October 13, 2023

Lee County Community Development - Zoning Department
1500 Monroe Street
Fort Myers, FL 33901

Re: ***Heights Career Technical School***
DCI2023-00033
2nd Review

To Whom It May Concern,

1. Cover Letter
2. Request Statement
3. Schedule of Uses
4. Schedule of Deviations and Justifications
5. Boundary and Topographic Survey
6. Master Concept Plan
7. Strikethrough and Underline Versions of Z-86-081 and Z-87-103

Zoning Review, Mary Sue Groth

1. Please provide a Lee Plan analysis for policies 6.1.6, 101.1.1, and 101.3.2.

   Response: Please see the updated Request Statement that now demonstrates compliance with Lee Plan Policies 6.1.6, 101.1.1 and 101.3.2.

2. Please review existing deviations for changes or compliance with current land development codes, and update deviation list.

   Response: Please see the updated Schedule of Deviations.

3. Strikethrough and underline existing resolutions for Z-86-081 and Z-87-103 to clarify request.

   Response: Strikethrough and underline versions of Z-86-081 and Z-87-103 have been included as requested.

4. Does the applicant want to add convenience store to the Schedule of Uses? Please clarify.

   Response: Refer to the updated Schedule of Uses and Request Statement, clarifying that the PD Amendment is seeking to retain 'Commercial Schools' as the only permitted commercial land use on the subject site.

5. Staff reserves the right to provide additional comments throughout the future submittals.

Response: Acknowledged.

Legal Description Review, Richard Burris

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

   Please provide a boundary survey in accordance with the requirements of Lee County LDC §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. The second state plane coordinate (the opposing corner) is missing. Typically, these are shown on the clearly marked perimeter boundary.

   Response: The boundary survey has been updated as requested.

Development Services Review, Allyson Hall

1. LDC 34-373(a)(6) Master Concept Plan
   Please show all existing and proposed easements on the MCP with the appropriate labels.

   Response: Easements are now shown on the MCP.

2. LDC 34-373(a)(4)a. The application for a planned development must be accompanied by a boundary survey, prepared and sealed by a professional surveyor, that meets the minimum technical standards set forth in chapter 5J-17, F.A.C. The boundary survey must identify and depict all easements effecting the subject property, whether recorded or unrecorded, and all other physical encumbrances readily identified by a field inspection. Survey Note specifically exempts easements and freedom of encumbrances and does not meet the referenced LDC requirement.

   Response: The boundary survey has been updated as requested.

3. LDC 34-373(6)(e) The general location of service areas for delivery of goods or services must be shown for all developments that are not residential subdivisions must be shown on the MCP.

   Response: The general location of the service area for deliveries is now shown on the MCP.

4. LDC 34-373(6)(j) please show proposed access and facilities for public transit in accordance with sections 34-411(e) and 10-442 on the MCP.
   Please provide a storm water narrative meeting the requirements LDC ~~34-373(6)(b)~~ 34-373(b).

   Response: The Request Statement now includes a storm water narrative, meeting the requirements of LDC Section 34-373(b).

PENINSULA ENGINEERING

Natural Resources Review, Rebecca Sweigert

1. Please provide a written description of the surface water management plan that includes the requirements of LDC ~~34-272(b)1~~ 34-373(b).

   Response: The Request Statement now includes a storm water narrative, meeting the requirements of LDC Section 34-373(b).

Environmental Review, Camryn Siverson

1. LDC 10-416(d)(6) states, "if roads, drives, or parking areas associated with residential subdivisions or with a multi-family or non-residential use are located less than 125 feet from an existing residential subdivision or single-family residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 lineal feet or a 30-foot wide Type F buffer with the hedge planted a minimum of 20 feet from the abutting property." Please demonstrate compliance with LDC 10-416(d)(6).

   Response: The proposed Heights Career Technical School CPD is not adjacent to an existing single-family residential subdivision or single-family residential lot; therefore, LDC Section 10.416(d)(6) does not apply. This was clarified with Staff on 10/5/2023.

2. Please provide more clarification for deviation 11 and 12. Staff may have additional comments.

   Response: Please see the updated Schedule of Deviations.

3. The cross section demonstrates the buffer on the retaining wall, as well as below the wall. Please provide widths of both above and below the wall.

   Response: The cross sections have been updated to include widths of the planting areas.

4. Please provide a Lee Plan analysis for policies 6.1.6, 101.1.1, and 101.3.2.

   Response: The Request Statement has been updated to demonstrate compliance with Lee Plan Policies 6.1.6, 101.1.1 and 101.3.2.

5. Please note that a condition will be placed at time of sufficiency, stating that landscape requirements for specific uses, must be met at time of development order (ex: gas stations, display and sale, fast food, etc.).

   Response: Acknowledged.

6. Please note that staff will carry over the previous condition, to exclude convenience stores.

   Response: The Request Statement and Schedule of Uses have been updated to clarify that all commercial land uses, except 'Commercial Schools' are being eliminated from the site.

7. Staff reserves the right to provide additional comments throughout the future submittals.

   Response: Acknowledged.

TIS Review, Md Rakibul Alam

1. In light of the presence of high trip-generating establishments such as restaurants, supermarkets, and specialty retail shops within the schedule of uses, it is imperative that the Traffic Impact Study (TIS) be prepared utilizing the worst-case scenario in terms of trip generation analysis.

   Response: Refer to the updated Schedule of Uses and Request Statement, clarifying that the PD Amendment is seeking to retain 'Commercial Schools' as the only permitted commercial land use on the subject site; therefore, the Traffic Impact Statement submitted with Review #1 correctly outlines the development scenario in terms of trip generation analysis.

LCDOT Review, Md Rakibul Alam

1. Due to the presence of an existing driveway on Richwood Drive, LCDOT cannot endorse the proposed entrance via Pine Ridge Road.

   Response: There is no legal access for a connection to Richwood Drive to the north, which is a private road. One access along Gladiolus Drive is not sufficient to serve the proposed development. It is in the best interest of the public safety to allow the connection along Pine Ridge Road as proposed.

Solid Wate Review, Jason Lighthall

1. Proposed dumpster enclosure location does not include dimensions. Please provide dimensions in accordance with LDC 10-261.

   Response: Chapter 10 requirements apply at time of DO stage and not the zoning stage. This information will be provided at time of DO.

Lee Tran Review, Clarissa Marino Diaz

1. Based on the LeeTran 2021 Transit Development Plan (TDP) evolved network, also reflects within the Lee County Comprehensive Map 3-C section 10-441, bus stop # 11108 will not exist in the near future. However, the proposed development is within one-quarter mile of another bus stop # 11131.

Based on the Lee County Transit LDC, the developer must provide a bicycle storage rack, to meet the necessary improvements based on the current Lee County Transit LDC 10-442 (b)(1).

Response: Acknowledged. Chapter 10 requirements apply at time of DO stage and not the zoning stage. Bicycle storage racks will be shown and provided at time of Development Order.

Should you have any questions or require additional information, please feel free to contact me at 239.403.6751 or by email at jharrelson@pen-eng.com.

Sincerely,



Jessica Harrelson, AICP
Planning Manager

cc: Neale Montgomery, Esq.

PENINSULA ENGINEERING

HEIGHTS CAREER TECHNICAL SCHOOL
REQUEST STATEMENT

Property Information

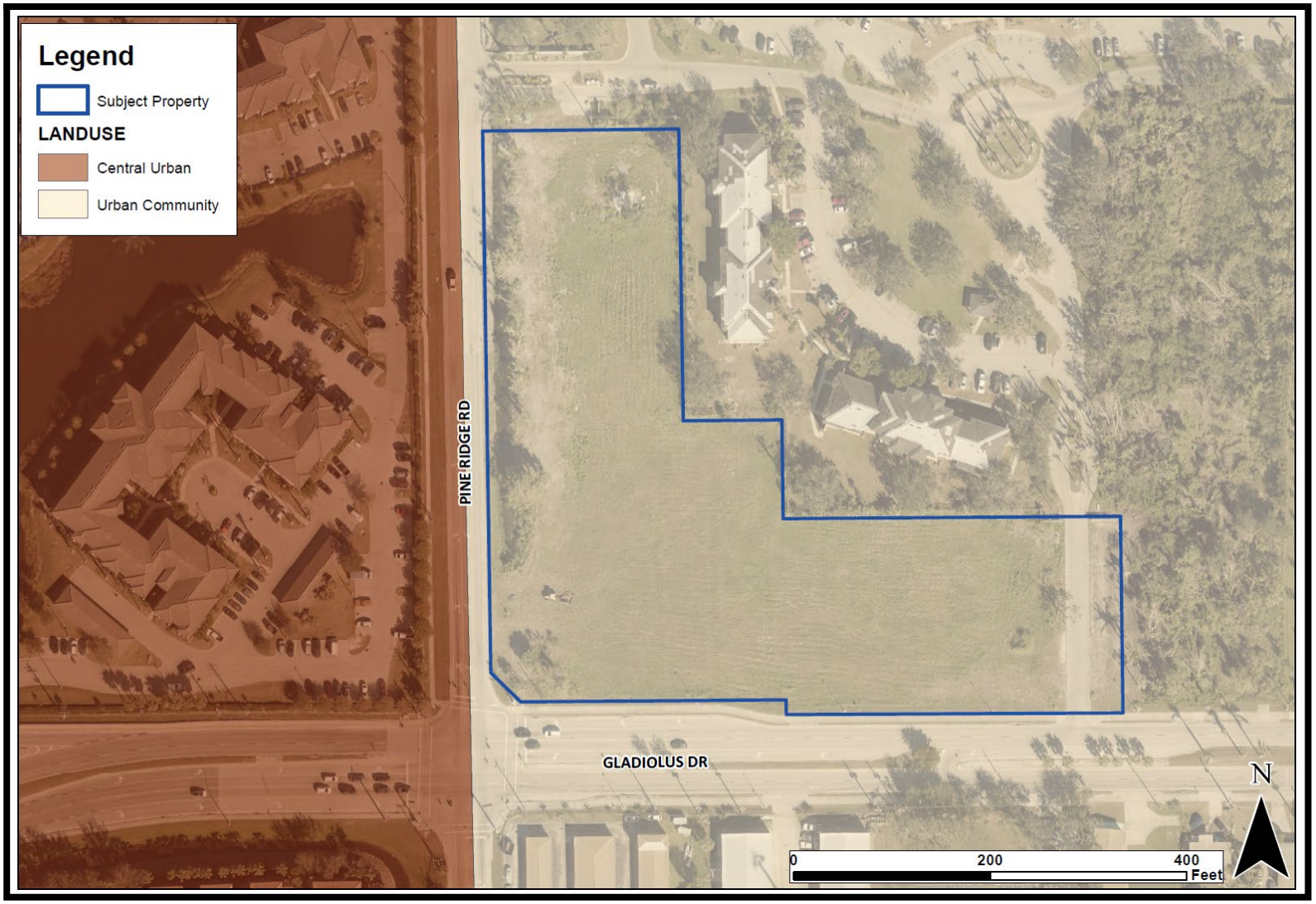
The Crosslands Commercial Planned Development (CPD) currently encompasses one undeveloped parcel consisting of ±4.88-acres. The property is located at the northeast corner of Pine Ridge Road and Gladiolus Drive, within unincorporated Lee County. The site is designated Urban Community per the Future Land Use Map of the Lee Plan.



Zoning Map

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Fla Engineer CA 28275 Fla Landscape CA LC26000632 Fla Surveyor/Mapper LB8479



Future Land Use Map

Details of Request

The applicant is seeking to amend the Commercial Planned Development (CPD), by increasing the maximum permitted commercial floor area and building height to accommodate the future development of the Heights Career Technical School. The proposed vocational school will provide learning opportunities to area residents, helping to promote the mission of the Heights Foundation, to "Support Education and Wellness, Promote Family and Community Development and Provide Benefits of Enrichment of the Arts". The requested increase in both floor area and building height will allow the vocational school to be constructed and programmed to meet the current and growing educational needs of the community.

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In summary, the PD Amendment seeks approval of the following:

- An increase in maximum permitted commercial floor area from 23,000 SF to 66,500 SF.
- An increase in maximum building height from 35' to 50'.
- Elimination of exisitng commercial land uses, except 'Commercial Schools'.
- Addition of a deviation from LDC Section 10-285, "Connection Separations"; *refer to the supplmental Deviations and Justifications document*
- Addition of a deviation from LDC Section 10-416(d) "Buffer Types/Wall Measurement"; *refer to the supplmental Deviations and Justifications document*
- Addition of a deviation from LDC Section 10-420(f) "Plant Material Standards"; *refer to the supplmental Deviations and Justifications document*
- Amended Master Plan.

The subject property was rezoned from AG to the Crosslands CPD, per Resolution 86-81, which permits a maximum of 23,000 SF of commercial uses and a maximum building height of 35 feet. The CPD currently allows all permitted land uses within the Community Commercial (CC) zoning district, except convenience stores. This PD Amendment seeks to eliminate all permitted uses, except 'Commercial Schools' on the subject property.

The site is bounded by rights-of-way along the northern, western and southern property lines and is adjacent to multi-family residential development/residential zoning along the east. The proposed development has been designed to comply with development regulations set forth for the Community Commercial zoning district. Furthermore, the project has been planned to be compatible with adjacent residential uses and will complement the surounding neighborhood.

DEVELOPMENT STANDARDS

Minimum Lot Size (Corner Lots)	20,000 SF
Minimim Lot Width	100'
Minimum Lot Depth	100'
Maximum Building Height	50'*
Maximum Lot Coverage	40%
Minimum Setbacks*	
Street- Gladiolus Drive (Arterial)	25'
Street- Richwood Drive (Private)	20'
Street- Pine Ridge Road (Collector)	25'
Side Yard	15'

*The requested 50' building height is consistent with the Future Land Use Element of the Lee Plan.

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Landscaping & Open Space

The CPD complies with LDC Sections 10-415 and 34-414, providing a minimum of 30% of open space. The site does not contain indigenous native communities or native trees; consequently, open space requirements are met through landscaped areas, buffers and dry detention areas.

Landscape buffers include a 15' Type 'D' buffer adjacent to rights-of-way (Pine Ridge Road and Gladiolus Drive) and 15' Type 'C' buffers along remaining boundaries. The Type 'C' buffers include an 8' solid wall/retaining wall combination and additional plantings to mitigate potential impacts to adjacent residential uses.

