

December 11, 2023

Ms. Donna Marie Collins
Hearing Examiner
1500 Monroe Street
Fort Myers, FL 33905

Via e-mail: hex@leegov.com

**RE: Bayshore Village CPD
DCI2022-0032**

Dear Ms. Collins,

The applicant does hereby submit the information required in the 48-Hour letter.

The applicant agrees with the staff recommendation of approval. The applicant has included a revised MCP (A and B) to be consistent with the recommended conditions, dated December 8, 2023. The applicant will bring an updated exhibit regarding the travel times from the wellfield protection ordinance. The updated master concept plans are attached hereto.

The applicant submits that the limitation of drive through to the east side of a structure should not apply in the southern 400 feet.

The staff was kind enough to provide an updated memorandum dated December 4, 2023. The applicant disagrees with some of the conditions recommended by the staff. The applicant does not agree with the staff recommendation on the permitted square footage for the site. The applicant does not agree with the requirement for a wall south of the significant vegetated buffer/indigenous area on the north side of the property.

A. APPLICANT WITNESSES:

- *Ron Inge- Inge and Associates, Inc.*
- *Jennifer Sapen, AICP- Sapen Site Planning, LLC*
- *Nelson Taylor, MRICS, MSRE- LSI Companies*
- *Barrett Stejskal- BearPaws Environmental Consulting, Inc.*
- *W. Kirk Martin, P.G.- Water Science Associates*
- *Carl A. Barraco, P.E.- Barraco and Associates, Inc.*
- *Ted Treesh- TR Transportation Consultants, Inc.*

In addition to the above witnesses, I will also be present representing the applicant.

B. APPLICANT EXHIBITS:

- Applicant's PowerPoint Presentation
- Revised Master Concept Plan
- Resumes of Nelson Taylor and Jennifer Sapien

Sincerely,


Neale Montgomery

Cc: Adam Mendez, Lee County Community Development (via e-mail: AMendez@leegov.com)

OPEN SPACE CALCULATION

REQUIRED OPEN SPACE
8.75 AC X 30% = 2.63 AC
REQUIRED INDIGENOUS
2.63 AC X 50% = 1.32 AC

PROVIDED OPEN SPACE
PRESERVE 1.06 AC
LAKE (2.63 X 25%) 0.66 AC
OTHER 0.91 AC
TOTAL = 2.63 AC

PROVIDED INDIGENOUS
PRESERVE @ 1.06 AC
x 125% = 1.33 AC

NOTES: APPLYING THE INDIGENOUS INCENTIVE CREDITS ALLOWED BY LDC 10-415(b)(3), A RATE OF 125% IS APPLIED DUE TO THE PRESERVE MINIMUM WIDTH OF 75' AND A MINIMUM AREA OF ONE ACRE.

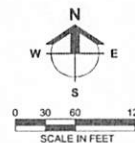
LAND USE: SINGLE FAMILY RESIDENTIAL
ZONING: AG-2
FLU: GENERAL INTERCHANGE

LAND USE: SINGLE FAMILY RESIDENTIAL
ZONING: AG-2
FLU: GENERAL INTERCHANGE

8' WIDE LEE COUNTY ELECTRIC
COOPERATIVE
(OR 2322, PG 3947)
EXCEPTION 11

PRESERVE TO SERVE AS LANDSCAPE BUFFER
SUPPLEMENTAL HEDGE PLANTINGS TO BE
ADDED AS NEEDED TO CREATE A CONTINUOUS
VISUAL SCREEN AS REQUIRED BY LDC 10-415(D)(4)

INDIGENOUS PRESERVE = 1.06 AC
(0.51 AC @ 411E1 AND 0.55 AC @ 420E2)



LAND USE: VACANT
ZONING: CPO
FLU: GENERAL INTERCHANGE &
SUB-OUTLYING SUBURBAN

LAND USE: VACANT
ZONING: AG-2
FLU: GENERAL INTERCHANGE

LAND USE: VACANT
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SUB-OUTLYING SUBURBAN

