



April 17, 2024

Elizabeth Workman
Principal Planner
Lee County Department of Community Development, Zoning Section
1500 Monroe Street
Fort Myer, FL 33908

**Re: RE: Pine Island Road CPD
DCI2023-00015**

Dear Ms. Workman:

Enclosed please find responses to your insufficiency letter dated *April 9, 2024*. The following information has been provided to assist with the approval process:

1. Insufficiency Comment Response Letter;
2. Revised Boundary Survey;
3. Request Statement & Lee Plan Compliance Narrative;
4. Revised Master Concept Plan;
5. Open Space Exhibit;
6. Revised Schedule of Deviations and Justifications; and
7. Indigenous Restoration Management Plan & Exhibits.

The following is a list of staff comments with our responses in **bold**:

Legal Review:

1. Sec. 34-202(a). Submittal requirements for applications requiring public hearing.
(6) Please provide a boundary survey of the subject property in accordance with the requirements of Lee County LDC §34-202(a)(6). The March 18 response indicates the Boundary Survey was updated. It is not found in the new documents. Please submit a new boundary survey with the required state plane coordinates.

RESPONSE: Please see revised Boundary Survey

Zoning Review:

1. Provide a deviation meeting the variance criteria for the internal accessway buffer for the mini-warehouse use. LDC Section 33-1581(b) requires a 20-foot-wide Type-D buffer that contains five trees per 100 linear feet and a double hedge. As discussed with staff, the other internal accessway buffers for the car wash and gas station, convenience food and beverage use require a 15-foot-wide buffer that contains five trees per 100 linear feet and a double hedge. A reduced buffer for the mini-warehouse demonstrating variance criteria could be supported through justification using the surrounding use requirements.

RESPONSE: See revised Schedule of Deviations and Justification and MCP. Deviation 3 has been added requesting for relief from LDC Section 33-1581(b) 20-foot-wide Type D buffer requirement to allow for a 15-foot-wide Type D buffer to allow for a consistent and continuous buffer width throughout the entire internal accessway. The MCP shows a 15-foot-wide buffer along the projects entire internal accessway.

Environmental Sciences Review:

1. Revise the Indigenous Restoration Management Plan to provide code compliant restoration specifications per LDC Section 10-415(b)(3)(b)5. Code states that restoration plant material must be one gallon and installed three foot-on-center. The restoration plan submitted by the applicant states that the groundcover will be one gallon installed eight foot-on-center. Revise to comply with code.

RESPONSE: See attached revised Indigenous Restoration Management Plan complying with the code requirement.

2. Provide a deviation that includes a variance justification for the ten-foot-wide buffer being proposed abutting the internal accessway for the warehouse and retail uses. As discussed on March 29, 2024, the code requires a 20-foot-wide buffer, and the applicant is providing a ten-foot-wide buffer. A deviation meeting the variance criteria must be provided.

RESPONSE: See revised Schedule of Deviations and Justifications which includes a section addressing variance criteria for deviation 3 requesting a 15-foot-wide buffer where a 20-foot-wide buffer is required along the internal accessway.

Thank you in advance for your consideration of this additional information. If you have questions, please contact me directly at (239) 908-3421 or jmedina@rviplanning.com.

Thank you,

RVi Planning + Landscape Architecture



Josephine Medina, AICP
Project Manager



Pine Island Road CPD Request Statement and Lee Plan Consistency Narrative

I. Summary

RVi Planning + Landscape Architecture (“Agent”) on behalf of Phoenix Associates of Florida (“Applicant”) is requesting approval to rezone 9.7+/- acre subject property (“Property”) from Commercial C-1, C-1A, and Agriculture AG-2 to Commercial Planned Development (CPD) to allow for development of a maximum of 121,800 SF of commercial space (to include a maximum 100,000 SF of mini-warehouse, 4,000 SF of carwash, 2,500 SF Auto Repair Services, 7,500 SF convenience food and beverage store with 16 self-service fuel pumps, or 5,000 SF fast-food restaurant, and 7,800 square feet of commercial retail uses).

The Property is located at the southwest corner of N. Cleveland Avenue and Pine Island Road in the North Fort Myers Community Planning Area. The site is designated within the Commercial Corridor per the North Fort Myers community-specific regulations and approximately 3.5 acres of the site are within the Mixed Use Overlay. In terms of future land use, approximately 5.1 acres have a Future Land Use designation of Intensive Development and approximately 4.6 acres have a Future Land Use Designation of Sub-Outlying Suburban.

II. Request

The proposed planned development will consist of a maximum of 121,800 sq. ft. of commercial space (to include a maximum 100,000 SF of mini-warehouse, 4,000 SF of carwash, 2,500 SF Auto Repair Services, 7,500 SF convenience food and beverage store with 16 self-service fuel pumps, or 4,000 SF or fast-food restaurant, and 7,800 SF of other commercial retail uses). Vehicular oriented uses have been proposed along the portion of the Property that is adjacent to Pine Island Road and Cleveland Avenue, two major arterials roadways, and these uses have been moved as far north and northeast of the subject property as possible from future and existing residential areas.

The site will have three (3) points of access, one access point through NE Pine Island Road (SR 78), which is a FDOT maintained 4-lane divided arterial roadway, a second access point through North Cleveland Avenue (US-41) which is a state-maintained 4-lane divided arterial roadway, and one additional access points through Herron Road, which is a county maintained 2- lane undivided local roadway. The access points further along Herron Road predominantly provide access to the mini-warehouse which is a commercial use which generally provides a low number of trips. As indicated by the Traffic Impact Statement (TIS) by TR Transportation Consultants the proposed mini-warehouse use is anticipated to have a maximum of 15 weekday P.M. peak hour trips limiting the amount of glare and noise impacting adjacent uses that is usually associated with the amount of vehicular traffic that commercial uses usually attract.

Uses have been sited within the development to allow for a transition of intensive uses from the arterial roadway frontage to the less intensive uses such as mini-warehouse, stormwater detention and preserve area towards the south and west of the development adjacent to existing and future residential uses.