Parking and Pedestrian Pathways

Per LDC Section 34-2020, Table B, Vocational Institutions are required to provide one parking space per employee, plus student parking as the Director seems necessary. The Heights Career Technical School will have a maximum of 30 employees and a maximum of 165 students, with alternating class times and schedules. The development will comply with LDC parking requirements and will meet actual parking demands.

The development has been designed to accommodate pedestrian movement through the site. In addition, a pedestrian walkway has been designed along the easternmost boundary of the site, adjacent to Edisto Way. This has been planned to promote safety of school-aged children that currently walk from within the abutting residential development to the existing public school bus stop located at the Edisto Way/ Gladiolus Drive intersection.

Utilities

The subject property is located within the Lee County Utilities Future Service Area, as depicted on Maps 4A and 4B of the Lee County Comprehensive Plan. The proposed development will connect to existing potable water and sanitary sewer lines that are in current operation adjacent to the property. Lee County Utilities currently has sufficient capacity to provide both water and sewer to the site; *see the Potable Water and Wastewater Availability letter*.

Traffic

The Traffic Impact Statement, prepared by TR Transportation Consultants, Inc., concludes that all applicable roadways will operate above their minimum adopted Levels of Service with and without the proposed project and there is sufficient roadway capacity to accommodate the development.

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Stormwater

The Project site is mostly flat with an average existing grade of approximately 3.8 ft-NAVD. The existing and historical drainage appears to drain towards the west along the existing property line / Pine Ridge Road swale (no easement). The Project proposes to maintain the existing and historical drainage by discharging into the existing Pine Ridge Road swale via a proposed control structure with eventual outfall into the Deep Lagoon Canal. Prior to discharge into the Pine Ridge Road swale, the Project will provide water quality and attenuation (includes an additional 50% of required water quality treatment volume). The control elevation for the site is 2.0 ft-NAVD (based on existing SFWMD permits near the site). The proposed stormwater management system will consist of open dry retention space where space is available and vaulted retention where space is limited (underground chambers that create voids for storage and treatment of stormwater). Floodplain compensation should not be required because of the known tidal conditions of the discharge location. With this known condition, the Project would not account for compensating storage on-site. Accounting for recent updates to FEMA mapping, the Project proposes a finished floor elevation of 11 ft-NAVD (FEMA + 1').

Lee Plan Consistency

Policy 1.1.4 - The Urban Community future land use category are areas characterized by a mixture of relatively intense commercial and residential uses. The residential development in these areas will be at slightly lower densities then other future urban categories described in this plan. As vacant properties within this category are developed, the existing base of public services will need to be maintained which may include expanding and strengthening them accordingly. As in the Central Urban future land use category, predominant land uses in this category will be residential, commercial, public and quasi-public, and limited light industrial with future development encouraged to be mixed use, as described in Objective 11.1, where appropriate. The standard density range is from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum total density of ten dwelling units per acre (10 du/acre). The maximum total density may be increased to fifteen dwelling units per acre (15 du/acre) utilizing Greater Pine Island Transfer of Development Units

The site is designated Urban Community and will be developed with a vocational school that will provide educational services and programs. The request is consistent with Policy 1.1.4 of the Lee Plan.

OBJECTIVE 2.1: DEVELOPMENT LOCATION. Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.

The site is the last undeveloped property along the subject segment of Pine Ridge Road, within an urbanized area of Lee County, and is considered infill development. Existing infrastructure is in place to accommdate the proposed development and the project does not contribute to urban sprawl. The request is consistent with Objective 2.1 of the Lee Plan.

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POLICY 2.2.1: Rezoning and DRI proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

The proposed development will have direct access to Gladiolus Drive and Pine Ridge Road. The adjacent roadway network has sufficient capacity to accommdate the proposed development. Public facilities and services are currently in place to serve the project. The site has been designed to be compatible with surrounding land uses. The development will not have a negative impact on public health, safety or welfare.

Objective 4.1 Water, Sewer and Environmental Standards. Consider water, sewer and environmental standards during the rezoning process. Ensure the standards are met prior to issuing a local development order.

The subject property is located within the Lee County Utilities Future Service Area, as depicted on Maps 4A and 4B of the Lee County Comprehensive Plan. The proposed development will connect to existing potable water and sanitary sewer lines in current operation adjacent to the property. Lee County Utilities currently has sufficient capacity to provide both water and sewer to the site; see the Potable Water and Wastewater Availability letter. An Environmental Assesssment was conducted and concludes there are no environmentally sensive lands on-site, no listed species on-site and the property has historically been cleared of native vegetation. All Lee County and/or state permit requirements will be met, as necessary, during the permitting process.

Policy 6.1.1: All applications for commercial development will be reviewed and evaulated as to:

1. **Traffic and access impacts (rezoning and development orders);**
2. **Landscaping and detailed site planning (development orders);**
3. **Screening and buffering (PD rezoning and development orders);**
4. **Availability and adequacy of services and facilities (rezoning and development orders);**
5. **Impact on adjacent land uses and surrounding neighborhoods (rezoning);**
6. **Proxmity to other simliar centers (rezoning); and**
7. **Environmental considerations (rezoning and development orders).**

The PD Amendment request involves a well-planned commercial development at an appropriate location within the County. The application addresses each above criteria, as necessary and required.

Policy 6.1.6: The land development regulations will require that commercial development provide adequate and appropriate landscaping, open space, and buffering. Such development is encouraged to be architecturally designed so as to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses.

Acknowledged. The site has been designed to provide appropriate landscaping, open space and buffering. The development will be designed to be aesthetically pleasing to complement the surrounding neighborhood.

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Policy 67.3.13: The County will promote smaller, geographically-diversified neighborhood school campuses, which are incorporated into relevant community plans.

The CPD proposes a smaller, geographically-diversified neighborhood school campus, that will provide educational services to the Harlem Heights community.

Objective 77.3: New developments must use innovative open space design to preserve existing native vegetation, provide visual relief, and buffer adjacent uses and proposed and/or existing rightsof-way. This objective and subsequent policies are to be implemented through the zoning process

The CPD complies with LDC Section 10-415 and 34-414, providing a minimum 30% of open space. The site does not contain any indigenous native communities or native trees; consequently, open space requirements are met through landscaped areas, buffers and dry detention areas.

Policy 101.1.1: Require that development within the Coastal High Hazard Area be compatible with natural systems, such as, water retention and purification, wildlife habitat, primary productivity, and defense against coastal flooding.

The development will meet all local and state requirements, as necessary, regarding construction within the Coastal High Hazard Area.

Policy 101.3.2: Restrict development in the Coastal High Hazard Area to uplands except as needed for the provision of public facilities.

The development is located within uplands. Refer to the FLUCCS Map.

Objective 158.5: Lee County will encourage the expansion and development of educational facilities that complement economic development and diversification.

The proposed vocational school will provide a variety of educational programs to the Harlem Heights neighborhood, and promotes community and economic development and diversification. The goal of the vocational school is to advance economic self-sufficiency through occupational training and education.

Policy 158.5.2: Lee County will promote the development of programs and facilities through the Lee County School District, Florida Southwestern State College, Florida Gulf Coast University, and any existing and/or future institutions of higher learning, including business and commerce, health services, technologies, and education careers.

The proposed vocational school will provide a variety of higher learning opportunities and educational programs and should therefore be promoted by Lee County.

Policy 158.3: Lee County will encourage the Lee County School District, Florida Southwestern State College, Florida Gulf Coast University, and any future institutions of higher learning, to develop cooperative and integrated curriculums that enhance and increase the productivity of the local work force and attract industries and skilled workers.

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The proposed vocational school will provide a variety of higher learning and educational programs, which will enhance and increase the productivity of the local work force. The proposed vocational school will promote community and economic development and diversification and will advance economic self-sufficiency through occupational training and education.

Conclusion

The Amendment request includes an intensification of a use currently permitted by the Crosslands CPD. The development has been designed to be compatible with adjacent uses and complement the surrounding neighborhood. The request is consistent with the Lee County Land Development Code and the Lee Plan.

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HEIGHTS CAREER TECHNICAL SCHOOL CPD
SCHEDULE OF USES

The CPD is limited to the below permitted land use:

- Schools, Commercial

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HEIGHTS CAREER TECHNICAL SCHOOL
Deviations and Justifications

The Crosslands PD currently includes the below approved deviations, per Resolution Z-86-081, as amended:

Existing Deviations

1. **Minimum setback from a structure to a water body of 25', to 10' (measured at top of bank).**
This is an existing deviation that allowed structures within the Crosslands RPD to be constructed within 10' of the lake. This deviation does not apply to the proposed Heights Career Technical School CPD. There are no water bodies proposed on the site or adjacent to the site. Refer to the attachments – Original PD Master Plan and List of Deviations for reference.

2. Withdrawn

3. **Minimum excavation setbacks to a private property line of 100', to 25'.**
This is an existing deviation that allowed excavation activities to be located within 25' of the Crosslands RPD property line, instead of 100'. This deviation does not apply to the proposed Heights Career Technical School CPD. There are no excavation activities proposed on the site or adjacent to the site. Refer to the attachments – Original PD Master Plan and List of Deviations for reference.

4. **Minimum excavation setbacks to a quarter section line of 60', to 0' for the north-south line in Section 32.**
This is an existing deviation that allowed excavation within the Cross RPD to be located over a quarter section line and was an existing condition at time of the original approval. This deviation does not apply to the proposed Heights Career Technical School CPD. There are no excavation activities proposed within the CPD. Refer to the attachments – Original PD Master Plan and List of Deviations for reference.

5. **Requirement that street access be provided to adjoining property, to eliminate a connection to the adjoining local road system.**
This is an existing deviation that allowed the Crosslands RPD to not connect to properties to the east and south. Staff found additional access could potentially impact the elementary school. This deviation does not apply to the proposed Heights Career Technical School CPD. Refer to the attachments – Original PD Master Plan and List of Deviations for reference.

6. **Requirement that the minimum intersection spacing of 660' along arterial streets, to allow a separation of 630'.**
This is an existing deviation that approved the minimum intersection spacing on Gladiolus Drive, between the project's entrance (now Edisto Way) and Pine Ridge Road to be 630' instead of the required 660'. This is an existing condition and there no changes to the subject entrance proposed. This deviation/existing condition is shown on the CPD Master Plan.

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7. **Minimum setbacks from roads, streets, and drives of 80' from the centerline of Pine Ridge Road, to 75'.**
This is an existing deviation that allowed a structure within the northwestern area of the Crosslands RPD to be located within 75' of the Pine Ridge Road centerline instead of 80'. This deviation does not apply to the proposed Heights Career Technical School CPD. Current code required setbacks have been utilized for the design of the CPD. Refer to the attachments – Original PD Master Plan and List of Deviations for reference.

8. **Minimum perimeter setbacks for incompatible developments from 25', to 20' on the south and east property lines.**
This is an existing deviation that allowed perimeter setbacks along the eastern and southern property lines, within the Crosslands RPD, to be 20' instead of 25'. This deviation does not apply to the proposed Heights Career Technical School CPD. Refer to the attachments – Original PD Master Plan and List of Deviations for reference.

9. **Deviation from the requirement of a minimum 60' setback from a structure to a quarter line section, to allow a 0' setback.**
This is an existing deviation that allowed one structure to be placed over the quarter section line within the Crosslands RPD. This deviation does not apply to the Heights Career Technical School CPD. Refer to the attachments – Original PD Master Plan and List of Deviations for reference.

This PD Amendment is seeking approval of three additional deviations, as outlined below:

<u>New Deviation Requests</u>

10. **Deviation #10 seeks relief from LDC Section 10-285, Table 1 "Connection Separation," which requires a 330' separation for motor vehicles located along major collectors within Future Urban designated areas, to instead allow a ±195' separation for the proposed motor vehicle connection on Pine Ridge Road from Richwood Drive**.

Justification: Two (2) points of ingress/egress have been considered for the subject commercially zoned property since the initial rezoning, per Resolution Z-86-1. The property has an existing accessway off Gladiolus Drive (Edisto Way), via a right-in/right-out only intersection. Edisto Way is a shared access with the adjacent residential development; refer to the Ingress, Egress, Utility, and Signage Easement (OR Book 2584/Page 2781). The subject property does not have legal access to connect to Richwood Drive to the north, which is a private road serving a residential community. One access along Gladiolus Drive is not sufficient to serve the proposed development. It is in the best interest of public safety to allow the connection, as proposed, along Pine Ridge Road.

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The proposed Pine Ridge Road ingress/egress location will aide in eliminating potential traffic congestion and will allow for sufficient traffic movement. The Pine Ridge Road access is imperative to the site's design, which will allow the site to function safely by providing adequate access not only for students and employees, but also for emergency and service vehicles. The subject property is the last remaining, undeveloped property along the subject low-volume segment of Pine Ridge Road. The reduction in connection separation will have no negative impact on public health, safety or welfare.