LAND USE: VACANT
ZONING: CPO
FLU: SUB-OUTLYING SUBURBAN

PROPOSED SIGNS

- ① MONUMENT SIGN
- ② ③ PYLON SIGN (MAXIMUM 1 SIGN)
- ④ MONUMENT SIGN

- CONNECTION TO EASTERLY ADJUTING PROPERTY
(AT DEVELOPMENT ORDER)
1. IF ZONED AND DEVELOPED COMMERCIAL -
PROVIDE CONNECTION
 2. IF ZONED COMMERCIAL BUT NOT DEVELOPED -
PROVIDE PARKING LOT INTERCONNECTION
 3. IF NOT ZONED COMMERCIAL - PROVIDE A 24'
CROSS-ACCESS EASEMENT

12' WIDE UTILITY EASEMENT
(INSTRUMENT #
2006000351124) EXCEPTION 12

LEGEND



LAND USE: VACANT
ZONING: EC
FLU: CONSERVATION LANDS
UPLAND

LAND USE: VACANT
ZONING: C-1A
FLU: SUB-OUTLYING SUBURBAN

Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING

www.barraco.net

2271 MCGREGOR BLVD., SUITE 100
PORT OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169

FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING 7395 - SURVEYING (L6454)

PREPARED FOR

**LIGHT
BAYSHORE
VILLAGE LLC &
REESERETLAND
BAYSHORE
VILLAGE LLC**

PROJECT DESCRIPTION

**BAYSHORE
VILLAGE**

LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE
INTENSITIES OR DENSITIES MAY
CHANGE SIGNIFICANTLY BASED
UPON SURVEY, ENGINEERING,
ENVIRONMENTAL AND/OR
REGULATORY CONSTRAINTS AND/
OR OPPORTUNITIES.

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE

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P.E. NAME: [REDACTED]

LOCATION: [REDACTED]

PLOT DATE: FEB. 15-2023 - 9:40 AM

PLOT BY: ALYSIA FONTANE

CROSS REFERENCED DRAWINGS

BASE PLAN: 2406-20-B.DWG

PLAN REVISIONS

1-25-23	1ST SUFFICIENCY RESPONSE
2-17-23	2ND SUFFICIENCY RESPONSE
3-14-23	DEVIATION #6
6-1-23	WELLS RD @ INTERACTIVE CHITERRA
7-2-23	ADD DEVIATION #6
9-27-23	AUGUST/SEPTEMBER SUFFICIENCY
12-6-23	48-HOUR REVISIONS

PLAN STATUS

MASTER CONCEPT PLAN

ALT B

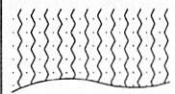
PROJECT / FILE NO.

24066

SHEET NUMBER

1

SINUOUS LAKE SHORELINE DETAIL



LAKE EDGES WILL BE SINUOUS IN ACCORDANCE WITH LEE COUNTY LAND DEVELOPMENT CODE REGULATIONS

OPEN SPACE CALCULATION

REQUIRED OPEN SPACE
8.75 AC X 30% = 2.63 AC
REQUIRED INDIGENOUS
2.63 AC X 50% = 1.32 AC

PROVIDED OPEN SPACE		PROVIDED INDIGENOUS PRESERVE @ 1.06 AC	
PRESERVE	1.06 AC	LAKE (2.63 X 25%)	0.66 AC
LAKE	0.91 AC	OTHER	0.91 AC
TOTAL = 2.63 AC		x 125% = 1.33 AC	

NOTES:
IF SUBDIVIDED, EACH PARCEL MUST PROVIDE A MINIMUM OF 10% OPEN SPACE.

APPLYING THE INDIGENOUS INCENTIVE CREDITS ALLOWED BY LDC 10-415(d)(3), A RATE OF 125% IS APPLIED DUE TO THE PRESERVE MINIMUM WIDTH OF 75' AND A MINIMUM AREA OF ONE ACRE.