The development will meet all external perimeter buffer requirements. As Identified in the MCP the property will have a 25-foot type D Landscape buffer per LDC Sec. 34-1353 along Pine Island Road and North Cleveland Avenue. Along Herron Road the Property will have a 30-foot type F Landscape buffer per LDC Sec. 10-416(d)(6) and contain 1 –acre preserve with a

minimum width of 110 feet. Along Pineapple Lane the development will have a 15-foot type D buffer per LDC Sec. 10-416(d)(3) followed by a large dry detention area. The Property will provide a 5-foot type landscape buffer to the east and no buffer to the south when adjacent to the southeast commercial parcel at the intersection of Pineapple Lane and Cleveland Avenue which contains an existing auto service repair business.

Internal accessways within the development shall provide 15-foot type D buffers to provide better walkability within the site through the addition of trees and also to shield site users from headlight shine, wayward vehicles, and to better defining parking boundaries. When adjacent to convenience food and beverage stores with or without gas pumps, automobile service stations with or without gas pumps, fast food restaurants, and car washes use the buffer consist of a 15-foot type D buffer per LDC Section 34-1353(e)(1).

The Property itself as previously mentioned has an approximately 3.49 acres within the Mixed-Use Overlay requiring 0.70 acres or 20% of open space and approximately 6.22 acres are outside of the Mixed-Use Overlay and the project is considered a large development therefore requiring 1.87 acres or 30% of open space. The project will therefore provide a minimum total open space of 2.56 acres. In addition, publicly accessible open space equaling 0.35 acres or 10% of the 3.49 acres of the property located within the Mixed-Use Overlay will be provided within the development. This publicly-accessible open space has been centered in proximity to the eastern property line which has frontage to an arterial roadway and provides sidewalk connection to a nearby bus stop. In compliance with the LDC a minimum of 50% of the open space requirement of the development or 1.29 acres is provided as part of this development. The site consists of 1.00 acre of on-site native preserve plus up to 135% credit per LDC Section 10-415(B)(3)(a) for preservation of indigenous upland plant communities & 10-415(B)(3)(b)(4) for preservation adjacent to a roadway equaling 1.35 acres meeting the minimum 1.29 acres of native preserve required. The Applicant has proposed native vegetation restoration in areas within the 1 acre preserve where this is not met. This preserve area has been located along a portion of the western and southern property line and a dry water detention area is proposed along a portion of the southern property line assuring any impacts from commercial uses of the proposed development are located more towards the intensive arterial frontage roads to the north of the development.

The development will also adhere to outdoor lighting standards outlined in LDC Section 34-625 addressing reduction of light pollution and glare to adjacent properties.

The Applicant is requesting three (3) deviations from LDC requirements as part of this application. Deviations relate to parking lot access width, mini-warehouse parking requirements, and internal right-of-way buffer requirements within the North Fort Myers Planning Area. Please refer to the Deviation & Justification Narrative enclosed in this application, which includes responses to Variance Criteria for deviation 3.

III. Existing Conditions & Property History

The Property is located at the southwest intersection of NE Pine Island Road and NE Cleveland Avenue within the North Fort Myers Planning Community in Lee County. The property consists of 11 parcels in total with varying degree of development. The parcel located along the northeast corner of the development consists abandoned gas station and the parcels along the south and southwest use to be single-family homes site and currently consist of cement house pads and driveways. Approximately 3.49 +/- acres of the northwestern portion of the Property are located within the Mixed-Use Overlay and approximately 5 +/- acres are Already zoned commercial under the C-1 or C1-A zoning districts. The northeast corner of the Property is currently owned

by Pine Island Express Car Wash, LLC, with the remaining property being owned by 41 Pine RRV, LLC both LLC's contain the same officers.

IV. Surrounding Land Use Pattern

The Property is within an urban area, at the intersection of two major arterial roadways and in close proximity to the Cape Coral City Boundary to the west of the property. A portion of the property is within the Mixed-Use Overlay which surrounds the property to the east, north and south along Pine Island Road and Cleveland Avenue. The predominant uses and zoning surrounding the Property are commercial and are located to the east, west, north and south of the Property along Cleveland Avenue and Pine Island. Some vacant agriculturally zoned properties and existing residential exists to the west and south of the Property along Herron Road and Pineapple Lane

The Property and surrounding areas are designated for future growth under the Intensive Development, Sub-Outlying Suburban Future Land Use and ley within the Mixed-Use Overlay (Map 1- C of Lee Plan).

Table 1 below further defines the abutting Future Land Use designations, zoning districts and existing land uses.

Table 1: Inventory of Surrounding Lands

	FUTURE LAND USE	ZONING DISTRICT	EXISTING LAND USE
NORTH	Intensive Development	CPD (Commercial Planned Development)	Pine Island Road ROW/Vacant/Bank
SOUTH	Sub-Outlying Suburban	AG-2 (Agricultural)	Pineapple Lane ROW/Vacant
EAST	Intensive Development	C-1 (Commercial)/CC (Community Commercial)	N. Cleveland ROW/ Retail
WEST	Intensive Development/Sub-Outlying Suburban/Multiple Family Residential (City of Cape Coral)	C1-A(Commercial) /AG-2 (Agricultural)/Residential Multi-family-low (City of Cape Coral)	Pineapple Lane ROW/Residential/Vacant

The proposed commercial development will be an extension of what is already a commercial corridor along Pine Island Road and Cleveland Avenue.

V. Public Infrastructure

The commercial uses will be serviced by Florida Governmental Utility Authority for wastewater treatment and Lee County Utilities for potable water. Letters from both of these entities have been provided to identify availability of sewer and potable water for the proposed development program. The surrounding roadway network has adequate capacity and mitigation of the project will be the payment of road impact fees as set forth in the accompanying Traffic Impact Statement prepared by TR Transportation Consultants, Inc. There are adequate community facilities and services in the immediate vicinity of the project, including Law Enforcement, Fire and EMS as identified in submitted Public Infrastructure Map which identifies Law Enforcement, EMS and Fire Stations within a 3 Mile Radius of the subject development.