11. **Deviation #11 seeks relief from LDC Section 10-416(d)4 "Buffer Types," which requires Type 'C' buffers provide a solid wall, berm or wall/berm combination not less than eight feet in height as measured from the finished grade of the project site, to instead allow a solid wall/retaining wall combination not less than eight feet in height as measured from existing grade of the project site. See Sheet 3 of the Master Concept Plan.**

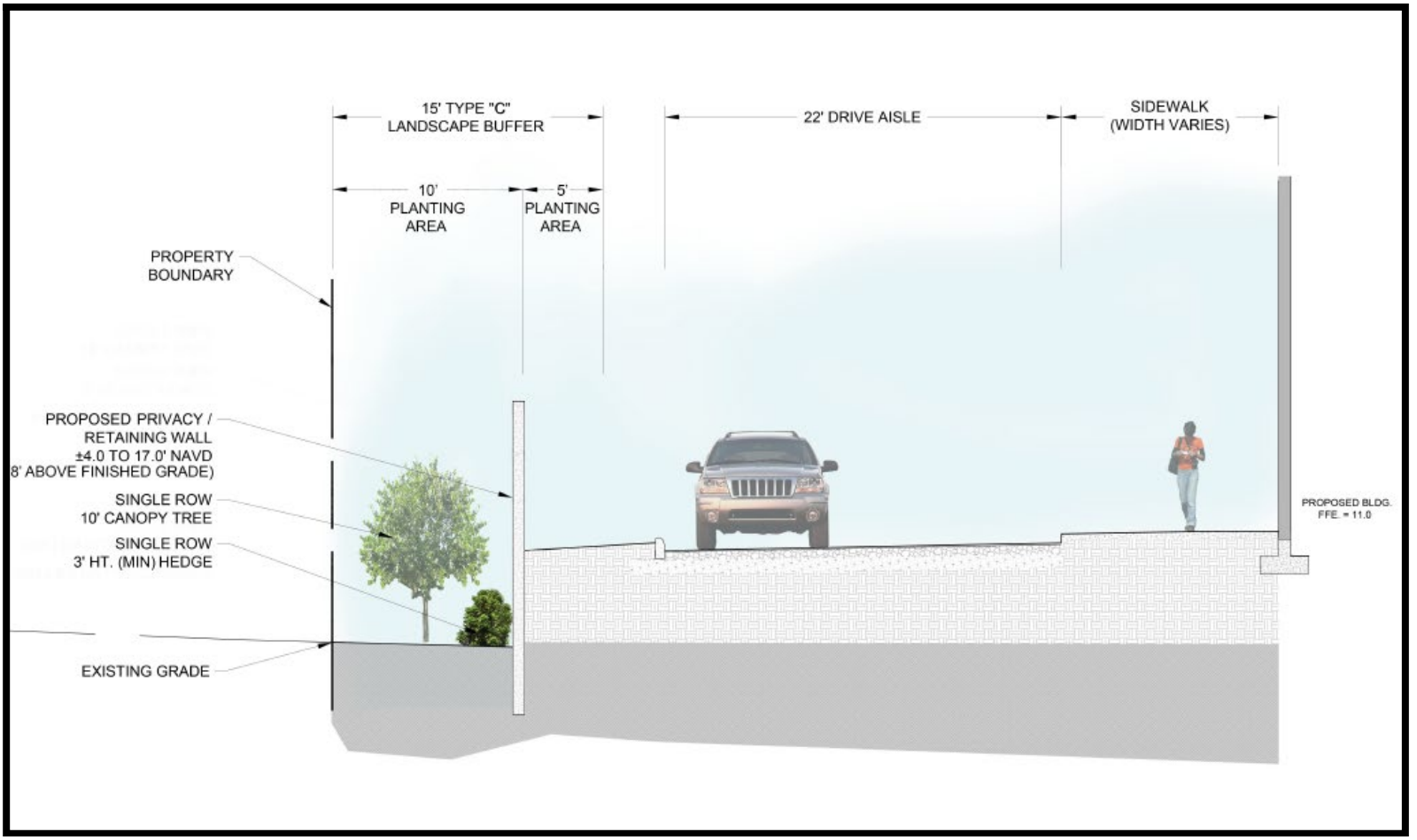
Justification: Due to current FEMA requirements, the proposed finished floor elevation of the project site is ±11-feet. Existing elevations of the subject property, as well as adjacent properties, range from ±3.5'-±4.5'; consequently, a retaining wall will be constructed around most of the site's perimeter to eliminate the possibility of erosion.

Per LDC requirements, Type 'C' buffers must contain a solid wall, berm, or wall/berm combination, not less than 8' in height, as measured from the finished grade of the project site. Code requirements for the measurement of the wall creates a site-specific hardship due to the proposed finished floor elevation of the project site (±11') and how it relates to the elevations of adjacent properties (±3.5'-±4.5'). Should the wall be installed per code requirements, this would result in a retaining wall/solid wall combination with a total height of ±13' from existing grade; see Cross Section #1 below illustrating the required wall installed per code requirements.

The approval of this deviation will allow a retaining wall/solid wall combination, not less than 8' in height, measured from the existing grade of the project site. Additional plant material and enhanced landscaping, as outlined in Deviation #12, will be installed within the buffer to sufficiently screen the development from adjacent residential uses. The enhanced landscape buffers, along with the proposed retaining wall/solid wall combination measured from existing grade, create a more visually appealing development; see Cross Section #2 below illustrating the required wall measured from existing grade and additional plant materials proposed. The approval of this deviation will have no negative impact on public health, safety or welfare.

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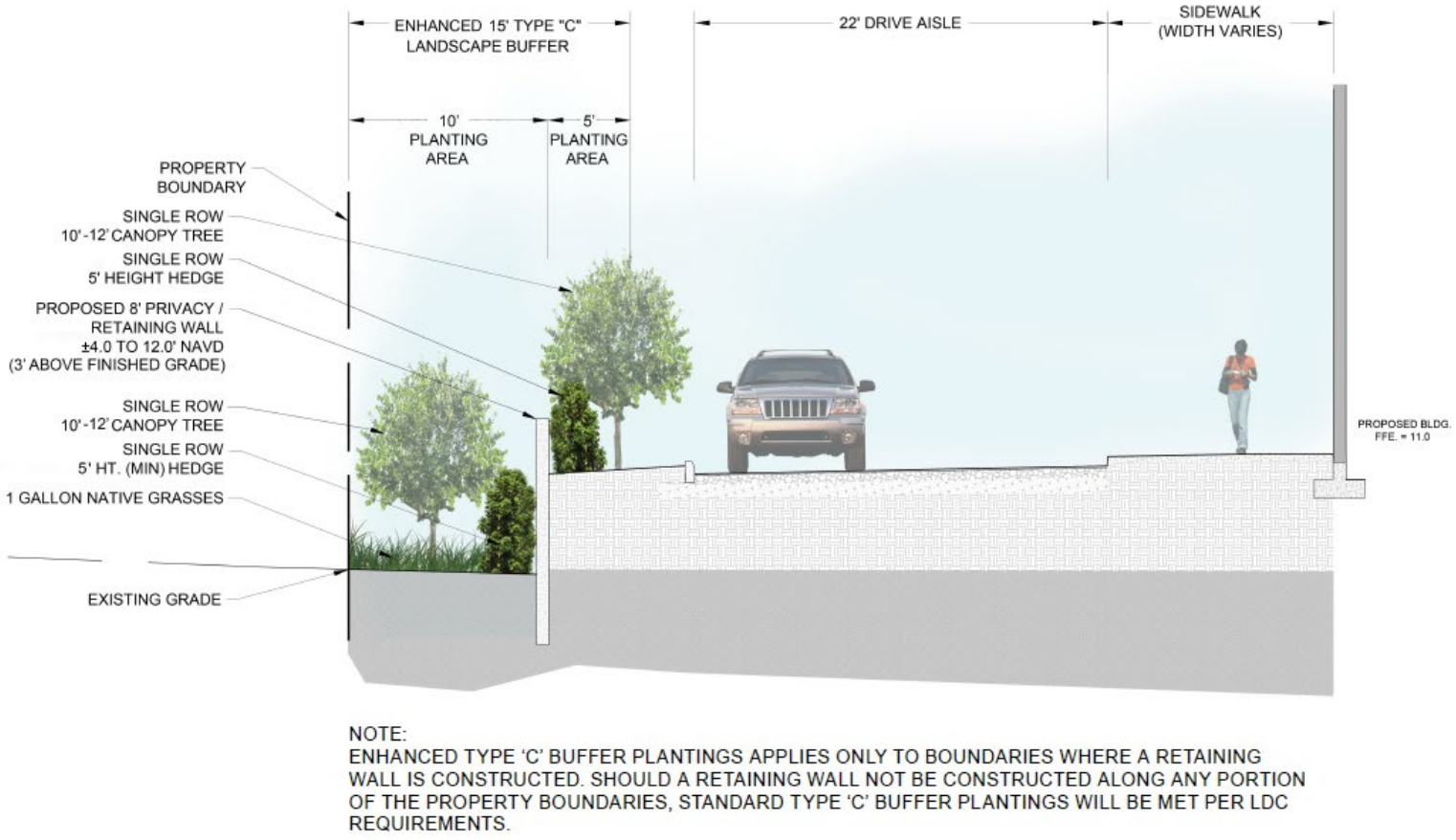
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Cross Section #1 (Code Requirements Scenario): The above cross section illustrates an 8' solid wall, installed within the Type 'C' buffer, and measured from the finished elevation of the project site (resulting in a retaining wall/solid wall combination with an overall height of ±13'). The required code minimum Type 'C' buffer plantings are shown on the exterior side of the wall, facing adjacent residential development.

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Cross Section #2: The above cross section illustrates the 8' solid wall/retaining wall combination, installed within an enhanced Type 'C' buffer, measured from the existing elevation of the project site.

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Fla Engineer CA 28275 Fla Landscape CA LC26000632 Fla Surveyor/Mapper LB8479

12. **Deviation #12 seeks relief from LDC Section 10-420(f) "Plant Material Standards," which requires the height of all trees, palms and shrubs located within buffers to be measured from the parking lot grade of the project site, to instead allow the height of trees, palms and shrubs within the buffer, forward the solid wall/retaining wall, to be measured from final grade in which they are planted, subject to the cross sections shown on Sheets 2 and 3 of the Master Concept Plan and the following provisions:**

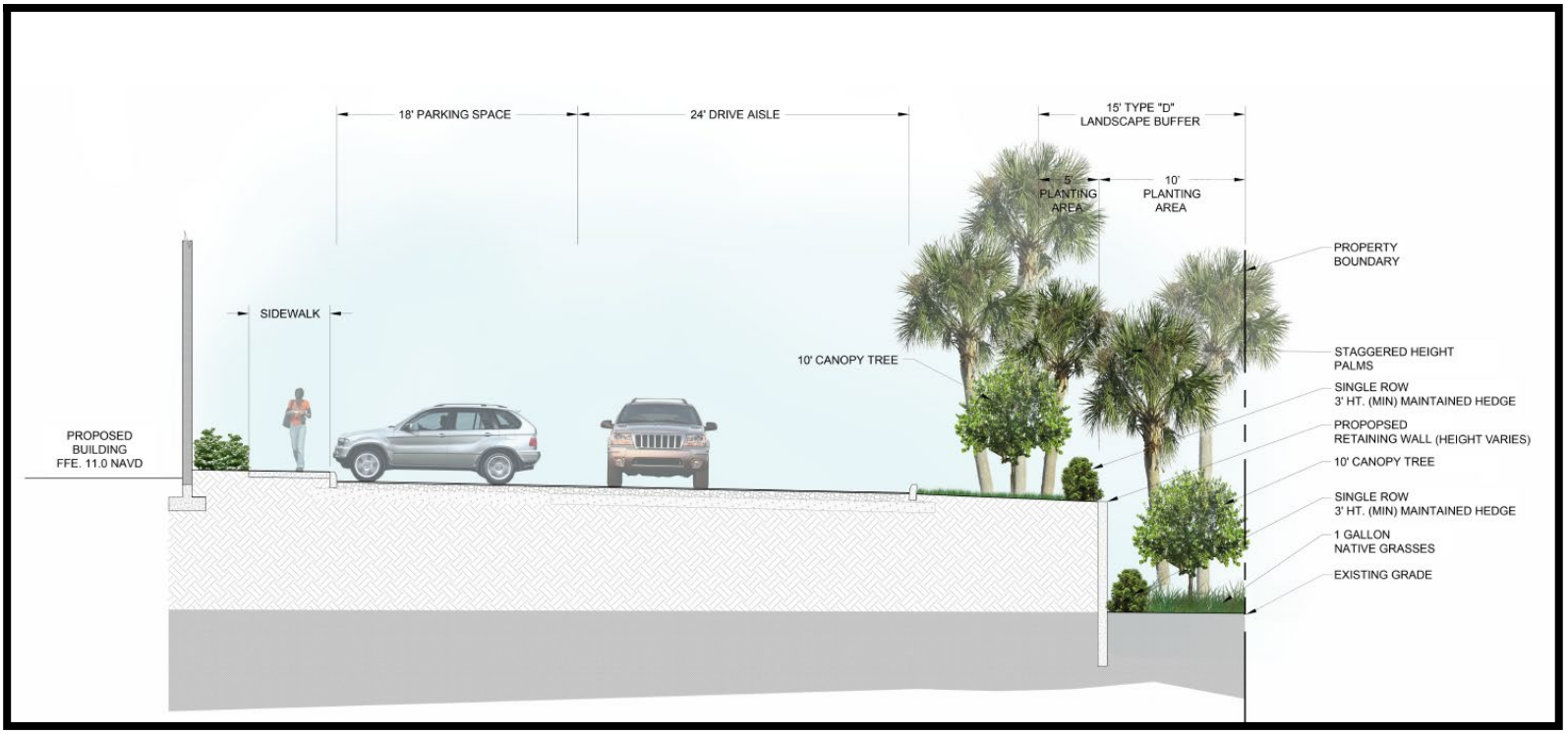
a. **Within the Type 'C' buffers, where the site is adjacent to residential development and a retaining wall is constructed, a single row of shrubs 5' in height and spaced 4' on center and single row of native canopy trees 10'-12' in height at five (5) trees per 100 linear feet shall be planted at the finished grade of the project site, and a single row of shrubs planted at 5' in height and maintained at a minimum of 5' in height shall be planted and spaced 36" on center within the existing grade buffer adjacent to the retaining wall. An additional row of native canopy trees 10'-12' in height at five (5) trees per 100 linear feet shall be planted within the existing grade planting area adjacent to the retaining wall, these additional trees shall count towards the General Tree requirement.**
b. **Within the Type 'D' buffers, where the site is adjacent to rights-of-way and a retaining wall is constructed, four (4) canopy trees at 10' in height and five (5) Cabbage Palms with a minimum 10' clear trunk shall be planted at existing and finished grade per 100 linear feet. Alternatively, five (5) Royal Palms with a minimum 10' clear trunk may be planted at existing and finished grade per 100 linear feet along the intersection of Gladiolus Drive and Pine Ridge Road. The required double hedge row may be split so that one hedge row is planted at existing grade (external side of the wall) and one hedge row is planted at finished grade (interior side of the wall).**
c. **One (1) gallon native grasses and groundcovers shall be provided at 36" on center within the existing grade portions of the Type 'C' and Type 'D' buffers.**
d. **Additional plantings apply only to boundaries where a retaining wall or retaining wall/solid wall combination are constructed. Should a retaining wall not be constructed along any portion of the property boundaries, standards buffer plantings will be installed per LDC requirements.**

Justification: Due to FEMA requirements, the proposed finished floor elevation of the site is ±11-feet. Existing elevations range from ±3.5 '- 4.5'; consequently, a retaining wall is needed around most of the project site's perimeter to eliminate the possiblity of erosion. A split buffer is planned, with a 10' planting area at existing grade to sufficiently screen the retaining wall/solid wall and a 5' planting area at the project site's finished elevation to sufficiently screen the development.