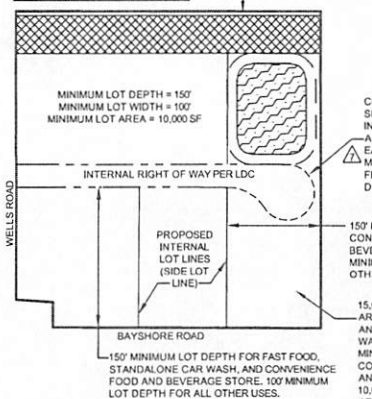
PROPOSED SIGNS

- 1 MONUMENT SIGN
- 2 PYLON SIGN (MAXIMUM 1 SIGN)
- 3 MONUMENT SIGN
- 4 MONUMENT SIGN

LEGEND



SUBDIVISION DETAIL



CUL DE SAC NOT REQUIRED IF SPRINKLER SYSTEMS ARE INSTALLED IN THE COMMERCIAL BUILDINGS AND A TURN AROUND IS PROVIDED IN THE EASTERN MOST LOT. FINAL DESIGN MUST BE APPROVED BY THE LOCAL FIRE DEPARTMENT DURING DEVELOPMENT ORDER PERMITTING.

TYPE D BUFFER (TYPICAL FOR MOST USES)

1. THE REQUIRED NUMBER OF TREES IS 5 CANOPY TREES PER 100 LINEAR FEET. THREE SABAL PALM TREES MAY BE CLUSTERED TO MEET ONE CANOPY TREE REQUIREMENT. PALMS ARE LIMITED TO A MAXIMUM OF 50 PERCENT OF THE RIGHT-OF-WAY TREE REQUIREMENT. PALMS MUST BE CLUSTERED AND PLANTED IN STAGGERED HEIGHTS, A MINIMUM OF THREE PALMS PER CLUSTER, SPACED AT A MAXIMUM OF 4 FEET ON CENTER, WITH A MINIMUM OF A FOUR FOOT DIFFERENCE IN HEIGHT BETWEEN EACH TREE.
2. ALL OF THE TREES MUST BE A MINIMUM OF 14 FEET IN HEIGHT AT THE TIME OF INSTALLATION. TREES MUST HAVE A MINIMUM OF A THREE AND ONE-HALF INCH CALIPER AT 12 INCHES ABOVE THE GROUND AND A SIX-FOOT SPREAD. AT INSTALLATION, SHRUBS MUST BE A MINIMUM OF THREE GALLON, 24 INCHES IN HEIGHT AT TIME OF PLANTING AND MAINTAINED AT A MINIMUM OF 36 INCHES IN HEIGHT WITHIN ONE YEAR OF PLANTING. THE SHRUBS MUST BE PLANTED THREE FEET ON CENTER.

LAND USE: SINGLE FAMILY RESIDENTIAL
ZONING: AG-2
FLU: GENERAL INTERCHANGE

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8' WIDE LEE COUNTY ELECTRIC COOPERATIVE (OR 2322, PG 3947) EXCEPTION 11

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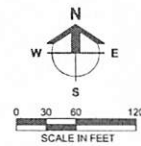
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(0.51 AC @ 411E1 AND 0.55 AC @ 420E2)

BUILDING A
(2 STORY MAX)

BUILDING B2
(2 STORY)

BUILDING B3
(1 STORY)

BUILDING C
HOTEL: 4 STORY MAX
OTHER USES: 2 STORY MAX



LAND USE: VACANT
ZONING: CPO
FLU: GENERAL INTERCHANGE & SUB-OUTLYING SUBURBAN

30' EXCAVATION SETBACK (DEVIATION #1)