VI. Lee Plan Compliance

The following is an analysis of the CPD's consistency with the goals, objectives, and policies of the Lee County Comprehensive Plan (Lee Plan).

POLICY 1.1.2: The Intensive Development future land use category is located along major arterial roads. By virtue of their location, the County's current development patterns, and the available and potential levels of public services, areas with this designation are suited to accommodate high densities and intensities. Mixed use developments of high-density residential, commercial, limited light industrial, and office uses are encouraged to be developed as described in Objective 11.1, where appropriate. The standard density range is from eight dwelling units per acre (8 du/acre) to fourteen dwelling units per acre (14 du/acre), with a maximum total density of twenty-two dwelling units per acre (22 du/acre). The maximum total density may be increased to thirty dwelling units per acre (30 du/acre) utilizing Greater Pine Island Transfer of Development Units.

In compliance with this policy, the Property has 5.1 +/- acres within this future land use category and are located in an area predominately comprised of a mixture of residential and commercial uses. The subject property is located at the intersection of two major arterial roads, Cleveland Avenue and Pine Island Road. The available public services in the area are suited to accommodate the proposed commercial intensities. As outlined in this application, the rezone will be consistent with and uphold the intent of the Intensive Development future land use category by allowing the Property to be developed with commercial uses typically found in this land use category such as convenience food and beverage and self-service fuel pumps which provide needs and services to users of high-volume major arterials like Pine Island Road and Cleveland Avenue. The development has been sited to assure more auto-oriented intense uses are located adjacent to these major arterials providing a transition to more concentrated residential uses to the south west of the site. No industrial uses are being proposed within this development.

POLICY 1.1.11: The Sub-Outlying Suburban future land use category is characterized by low density residential areas. Generally, the infrastructure needed for higher density development is not planned or in place. This future land use category will be placed in areas where higher densities would be incompatible or where there is a desire to retain a low-density community character. Industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to two dwelling units per acre (2 du/acre). 1 Bonus densities are not allowed.

In compliance with this policy, the Property's 4.6 +/- acres within this future land use designation are located adjacent to low residential density area to the west and south. This low density residential development is known as the Mariana Park Subdivision which generally consists of 1-acre single family lots. No industrial uses are proposed. The type of commercial intensity being proposed by the application within this land use category are compatible with low-density community characteristics. Type of uses proposed in these Sub Outlying designated areas of the site are limited to preserve, stormwater management and mini-warehouse, which is a low-traffic generator and known to be a generally inconspicuous commercial use.

POLICY 1.6.5: The Planning Districts Map and Acreage Allocation Table (Map 1-B and Table1(b)) depict the proposed distribution, extent, and location of generalized land uses through the Plan's horizon. Acreage totals are provided for land in each Planning District in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the

acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded.

The CPD Rezone is consistent with the above policy and do not exceed acreage allocations provided for in Table 1(b) Year 2045 Allocation of the Lee County Comprehensive Plan which provides for 1,121 remaining acres for commercial uses within North Fort Myers. The remaining allocated acreage within Southeast Lee County after the 10 +/- acre development are removed would be 1,111 acres.

GOAL 2: GROWTH MANAGEMENT. To provide for an economically feasible plan which coordinates the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources.

OBJECTIVE 2.1: DEVELOPMENT LOCATION. Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.

POLICY 2.1.1: Most residential, commercial, industrial, and public development is expected to occur within the designated future urban areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.

The Property is located within the designation of future urban areas having a future land use designation of Intensive Development and Outlying Suburban indicative of the expected commercial growth in this areas as proposed by this rezoning application.

POLICY 2.1.2: New land uses will be permitted only if they are consistent with the Future Land Use Map and the goals, objectives, policies, and standards of this plan.

The proposed land uses in this PD are consistent within the Intensive Development and Outlying Suburban land use categories and all other applicable goals, objectives, policies, and standards of the Lee Plan.

OBJECTIVE 2.2: DEVELOPMENT TIMING. Direct new growth to those portions of the future urban areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in §163.3164, Fla. Stat.) will be granted only when consistent with the provisions of §163.3202(2)(g) and § 163.3180, Fla. Stat. and the concurrency requirements in the LDC.

POLICY 2.2.1: Rezoning and DRI proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

As identified by the public infrastructure map which identifies public services up to 3 miles away from the property there is adequate EMS, fire and police protection to service the proposed development. A potable water availability letter from Lee County Utilities and sewer availability letter from Florida Governmental Utility Authority identify services are available for the proposed development.

POLICY 2.2.2: The Future Land Use Map indicates the uses and density ranges that will ultimately be permitted on a given parcel. However, it is not a guarantee that such densities or uses are immediately appropriate, as the map provides for the County's growth beyond the 2045 planning horizon. During the rezoning process the Board of County Commissioners will balance the overall standards and policies of this plan with three additional factors:

- 1. Whether a given proposal would further burden already overwhelmed existing and committed public facilities such that the approval should be delayed until the facilities can be constructed; and***

The proposal will not further burden already overwhelmed existing and committed public facilities; the proposed development will be adequately serviced by public facilities such as Solid Waste, Fire, EMS, Law Enforcement and potable and sanitary sewer.

- 2. Whether a given proposal is for land so far beyond existing development or adequate public facilities that approval should be delayed in an effort to encourage compact and efficient growth patterns; and***

The proposal is to redevelop and develop an infill site with commercial development to the north, northeast and east of the property already encouraging compact and efficient growth patterns.

- 3. Whether a given proposal would result in unreasonable development expectations that may not be achievable because of acreage limitations contained in the Acreage Allocation Table (see Table 1(b)). In all cases where rezoning is approved, such approval does not constitute a determination that the minimum acceptable levels of service (see Policy 95.1.3) will be available concurrent with the impacts of the proposed development. Such a determination must be made prior to the issuance of additional development permits, based on conditions which exist at that time, as required by Lee County's concurrency management system.***

As previously mentioned in relation to consistency with Policy 1.6.5 the CPD Rezone will not result in an unreasonable development and is achievable by the acreage allocations provided for in Table 1(b) Year 2045 Allocation of the Lee County Comprehensive Plan which provides for 1,121 remaining acres for commercial uses within North Fort Myers. The remaining allocated acreage within Southeast Lee County after the 10 +/- acre development are removed would be 1,111 acres.