The proposed location of plant material to be installed and the additional plantings, along with the retaining wall/solid wall, will provide an adequate visual buffer and sufficient screening from abutting residential development and rights-of-ways. The approval of this deviation creates a more visually appealing development. Refer to Cross Sections #3 and #4 below.

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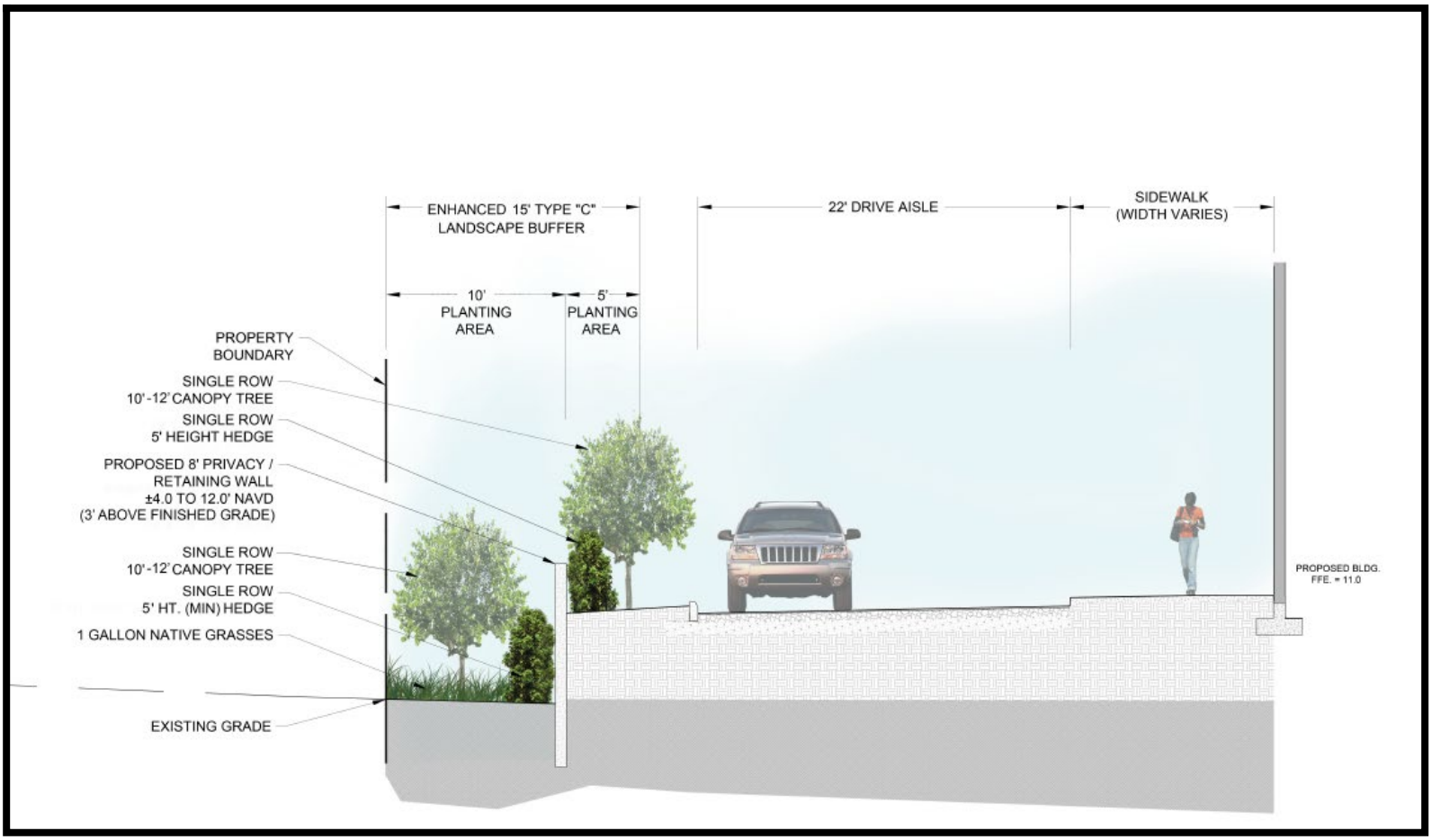
Fla Engineer CA 28275 Fla Landscape CA LC26000632 Fla Surveyor/Mapper LB8479



Cross Section #3: The above cross section illustrates a Type 'D' buffer where a retaining wall is constructed.

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Cross Section #4: The above cross section illustrates a Type 'C' buffer where a retaining wall/solid wall combination is constructed.

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PENINSULA ENGINEERING

ORIGINAL PD MASTER PLAN

AND

LIST OF ORIGINAL DEVIATIONS

2600 Golden Gate Parkway, Naples, Florida, 34105 Office 239.403.6700 Fax 239.261.1797

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McGregor Blvd.

McGregor Vista
P.B. 10, Pg. 45

30" RCP
N.W. COR SEC. 32
FD. 1" IRON PIPE 0.03'N-0.13'E
EXISTING LAKE
80' R/W I.D.D. DRAINAGE EASEMENT
SECTION LINE (75 FT SETBACK LINE)
S 89°30'20"E 2,682.80'
PROPOSED EAST-WEST CO. ROAD
(MIN. INTERSECTION SEPARATION - 660' TYP.)
R/W LINE
PARK AREA
Clubhouse
APPROX 1.5 AC ±
APPLICANT TO SECURE AGREEMENT TO ALLOW THE EXTENTION OF THE PROPOSED COLLECTOR ROAD TO APPROX. 375' EAST OF 1/4 SECTION LINE
FD. CONC. MON. N. 1/4 COR. SEC. 32
50.00
S00°35'47"W
TEMPORARY CUL-DE-SAC
I.R. SET
LFD CONC. MON. 1.32'N-0.22'W
SET IRON ROD
S89°08'53"E 330'
330' MIN. SEPARATION (TYP.)
SIGN LOCATION
SECTION LINE
R/W LINE
1/4 SECTION LINE
20FT. PUBLIC ROAD EASEMENT
PIER
AREA TO BE FILLED
60FT. 1/4 SECTION LINE SETBACK LINE
LAKE ACCESS
LAND BRIDGE (TYP)
785.00'
S00°35'47"W
MINIMUM SETBACK 25'
20' EASEMENT
25' ±
PROPOSED FILL AREA
BANK SLOPES TO BE 6:1 MAX.
RIPRAP SHORE LINE
VEGITATION AS INDICATED (SEE RECLAMATION NOTE)
FISHING PIER
BOARD WALK
DOCK AREA
LAKE VIEW UNITS (2 STORY)
84 UNITS
RECLAMATION PLAN
1. A row of nursery grown trees of no less than one gallon size to be planted, at twenty-five feet on center or containerized seedlings to be planted, at ten feet on center, generally along the transitional area of the bank slope. Massing of trees would be acceptable as long as the minimum number of trees are provided.
2. A row of nursery grown plants to be planted, at ten feet on center, generally along the littoral or transitional areas of the bank slopes. Massing of plants would be acceptable as long as the minimum number of plants are provided.
Species of trees and plants are to be selected only from the following lists.
TREES*

COMMON NAME	SCIENTIFIC NAME
Cypress	Taxodium spp.
Willow	Salix caroliniana
Dahoon Holly	Ilex cassine
Red Maple	Acer rubrum
Laurel Oak	Quercus laurifolia
Water Oak	Quercus nigra
Pop Ash	Fraxinus caroliniana

PLANTS*

COMMON NAME	SCIENTIFIC NAME
Buttonbush	Cephalanthus occidentalis
Coastal Arrowhead	Sagittaria spp.
Pickerelweed	Pontederia lancolata
Saw Grass	Cladium jamaicensis
Leather Fern	Acrostichum danaeaefolium
Cordgrass	Spartina bakeri
Wax Myrtle	Myrica cerifera

*No one species may exceed thirty (30) percent fo the total plants planted along the lake.
Maintenance provision of one year must be provided to control invasion of exotic vegetation. Applicant must guarantee 80% survivability of planted trees and plants for no less than three years.
NOTE
ELEVATION OF ISLAND TO BE AT 100 YEAR FLOOD STAGE
EXISTING LAKE 41.787 AC ±
BOATING (NON-MOTORIZED)
MODEL CENTER (K)
LAKEVIEW UNITS
3 STORY UNITS.
80 UNITS
NATURE WALK
8FT. CONC. SIDEWALK
CROSSLAND COMMUNITIES 86-6-7 DCI
REQUEST:
A rezoning from AG (with a special exception for general excavation) to Residential Planned Development and Commercial Planned Development, to permit a mixed use residential and commercial development with 376 dwelling units not to exceed 45 feet in height, and 23,000 square feet of retail commercial and professional space not to exceed 35 feet in height, on 95.9 acres of land. The proposed development will also include accessory recreational uses, model and sales center and an on-site sewage treatment system.
DEVIATIONS:
1) Minimum setback from a structure to a water body of 25 feet (202.15.3), to 10 feet (measured at top of bank);
2) Withdrawn
3) Minimum excavation setbacks to a private property line of 100 feet (517.G.2.a.2) to 25 feet (existing condition);
4) Minimum excavation setbacks to a quarter section line of 60 feet (517.G.2.a.), to 0 feet for the North-South line in Section 32;
5) Requirement that street access to adjoining property (DSR C.3.e. and f.), to eliminate a connection to the adjoining local road system;
6) Requirement that the minimum intersection spacing of 660 feet along arterial street (DSR C.3.h.) to allow a separation of 630 feet;
7) Minimum setbacks from roads, streets, and drives from 80 feet from the Centerline of Pine Ridge Road (202.15.B.2) to 75 feet;
8) Minimum perimeter setbacks for incompatible developments from 25 feet (431.C.2), to 20 feet on the South and East property lines;
9) Minimum setbacks from a structure to a quarter section line, from 60 feet to zero feet.
3 STORY
2 STORY
112 UNITS
EXISTING LAKE BOUNDRY TOP OF BANK
SWIMMING AND PICNIC AREA
APPROX. 1 AC ±
PARK AREA
WATER BODY SET BACK
10FT. MIN. HIGH WATER(TYPICAL)
LAKE ACCESS (TYPICAL)
NATURE WALK
TENNIS COURTS
200.00'
N89°27'38"W
20' BUFFER
330' MIN. SEPARATION - ℄ INTERSECTION TO ℄
25FT. ROW STRIP & 10FT. LANDSCAPED BUFFER
75FT. SECTION LINE SETBACK LINE
℄ PINE RIDGE ROAD
N00°14'37"E 2,656.71
S00°14'37"W 595.67'
N00°14'37"E 1,935.04
N89°08'53"W 330.00'
FD. CONC. MON.
FD. CONC. MON. 0.55'N-0.01'E
10' BUFFER
493.45'
S00°35'47"W
10FT. BUFFER
NORTH
1" = 100'
RECEIVED
FEB 13 1987
DEPT. OF COMM. DEV.
NOTE
ROADS WITHIN THIS PROJECT MUST COMPLY WITH LEE COUNTY DEVELOPEMENT STANDARDS.
FD. CONC. MON. 0.49'N-0.13'E
10' LANDSCAPE BUFFER
5' CONC. SIDEWALK
24'
20' BUFFER
S00°19'55"W 609.01'
N89°16'16"E 296.58'
TENNIS COURTS
100.14'
N89°21'17"W
100.41'
N0°09'17"E
WASTEWATER TREATMENT DRAINFIELD AREA 2 AC ±
EFFLUENT DISPOSAL
290'
343.11'
N89°19'13"W
20' BUFFER
COMMERCIAL RETAIL 16,580 SQ.FT.
SEWAGE TREATMENT PLANT
PROFESSIONAL OFFICE 6,400 SQ.FT.
200.00'
R.R. SPIKE WEST 1/4 COR. SEC. 32
FD. CONC. MON. 0.17'S, 1.27'E
B.M. K245 EL. = 6.55
S 89°15'04"E 642.73'
SIGN LOCATION
50FT. R.O.W. STRIP & 10FT. LANDSCAPED BUFFER
FD. CONC. MON. 0.65'N-0.15'W
GLADIOLUS
30'
NOTE:
SITE SHALL BE BUFFERED FROM ADJACENT DEVELOPMENTS AS REQUIRED BY COUNTY.
ALL INTERNAL ROADS SHOWN ARE TO BE PRIVATELY MAINTAINED.
10' BUFFER LANDSCAPE
PRIVATE ROAD CURB & GUTTER
N 89°27'38"W 2,005.96'
30' R/W
20' DRAINAGE EASEMENT FOR HARLEM HEIGHTS
SET IRON ROD FD. CONC. MON. 3.86'N-2.89'W
EXISTING STREETS NOT TO BE EXTENDED
PROJECT LAND USE ACREAGES

ACRES	LAND USE
41.85	Residential
4.60	Commercial/Office
.39	Road Right-of-Way (commercial entrance)
5.27	Road Right-of-Way (new collector road)
2.00	Sewage Treatment Plan and Drainfield
41.79	Existing Lake Excavation
95.90	Total Project Acreage

