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January 3, 2024

Logan Opsahl
Lowndes, Drosdick, Doster, Kantor & Reed, P.A.
215 N. Eola Dr.
Orlando, FL 32801

Re: Floor & Decor Lee County
DCI2023-00038 - Minor PD

Dear Logan Opsahl:

The Zoning Section has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

A public hearing date will not be scheduled until a complete application is submitted.

If you do not provide the requested supplements or corrections within 30 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section

Electronically signed on 1/3/2024 by
Chahram Badamtchian, Planner, Senior

Logan Opsahl
Lowndes, Drosdick, Doster, Kantor & Reed, P.A.
Re: Floor & Decor Lee County
DCI2023-00038
January 3, 2024

Utilities Review:

Insufficient comment: Provide a Lee County Utilities Letter of Availability.

Please contact Nathan C Beals at NBeals@leegov.com or by calling 239-533-8157 with any questions regarding the above review comments.

Legal Description Review:

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

(5) Please provide a legal description and sketch in accordance with the requirements of Lee County LDC §34-202(a)(5).

- A metes and bounds legal description and sketch was not provided in the most recent submittal.

(6) 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 survey must be based upon the title certification submitted in accord with section 34-201(a)(7).
- The survey provided does not include state plane coordinates at the POB and opposing corner and still references a title commitment. The text for the metes and bounds description is on top of other text and difficult to read. When a title certification in accordance with LDC §34-202(a)(7) the survey should state that document as the bases for depicted information.

(7) Please provide a title certification in accordance with the requirements of Lee County LDC §34-202(a)(7).

- The document provided is titled a Property Information Report which is not one of the forms accepted per the LDC.

Please contact Richard R Burris at RBurris@leegov.com or by calling 239-533-8516 with any questions regarding the above review comments.

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Environmental Review:

The environmental consultant stated that there was exotics onsite. Please add Exotic-values (E1 (1-25%), E2 (26%-50%), E3 (51%-75%), E4 (76%-100%)) to each FLUCCS code to determine if the vegetation is considered indigenous per LDC 10-701.

Once FLUCCS codes with the associated E-values are provided, staff may have additional comments regarding the preservation area per 10-415(b).

The environmental consultant listed the acreage of the site at 8.45 acres, while the MCP depicts 7.99 acres. Please revise for consistency.

The MCP does not clearly depict the preservation area. Please hatch the preserve area that will be used meeting the indigenous definition per 10-1 of the LDC.

Please label the public open space area on the MCP per LDC 34-373 and LDC 33-1572.

The applicant responded to staff stating that a 20-foot buffer is being provided to the east. The MCP does not depict a 20-foot buffer on the east or the west. Please note LDC 33-1581 requires a 20-foot buffer along all right-of-ways when a parcel is located in the commercial corridor.

If the applicant has obtained a formal wetland jurisdictional determination, staff recommends submittal of the documents to meet policies 4.1.4 and 124.1.1.

The cross section provided indicates a 4:1 slope adjacent to the conservation area. Please provide an analysis on how the applicant intends to protect the upland and wetland conservation area. Please indicate how the applicant intends to reinforce the slope area.

Staff notes that the applicant is proposing fill on the site. Please note that buffer planting material must be measured at the finished grade of the parking area.

Please contact Camryn Siverson at CSiverson@leegov.com or by calling 239-533-8313 with any questions regarding the above review comments.

DOT Review:

Kindly provide the distances between the proposed project's entrances and adjacent streets/driveways on Barrett Rd as per LDC §10-285 in the Site Plan.

Please contact Md Rakibul Alam at MAlam@leegov.com or by calling 239-533-8585 with any questions regarding the above review comments.

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TIS Review:

The Schedule of Uses (SOU) must be provided. Determining trip generation for the proposed development is expected to be conducted by referencing the Institute of Transportation Engineer's (ITE) Trip Generation Report (latest edition), emphasizing the worst-case scenario outlined in the SOU.

Please contact Md Rakibul Alam at MAlam@leegov.com or by calling 239-533-8585 with any questions regarding the above review comments.

Natural Resources Review:

Cross section Y did not depict the proposed slope. Please label the proposed slope on the cross section.

The Response Letter stated that all trees in the Conservation Uplands FLU would not be disturbed but the concurrent Development Order application depicts the removal of trees within the Conservation Uplands FLU. Please address this inconsistency. Staff does not support the removal of native vegetation within the Conservation Lands FLU as it is inconsistent with Lee Plan policy 1.4.6.

Please contact Nicholas DeFilippo at NDeFilippo@leegov.com or by calling 239-533-8983 with any questions regarding the above review comments.