STANDARD 4.1.1: WATER.

- 1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Fla. Admin. Code R. 62-550)...***

The proposed development will connect to a public water system serviced by Lee County Utilities (LCU).

STANDARD 4.1.2: SEWER.

- 1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system...***

The proposed development will connect to the sanitary sewer system serviced by Florida Government Utility Authority (FGUA).

GOAL 6: COMMERCIAL LAND USES. To permit orderly and well-planned commercial development at appropriate locations within the county.

The Commercial Planned Development (CPD) is located at the intersection of two major arterial roadways, serviced by potable water and sanitary sewer and will have adequate community facilities and services in the immediate vicinity of the development. The development itself is proposing to have uses that complement one another allowing for users of the site to have multiple vehicular/commercial needs met within one development. The proposed CPD meets the objectives and policies of the North Fort Myers Community Plan.

POLICY 6.1.1: All applications for commercial development will be reviewed and evaluated a to:

- 1. Traffic and access impacts (rezoning and development orders);***
- 2. Landscaping and detailed site planning (development orders);***
- 3. Screening and buffering (planned development rezoning and development orders);***
- 4. Availability and adequacy of services and facilities (rezoning and development orders);***
- 5. Impact on adjacent land uses and surrounding neighborhoods(rezoning);***
- 6. Proximity to other similar centers (rezoning); and***
- 7. Environmental considerations (rezoning and development orders).***

As previously identified the CPD will have direct access through NE Pine Island Road (SR 78) and North Cleveland Avenue (US-41) arterial level roadways intended for commercial land uses. Per the TIS by TR Transportation Consultants, Inc., there will not be a detrimental impact on the surrounding roadway system as a result of this development. The document goes on to state that US-41 and Pine Island Road east of US-41 is shown as operating above the minimum adopted Level of Service (LOS) "C" with or without the addition of the proposed development. Pine Island Road west of US-41 is shown as operating below the minimum adopted Level of Service LOS "F" before any of the project trips are added to the roadway, which is a pre-existing roadway deficiency. An internal accessway within the development will also allow for the ability to access uses from within the development without the need to exit to an external roadway, which is furthered by the proposed interconnection to the existing commercial development southwest of the Property. Any required off-site traffic improvements will be evaluated and determined at the time of local development order review in full compliance with the LDC.

The CPD will comply with the LDC standards for buffering and the project will be permitted through the Lee County development order process. As Identified in the MCP the property will have a 25-foot type D Landscape buffer per LDC Sec. 34-1353 along Pine Island Road and North Cleveland Avenue. Along Herron Road the development will provide a 30-foot type F landscape buffer per LDC Sec. 34-1353 and a 1-acre preserve. The Property will provide a 5-foot type landscape buffer to the east and no buffer to the south when adjacent to the southeast commercial parcel at the intersection of Pineapple Lane and Cleveland Avenue which contains an existing auto service repair business. Along Pineapple Lane adjacent to the dry retention area and where no preserve is located a 15-foot type D buffer will be provided per LDC Sec. 10-416(d)(3).

The Property will be serviced FGUA for central sewer and LDC for central water. The application demonstrates adequate capacity in terms of traffic, law enforcement, fire and EMS.

The development will not negatively impact adjacent land uses, and will be well buffered, and integrated into the commercial frontage along Cleveland Avenue and Pine Island Road. Except for the commercial property to the southeast of the site the Property is adjacent to multiple right of ways which provides addition distance from adjacent uses. Commercial developments are located to the north, and east of the subject property across from Pine Island Road and Cleveland Avenue rights-of-way. The closest residential uses/zoning is separated by Herron Road to the west and Pineapple Lane to the south which are 50 foot wide right of ways. Additional separation and reduction of any impacts from commercial uses to surrounding existing and future proposed residential will be provided by the development via a 1 acre preserve and stormwater detention area along the southern edge of the property as well as buffering in the form of a 30-foot F-type buffer along Herron Road and a 15-foot type D buffer along Pineapple Lane. Vehicular oriented commercial uses have been sites to assure the greatest protection to the residential zoned properties from impacts by placing them abutting the arterial roadways. Furthermore, development regulations such as setbacks and landscape buffers as already discussed above will be placed along Herron Road and the adjacent ROWs to provide protection to surrounding neighborhoods.

The internal access way of the development running from the Herron Road to the Cleveland Road access point will provide a 15-foot type D buffer. Where the internal accessway is adjacent to convenience food and beverage stores with or without gas pumps, automobile service stations with or without gas pumps, fast food restaurants, and car washes uses a 15-foot type D buffer in accordance to LDC Section 34-1353(e)(1) will be met. These internal buffers will serve to further reduce any impact to the exterior of the development and help encourage walkability through the provision of more vegetation and shade along the internal accessway.

The site is proximate to other commercial uses to the east, west, north and south of the site and is partially located within the Mixed-Use Overlay. The width, depth and size of the site allows for the ability of a commercial development that sustains an array of commercial uses that would help avoid the proliferation of strip development along Cleveland Avenue and Pine Island Road.

As identified by the Environmental Assessment and Listed Species Survey prepared by BearPaws Environmental Consulting no listed animal species were observed on the Property. The Assessment goes on to state the Property consists of FLUCCS 140 – Commercial (Abandoned, Upland), and 420 – Mixed Upland Forest (Upland). The FLUCC map estimates 1.65 +/- acres of Commercial (Abandoned) along the northeast corner of the Property and 8.06 +/- acres of Mixed Upland Forest based on aerial and site observations. Consistent with Policy 124.1.2 of the Lee Plan any impacts to wetlands as a result of this commercial development shall be consistent with the non-residential uses permitted in the immediate Intensive Development and Sub-Outlying Suburban future land use category. The development of this project and any impacts on wetlands will be mitigated in accordance with an approved Environmental Resource Permit (ERP) and meet any conditions set forth by the authorizing state agency.