LEGAL DESCRIPTION (RESIDENTIAL PARCEL)
The North one-half (N½) of the Northwest one-quarter, (NW¼) and the Northwest one-quarter (NW¼) of the Southwest one-quarter (SW¼) of the Northwest one-quarter (NW¼) of Section 32, Township 45 South, Range 24 East, Less Right-of-way for Pine Ridge Road and Gladiolus Drive (S. R. 865);
Together with Lots 1,2, and the North half of Lot 3, Block A, of Harlem Heights Sub-division as recorded in Plat Book 8, Page 76 of the Public Records of Lee County, Florida,
LESS the following described:
Commencing at the Northwest corner of Section 32, Township 45 South, Range 24 East, being a point on the centerline of Pine Ridge Road; Thence South 89° 30' 20" East, a distance of 25.00 feet, along the North Section Line of said Section 32, to an intersection with the Easterly Right-of-way line of said Pine Ridge Road; Thence South 00° 14' 37" West, a distance of 1,339.32 feet, along said Easterly Right-of-Way line, to the Point of Beginning;
Thence continue South 00° 14' 37" West, along said Easterly Right-of-Way line, a distance of 595.67 feet to an intersection with the Northerly Right-of-Way line of Gladiolus Drive (S.R.865); Thence South 89° 15' 04" East, along said Northerly Right-of-Way line, a distance of 642.73 feet; Thence North 00° 19' 55" East, a distance of 200.00 feet; Thence North 89° 19' 13" West, a distance of 343.11 feet; Thence North 00° 17' 05" East, a distance of 100.41 feet; Thence North 89° 21' 17" West, a distance of 100.14 feet; Thence North 00° 16' 16" East, a distance of 296.58 feet; Thence North 89° 27' 38" West, a distance of 200.00 feet to the Point of Beginning.
Said parcel contains 3,960,611.6 square feet, being 90.9 Acres, more or less.
Said parcel subject to any and all easements and/or restrictions of record.
Basis for bearings is the West Line of the NW¼ of Section 32, Township 45 South, Range 24 East, being North 00° 14' 37" East (Assumed).
LEGAL DESCRIPTION: COMMERCIAL PARCEL
Commencing at the Northwest corner of Section 32, Township 45 South, Range 24 East, being a point on the centerline of Pine Ridge Road; Thence South 89°30'20" East, a distance of 25.00 feet, along the North Section Line of said Section 32, to an intersection with the Easterly Right-of-way line of said Pine Ridge Road; Thence South 00°14'37" West, along said Easterly Right-of-Way line, to the Point of Beginning;
Thence continue South 00°14'37" West, along said Easterly Right-of-Way line, a distance of 595.67 feet to an intersection with the Northerly Right-of-Way line of Gladiolus Drive (S.R.865); Thence South 89°15'04" East, along said Northerly Right-of-Way line, a distance of 642.73 feet; Thence North 00°19'55" East, a distance of 200.00 feet; Thence North 89°19'13" West, a distance of 343.11 feet; Thence North 00°17'05" East, a distance of 100.41 feet; Thence North 89°21'17" West, a distance of 100.14 feet; Thence North 00°16'16" East, a distance of 296.58 feet; Thence North 89°27'38" West, a distance of 200.00 feet to the Point of Beginning.
Said Parcel contains 4,977 Acres, more or less.
Said Parcel subject to any and all easements and/or restrictions of record.
Block 'A' Harlem Heights S/D P.B. 8, Pg. 76
NOTE: BANK SLOPES SHALL BE 6:1 MAX.
RECLAIMATION SHALL MEET APPROVAL OF CO. BIOLOGIST
ELEV. = 17.5'±
10.0'
SHELF
EXISTING ELEV. VARIES FROM -11.0'± TO -20.0'±
MAX. DEPTH KEY DITCH ELEV.= -28.4'± PUMP AREA.
EXISTING LAKE CROSS SECTION
A Conceptual Site Design for
RICHWOOD LAKE ESTATES
A PLANNED RESIDENTIAL COMMUNITY
CROSSLAND DEVELOPMENT
Richard C. Gillett
AIA Architecture/Planning

REVISIONS

No.	By	Description	Date
			8-22-86

AIM ENGINEERING & SURVEYING
23 Homestead Road
P.O. Box 195
Lehigh, Florida 33936
Phone: (813) 369-7540
(813) 332-4569
(813) 675-3696

P.E., Fla. Reg. No. 32531
REGISTERED CERTIFICATE No. 32534 STATE OF FLORIDA

DATE: July 23, 1986	SCALE: 1" = 100'
DRAWN BY: Steven Zaitz	CHECKED BY:
FIELD BOOK: PAGE:	SEC. - TWP. - RGE.
JOB NO. 454.00	SHEET NO.

86-6-7 (a) DCI

DCI2023-00033 Lee County ePlan Additional info dated 10-16-2023

e. The applicant shall donate (as shown on the Master Concept Plan) five drainage easements to Lee County at the northern terminus of North Church, No name, Codie, Wall and Johnson Streets in Harlem Heights.

f. Prior to the issuance of building permits, the applicant shall vacate the north-south street right-of-way which runs through the eastern portion of the subject property.

g. The applicant shall construct the land bridges located in the eastern portion of the previously excavated lake to the satisfaction of the County Engineer.

h. Prior to final plan approval, the applicant shall obtain an agreement from the adjacent property owner which allows the construction of the temporary cul-de-sac at the northeastern corner of the site. If such an agreement cannot be obtained, the applicant shall amend the Master Concept Plan to show an alternative road alignment. This alternative road alignment shall be subject to approval of the County Engineer and the Director of the Department of Community Development.

i. Prior to final plan approval, the applicant shall amend the Master Concept Plan to show the allocation of units on the subject property to be consistent with Exhibit G in this report.

7. Deviations

The formal zoning request in this case lists eight provisions (1 through 8) where the Master Concept Plan, if adopted, conflicts with the existing standards for Lee County. An additional provision is listed on the Master Concept Plan, but was not advertised. This provision cannot be acted upon at this time, but will have to be brought back to the Board at a later date. The other provisions are discussed below:

Deviation (1) would allow structures to be constructed within 10 feet (measured at the top of the bank) of the lake. Given the nature of this site, staff offers NO OBJECTION to the request.

Deviation (2) has been withdrawn.

Deviation (3) would allow the excavation to be located within 25 feet of the site property line, instead of the required 100 feet. Since this is an existing condition, staff offers NO OBJECTION to the request.

Deviation (4) would allow an excavation to be located over a quarter section line instead of setting back the required 60 feet. Since this is an existing condition, staff offers NO OBJECTION.

Deviation (5) would allow the project not to interconnect to the properties to the east and south. Staff believes that the project has sufficient access as proposed on the Master Concept Plan. Since the additional access would impact the elementary school, staff would not recommend interconnecting the project. Staff offers NO OBJECTION to the request.

DCI2023-00033 Lee County ePlan Additional info dated 10-16-2023

Deviation (6) would allow the minimum intersection spacing on Gladiolus Drive between the project's southern entrance and Pine Ridge Road to be 630 feet, instead of the required 660 feet. Staff offers NO OBJECTION to the request.

Deviation (7) would allow a structure in the northwestern area of the site to be located within 75 feet of Pine Ridge Road instead of the required 80 feet. Staff offers NO OBJECTION to the request.

Deviation (8) would allow the perimeter setbacks along the eastern and southern property line to be 20 feet instead of 25 feet. Since the developable land around the lake is narrow and since a buffer is provided, staff offers NO OBJECTION to the request.

Findings of Fact

Staff also recommends APPROVAL of the following findings of fact:

a. The proposed uses are appropriate at the subject location;

b. Sufficient safeguards to the public interest are provided by the recommended conditions to the Master Concept Plan and by other applicable regulations;

c. All conditions found on the Master Concept Plan and recommended by staff are reasonably related to the impacts on the public's interest created by or expected from the proposed development;

d. The deviations being recommended for approval enhance the achievement of the objectives of the planned development; and

e. The general intent of these regulations, to protect the public health, safety, and welfare, is preserved and promoted.

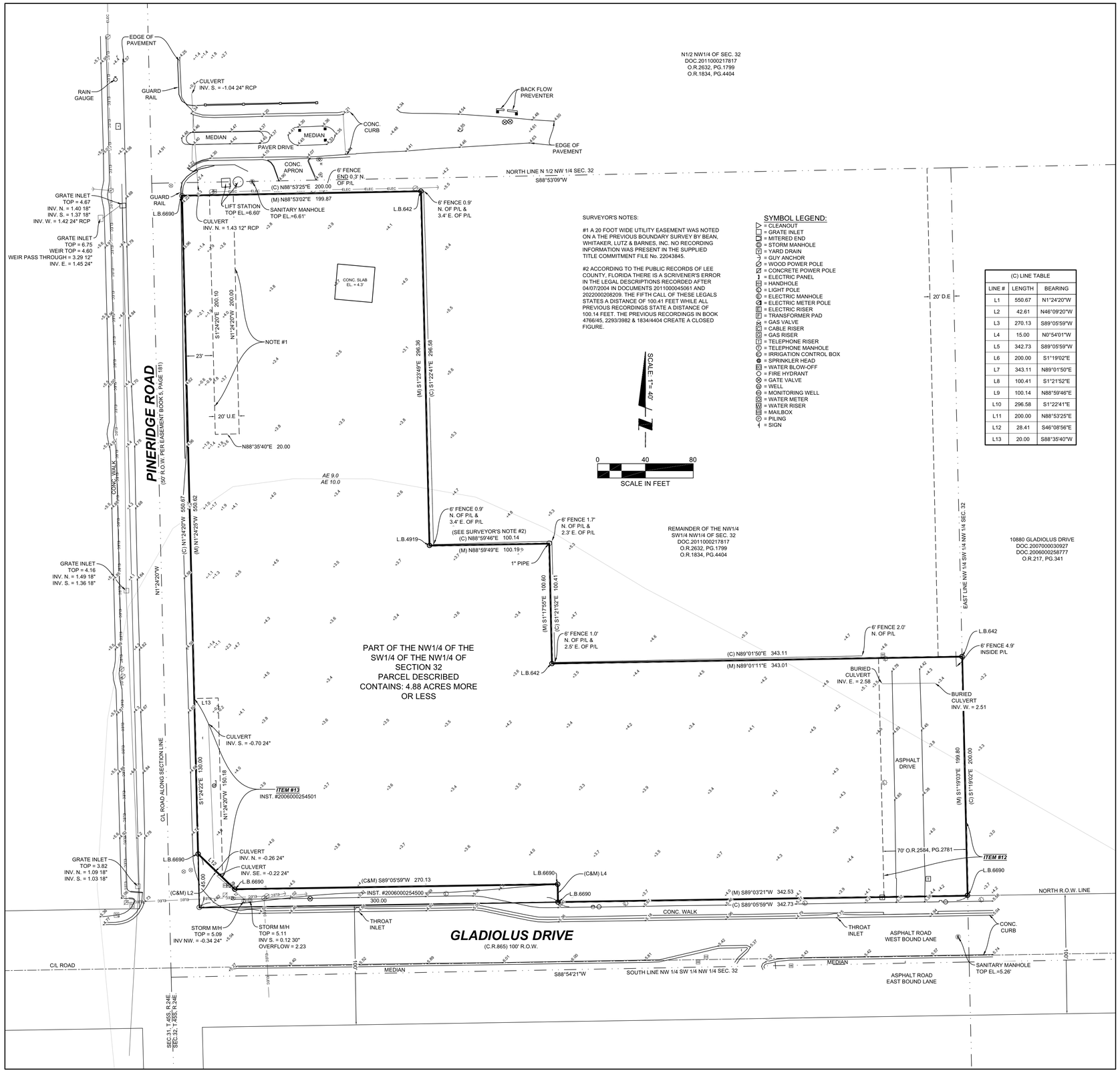
C. D.C.I. (Administrative Review Staff) Recommendation:

1. Department of Transportation and Engineering: The department had made comments concerning roadway improvements which should be required for this project. See attachment I for full report.

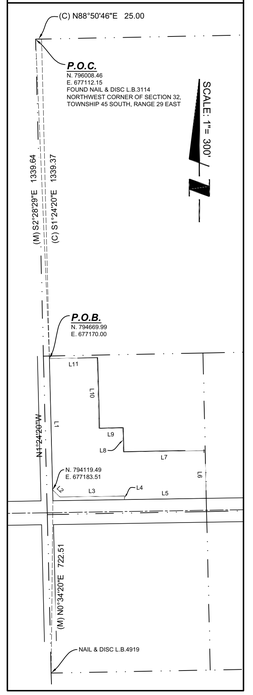
2. Department of Community Services: Currently the Zoning Ordinance has no neighborhood park requirement for multiple family housing. Since the Crossland RPD site plan (dated July 23, 1986, revised 8-22-86) does not indicate a conventional subdivision for single family, two family, or mobile homes; Community Service has no comments on this request.

3. Department of Housing and Grants: Richwood Lake Estates, Ltd. Development should be required to donate five drainage easements to Lee County at the North Terminus of North Church, No Name, Codie, Wall and Johnson Streets in Harlem Heights so that necessry street paving work may proceed in Harlem Heights. The drainage easements would discharge into an existing vegetated swale which ultimately discharges to the I.D.D. C-3 canal.

4. Department of Public Safety: See attachment E



BOUNDARY DETAIL
(SCALE: 1"=300')



MAP OF BOUNDARY SURVEY OF PART OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, BEING A POINT ON THE CENTERLINE OF PINE RIDGE ROAD;
THENCE S 89°30'20"EAST, A DISTANCE OF 25.00 FEET, ALONG THE NORTH SECTION LINE OF SAID SECTION 32, TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF SAID PINE RIDGE ROAD; THENCE S 00°14'37"W, A DISTANCE OF 1,339.37 FEET, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, TO THE POINT OF BEGINNING;
THENCE CONTINUE S 00°14'37"W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 595.67 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF GLADIOLUS DR.(S.R. 865);
THENCE S 89°15'04"E, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 642.73 FEET; THENCE N 00°19'55"E, A DISTANCE OF
200.00 FEET; THENCE N 89°19'13"W, A DISTANCE OF343.11FEET;
THENCE N00°17'05"E,A DISTANCE OF 100.41 FEET;
THENCE N 89°21'17"W, A DISTANCE OF 100.14 (SEE SURVEYORS NOTE #2) FEET;
THENCE N 00°16'16"E, A DISTANCE OF 296.58 FEET;
THENCE N 89°27'38"W, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING;
LESS THE REAL PROPERTY CONVEYED TO LEE COUNTY BY GENERAL WARRANTY DEED RECORDED ON JUNE 26, 2006, AS INSTRUMENT #2006000254500 IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

THE PROPERTY DEPICTED HEREON AND DESCRIBED BY THE LEGAL DESCRIPTION ABOVE IS ONE AND THE SAME AS THE PROPERTY DESCRIBED BY THE FOLLOWING LEGAL DESCRIPTION:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA;
THENCE ALONG THE NORTH LINE OF SAID SECTION 32 NORTH 88°50'46" EAST 25.00 FEET TO THE INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF PINERIDGE ROAD BEING A FIFTY FOOT WIDE ROAD CENTERED ON THE WEST LINE OF SAID SECTION 32;
THENCE ALONG SAID EAST RIGHT OF WAY LINE SOUTH 01°24'20" EAST 1,339.37 FEET TO THE POINT OF BEGINNING;
THENCE LEAVING SAID LINE NORTH 88°53'25" EAST 200.00 FEET;
THENCE SOUTH 01°22'41" EAST 296.58 FEET;
THENCE NORTH 88°59'46" EAST 100.14 FEET;
THENCE SOUTH 01°21'52" EAST 100.41 FEET;
THENCE NORTH 89°01'50" EAST 343.11 FEET;
THENCE SOUTH 01°19'02" EAST 200.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 865 KNOWN AS GLADIOLUS DRIVE;
THENCE ALONG SAID NORTH RIGHT OF WAY LINE SOUTH 89°05'59" WEST 342.73 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND AS DESCRIBED IN INSTRUMENT NUMBER 2006000254501 OF THE OFFICIAL RECORDS OF LEE COUNTY, FLORIDA;
THENCE ALONG SAID PARCEL OF LAND FOR THE FOLLOWING THREE (3) DESCRIBED COURSES:
1. NORTH 00°54'01" WEST 15.00 FEET;
2. SOUTH 89°05'59" WEST 270.13 FEET;
3. NORTH 46°09'20" WEST 42.61 FEET TO A POINT ON THE AFOREMENTIONED EAST RIGHT OF WAY LINE;
THENCE ALONG SAID EAST RIGHT OF WAY LINE NORTH 01°24'20" WEST 550.67 FEET TO THE POINT OF BEGINNING.