LAND USE: VACANT
ZONING: AG-2
FLU: GENERAL INTERCHANGE & SUB-OUTLYING SUBURBAN

LAND USE: VACANT
ZONING: CPO
FLU: SUB-OUTLYING SUBURBAN

CONNECTION TO EASTERLY ADJUTING PROPERTY (AT DEVELOPMENT ORDER)
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3. IF NOT ZONED COMMERCIAL - PROVIDE A 24' CROSS-ACCESS EASEMENT

12' WIDE UTILITY EASEMENT (INSTRUMENT # 2006000351124) EXCEPTION 12

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PHONE (239) 481-3170
FAX (239) 481-3169

FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7885 - SURVEYING 150660

PREPARED FOR:

LIGHT BAYSHORE VILLAGE LLC & REESERETLAND BAYSHORE VILLAGE LLC

PROJECT DESCRIPTION

BAYSHORE VILLAGE

LEE COUNTY, FLORIDA

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FILE NAME: 24066.DWG

LOCATION: 234066.DWG ZONING

PLOT DATE: FEB. 12-2023 - 9:38 AM

PLOT BY: ALYSSA FONTANA

CROSS REFERENCED DRAWINGS

BASEPLAN - 24066.DWG

PLAN REVISIONS

1-25-23	1ST SUFFICIENCY RESPONSE
2-17-23	2ND SUFFICIENCY RESPONSE
3-14-23	DEVIATION #1
6-12-23	WELLING @ INTENSIVE CRITERIA
7-7-23	ADD DEVIATION #1
9-27-23	AUGUST/SEPTEMBER SUFFICIENCY
12-8-23	48-HOUR REVISIONS

PLAN STATUS

MASTER CONCEPT PLAN ALT A

PROJECT/FILE NO.	SHEET NUMBER
24066	1

Jennifer Saper, AICP, LEED AP BD+C



Employment Experience

Saper Site Planning 2023-present Owner / Founder	✱ Process zoning applications and provide testimony during public hearings as an accepted expert witness in the Lee County Land Development Code and Comprehensive Plan. ✱ Envision and design creative and efficient site plans for commercial, industrial and residential uses, with an emphasis on master planned residential communities. ✱ Provide site planning services locally in Southwest Florida and in developing areas near the cities of Daytona, Miami and Panama City Beach; also in South Carolina and Texas.
Barraco and Associates 2002-2023 Vice President of Planning	✱ Managed land planning department and provided over 20 years land planning services for a civil engineering and surveying company. ✱ Processed zoning applications and comprehensive plan amendments in Lee, Collier, Charlotte, Hendry and Desoto Counties; and incorporated Cities within. ✱ Provided expert testimony during the public hearing process and conducted community outreach. ✱ Created site plans for a wide range of development patterns and assisted civil engineering to permit and finalize design through construction.
Johnson Engineering 1998-2002 Engineering Technician	✱ Provided civil engineering drafting services during permitting and construction of four residential golf course communities: West Bay Club, Crown Colony, Verandah, and Shadow Wood Preserve.

Planning & Zoning Project Experience

✱ Orange River RPD - Lee County	✱ Isles of Collier Preserve PUDA - Collier County
✱ River Hall RPD/CPD - Lee County	✱ Tri-County Commerce IPD & CPA - City of Fort Myers
✱ Hudson Creek PUD - City of Cape Coral	✱ Ridgill PUD, CPA & Annexation - City of Labelle
✱ Burnt Store 295 PUD - Charlotte County	✱ Michigan Avenue PUD & CPA - City of Fort Myers
✱ Orange Blossom PUD - Collier County	✱ Burnt Store 2007 PUD - Charlotte County
✱ Gully Creek RPD - Lee County	✱ Colonial Hammock PUD - City of Fort Myers
✱ State Road 80/31 CPD - Lee County	✱ Sonoma Preserve PUD - DeSoto County