POLICY 6.1.4: Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities.

As demonstrated within this application the commercial development will be at the intersection and have direct access to two major arterial roadways, and will have adequate capacity in terms of traffic, Law Enforcement, Fire, EMS, and will connect to public sewer and water services. The proposed development will be compatible with adjacent existing and proposed land uses which are primarily commercial in nature and are separated by existing rights-of-way. The development has been situated to assure uses that are more vehicularly oriented are placed as far away from the surrounding residential area to the west, south and southwest of the property. In addition to buffering and screening a stormwater detention area and a 1-acre on-site preserve has been situated along the southern and western boundary of the property to assure additional setback open space between the agriculturally zoned properties that are a part of the platted Mariana Park residential subdivision.

POLICY 6.1.6: The land development regulations will require that commercial development provide adequate and appropriate landscaping, open space, and buffering. Such development is encouraged to be architecturally designed so as to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses.

The development regulations provided for the CPD will meet or exceed the buffering and screening requirements within the LDC for commercial and additional site design requirements for convenience food and beverage stores, automobile service stations, fast-food restaurants, and car washes as outlined in Sec 34-1353. The architectural features of the buildings will meet LDC requirements outlined for the North Fort Myers Commercial Corridor architectural standards. The proposed development will provide the required open space of 2.56 acres and an additional 0.35 acres of publicly accessible open space as required by the commercial corridor design standards. The development provides pedestrian walkways and linkages throughout the development as well as street furniture and public amenities. Furthermore, as identified in the MCP the required publicly accessible open space has been centrally consolidated in close proximity and with direct pedestrian access to a public transit stop.

POLICY 6.1.7: Prohibit commercial developments from locating in such a way as to open new areas to premature, scattered, or strip development; but permit commercial development to infill on small parcels in areas where existing commercial development would make a residential use clearly unreasonable.

The development will be located upon 9.71 acres along the at the intersection of Pine Island Road and Cleveland Avenue where commercial uses are the prevalent land use to the north and east of the subject property. Across from Pine Island Road are various commercial planned development and commercial conventionally zoned properties containing such uses as a restaurant, retail, pharmacies, hardware stores, groceries and banks.

The property is a commercial infill development looking to redevelop an existing abandoned gas station as allowing for the development of underutilized vacant properties located at a major intersection.

POLICY 6.1.8: Prohibit commercial development from locating near existing or planned school areas in such a way as to jeopardize the safety of students.

The development is not located near existing planned school areas.

POLICY 6.1.10: Provide appropriate requirements and incentives for the conversion of strip commercial development into series of discrete, concentrated commercial areas.

The CPD rezone will allow for the conversion of strip commercial development along Cleveland Avenue into a concentrated commercial area with an internal road to access commercial lands that go beyond the arterial road frontage.

POLICY 6.1.11: Encourage the upgrading or revitalization of deteriorating commercial areas, but prohibit the expansion or replacement of commercial uses which are inappropriately located or that have an adverse impact on surrounding residential and non-residential uses. Such revitalization includes, but is not limited to: store-front renewal, sign control, and the provision of common parking areas and consolidated access.

The proposed development will revitalize a deteriorating, abandoned gasoline station at the northeast corner of the property which is highly visible from the public roadway network. The property will be redeveloped to meet current LDC code requirements for buffers and screening, commercial building standards, as well as urban design guidelines identified within the North Fort Myers Planning Community. The development will assure no adverse impacts on surrounding residential and non-residential uses through development regulations and buffering as well as assuring the intensity of uses are appropriately sited from most intense to less intense uses being located towards the interior of the development towards the south and west of the site where residential zoning and uses exists. For example, the development is sited so that a 1-acre preserve is located primarily along Herron Road followed by area 30 foot type-F buffer protecting providing visual and noise barriers to the adjacent Mariana Park Subdivision to the west of Herron Road. The location of uses has also been sited so that the generally unobtrusive commercial use of mini-warehouse being located at the most southwest location adjacent to the preserve and dry retention and with the comparatively more intensive uses such as carwashes located the north of the property along the frontage of major arterials and surrounded by commercial uses. Access points have been limited to Pine Island Road, Cleveland Avenue and Herron Road. Pine Island Road and Cleveland Avenue are identified as the main ingress and egress points to the development. The Herron Road access has been limited to one access points and this ROW will be heavily screened by buffers and an on-site vegetative preserve area. Furthermore, the vacant development directly to the west of Herron Road with frontage on Pine Island Road is slated to be more intense development with C1-A zoning and a future land use category of Intensive Development reducing the incompatibility of future development of this property and the proposed development.

OBJECTIVE 11.2: MIXED USE OVERLAY. The County will maintain an Overlay in the future land use map series identifying locations appropriate for mixed use located in proximity to: public transit routes; education facilities; recreation opportunities; and, existing residential, shopping and employment centers. Mixed Use, Traditional Neighborhood, and Transit Oriented development patterns are encouraged and preferred within the Mixed Use Overlay.

POLICY 11.2.1: The Mixed Use Overlay identifies locations where mixed use development will have a positive impact on transportation facilities though increased transit service, internal trip capture, and reduced travel distance. Requests to expand the Mixed Use Overlay will be evaluated based on all of the following criteria:

- 1. Located within the extended pedestrian shed of established transit routes; and***

- 2. Distinct pedestrian and automobile connections to adjacent uses can be achieved without accessing arterial roadways; and***
- 3. Located within the Intensive Development, Central Urban, or Urban Community future land use categories; and***
- 4. Availability of adequate public facilities and infrastructure; and***
- 5. Will not intrude into predominately single-family residential neighborhoods.***

The proposed development is not requesting to expand the Mixed Use Overlay.

POLICY 11.2.2: Development in the Mixed Use Overlay should accommodate connections to adjacent uses.

