



Professional Engineers, Planners & Land Surveyors

Verdana Village MPD

The Shoppes at Verdana Village

Schedule of Deviations and Justifications

ADD2023-00031 – Revised August 2023

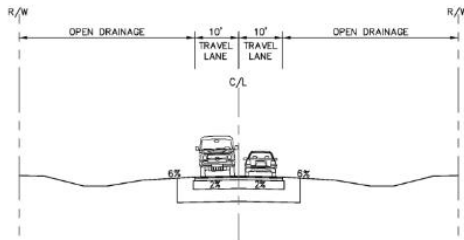
No changes are proposed to existing approved Deviations and/or Variances per Z-20-006 and ADD2022-00140.

Proposed New Deviation 11: Deviation 11 is requested from LDC Section 10-291(2) requirement that all development must abut and have access to a public or private street designed, and constructed or improved, to meet the standards in LDC Section 10-296; to allow the neighborhood commercial tract outparcel lots 2 and 3 to abut and have access to an internal access easement and vehicular circulation without abutting a street designed and constructed to LDC 10-296 standards.

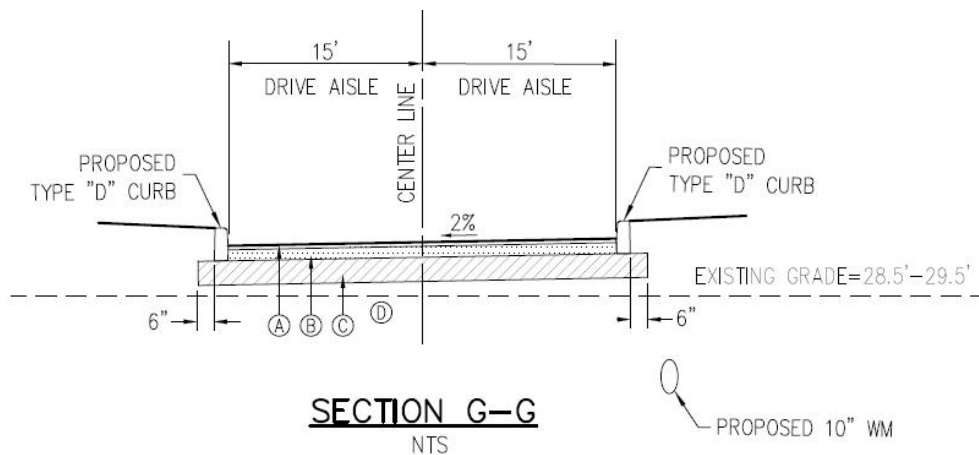
JUSTIFICATION: The existing approval provides two entrance/exit connection points onto Verdana Village Boulevard and one on Corkscrew Road which remains as demonstrated on the MCP. There are multiple interconnects throughout the site internally to disburse traffic. These connections are disbursed through the site and allow connection to the internal accessways and provide sufficient traffic circulation and distribution. No changes are proposed to the layout of the site. The site has always proposed internal accessways/parking aisles to accommodate the development plan and the proposed outparcels lines are essentially “lines on paper” to allow sale of the separate development parcels. Proposed outparcel lot 1 abuts Verdana Village Boulevard and access will be provided to the internal accessways located on the main development parcel, proposed lot 4, as has always been contemplated on the MCP. Proposed outparcel lots 2 and 3 do not abut a street, but abut and have access to the internal access easement/accessways on proposed lot 4. All access connections exceed the minimum travel lane widths for a non-urban local road of 10 feet. The request complies with LDC 10-296(d)(3) as the proposed access road design will meet the standards and criteria established by FDOT in the Florida Greenbook with consideration of the Plans Preparation Manual and guidance in AASHTO publications. By Florida Greenbook definition, the proposed accessway is simply a Driveway (An access from a public way to adjacent property). The applicant proposes the following condition: “Any development order application for a subdivision plat must include Declarations and Covenants that include language demonstrating the proposed parcels have access to the internal accessways.” The requested deviation enhances the achievement of the objectives of the planned development; and preserves and promotes the general intent of the Code to protect the public health, safety and welfare.

