



Lee County
Southwest Florida

Kevin Ruane
District One

February 5, 2024

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Mike Greenwell
District Five

Dave Harner
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County Attorney

Donna Marie Collins
County Hearing
Examiner

Jem Frantz
RVI Planning + Landscape Architecture
28100 Bonita Grande Drive
Suite 305
Bonita Springs, FL 34135

Re: Mix Use Planned Development Public Hearing Rezone
Pelican Landing MPD
DCI2023-00052

JEM FRANTZ,

The Zoning Section has reviewed the information provided for the above rezoning application. The Lee Plan and Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied included in the attached pages.

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or corrections within 30 calendar days of this letter, the Code requires that this application be considered withdrawn.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 if you have any questions.

Sincerely,

**Electronically signed by Elizabeth A. Workman on
February 5, 2024**

Elizabeth A. Workman, Principal Planner
Zoning Section
Lee County Department of Community Development

INSUFFICIENCY COMMENTS:

LEGAL:

Please provide a boundary survey of the subject property in accordance with the requirements of Lee County LDC §34-202(a)(6). Please provide the date of the Title Opinion listed on the Boundary Survey.

The perimeter boundary must be clearly marked with a heavy line and must include the entire area to be developed. The boundary is not clearly marked with a heavy line starting after Line 119 (L119), until Curve 6 (C6).

Please correct Item #35 on the Boundary Survey to match what is shown on the Title Opinion. The book number should be 3593, not 3293.

Please correct the item number for "SFWMDC CONSERVATION EASEMENT #2" from "#20" to "#13" to match what is shown on the Title Opinion.

PLANNING:

Revise the response to Policy 2.2.1 to remove the reference to the North Olga Planning Community.

Provide clarification on the density calculations to verify the proposed density has not been previously allocated/developed in the DRI.

Revise the response to Policy 124.1.1 to include the density calculations for saltwater wetlands and freshwater wetlands. The density for saltwater wetlands/mangroves are calculated at 1 dwelling unit per 20 acres, regardless of whether those wetlands are preserved.

Provide a response to the following Lee Plan policies:

- a. Standard 4.1.3.
- b. 5.1.10 regarding density of land under single ownership in multiple Future Land Use Categories. See Ordinance 23-12 for the most recent wording of Policy 5.1.10.
- c. Goal 6 regarding Commercial development.
- d. Objective 11.1 regarding Mixed-Use development.
- e. Policy 135.1.9 regarding mix of residential types and designs.

ZONING:

Staff will be codifying all previous conditions of approval that pertain only to the subject rezoning case into one document to then be considered as the new zoning resolution if approved. Please provide strikethrough and underline versions of the previous zoning resolutions and administrative amendments to provide conditions to be brought forward.

JEM FRANTZ
PELICAN LANDING MPD
PUBLIC HEARING PLANNED DEVELOPMENT REZONE

The narrative indicates that the Development of Regional Impact (DRI) will be amended. Please provide detailed information on the revisions including how the increased density will affect the conditions.

Please provide correspondence or documentation with the City of Bonita Springs and Villages of Estero regarding the subject rezoning being removed from previous approvals that included portions of land in these jurisdictions. Indicate if zoning amendments are to be pursued to amend approvals in each jurisdiction.

Revise the MCP to provide a deviation sheet to clearly depict where each deviation is being requested. Provide details for each new deviation being requested to demonstrate integrated mid to high-rise design to justify Deviation 12, cross section for the ten-foot-in-height wall being proposed and the location, and revise species survey/indigenous management plan to provide the native species coverage to meet the buffer requirements for Deviation 15.

The request is to remove the unincorporated Lee County portion from previous approvals and rezone to Mixed-Use Planned Development (MPD). Revise the Request Narrative and the Property Development Regulations to demonstrate compliance with LDC Section 34-940 for the two elements that must be met to be considered MPD.

Revise the MCP to demonstrate compliance with LDC Section 34-940(c).

Revise the Schedule of Uses to be consistent with LDC Section 34-934. Include the groups, where applicable, and remove uses that are not listed in LDC Section 34-934 such as bocce ball, pickleball, mass transit depot. These uses are listed as Recreational Facilities (private on-site, commercial, see code) and Bus Depot.

The MCP depicts two access interconnects to the offsite property. Indicate if the two access areas interconnect with an existing roadway. Provide access easement agreement.

Additional comments may follow once staff receives the requested information.