The proposed development accommodates connections to the property located southwest of the Property this is the only adjacent land use to the subject property as the property is surrounded by right-of-way along all other property lines.

POLICY 11.2.3: At the discretion of the Board of County Commissioners, the Mixed Use Overlay boundary may be extended up to one-quarter mile to accommodate developments located partially within a Mixed Use Overlay or immediately adjacent to a Mixed Use Overlay.

No extension to the Mixed Use Overlay is being proposed.

POLICY 11.2.4: Use of conventional zoning districts will be encouraged within the Mixed Use Overlay in order to promote continued redevelopment.

The applicant is already proposing redevelopment of this Property within a Planned Development to allow for the complete and unified development of this property along a major intersection.

OBJECTIVE 17.3: PUBLIC INPUT. To provide opportunities for public input as part of the comprehensive plan and land development code amendment process.

POLICY 17.3.5: Additional public information meetings may be required as provided in the LDC.

The Property is located within the North Fort Myers Community and a public information meeting about the proposed request was held at the North Fort Myers Recreation Center 2000 N. Recreation Park Way during the North Fort Myers Planning Community panel on February 6, 2024 meeting requirements outlined in LDC Sec 33-1532. Public meeting materials including meeting summary, list of attendees and affidavit of publication have been provided.

GOAL 30: North Fort Myers Community Plan. Improve the livability and economic vitality in the North Fort Myers Community Plan area by: promoting compact, mixed use development in the form of town and neighborhood centers; attracting appropriate investment to revitalize older neighborhoods and commercial corridors; stabilizing and enhancing, existing neighborhoods; and preserving natural resources.

POLICY 30.2.5: Certain areas along major road corridors outside designated Town Centers and Neighborhood Centers, are located within a Corridor Overlay District

with provisions in the LDC requiring enhanced landscaping, greater buffering and shading of parking areas, improved commercial signage, enhanced standards to ensure architectural quality and compatibility, and incentives for quality development. Within the Corridor Overlay District, deviations from landscaping, buffering, signage or architectural requirements may not be granted, unless the request meets the approval criteria for variances set forth in the LDC, Chapter 34.

The Property is within the Commercial Corridor Overlay and the development proposes to meet or exceed all the required enhancements required within this overlay per the LDC, with the exception of requested deviations which will meet approval variance approval criteria, where necessary as further explained in the Schedule of Deviations and Justification.

POLICY 30.2.6: Development within the Town and Neighborhood Centers and the Corridor Overlay Districts may use the development standards allowed within the Mixed Use Overlay.

The Development is proposing to use development standards of the Mixed-Use Overlay within the 3.49 acres identified as mixed use providing 0.35 publicly accessible open space and pedestrian and bicycle access and interconnection throughout the site. The maximum heights proposed for this development will not exceed 45 feet in line with Sec. 34-2175.

POLICY 30.2.7: Maintain land development incentives for bringing older development into compliance with current regulations.

The Property as it exists today contains an abandoned gas station that does not meet the existing buffer requirements or North Fort Myers LDC urban design requirements or open space requirements. Towards the southwest corner what remains are residential concrete pads and driveways of vacant residential lots. The proposed development will allow for a 9.71 +/- acre property located at a major intersection of the North Fort Myer Planning community to be brought up to meet or exceed LDC code requirements, except where deviations are being requested, in full compliance with this policy.

POLICY 30.2.8: The following uses are prohibited within the North Fort Myers Community Plan area: "detrimental use" as defined in the LDC.

The development will not contain any "detrimental uses" as identified in the proposed schedule of uses provided with this application.

POLICY 125.1.2: New development and additions to existing development must not degrade surface and ground water quality.

The Applicant will obtain the requisite Environmental Resource Permit (ERP) from the South Florida Water Management District. The site design will ensure pretreatment of stormwater prior to discharge off-site and maintain compliance with all local and state requirements relating to surface and ground water quality.

VII. Review Criteria

Per LDC Sec. 34-145(d)(4)(a)1 the following review criteria is met through this request:

a) Complies with the Lee Plan;

The proposed CPD is consistent with the uses set forth in the Intensive Development and Sub-Outlying Suburban Future Land Use designation as well as the North Fort Myers Community Plan Goals and Policies. The CPD's compliance with the Lee Plan Planned Development is described in more detail above within Sec. VI of this request statement.

b) Meets this Code and other applicable County regulations or qualifies for deviations;

The proposed rezoning will meet or exceed LDC code requirements, except where a deviation is requested and demonstrates the protection of public health, safety and welfare as further identified within the Deviation and Justification narrative provided with this application.

c) Is compatible with existing and planned uses in the surrounding area;

The proposed commercial development and uses identified in the CPD schedule of uses will be compatible with both existing and planned uses in the surrounding area which are primarily commercial in nature and of similar intensity as the proposed commercial uses. The site has been situated to ensure vehicular oriented uses and areas are placed as far north and east as possible away from existing and future residential areas to the south and west of the Property. In addition to buffering and screening of the site from adjacent rights-of-way the majority of the western property line consists of 30-foot type F buffer followed by a 1-acre vegetated preserve with a minimum 50-foot width along Herron Road protecting residential from the proposed commercial uses and the generally inconspicuous commercial use of mini warehouse. The preservation area and stormwater detention area has been situated along the southern and western boundary of the property to assure additional setback open space between the agriculturally zoned properties that are a part of the platted Mariana Park residential subdivision. A 15' foot type D buffer along Pineapple Lane where the preserve is not located provides further reduction of impacts to these properties to the south. Furthermore, site development requirements have been provided to safeguard any impacts on surrounding areas.

d) Will provide access sufficient to support the proposed development intensity;

The property will provide three (3) points of access, one access point through NE Pine Island Road (SR 78), which is a FDOT maintained 4-lane divided arterial roadway, a second access point through North Cleveland Avenue (US-41) which is a state-maintained 4-lane divided arterial roadway, and one (1) additional access points through Herron Road, which is a county maintained 2-lane undivided local roadway.

e) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;