PARCEL DESCRIBED CONTAINS: 4.88 ACRES MORE OR LESS

PREPARED FOR: PENINSULA ENGINEERING

PENINSULA ENGINEERING
2600 GOLDEN GATE PARKWAY
NAPLES, FLORIDA 34105
PHONE: 239.403.6700 FAX: 239.261.1797
EMAIL: INFO@PEN-ENG.COM
WEBSITE: WWW.PEN-ENG.COM

Digitally signed by Lance Miller
DN: cn=Lance Miller, c=US, o=Peninsula Improvement Corporation, email=lmiller@pen-eng.com
Reason: This item has been digitally signed and sealed by Lance T Miller, PSM #5627 on the date adjacent to the seal. The seal much be verified on any electronic copies. Printed copies of this document are not considered signed and sealed.
Location: 2600 Golden Gate Parkway, Naples, Florida 34105
Date: 2023.10.04 09:05:19 -04'00'

LANCE T. MILLER
PROFESSIONAL SURVEYOR AND MAPPER, #LS5627

APRIL 26TH, 2023
DATE

-CERTIFICATE OF AUTHORIZATION #LB- 8479
- NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OR DIGITAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- NO OTHER PERSON OR ENTITY MAY RELY UPON THIS EXHIBIT.
- THIS EXHIBIT IS ONLY FOR THE LANDS AS DESCRIBED.

GENERAL NOTES:
- BEARINGS ARE BASED ON THE WEST LINE OF THE NW1/4 SW1/4 NW1/4 SEC. 32 BEING NORTH 01°24'20"WEST.
- ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM, 1988, (N.A.V.D.)
- LINES SHOWN OUTSIDE OF THE LAND DESCRIBED ARE FOR REFERENCE USE ONLY AND WERE NOT SURVEYED.
- PROPERTY LIES WITHIN FLOOD ZONE AE 9.0 & AE 10.0 PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL #12071 0418 G LEE COUNTY UNINCORPORATED AREAS 125124 DATED NOVEMBER 17TH, 2022.

LEGEND:
A.E. = ACCESS EASEMENT
BM = BENCHMARK
C/L = CENTERLINE
C.U.E. = COUNTY UTILITY EASEMENT
D.E. = DRAINAGE EASEMENT
EL. & ELEV. = ELEVATION
F.P.L. = FLORIDA POWER & LIGHT
O.R. = OFFICIAL RECORDS BOOK
P.B. = PLAT BOOK
PG. = PAGE
P.U.E. = PUBLIC UTILITY EASEMENT
R.O.W. = RIGHT-OF-WAY
P = PLAT, M = MEASURED, C = CALCULATED, F = FIELD
◯ (S.I.P.)SET 5/8"IRON PIN & CAP STAMPED LB-8479
● (F.I.P.) FOUND IRON PIN & CAP STAMPED AS SHOWN
■ (F.C.M.) FOUND CONCRETE MONUMENT
⊙ (F.N.D.) FOUND PK NAIL & DISK STAMPED
◯ (D.H.) DRILL HOLES
✚ (PK) = PARKER KYLON NAIL

TITLE COMMITMENT REVIEWED
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
FILE No. 2204845 CJ3
DATED: MARCH 22ND, 2022 @ 11:00PM

SCHEDULE BII:

9. LEE COUNTY ORDINANCES 86-14, 86-38,11-03 AND 11-27 PROVIDING FOR MANDATORY SOLID WASTE COLLECTION AND THE IMPOSITION OF SPECIAL ASSESSMENTS FOR SAID COLLECTION SERVICES. AFFECTS THE PARCEL SURVEYED AND CANNOT BE PLOTTED
10. RESOLUTION NUMBER Z-86-81 RECORDED JULY 9, 1987 IN OFFICIAL RECORDS BOOK 1928, PAGE 1909, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. AFFECTS THE PARCEL SURVEYED AND CANNOT BE PLOTTED
11. RESOLUTION NUMBER Z-87-103 RECORDED JULY 29, 1987 IN OFFICIAL RECORDS BOOK 1932, PAGE 1011, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. AFFECTS THE PARCEL SURVEYED AND CANNOT BE PLOTTED
12. DECLARATION OF INGRESS, EGRESS, UTILITY AND SIGNAGE EASEMENT RECORDED APRIL 22, 1992 IN OFFICIAL RECORDS BOOK 2293, PAGE 3969 AND AMENDMENT THERETO RECORDED IN OFFICIAL RECORDS BOOK 2584, PAGE 2781, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. AFFECTS THE PARCEL SURVEYED AND PLOTTED HEREON
13. PERPETUAL STORM WATER DRAINAGE EASEMENT IN FAVOR OF LEE COUNTY RECORDED JUNE 26, 2006 IN OFFICIAL RECORDS INSTRUMENT NUMBER 2006000254501, PUBLIC RECORDS OF LEE COUNTY, FLORIDA. AFFECTS THE PARCEL SURVEYED AND PLOTTED HEREON.

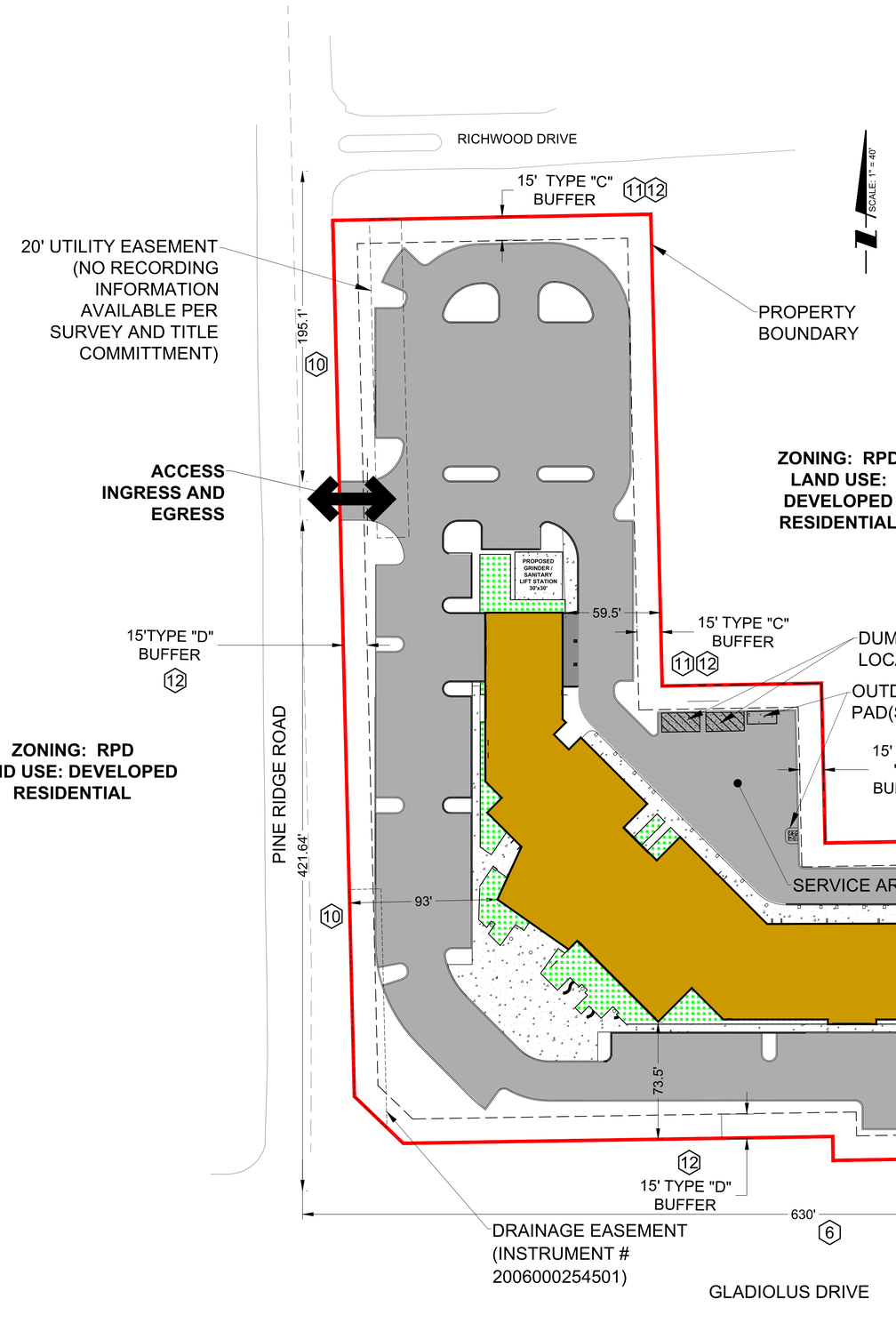
CLIENT: PENINSULA ENGINEERING
PROJECT NO. P-HVC-001
SHEET #: SU OF 01 DRAWING NO.: S-FTMR-HVC-001-SURVEY.dwg

TITLE: MAP OF BOUNDARY SURVEY
OF PART OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

LANCE T MILLER, P.S.M. #LS 5627

Date:	MAY, 2023
Horizontal Scale:	1" = 40'
Vertical Scale:	N.T.S.
Fieldbook/Page:	P-0177 / 123
Fieldwork by:	TPH
Drawn by:	TPH

REV	REVISION
1.)	ADDED S.P. CORD AND REVISED CERT BLOCK, TPH, 10/04/23



MINIMUM SETBACK		
	REQUIRED	PROVIDED
STREET-RICHWOOD DRIVE (PRIVATE)	20.0'	47.7'
STREET- GLADIOLUS DRIVE FRONT YARD (ARTERIAL)	25.0'	84.3'
STREET-PINE RIDGE ROAD (COLLECTOR)	25.0'	93.0'
SIDE YARD	15.0'	186.3'

PARKING SPACE REQUIREMENTS:

PER LDC SECTION 34-2020, TABLE B, VOCATIONAL INSTITUTIONS ARE REQUIREDTO PROVIDE ONE PARKING SPACE PER EMPLOYEE PLUS STUDENT PARKING AS THE DIRECTOR SEEMS NECESSARY. PARKING WILL COMPLY WITH LDC REQUIREMENTS AND MEET ACTUAL PARKING DEMANDS.

PLANNING NOTES:

CURRENT/PROPOSED ZONING:	CROSSLANDS CPD
CURRENT LAND USE:	UNDEVELOPED
PROPOSED LAND USE:	INSTITUTIONAL
FUTURE LAND USE:	URBAN COMMUNITY
PROJECT ACREAGE:	4.88-ACRES
MAXIMUM INTENSITY:	66,500 SF
MAXIMUM BUILDING HEIGHT:	50'

LEGEND

- ASPHALT PAVEMENT
- PROPOSED BUILDING
- PROPOSED SIDEWALK
- PROPOSED BUILDING FOUNDATION PLANTINGS
- PROPERTY BOUNDARY
- INGRESS / EGRESS ACCESS

OPEN SPACE CALCULATIONS

PROPERTY AREA: 4.88 AC

REQUIRED OPEN SPACE CALCULATION:
- 30% OF PROPERTY AREA
- 4.88 AC. X 30%
- TOTAL REQUIRED OPEN SPACE: 1.46 AC

PROVIDED OPEN SPACE CALCUATION:
(30% OF REQUIRED OPEN SPACE
- TOTAL OPEN SPACE PROVIDED: 1.51 AC

DEVIATIONS

10 CONNECTION SEPERATION

6 EXISTING DEVIATION AND EXISTING CONDITION (INTERSECTION SPACING)

11 WALL MEASUREMENT

12 PLANT MATERIAL STANDARDS

PENINSULA ENGINEERING
• CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE
• PLANNING AND ZONING • SURVEYING
• ENVIRONMENTAL SERVICES • LAND DEVELOPMENT
2600 Golden Gate Pkwy 239.403.6700
Naples, FL 34105 Pen-Eng.com

PROJECT:

HEIGHTS CAREER TECHNICAL SCHOOL AT CROSSLANDS CPD

TITLE:

MASTER CONCEPT PLAN

CLIENT:

THE HEIGHTS LAND COMPAN, Y INC.