Site Plan Design and Envisioning Experience

✱ Master planned residential communities in excess of 5,000 units	✱ Commercial centers
✱ Amenity facility and park designs for master planned communities	✱ Luxury RV communities
✱ Golf course routing plans and golf course residential communities	✱ Assisted living facilities & senior living
✱ Multifamily apartment complexes	✱ Motor speedway park
✱ Downtown mixed use towers with parking garages	✱ Fast food and gas station site plans
	✱ Mini-storage, boat and RV storage
	✱ Heavy industrial and distribution

Contact

Saper Site Planning, LLC
P.O. Box 100690
Cape Coral, FL 33910

jennifer@saperplans.com
(239) 900-3011

Address: 1470 Friendship Walkway, Fort Myers, FL 33901
Cell: 239-770-2909
Email: ntaylor@lsicompanies.com

Nelson P. Taylor, ALC, MRICS, MSRE
PROFESSIONAL EXPERIENCE

LSI COMPANIES, INC.

FORT MYERS, FL

Privately owned, all-inclusive land development and brokerage firm. LSI Companies is proud to be recognized as a leader in Southwest Florida real estate brokerage, offering full land services, market research, asset management, and commercial / land marketing specialties. Specialties include entitling and positioning land for future residential development.

VICE PRESIDENT – MARKET RESEARCH

August 2018 - Present

- ▶ Analyze and interpret land use and development trends for use in market analysis as it relates to valuation and positioning of assets.
- ▶ Produce quarterly reports tracking and providing insight into SWFL residential and commercial real estate.
- ▶ Prepare market studies for proposed development, needs analysis, position, and valuation of real estate.

HANSON REAL ESTATE ADVISORS, INC.

FORT MYERS, FL

Privately owned, boutique firm. Provides real estate valuation and consulting services to a client base that generally consists of attorneys, institutional investors, and private equity funds.

SENIOR REAL ESTATE APPRAISER & ANALYST

June 2009- August 2018

- ▶ Work directly with clients to develop market-based solutions in response to complex real estate issues for use in strategic asset management, investment analysis, portfolio valuation, and litigation.
- ▶ Supplied services for a broad range of commercial real estate product types, including large-scale mixed-use development, office, retail, industrial, single-family and multi-family development, agriculture, hotel, condo-hotels, commercial and residential condominium projects, large, urban and rural, land tracts, and specialty uses.
- ▶ Coordinated with land planners and engineers for proposed developments and eminent domain acquisitions.
- ▶ Provided valuation and consulting services for commercial real estate assets located in 57 of Florida's 67 counties.
- In 2018, was lead associate and project coordinator in valuing and counseling of 120 acres surrounding the Orlando Orange County Convention Center entitled for development of 4,900 hotel units, 1,200 apartment units, 953,000 square feet of commercial floor area and 700,000 square feet of industrial floor area.
- Assisted CIII Asset Management, LLC, a highly rated servicer (primary and special) of over \$20 billion of commercial real estate loans, by providing valuation and advisory services in reference to more than 4,000 residential rental apartment units located in forty-seven projects situated throughout Florida.
- Provided consulting and valuation services to Cardtronics, Inc., a public traded company (CATM) that provides financial services through its network of automated teller machines and kiosks. Developed analytical models that were used to determine market rent for ATMs at over 4,000 locations throughout Florida.

EDUCATION

University of Denver

- Master of Science – Graduated June 2018
- Major: Real Estate and the Built Environment
- Awards: Golden Key International Honor Society, Alpha Sigma Gamma – International Real Estate Honorary Society, Beta Gamma Sigma – Academic Honor Society

The Florida State University

- Bachelor of Science – Graduated May 2009
- Major: Real Estate Minor: Urban Regional Planning

PROFESSIONAL DESIGNATIONS

Florida State Certified General Real Estate Appraiser (RZ3732)
Florida State Licensed Sales Associate (SL3337310)
Argus Software Certified (ASC) – Enterprise
Member of the Royal Institute of Chartered Surveyors
Accredited Land Consultant - Realtor Land Institute