Approval of the request will not have a significant impact on the surrounding roadway network. As identified in the Traffic Impact Statement by TR Transportation Consultants, Inc., US-41 and Pine Island Road east of US-41 is shown as operating above the minimum adopted Level of Service (LOS) "C" with or without the addition of the proposed development. Pine Island Road west of US-41 is shown as operating below the minimum adopted Level of Service LOS "F" before any of the project trips are added to the roadway, which is a pre-existing roadway deficiency. Furthermore, the project will require development order approval prior to site development activities and the project's impacts will also be evaluated at that time.

f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and

The proposed development will not adversely affect environmentally critical or sensitive areas and natural resources. As per the MCP will maintain 2.56 acres of open space in compliance with LDC § 10-415(a) which includes a 1-acre on-site preserve. No listed species were observed on the site per the Environmental Assessment and Species Survey Report prepared by Bearpaw Environmental Consulting. The FLUCCS map estimates 1.65 +/- acres of Commercial (Abandoned) along the northeast corner of the Property and estimates 8.06 +/- acres of Mixed Upland Forest community with portions including old single-family home sites with cement driveways and cement house pads.

g) Will be served by urban services, defined in the Lee Plan, if located in a Future Urban area category.

As demonstrated by this application the site will be serviced by urban services as far as terms of supporting transportation infrastructure, Fire, EMS, and sewer and water.

Furthermore, the development is consistent with the review criteria for planned developments:

a) The proposed use or mix of uses is appropriate at the proposed location;

This request modifies zoning from AG-2, C-1, and C1-A to CPD the proposed uses are appropriate for a location located at the intersection of two major arterial roadways that are supportive of the increased commercial use being proposed. The proposed uses on the site are complimentary to each other and serve the needs of the surrounding neighborhood and traveling public. The property is located within the commercial corridor a commercial corridor and not directly adjacent to any residential uses.

Furthermore, the development proposes interconnection to an existing auto service repair use located at the intersection of Pineapple Lane immediately adjacent to the Property and which is compatible and complimentary to the proposed CPD uses.

b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.

Buffering, setback, and minimum lot area requirements for this CPD have been provided in compliance with the supplementary site development regulations contained in LDC Section 34-1353 for convenience food and beverage stores, automobile service stations, fast-food restaurants, and car washes. Additional development regulations such as a maximum height of 45 feet and minimum lot coverage of 40% are provided to provide a greater safeguard for any expected impacts to the public. The Property is separated from existing and proposed residential uses to the west and south by 50-foot right of ways. To provide addition setbacks and open space from this residential uses the development has been designed to place a dry detention area and 1 acre of on-site preserve along the west corner of the site providing additional safeguards to any impacts from the proposed commercial development to existing and proposed residential.

c) If the application includes deviations pursuant to section 34-373(a)(9), that each requested deviation:

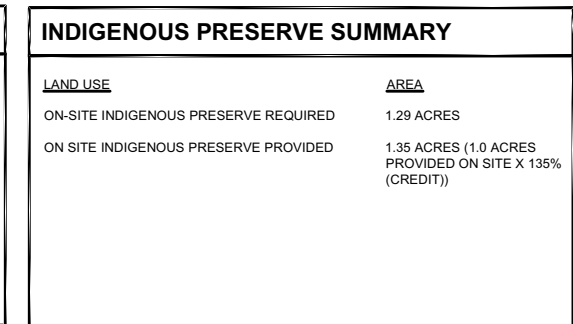
***1)Enhances the achievement of the objectives of the planned development; and
2)Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.***

As further identified in the Deviation and Justification narrative provided the requested deviations will serve to will enhance the objectives of the planned development allowing for flexible design within the CPD and will preserve and promote the protection of public health, safety and welfare.

VIII. Conclusion

The proposed CPD has demonstrated the proposed commercial uses will be compatible with the surrounding development pattern and support the County's intent for the Intensive Development future land use designation, Sub-Outlying Suburban future land use designation, and North Fort Myers Community Plan by directing commercial development along arterial corridors and Mixed-Use Overlay.

The proposed development will help revitalize a highly visible major intersection within the North Fort Myers Community by bringing the development and the existing abandoned commercial site up to code including, building/architectural standards, buffering and landscape screening along the Pine Island Road and Cleveland Avenue rights-of-way. The CPD promotes needed commercial uses and buildings into a concentrated development with an internal road to access the various commercial uses within the development as opposed to scattered strip development along roadway frontages. The CPD will meet or exceed the standards set forth in the LDC in a manner that reduces impacts to surrounding residential uses and allows for flexibility to respond to changing market demand. For these reasons, the Applicant respectfully requests approval of this PD rezoning as proposed.



No.	Revision/Issue	Date
	REVISED BUFFERS	04/10/24
	REVISED LAYOUT	01/11/24
	ISSUE FOR DCI REVIEW COMMENTS	09/01/23
	ISSUE FOR REVIEW	01/23/23



INFINITY

INFINITY ENGINEERING
GROUP, LLC

1208 East Kennedy Boulevard
Suite 230
Tampa, Florida 33602
[p]: 813.434.4770
[f]: 813.445.4211
www.iegroun.net
FL Cert. of Auth. No. 27889

