



Lee County

Southwest Florida

Board of County Commissioners

Kevin Ruane
District One

January 10, 2024

Via E-Mail only

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District Three

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District Four

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District Five

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County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
County Hearing
Examiner

Linda Miller
Avalon Engineering, Inc.
2503 Del Prado Boulevard South, Suite 200
Cape Coral, FL 33904
linda@avaloneng.com

Re: BSR 40
CPA2023-00010

Dear Ms. Miller:

Staff has reviewed the application submittal for the BSR 40 Map Amendment, CPA2023-000010 stamped "received" on December 6, 2023. Planning staff finds that the application materials are insufficient and further information is needed.

Planning

1. Please provide physical copies of the mailing labels with your resubmittal.
2. Please clarify the application. Is the applicant seeking to change the FLU of the entire parcel to Central Urban?
3. The application, request, and Lee Plan analysis did not reference the existence of the Wetlands FLU on the property. Please revise the applicable documents in the packet to reflect the Wetlands FLU and provide analysis of the applicable Lee Plan Goals, Objectives, and Policies.
4. The calculation of maximum allowable intensity in #7 of the application does not match the development intensity proposed in the TIS. Please make the appropriate revision so that the development intensity in the documents match.
5. Please include a Letter of Availability from Charlotte County Utilities in your resubmittal to verify availability of potable water to the property.
6. Please include all elements of the Lee Plan analysis in one document.
7. Table 1(b) current does not show any acreage for residential development in the Central Urban FLU in the Burnt Store Community. The narrative indicates that multifamily dwelling units will be developed in the future. Please provide the appropriate revisions in strike-through and underline format to Table 1(b) and revise your analysis of Policy 1.6.5 with your resubmittal. Please contact the reviewer with any questions.



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8. Please provide an analysis of Policy 1.4.4 Open Lands.
9. Please provide an analysis of Objective 1.5 and any applicable policies, Objective 2.1 and any applicable policies, Goal 4 and the attendant Standards, Goal 5 and 6 and any applicable Objectives and Policies.
10. Please revise your analysis of the Economic Element to incorporate the changes in Ord. 23-08.

Transportation

1. Revision is needed for Table 3, specifically in the calculation of pass-by trips for the shopping center and PM internal capture of both land uses. Accuracy adjustments are necessary.
2. Table 4A requires revision, with a focus on the unsustainable 9% annual growth rate. It is advised to exclude COVID and post-COVID data, relying solely on the pre-COVID five-year data for accurate annual growth rate calculation. The use of an exponential equation is suggested for future background traffic estimation.

Environmental

1. Table 2 of the provided Environmental Assessment, dated June 2023, includes FLUCCS code 617 which was not identified on the FLUCCS map that was provided. Please review and address accordingly.
2. The wetland identified in the southeast corner of the property is part of a historical flowway please provide an analysis of Lee Plan policy 60.4.3.
3. The application is requesting to amend the Wetland FLU category. Please provide an approved Jurisdictional Determination from the SFWMD or FDEP to support the request. If this is not the request, then please revise the proposed Future Land Use Map. Please provide the model files for Staff's review. Once the model files have been reviewed Staff may have additional comments. Please contact Staff for assistance submitting the model files.

Legal

1. The sketch of the subject property does not include a state plane coordinate at the point of beginning (POB) and a second point at an opposing corner.

Zoning

1. The existing zoning is Agricultural (AG-2). Does the applicant intend to submit a rezoning application for the property?

A public hearing date will not be scheduled until a complete application is submitted. If you do not provide the requested supplements of corrections within 90 days of this letter, this application will be considered withdrawn. Please feel free to contact me at (239) 533-8585 if you have any questions.



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Sincerely,

Lee County Department of Community Development

A handwritten signature in blue ink, appearing to read 'BR', is written over the printed name.

Brian Roberts, Planner, Planning Section