



Board of County Commissioners

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July 3, 2023

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County Attorney

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County Hearing
Examiner

Veronica Martin
TDM Consulting, Inc.
43 Barkley Cir, Suite 200
Fort Myers, FL 33907
Via E-mail Only: vmartin@tdmconsulting.com

RE: CPA2023-00006 308 Evergreen Map Amendment

Dear Ms. Martin:

Staff has reviewed the application submittal for the map amendment CPA2023-00006, stamped "received" on May 22, 2023. Planning staff finds that the application materials are insufficient and further information is needed.

APPLICATION MATERIALS COMMENTS

1. Please include the existing use of the subject property on Exhibit – M5.
2. Please provide an existing version and proposed version of Map 1-C as part of Exhibit – M11.
3. Please provide a justification of the proposed amendments based on sound planning principles, not just based on the Lee Plan, for Exhibit – M20.

LEGAL REVIEW COMMENTS

4. The sketch accompanying the legal description 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.

LEVEL OF SERVICE ANALYSIS COMMENTS

5. The Level of Service Analysis shows a different estimated sewer and potable water demand than the letters of availability from Lee County Utilities and Florida Governmental Utility Authority. Please address this discrepancy.

LEE PLAN ANALYSIS COMMENTS

6. Please revise the Lee Plan analysis to be consistent with the requested map amendment. The Lee Plan analysis appears to be tailored to the concurrent rezoning request. The Lee Plan analysis for this request will need to demonstrate why the Mixed Use Overlay is appropriate for the subject property.
7. Please update references to the Mixed-use Overlay Map. The Mixed-use Overlay Map is now Map 1-C of the Lee Plan, not Map 1, Page 6.
8. Please ensure that any discussion of the proposed rezoning is limited to the zoning category proposed in REZ2023-00018.
9. Please address Lee Plan policies 5.1.2, 5.1.3, 6.1.4, 11.2.2, 126.1.1, and 126.1.4.

10. Policy 5.1.5 exists to protect residential areas from incompatible uses. Please demonstrate how the reduction of buffers allowed by the Mixed Use Overlay will maintain consistency with Policy 5.1.5.
11. Staff has concerns about the proposed amendment intruding into a predominately single-family residential neighborhood. Please address Policy 11.2.1(5) in depth to demonstrate that the Mixed Use Overlay will not be incompatible with the surrounding neighborhood.
12. Our records indicate that the most recent Use Permit on the adjacent parcel to the east (264-266 Evergreen Road) is USE2004-00807, which was for the operation of a preschool. Please provide analysis of Policy 6.1.8 that considers this fact.
13. The advertisement for the Community Meeting does not mention the proposal to include the subject property within the Mixed Use Overlay. Staff believes that this will not be sufficient to meet the requirements of Lee Plan Policy 17.3.4. A meeting specific to the proposed amendment is required.
14. Please provide the materials presented by the applicant at the community meeting.

TRANSPORTATION ANALYSIS COMMENTS

15. Because the total peak hour net increase in trips falls within the range of 50 to 300 total trip ends, a Traffic Circulation Analysis report (not Zoning Traffic Impact Statement) must be submitted containing 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.
16. The site location appears to be incorrect in Exhibit One of the TIS, please address.

ZONING COMMENTS

17. Please supply a map showing area of pending rezoning for REZ2023-00018.

ENVIRONMENTAL ANALYSIS COMMENTS

18. Please provide a topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA)
19. Please provide a map delineating the property boundaries on the most recent Flood Insurance Rate Map.

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: Brandon Dunn, Interim Manager, Planning Section