reduction must be obtained through the public hearing process.

Date: March 7, 2023

To: Adam Mendez, Senior Planner

From: Nic DeFilippo, Senior Environmental Planner
239.533.8983
ndefilippo@leegov.com

Subject: DCI2022-00024
Natural Resources Staff Report and Conditions for Gator Recreation MPD
STRAP# 30-45-25-00-00002.0000

The request is to rezone 7.1± acres from Commercial Planned Development (CPD) to Mixed Use Planned Development (MPD) to allow for the development of up to 90,000sf of commercial, office and retail, 70,000sf commercial-recreational, 250 hotel rooms and 210 residential units. The proposed stormwater management system consists of a series of underground stormwater storage chambers prior to discharging into roadside swales along Plantation and Six mile Parkway and into the Six Mile Cypress Slough via cross connection pipes under Six Mile Cypress Parkway. Lee Plan Objective 60.3 has identified the Six Mile Cypress watershed as a critical area for surface water management and the Six Mile Cypress watershed is on the Florida Department of Environmental Protection (FDEP) study list for Dissolved Oxygen (percent saturation) based on the number of exceedances for the sample size. Lee Plan policy 125.1.2 states new development and additions to existing development must not degrade surface and ground water quality. Lee Plan policy 125.1.4 states developments which have the potential of lowering existing water quality below state and federal water quality standards will provide standardized appropriate monitoring data. To address consistency with Lee Plan policies 125.1.2 and 125.1.4, the applicant has proposed to provide a water quality monitoring program at the time of local development order approval. Staff recommends the following condition to demonstrate compliance with the above Lee Plan policies.

Prior to local development order approval the developer must provide: Water Quality Monitoring Plan for review and approval by the Lee County Division of Natural Resources. At a minimum, the Water Quality Monitoring Plan must establish:

- i) The overall Goals and Objectives of the Water Quality Monitoring Plan;
- ii) The constituents that will be monitored and an outfall monitoring schedule during “wet” season and “dry” season.
- iii) A baseline monitoring event to be part of the monitoring plan that must be completed prior to commencement of construction.
- iv) An underground stormwater chamber maintenance schedule. Underground stormwater chamber maintenance records must be provided to the Division of Natural Resources.
- v) Water quality monitoring data must be provided to the Division of Natural Resources annually for a minimum of 5 years and must include a report with a comparison of State water quality standards, plots of parameters, and recommendations. After five years of meeting or exceeding state water quality monitoring standards, the developer may amend water quality monitoring and reporting after written request, review, and approval by the Division of Natural Resources. Results must be reported as an Electric Data Deliverable (EDD), in a format approved by the Division of Natural Resources.
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