DEVELOPMENT SERVICES:

Please show all existing and proposed easements on the MCP with the appropriate labels per LDC Section 34-373(a)(6)a.

Please consider removal of Deviation #1 from LDC Sec. 10-291(3) as the proposed MCP appears to show multiple access points to the adjoining areas outside of the PD boundary.

Deviation #7 mentions that there is a cross section enclosed which staff was unable to locate. Please address.

ENVIRONMENTAL SCIENCES:

Previous Approvals

The previous site conditions extended into Bonita Springs Jurisdiction. Please explain how the applicant intends to meet the open space, landscaping, and other conditions that were previously approved.

The DRI states no more than 13.25 acres of wetlands may be filled. Please indicate if you are demonstrating compliance with the condition. Please indicate how many wetlands have been filled currently.

Current Request

The narrative describes the utilization of density; however, it does not describe how the changes are going to affect the overall site plan. Please provide more details within the narrative.

The application demonstrates a 50-foot natural waterway buffer. Please provide a cross-section for the natural waterway depicting the 50-foot width measured from mean high water or top of bank, whichever is further landward.

The applicant is requesting a deviation from 10-329(d)(4). Please provide a cross-section of these areas per 34-373(a)(9) and clarify how the lake bank will be stabilized.

The applicant is proposing a mixed-use development, which includes residential and commercial. Please break down the required open space for both per LDC 10-415(a).

The gopher tortoise map that Passarella and Associates has supplied appears to calculate the excavated burrows and current burrows (424). Please clarify within the document the amount of tortoise burrows that have previously been excavated and the number of burrows that are still present.

There appears to be areas on the MCP that may be restored, please provide a more detailed legend to describe the acreage of restored wetlands, restored uplands, indigenous uplands, and indigenous wetlands per LDC 10-415(b).

The schedule of uses references an indigenous management plan. Please provide information regarding an indigenous management plan that depicts the preservation areas in compliance with LDC 10-474.

It appears that the vegetated upland area surrounding the Hyatt, may be impacted to develop multi-family. Please clarify. Staff may have additional comments.

NATURAL RESOURCES:

Please depict the bald eagle buffer zone on the Master Concept Plan. Please provide a copy of the BoCC approved Bald Eagle Management Plan, dated July 2022, prepared by Passarella & Associates, Inc.

JEM FRANTZ
PELICAN LANDING MPD
PUBLIC HEARING PLANNED DEVELOPMENT REZONE

Within the stormwater management plan narrative, please address how drainage flow from adjacent properties will be maintained.

Please provide analysis detailing how the proposal will comply with DRI condition K regarding the Interface Zone.

Please demonstrate how the proposal complies with LDC 10-328. If an access and drainage easement cannot be provided, please request a deviation.

The preliminary density calculation notes approximately 190 ac of preserved wetlands please provide additional information to determine whether these are freshwater or saltwater wetlands.

DEPARTMENT OF TRANSPORTATION:

Kindly show the distances between the entrance of the proposed project and the adjacent streets or driveways along Coconut Road in the MCP.

TRAFFIC IMPACT STATEMENT:

Table 4 requires revision. Trip generation data for the 27-hole golf course needs to be included. The Multifamily (low-rise) [LUC 220] should be used for trip generation, as the schedule of uses indicates higher trip generation, e.g., Townhouse. Additionally, AM and Daily Trip data need to be incorporated.

As the projected trip volume exceeds 100, the TIS must provide intersection LOS analyses for site accesses and nearby intersections (within a quarter-mile radius) in existing and future conditions, using HCS or Synchro program.

Please clearly state the maximum proposed gross floor area of the proposed "Recreation Facilities, Indoor" use for which a deviation from current parking requirements (LDC, Section 34-2020) is requested. (1/31/2024 ME)

Please demonstrate why the site cannot be redesigned to accommodate the required number of parking spaces for the proposed "Recreation Facilities, Indoor" use. If the site cannot be redesigned to accommodate required parking for the proposed uses, the deviation request should be accompanied by a parking demand study to justify the deviation. The study should be performed at a minimum of three similar local (i.e. Lee County) facilities in accordance with the guidelines set forth in the most current Institute of Transportation Engineers Parking Generation Manual. A methodology meeting with staff to discuss the parameters of the study is recommended prior to any data collection. (1/31/2020 ME)

LEETRAN

The proposed development is beyond one-quarter mile of a bus stop or a fixed-route corridor. Based on the current Transit LDC section 10-441, no improvements are required by the developer at this time but will reassess at the time of DO or LDO.