



## Board of County Commissioners

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February 16, 2024

Jem Frantz, AICP  
RVI Planning + Landscape Architecture  
28100 Boonita Grande Dr., Suite 305  
Bonita Springs, FL 34135  
**Via E-mail Only:** [jfrantz@rviplanning.com](mailto:jfrantz@rviplanning.com)

**RE: CPA2024-00001 & CPA2024-00002**

### **Bonita Beach CPD Map & Text Amendments**

Dear Ms. Frantz:

Staff has reviewed the application submittals for a LeePlan text and Future Land Use Map (FLUM) Amendment stamped "received" on January 16, 2024. The comments for both applications are contained in this letter. Please address the comments in both applications. Planning staff finds that the application materials are insufficient and further information is needed.

### **PLANNING COMMENTS**

1. The text amendment adds language to Policy 33.2.5, but the application materials do not address this policy, other policies under Goal 33, or the reason for the change. The proposed language appears to allow Commercial uses on all properties along Bonita Beach Road with a FLU that allows commercial, but Goal 33 doesn't allow stand-alone commercial uses. Clarify the following:
  - a. Provide the justification for a stand-alone commercial use.
  - b. Does a property need to have direct frontage on Bonita Beach Road to be exempt?
  - c. Was the intent to exclude properties on Bonita Beach Road from the commercial size limitations as well?
  - d. Provide data and analysis on how this may impact this corridor, including, but not limited to, public facilities and traffic analysis relating to the increased commercial allowances for all privately owned properties that could be allowed additional commercial uses.
2. The application materials do not address the reasoning for why General Interchange is the most appropriate FLU category for this property. Are there other less-intense categories that could serve the same purpose but also serve as a transition between the General Interchange and the very low-intensity adjacent DR/GR or Wetlands classifications?
3. Provide data and analysis of how the amended acreage in Table 1(b) was developed. Additionally, the acreage in 1(b) is finite, as the district boundaries are not changing—the additional acreage for commercial needs to be subtracted from the other applicable categories.

4. The analysis of Policy 1.4.6 states that the conservation portion of the property is disconnected from other conservation lands. The response to this policy should include the property's history, how it came to have a Conservation designation, and why it is no longer appropriate.
5. Objective 1.5 states that lands identified as wetlands per state statute will be designated wetlands in the FLUM. If wetlands are onsite, a jurisdictional determination would be required, and the FLUM may reflect a mixture of Wetland FLU and non-wetland FLU.
6. Typos/Missing Information:
  - a. Page 1, Lee Plan Analysis, response to policy 1.3.2, paragraph 3 refers to "General Commercial."
  - b. The CPA application was not signed. Provide a signed application.
  - c. The analysis for Objective 2.2 references an infrastructure map that does not appear to be in the application materials. Provide the map or revise the analysis.
  - d. The only letter of availability included in the application materials was for water and sewer. Provide letters of availability for Law Enforcement, Fire, and EMS.

## **LEGAL DESCRIPTION COMMENTS**

7. Provide a metes and bounds legal description that must be submitted specifically describing the entire perimeter boundary of the property with a state plane coordinate at the point of beginning and one at an opposing corner. The subject property contains wetlands, which requires a formal wetland determination from an appropriate state agency to change and should include a metes and bounds description of each wetland or future land use category.

## **ENVIRONMENTAL COMMENTS**

8. Provide a formal wetland jurisdictional determination approved by FDEP or SFWMD to support the request to amend the Wetlands future land use category. There is a formal wetland jurisdictional determination application under review by the SFWMD (APP No. 230731-39641) that contains a FLUCCS map depicting 8.35 wetland acres. Please address the discrepancy between FLUCCS maps. Please revise the Lee Plan analysis accordingly.
9. Once a formal wetland jurisdictional determination has been obtained, please revise the Environmental Impacts analysis, if necessary, to reflect site conditions. Please include:
  - a. Updated FLUCCS map
  - b. Updated map depicting wetlands, aquifer recharge areas, and rare & unique uplands
  - c. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state, or local agencies as endangered, threatened, or species of special concern. The table must include the listed species by FLUCCS and the species status (same as the FLUCCS map)
10. Provide a topographic map depicting the property boundaries and 100-year flood-prone areas indicated (as identified by FEMA) and a map delineating the property boundaries on the most recent Flood Insurance Rate Map. If the USGS Quadrangle Map was intended to satisfy these application requirements, please provide a legible copy.
11. Provide an analysis of Lee Plan policies 2.3.1, 2.3.2, and 33.1.7. Please provide an integrated surface and groundwater model to support the analysis. Please note Staff cannot evaluate the request without the model and model files. Please contact Staff for assistance in submitting the model files. Staff could not locate the hydrological report referenced by the applicant throughout the application.
12. Provide an analysis of Lee Plan Goal 126.

## TRANSPORTATION COMMENTS

13. Pass-by trip reduction cannot be more than 30% for retail uses.
14. Table 4A needs revision. Annual growth rates of around 8% for Bonita Beach Road and 9% for Logan Blvd are not sustainable. It is recommended not to include any COVID or post-COVID data; just consider pre-covid uninterrupted data for annual growth rate calculation and exponential equation for future background traffic estimation.

Public hearings 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. Feel free to contact Planning staff at (239) 533-8362 or [kwoellner@leegov.com](mailto:kwoellner@leegov.com) with any questions.

Respectfully,

**Lee County Department of Community Development**



Katie Woellner, AICP, Principal Planner, Planning Section

Cc: Case File