



Kevin Ruane
District One

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Mike Greenwell
District Five

Dave Harner
County Manager

Richard Wesch
County Attorney

Donna Marie Collins
County Hearing Examiner

March 28, 2024

Writer's Direct Dial Number: 239-533-8793

Fred Drovdlc
RVI Planning + Landscape Architecture
1514 Broadway, Suite 201
Fort Myers, FL 33901

Re: Minor Planned Development
Daniels Town Square MPD
DCI2022-00059

Dear Mr. Drovdlc,

The Zoning Section has reviewed the submission package for the above-referenced application in accordance with the Lee County Land Development Code (LDC). Please be advised that the application is insufficient at this time. The insufficiency comments must be addressed within thirty (30) calendar days of this letter, or the case will be considered withdrawn in accordance with the LDC. Please be advised that additional comments may follow once required documents and detailed analysis are submitted.

If you have any questions, please contact me at (239) 533-8793 or EWorkman@leegov.com.

Sincerely,
DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section
Electronically signed on March 28, 2024
Elizabeth A. Workman
Principal Planner
EAW

Zoning Review

1. The applicant must complete a new rezoning application form to provide up-to-date acreage, wetland acreage, wetland impacts, preserved wetlands, and density calculations. The project has changed since the first submittal that included the application.
2. The previous RAI stated that the stormwater management plan is based on the ERP that is under review and depicts a stormwater lake on Parcel 1 (parcel south of Three Oaks Extension). The MCP depicts vertical development on Parcel 1. The stormwater management plan must be consistent with the MCP.
3. Please note that the inconsistency between the ERP and the MCP will be explained in the staff report for the hearing examiner and may become an issue at time of hearing due to the offsite drainage structure and the design differences between the ERP and the MCP. Please explain what will change when the ERP is revised to be consistent with the MCP.
4. Revise the open space and indigenous open space calculations to reflect the current project acreage.
5. Revise the open space calculation to list each parcel acreage, the open space percentage, and required open space.
6. Revise the indigenous open space calculation to list the required indigenous open space for each parcel, the total indigenous open space required, and the indigenous open space provided that is shared by all the parcels including Parcel 5 and 6.
7. Revise the open space provided by the lakes. The project is limited to 3.26 acres of open space allocated from the lakes. Please provide.
8. Provide a cross section drawn to scale depicting the three-story commercial building located on the parcel south of Three Oaks Parkway. The cross section must depict the building, 15-foot buffer without the wall, all easements, and Indian Pony Drive. Staff has some concerns about large trees being proposed, creating a conflict with the building, and compatibility.

Planning Review

9. Section IV on page three of the Request Statement states that the MCP is requesting 1,342 dwelling units. Elsewhere in the application, the request is for 1,251 dwelling units. Clarify which request is correct.

10. Staff have several concerns with parts 4 and 5 of the application:

- b. Part 4 excludes impacted wetlands from the residential acreage. These areas should be included and measured at a density of 0.05 dwelling units per acre
- c. Part 4.A.4 of the application should include the non-residential areas of the overall site.
- d. Part 4.C should be equal to Part 4.A less Part 4.B
- e. The application appears to apply the entire acreage of the planned development to the calculation of density. The companion comprehensive plan amendment does not request the Mixed Use Overlay on the portion of the property below the future location of Three Oaks Parkway. Since that area is not proposed to have residential uses, it cannot be counted toward total density of the project.
- f. Staff is not able to independently calculate the same number of dwelling units allowed on the property as the applicant. Provide a detailed explanation of the calculation of density requested by the applicant.

Environmental Sciences Review

- 11. The applicant is demonstrating a 15-foot Type C without a buffer on the MCP. Please provide a deviation justification for the following request, as well as additional deviation triangles per 34-373 of the LDC.
- 12. The FLUCCS map demonstrates more indigenous wetlands than the first FLUCCS submitted. Please indicate if additional wetlands are being preserved/restored to meet the requirements of 10-415(b). Please note that now that there is additional indigenous FLUCCS codes, the applicant will have to provide a justification and deviation for a decrease in indigenous preserve area.
- 13. The MCP legend states "indigenous restoration=1.0 acre". However, no restoration is being proposed and the acreage of the wetland being preserved is 0.79 acres. Please revise the legend for consistency with the request.
- 14. The applicant has submitted an MCP with a general open space area. Please provide a breakdown of the open space for the mixed-use overlay portion of the development and the non-mixed use overlay area per LDC 34-373 and 10-415(a).
- 15. The first page of the indigenous management plan has the incorrect location, acreage, and site description. Please provide an indigenous management plan in accordance with the associated MCP. Staff cannot review the provided document.

MARCH 28, 2024
FRED DROVDLIC
DANIELS TOWN SQUARE MPD
DCI2022-00059

16. Within the indigenous management plan, the environmental consultant stated that the methodology utilized was "cruising". Please use a Lee County approved methodology per Ordinance 89-34.
17. A baseline monitoring report was provided as part of the indigenous management plan. Please note that zoning staff will not review the monitoring report, as it will be reviewed at time of development order.
18. Additional comments may follow after the next review.

Natural Resources

19. The MCP Phasing Plan depicts the final outfall being constructed during Phase 4. Please clarify if this will be constructed during Phase 1 or Phase 4?

DOT & TIS Review

20. Please submit an updated TIS showing the trip distribution.