REVISIONS:

No:	Revision:	Date:

NOTES:

PROFESSIONAL SEALS:

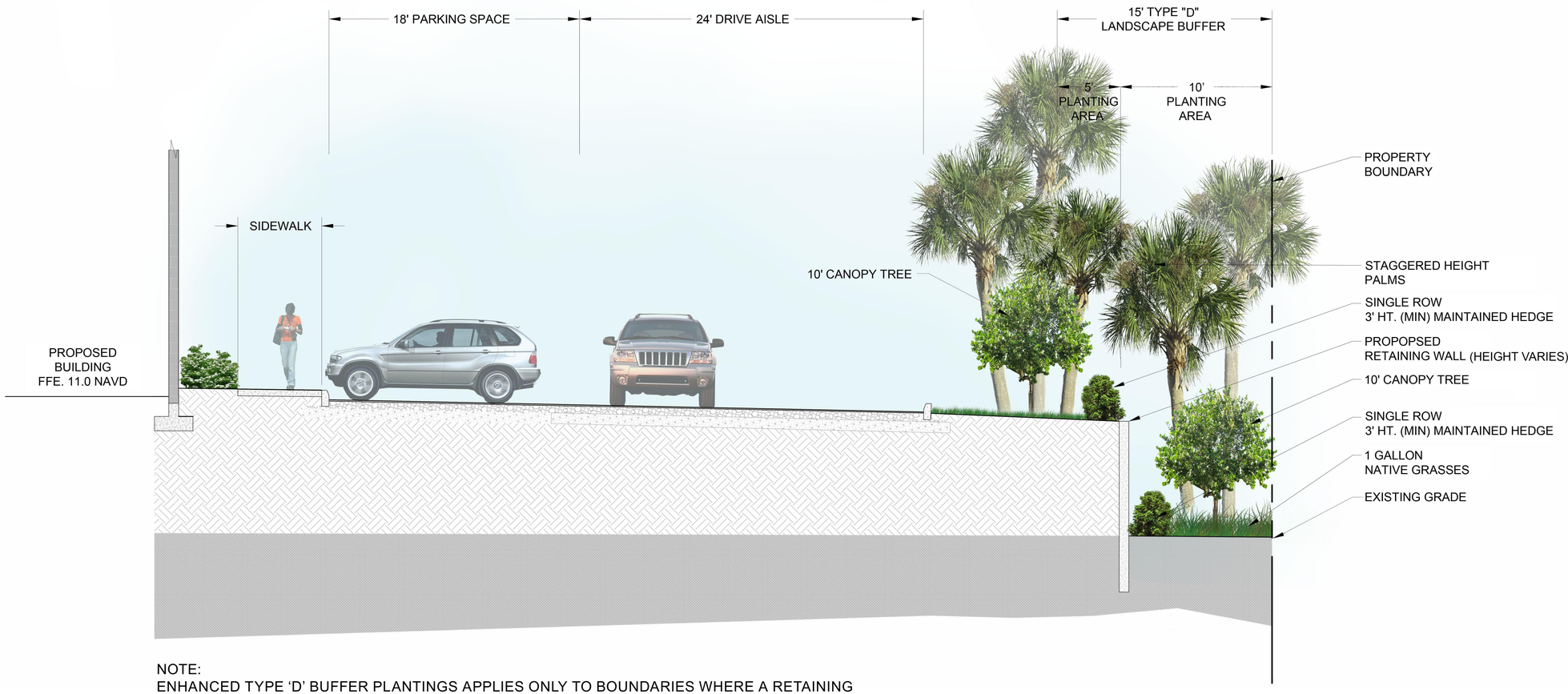
PROFESSIONAL ENGINEER: ##

FLORIDA LICENSE NUMBER: ##

Florida Engineering Certificate of Authorization #29275
Florida Landscape Certificate of Authorization #LC26000632

DATUM NOTE:
ALL ELEVATIONS ARE BASED ON NAVD 88 (NORTH AMERICAN VERTICAL DATUM OF 1988).

SEC: -- TWP: -- RGE: --	
City: FORT MYERS	County: LEE
Designed by:	S CARLISLE
Drawn by:	S CARLISLE
Date:	AUGUST 2023
Horizontal Scale:	1" = 40'
Vertical Scale:	N.T.S.
Project Number:	P-HVC-001-002
File Name:	MCP.dwg
Sheet ID:	EX-01
Sheet Number:	1 of 3



NOTE:
ENHANCED TYPE ‘D’ BUFFER PLANTINGS APPLIES ONLY TO BOUNDARIES WHERE A RETAINING WALL IS CONSTRUCTED. SHOULD A RETAINING WALL NOT BE CONSTRUCTED ALONG ANY PORTION OF THE PROPERTY BOUNDARIES, STANDARD TYPE ‘C’ BUFFER PLANTINGS WILL BE MET PER LDC REQUIREMENTS.

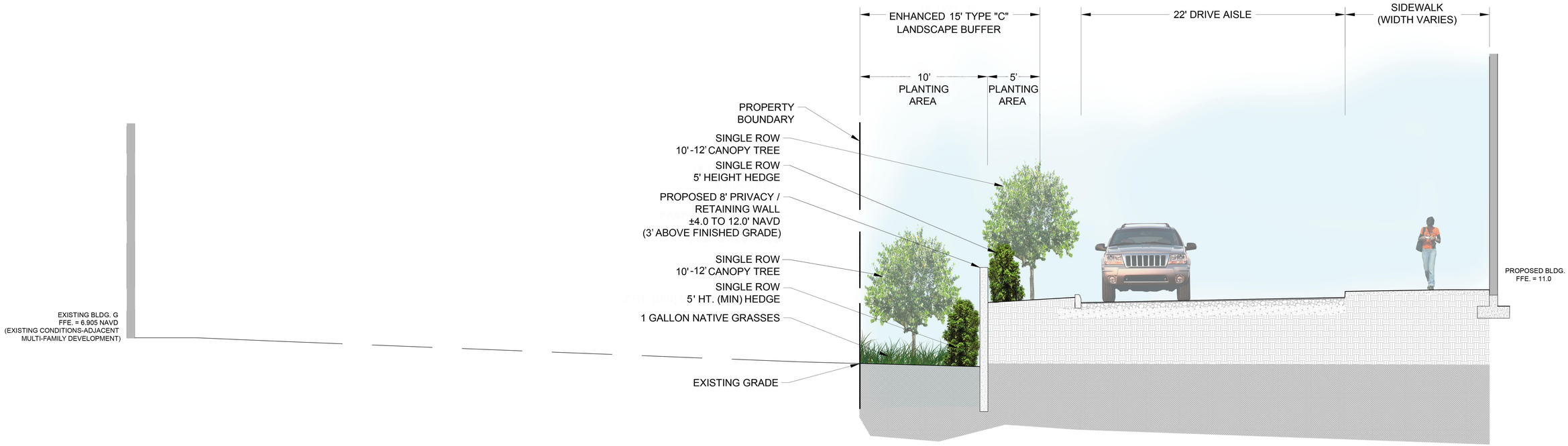
Copyright RVi

28100 Bonita Grande Drive
Suite 305
Bonita Springs, Florida 34135
Tel: 239.405.7777
www.rviplanning.com

THE HEIGHTS CAREER-TECH CENTER • TYPE ‘D’ BUFFER - SOUTH & WEST PROPERTY BOUNDARY

Lee County, FL
October 11, 2023
22005110

0 1' 2'
SCALE: 1/4" = 1'-0"
For illustrative purposes only. Subject to change without notice.



NOTE:
ENHANCED TYPE 'C' BUFFER PLANTINGS APPLIES ONLY TO BOUNDARIES WHERE A RETAINING WALL IS CONSTRUCTED. SHOULD A RETAINING WALL NOT BE CONSTRUCTED ALONG ANY PORTION OF THE PROPERTY BOUNDARIES, STANDARD TYPE 'C' BUFFER PLANTINGS WILL BE MET PER LDC REQUIREMENTS.

Copyright RVi

RVi
28100 Bonita Grande Drive
Suite 305
Bonita Springs, Florida 34135
Tel: 239.405.7777
www.rviplanning.com

THE HEIGHTS CAREER-TECH CENTER • ENHANCED TYPE 'C' BUFFER - NORTH & EAST PROPERTY

Lee County, FL
October 11, 2023
22005110

0 1' 2'
SCALE: 1/4" = 1'-0"
For illustrative purposes only.
Subject to change without notice.

RESOLUTION OF THE BOARD OF COUNT COMMISSIONERS

OF LEE COUNTY, FLORIDA

WHEREAS, Crosslands Communities has properly filed an application for a rezoning from AG (with special exception for general excavation) to Residential Planned Development (90.9 acres) and Commercial Planned Development (~~4.977~~ 4.88 acres), to permit a mixed-use residential and commercial development with 376 dwelling units not to exceed 45 feet in height, and ~~23,000~~ 66,500 square feet ~~of retail commercial and professional space~~ for a Commercial School not to exceed ~~35~~ 50' feet in height, on ±95.9 acres of land. The proposed development will also include accessory recreational uses, model and sales center and an on-site sewage treatment system.

NOTE:

If approved, the Master Concept Plan will deviate from the following Lee County Standards:

1) Minimum setback from a structure to a water body of 25', to 10' (measured at top of bank).
2) Withdrawn
3) Minimum excavation setbacks to a private property line of 100', to 25'.
4) Minimum excavation setbacks to a quarter section line of 60', to 0' for the north-south line in Section 32.
5) Requirement that street access be provided to adjoining property, to eliminate a connection to the adjoining local road system.
6) Requirement that the minimum intersection spacing of 660' along arterial streets, to allow a separation of 630'.
7) Minimum setbacks from roads, streets, and drives of 80' from the centerline of Pine Ridge Road, to 75'.
8) Minimum perimeter setbacks for incompatible developments from 25', to 20' on the south and east property lines.

WHEREAS, the subject property is located at the northeast corner of Gladiolus Drive and Pine Ridge Road near Miner's Corner, described more particularly as:

LEGAL DESCRIPTION: In Section 32, Township 45 South, Range 24 East, Lee County, Florida:

DCI2023-00033 Lee County ePlan Additional info dated 10-16-2023

COMMERCIAL PARCEL

~~Commencing at the northwest corner of Section 32, Township 45 South, range 24 East, being a point on the centerline of Pine Ridge Road; thence S 89° 30' 20" East, a distance of 25.00 feet, along the North Section Line of said Section 32, to an intersection with the easterly right-of-way line of said Pine Ridge Road; thence S 00° 14' 37" W, a distance of 1,339.37 feet, along said easterly right-of-way line, to the Point of Beginning;~~

~~Thence continue S 00° 14' 37" W, along said easterly right-of-way line, a distance of 595.67 feet to an intersection with the northerly right-of-way line of Gladiolus Drive (S.R. 865); thence S 89° 15' 04" E, along said northerly right-of-way line, a distance of 642.73 feet; thence N 00° 19' 55" E, a distance of 200.00 feet; thence N 89° 19' 13" W, a distance of 343.11 feet; thence N 00° 17' 05" E, a distance of 100.41 feet; thence N 89° 21' 17" W, a distance of 100.14 feet; thence N 00° 16' 16" E, a distance of 296.58 feet; thence N 89° 27' 38" W, a distance of 200.00 feet to the Point of Beginning.~~

~~Said parcel contains 4.977 acres, more or less.~~

~~Said parcel subject to any and all easements and/or restrictions of record~~.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA;

THENCE ALONG THE NORTH LINE OF SAID SECTION 32 NORTH 88°50'46" EAST 25.00 FEET TO THE INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF PINERIDGE ROAD BEING A FIFTY-FOOT-WIDE ROAD CENTERED ON THE WEST LINE OF SAID SECTION 32; THENCE ALONG SAID EAST RIGHT OF WAY LINE SOUTH 01°24'20" EAST 1,339.37 FEET TO THE POINT OF BEGINNING;

THENCE LEAVING SAID LINE NORTH 88°53'25" EAST 200.00 FEET;

THENCE SOUTH 01°22'41" EAST 296.58 FEET;

THENCE NORTH 88°59'46" EAST 100.14 FEET;

THENCE SOUTH 01°21'52" EAST 100.41 FEET;

THENCE NORTH 89°01'50" EAST 343.11 FEET;

DCI2023-00033 Lee County ePlan Additional info dated 10-16-2023

THENCE SOUTH 01°19'02" EAST 200.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 865 KNOWN AS GLADIOLUS DRIVE;

THENCE ALONG SAID NORTH RIGHT OF WAY LINE SOUTH 89°05'59" WEST 342.73 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND AS DESCRIBED IN INSTRUMENT NUMBER 2006000254501 OF THE OFFICIAL RECORDS OF LEE COUNTY, FLORIDA;

THENCE ALONG SAID PARCEL OF LAND FOR THE FOLLOWING THREE (3) DESCRIBED COURSES:

1. NORTH 00°54'01" WEST 15.00 FEET;

2. SOUTH 89°05'59" WEST 270.13 FEET;

3. NORTH 46°09'20" WEST 42.61 FEET TO A POINT ON THE AFOREMENTIONED EAST

RIGHT OF WAY LINE; THENCE ALONG SAID EAST RIGHT OF WAY LINE NORTH 01°24'20" WEST 550.67 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.88 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

BEARINGS ARE BASED ON THE WEST LINE OF THE NW 1/4 SW 1/4 NW 1/4 SEC. 32 BEING NORTH 01°24'20"WEST.

RESIDENTIAL PARCEL

The north one-half (N½) of the northwest one-quarter, (NW¼) and the northwest one-quarter (NW¼) of the southwest one-quarter (SW¼) of the northwest one-quarter (NW¼) of Section 32, Township 45 South, Range 24 East, less right-of-way for Pine Ridge Road and Gladiolus Drive (S.R. 865);

Together with Lots 1, 2, and the north half of Lot 3, Block A, of Harlem Heights Subdivision as recorded in Plat Book 8, Page 76 of the Public Records of Lee County, Florida,

LESS the following described parcel:

Commencing at the northwest corner of Section 32, Township 45 South, Range 24 East, being a point on the centerline of Pine Ridge Road; thence S 89° 30' 20" E, a distance of 25.00 feet, along the North Section Line of said Section 32, to an intersection with the easterly right-of-way line of said Pine Ridge Road; thence S 00° 14' 37" W, a distance of 1,339.37 feet, along said easterly right-of-way line, to the Point of Beginning;

Thence continue S 00° 14’ 37” W, along said easterly right-of-way line, a distance of 595.67 feet to an intersection with the northerly right-of-way line of Gladiolus Drive (S.R. 865); thence S 89° 15' 04” E, along said northerly right-of-way line, a distance of 642. 73 feet; thence N 00° 19' 55" E, a distance of 200.00 feet; thence N 89° 19' 13" W, a distance of 343.11 feet; thence N 00° 17' 05" E, a distance of 100.41 feet; thence N 89° 21' 17" W, a distance of 100.14 feet; thence N 00° 16' 16" E, a distance of 296.58 feet; thence N 89° 27' 38" W, a distance of 200.00 feet to the Point of Beginning.

Said parcel contains 3,960,611.6 square feet, being ±90.9 acres, more or less.