LDC Section 10-296(e)(3)e.4. *Non-urban local streets.*

- i. *Pavement design.* Must be in accordance with Table 3. Asphaltic wearing course is not required for residential development of 0.4 or less dwelling units per acre, and all residential developments located on islands where direct vehicular access to the mainland by bridge, causeway or street is not attainable.
- ii. *Lane width.* Non-urban local street roadway segments must be designed with 11 feet wide travel lanes adjacent to non-residential land uses and ten feet wide travel lanes adjacent to residential uses. Travel lane width may be reduced to nine feet on a non-urban local street adjacent to residential uses where daily traffic volumes will be less than 400 vehicles per day and with design speed 35 mph or lower and an eight feet wide shoulder.
- iii. *Cross-section.* All non-urban local street segments reflect open drainage. The following cross-section is illustrative of non-urban local streets.



Non-Urban Local Street

Proposed cross section from MCP:

- Ⓐ ASPHALTIC CONCRETE TYPE SP-9.5, 1.0" MIN. COMPACTED THICKNESS (FINAL LIFT).
ASPHALTIC CONCRETE TYPE SP-12.5, 1.5" COMPACTED THICKNESS (1ST LIFT).
- Ⓑ 8" LIMEROCK BASE (MIN. LBR=100) COMPACTED TO 98% OF MAXIMUM DENSITY BY AASHTO T-180.
- Ⓒ 12" STABILIZED SUBGRADE TYPE B STABILIZATION (MIN. LBR=40) COMPACTED TO 98% OF MAXIMUM DENSITY BY AASHTO T-180.
- Ⓓ EMBANKMENT PLACED IN 12" LIFTS TO 100% MAXIMUM DENSITY BY AASHTO T-99. (MATERIAL PER F.D.O.T. INDEX NO. 505)

HEAVY DUTY PAVEMENT SECTION

Proposed New Deviation 12: Deviation 12 is requested from LDC Section 10-416(d)(3) which requires buffering between uses, to allow no internal buffering within the neighborhood commercial tract with the exception of providing a 3' buffer with hedge row abutting the west property line of lots 2 and 3 and abutting the east and south property lines of lot 1.

JUSTIFICATION: This deviation is requested to allow the neighborhood commercial tract to continue to function as one unified development as shown on the existing approved MCP without requiring internal buffering between the proposed lots. No changes are proposed to the perimeter buffers or the layout of the site. The proposed outparcel lines are essentially "lines on paper" to allow sale of the separate development parcels. The perimeter buffers for the overall neighborhood commercial tract contained in Z-20-006 Condition 7.d. require a 100' buffer to Corkscrew Road and a 5' enhanced Type "A" buffer along the east, west and south. The approved development order plans meet or exceed this requirement and no changes are proposed to the existing approved perimeter buffers. While the applicant does not believe any buffers are required before the lot lines and that the addition of lot lines without buffers does not reduce existing buffers on the MCP, we have agreed to revise the deviation to request no internal buffers with the exception of providing a 3' buffer with hedge row abutting the west property line of lots 2 and 3 and abutting the east and south property lines of lot 1. These buffers are within the proposed Lee County Utilities Easement; however, Lee County Utilities has confirmed they have no objection to the proposal. The proposed plan provides equal or better buffering. The requested deviation enhances the achievement of the objectives of the planned development and will protect the public health, safety and welfare.

Proposed New Deviation 13: Deviation 13 is requested from LDC Section 10-296(k) which requires dead-end streets, designed to be so permanently, must be closed at one end by a circular turnaround for vehicles, to allow no cul-de-sac at the end of the access easement.

Justification: This deviation request is to allow the access easement that covers a portion of the internal parking lot areas which provide adequate circulation for the proposed development. The access easement terminates into the internal parking lot drive aisles. The requested deviation is included in LDC Section 10-104(a)(9) list of provisions where the Development Services Director is authorized to grant administrative deviations. The requested deviation enhances the achievement of the objectives of the planned development and will protect the public health, safety and welfare. The request is also consistent with the applicable criteria for administrative deviations contained in LDC Section 10-104(b): (1) The alternative proposed to the standards contained herein is based on sound engineering practices (2) The alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested; (3) not applicable; (4) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; and (5) not applicable; and (6) not applicable.