Said parcel subject to all easements and/or restrictions of record.

Basis of bearings is the West Line of the NW¼ of Section 32, Township 45 South, Range 24 East, being N 00° 14’ 37” E (Assumed).

WHEREAS, the applicant has indicated the property’s current STRAP numbers are:

~~32-45-24-00-000-02-0000;~~

~~32-45-24-00-000-01-0000;~~

~~32-45-24-00-000-0A-0010; and~~

32-45-24-00-00002.0010;

32-45-24-00-00001.0000; and

WHEREAS, property authorization has been given to Humphrey, Jones & Myers, P.A., by Bernard A. Wagner, General Partner of Richwood Lakes Estates, Ltd. and Senior Vice President of Crosslands Communities, the fee simple owner of the subject parcel, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Planning and Zoning Commission, with full consideration of all the evidence available to the Planning and Zoning Commission;

and

WHEREAS, the Lee County Planning and Zoning Commission fully reviewed the matter and recommended approval with conditions based on the analysis contained in the Staff Report of July 30, 1986, the memorandum from Michael Kloehn dated August 27, 1986, and the testimony given at the September 2, 1986, Planning and Zoning Commissioner Hearing; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and

WHEREAS, in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Planning and Zoning Commission, the documents on file with the county, and the testimony of all interested persons:

LEGISLATIVE HISTORY:

An application was filed by Richwood Lakes Estates (case C85-3-3 DC11 for a rezoning from AG to CN, from AG to RM-8, or in the alternative to Preliminary P.U.D., which was denied without prejudice on September 9, 1985. That site plan was changed to reflect suggestions presented at those hearings. Specifically, the lands fronting McGregor Boulevard were deleted from the application and the density was reduced.

After two continuances of the public hearings on this case (6-2-86 and a-4-86) due to traffic and density issues, the Planning and Zoning Commission on September 2, 1986, found the request consistent with the Lee Plan and recommended approval of the requested rezoning from AG (with special exception for general excavation) to R.P.D. and C.P.D. to permit a mixed-use residential and commercial development with 347 dwelling units not to exceed 45 feet in height; and ~~23,000~~ 66,500 square feet ~~of retail commercial and professional space~~ for a Commercial School not to exceed ~~35~~ 50 feet in height, with a variance from the required setback from roads, streets, and drives to allow a 75-foot setback from the centerline of Pine Ridge Road, and a variance from the perimeter setback requirement for incompatible developments to allow 20 feet on the south, east, and north, along with 20 conditions as recommended by staff in their report dated July 30, 1986, with a change in condition according to the memorandum dated August 27, 1986 from Mike Kloehn to the Planning and Zoning Commission.

The request was heard by the Board of County Commissioners on March 23, 1987, after having been postponed from January 26, 1987, and continued from February 9, 1987, and February 23, 1987. The Board moved to approve the requested rezoning with units distributed as per site plan "G" and including all staff conditions and further 'restricting convenience stores in the C.P.D. section of the plan (an amendment by Commissioner Wallace to the main motion).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE a rezoning request from AG (with a special exception for general excavation) to Residential Planned Development (90.9 acres) and Commercial Planned Development (4.977 acres), to permit a mixed-use residential and commercial development with 376 dwelling units not to exceed 45 feet in height with units to be distributed as depicted on exhibit G, and ~~23,000~~ 66,500 square feet ~~of retail commercial and professional space~~ for a Commercial School not to exceed ~~35~~ 50 feet in height, on ±95.9 acres of land. The proposed development will also include accessory recreational uses, model and sales center and an on-site sewage treatment system. The following deviations were approved as shown on the Master Concept Plan:

1) Minimum setback from a structure to a water body of 25', to 10' (measured at top of bank) is hereby APPROVED;

2) Withdrawn;

3) Minimum excavation setbacks to a private property line of 100', to 25' (existing condition) is hereby APPROVED;

4) Minimum excavation setbacks to a quarter section line of 60', to 0' for the north-south line in Section 32 (existing condition) is hereby APPROVED;

5) Requirement that street access be provided to adjoining property, to eliminate a connection to the adjoining local road system is hereby APPROVED;

6) Requirement that the minimum intersection spacing of 660' along arterial streets, to allow a separation of 630' is hereby APPROVED.

7) Minimum setbacks from roads, streets, and drives of 80' from the centerline of Pine Ridge Road, to 75' is hereby APPROVED; and

8) Minimum perimeter setbacks for incompatible developments from 25', to 20' on the south and east property lines is hereby APPROVED.

The following restrictions shall apply:

The Commercial Planned Development section of the Master Concept Plan shall allow for ~~all uses permitted in the CC District except for convenience stores~~ a Commercial School.

Approval is subject to the following conditions:

a. Prior to final plan approval, the developer shall have made acceptable provisions for offsetting any added net public costs or premature commitment of public funds need to provide appropriate levels of fire protection services for the development. In particular, the applicant shall make all necessary arrangements with the Iona-McGregor Fire District to offset a proportionate share of the costs of any land, buildings, and/or equipment required to provide adequate fire protection service to the development.

~~b. Prior to final plan approval, the applicant shall modify the Master Concept Plan to show that the 16,580 square feet of commercial uses on the site shall be limited to those uses found in the Community Commercial zoning category~~ to show the Commercial School on the site.

c. The Master Concept Plan identified as A Conceptual Site Design for Richwood Lake Estates by Crossland Development and Aim Engineering and Surveying, dated July 23, 1986, and revised 8-22-86 is APPROVED as modified herein.

d. Deviations (11, and (3) through (8) are hereby APPROVED to the extent shown on the Master Concept Plan, and as described in these conditions. (Deviation (2) has been withdrawn).

e. The applicant shall donate (as shown on the Master Concept Plan) five drainage easements to Lee County at the northern terminus of North Church, No name, Codie, Wall and Johnson Streets in Harlem Heights.

f. Prior to the issuance of building permits, the applicant shall vacate the north-south street right-of-way which runs through the eastern portion of the subject property.

g. The applicant shall construct the land bridges located in the eastern portion of the previously excavated lake to the satisfaction of the County Engineer.

h. Prior to final plan approval, the applicant shall obtain an agreement from the adjacent property owner which allows the construction of the temporary cul-de-sac at the northeastern corner of the site. If such an agreement cannot be obtained, the applicant shall amend the Master Concept

DCI2023-00033 Lee County ePlan Additional info dated 10-16-2023

Plan to show an alternative road alignment. This alternative road alignment shall be subject to approval of the County Engineer and the Director of the Department of Community Development.

i. Prior to final plan approval, the applicant shall amend the Master Concept Plan to show the allocation of units on the subject property to be consistent with Exhibit G in this report.

Site Plan Z-86-81 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan. Exhibit "G" is also attached hereto and incorporated herein by reference, as a depiction of the approved distribution of units.

The following findings of fact were made in conjunction with this approval of RPD and CPD zoning:

a. The proposed uses are appropriate at the subject location;
b. Sufficient safeguards to the public interest are provided by the recommended conditions to the Master Concept Plan and by other applicable regulations;
c. All conditions found on the Mater Concept Plan and recommended by Staff are reasonably related to the impacts on the public's interest created by or expected from the proposed development;
d. The deviations being recommended for approval enhance the achievement of the objectives of the planned development; and
e. The general intent of these regulations, to protect the public health, safety, and welfare, is preserved and promoted.

****

RESOLUTION NUMBER Z-87-103

RESOLUTION OF THE BOARD OF COUNT COMMISSIONERS

OF LEE COUNTY, FLORIDA

WHEREAS, Crosslands Communities has properly filed an application for an amendment to the RPD and CPD approval granted in Resolution Z-86-81 to add the following deviation:

9) Deviation from the requirement of a minimum 60-foot setback from a structure to quarter section line, to allow a 0 foot setback.

WHEREAS, the subject property is located at the northeast corner of Gladiolus Drive and Pine Ridge Road, described more particularly as:

LEGAL DESCRIPTION: In Section 32, Township 45 South, Range 24 East, Lee County, Florida:

COMMERCIAL PARCEL

~~Commencing at the northwest corner of Section 32, Township 45 South, range 24 East, being a point on the centerline of Pine Ridge Road; thence S 89° 30' 20" East, a distance of 25.00 feet, along the North Section Line of said Section 32, to an intersection with the easterly right-of-way line of said Pine Ridge Road; thence S 00° 14' 37" W, a distance of 1,339.37 feet, along said easterly right-of-way line, to the Point of Beginning;~~

~~Thence continue S 00° 14' 37" W, along said easterly right-of-way line, a distance of 595.67 feet to an intersection with the northerly right-of-way line of Gladiolus Drive (S.R. 865); thence S 89° 15' 04" E, along said northerly right-of-way line, a distance of 642.73 feet; thence N 00° 19' 55" E, a distance of 200.00 feet; thence N 89° 19' 13" W, a distance of 343.11 feet; thence N 00° 17' 05" E, a distance of 100.41 feet; thence N 89° 21' 17" W, a distance of 100.14 feet; thence N 00° 16' 16" E, a distance of 296.58 feet; thence N 89° 27' 38" W, a distance of 200.00 feet to the Point of Beginning.~~

~~Said parcel contains 4.977 acres, more or less.~~

~~Said parcel subject to any and all easements and/or restrictions of record~~.

COMMENCING AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA;

THENCE ALONG THE NORTH LINE OF SAID SECTION 32 NORTH 88°50'46" EAST 25.00 FEET TO THE INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF PINERIDGE ROAD BEING A FIFTY-FOOT-WIDE ROAD CENTERED ON THE WEST LINE OF SAID SECTION 32; THENCE ALONG SAID EAST RIGHT OF WAY LINE SOUTH 01°24'20" EAST 1,339.37 FEET TO THE POINT OF BEGINNING;

THENCE LEAVING SAID LINE NORTH 88°53'25" EAST 200.00 FEET;

THENCE SOUTH 01°22'41" EAST 296.58 FEET;

THENCE NORTH 88°59'46" EAST 100.14 FEET;

THENCE SOUTH 01°21'52" EAST 100.41 FEET;

THENCE NORTH 89°01'50" EAST 343.11 FEET;

THENCE SOUTH 01°19'02" EAST 200.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 865 KNOWN AS GLADIOLUS DRIVE;

THENCE ALONG SAID NORTH RIGHT OF WAY LINE SOUTH 89°05'59" WEST 342.73 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND AS DESCRIBED IN INSTRUMENT NUMBER 2006000254501 OF THE OFFICIAL RECORDS OF LEE COUNTY, FLORIDA;

THENCE ALONG SAID PARCEL OF LAND FOR THE FOLLOWING THREE (3) DESCRIBED COURSES:

1. NORTH 00°54'01" WEST 15.00 FEET;

2. SOUTH 89°05'59" WEST 270.13 FEET;

3. NORTH 46°09'20" WEST 42.61 FEET TO A POINT ON THE AFOREMENTIONED EAST

RIGHT OF WAY LINE; THENCE ALONG SAID EAST RIGHT OF WAY LINE NORTH 01°24'20" WEST 550.67 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.88 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

BEARINGS ARE BASED ON THE WEST LINE OF THE NW 1/4 SW 1/4 NW 1/4 SEC. 32 BEING NORTH 01°24'20"WEST.

RESIDENTIAL PARCEL

The north one-half (N½) of the northwest one-quarter, (NW¼) and the northwest one-quarter (NW¼) of the southwest one-quarter (SW¼) of the northwest one-quarter (NW¼) of Section 32, Township 45 South, Range 24 East, less right-of-way for Pine Ridge Road and Gladiolus Drive (S.R. 865);

Together with Lots 1, 2, and the north half of Lot 3, Block A, of Harlem Heights Subdivision as recorded in Plat Book 8, Page 76 of the Public Records of Lee County, Florida,

LESS the following described parcel:

Commencing at the northwest corner of Section 32, Township 45 South, Range 24 East, being a point on the centerline of Pine Ridge Road; thence S 89° 30' 20" E, a distance of 25.00 feet, along the North Section Line of said Section 32, to an intersection with the easterly right-of-way line of said Pine Ridge Road; thence S 00° 14' 37" W, a distance of 1,339.37 feet, along said easterly right-of-way line, to the Point of Beginning;

Thence continue S 00° 14’ 37” W, along said easterly right-of-way line, a distance of 595.67 feet to an intersection with the northerly right-of-way line of Gladiolus Drive (S.R. 865); thence S 89° 15' 04” E, along said northerly right-of-way line, a distance of 642. 73 feet; thence N 00° 19' 55" E, a distance of 200.00 feet; thence N 89° 19' 13" W, a distance of 343.11 feet; thence N 00° 17' 05" E, a distance of 100.41 feet; thence N 89° 21' 17" W, a distance of 100.14 feet; thence N 00° 16' 16" E, a distance of 296.58 feet; thence N 89° 27' 38" W, a distance of 200.00 feet to the Point of Beginning.

Said parcel contains 3,960,611.6 square feet, being ±90.9 acres, more or less.

Said parcel subject to all easements and/or restrictions of record.

Basis of bearings is the West Line of the NW¼ of Section 32, Township 45 South, Range 24 East, being N 00° 14’ 37” E (Assumed).

WHEREAS, the applicant has indicated the property’s current STRAP numbers are:

~~32-45-24-00-000-02-0000;~~

~~32-45-24-00-000-01-0000;~~

~~32-45-24-00-000-0A-0010; and~~

32-45-24-00-00002.0010;

32-45-24-00-00001.0000; and

WHEREAS, proper authorization has been given to the law firm of Humphrey, Jones & Myers, P.A., by Bernard A. Wagner, the fee simple owner of the subject parcel, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Planning and Zoning Commission, with full consideration of all the evidence available to the Planning and Zoning Commission; and

WHEREAS, the Lee County Planning and Zoning Commission fully reviewed the matter and recommended approval, based on the analysis contained in the Staff Report of May 27, 1987, and the testimony given at the June 1, 1987, Planning and Zoning Commission Hearing; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and

WHEREAS, in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Planning and Zoning Commission, the documents on file with the county, and the testimony of all interested persons:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby GRANT the requested addition of deviation 9) as followings:

Deviation from the requirement of a minimum 60 foot setback from a structure to a quarter section line, to allow a 0 foot setback. The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Wallace, and seconded by Commissioner Bigelow and, upon being put to a vote, the result was as follows:

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