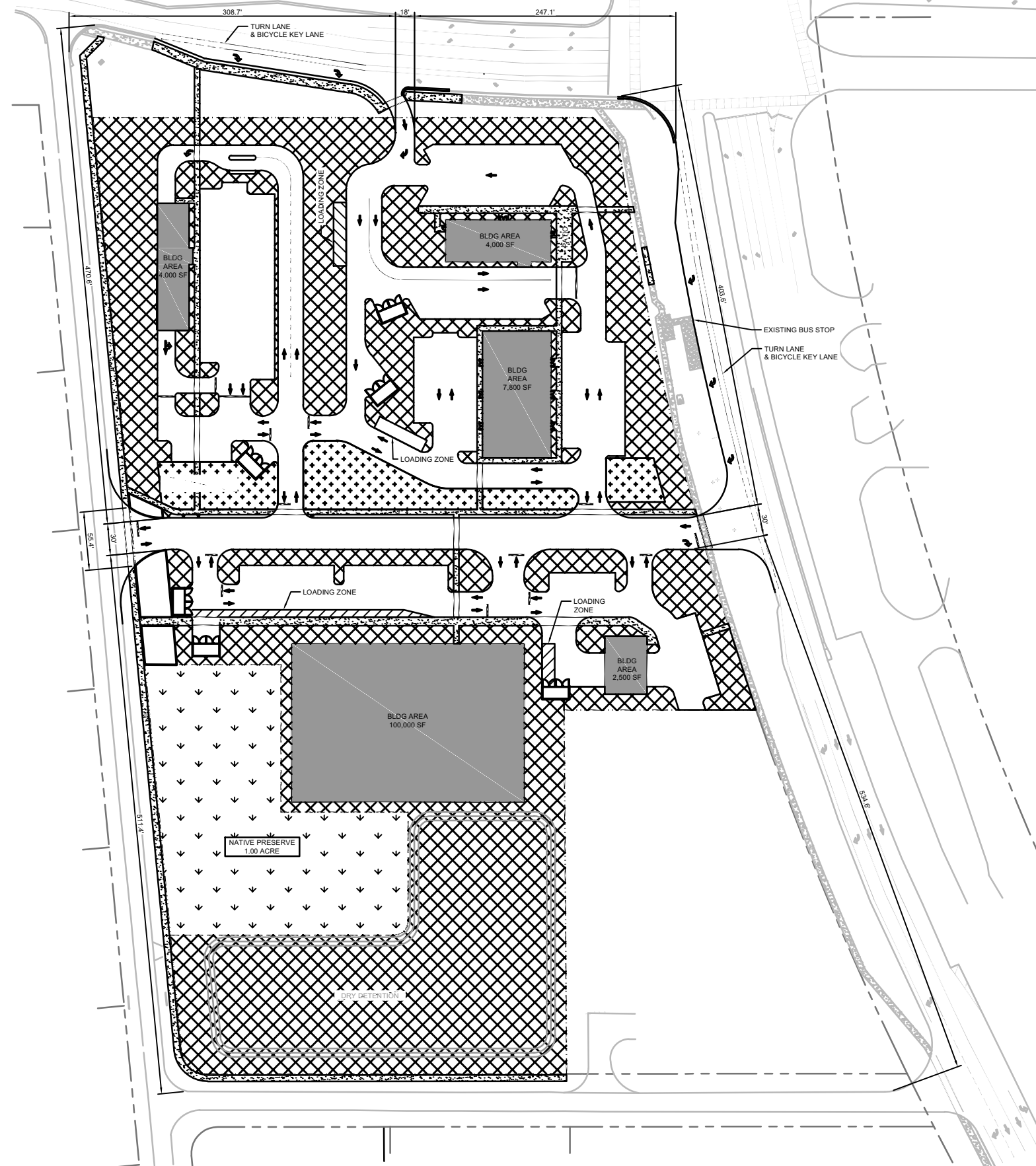
[illegible]

NISIT SAPPARKHAO, P.E.
FL REG. NO. 64085

DATE

Project Name and Address	PINE ISLAND ROAD CPD SWC OF N CLEVELAND AVE & NE PINE ISLAND RD LEE COUNTY, FLORIDA 33903
Sheet Title	MASTER CONCEPT PLAN

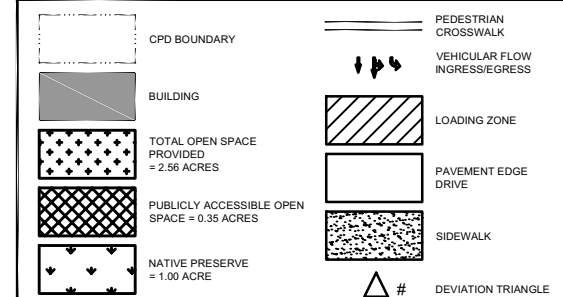
Project No. 300-21.00	Sheet MCP.1
Date 01-23-23	
Scale AS NOTED	



PROJECT SUMMARY

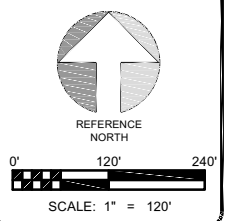
SITE LOCATION:	SWC OF N CLEVELAND AVE & NE PINE ISLAND RD LEE COUNTY, FL 33903
PROJECT AREA:	9.71 ACRE ±
STRAP NUMBER:	0344240100000008B 0344240100000008A 03442401000000080 03442406000000040 03442411000000080 03442411000000080 03442411000000090 03442411000000100 03442411000000110 03442411000000120 03442411000000130 03442411000000140
ZONING/REZONING	C-1, C-1A & AG-2 TO <u>CPU</u>

LEGEND



OPEN SPACE SUMMARY

<u>LAND USE</u>	<u>AREA</u>	<u>LAND USE</u>	<u>AREA</u>
REQUIRED OPEN SPACE	2.56 ACRES (0.20 X 3.49 ACRES + 0.30 X 6.22 ACRES)	REQUIRED ON-SITE PRESERVE	1.29 ACRES (0.5 x 2.56 ACRES)
PROVIDED OPEN SPACE	2.56 ACRES (INCLUDES NATIVE PRESERVE)		
REQUIRED PUBLICLY ACCESSIBLE OPEN SPACE	0.35 ACRES (0.10 X 3.49 ACRES)	PROVIDED ON-SITE PRESERVE (PER LDC SEC. 10-415(B)(3)(a) & (b)(4) CREDITS)	1.35 ACRES = (135% CREDIT) x 1.0 ACRES PROVIDED ON-SITE)
PROVIDED PUBLICLY ACCESSIBLE OPEN SPACE (IN ADDITION TO REQUIRED OPEN SPACE)	0.35 ACRES		



		No.	Revised Issue	Date
			ISSUE FOR REVIEW	01/23/23
			ISSUE FOR DCI REVIEW COMMENTS	09/01/23
			REVISED LAYOUT	01/18/24
			REVISED BUFFERS	04/10/24



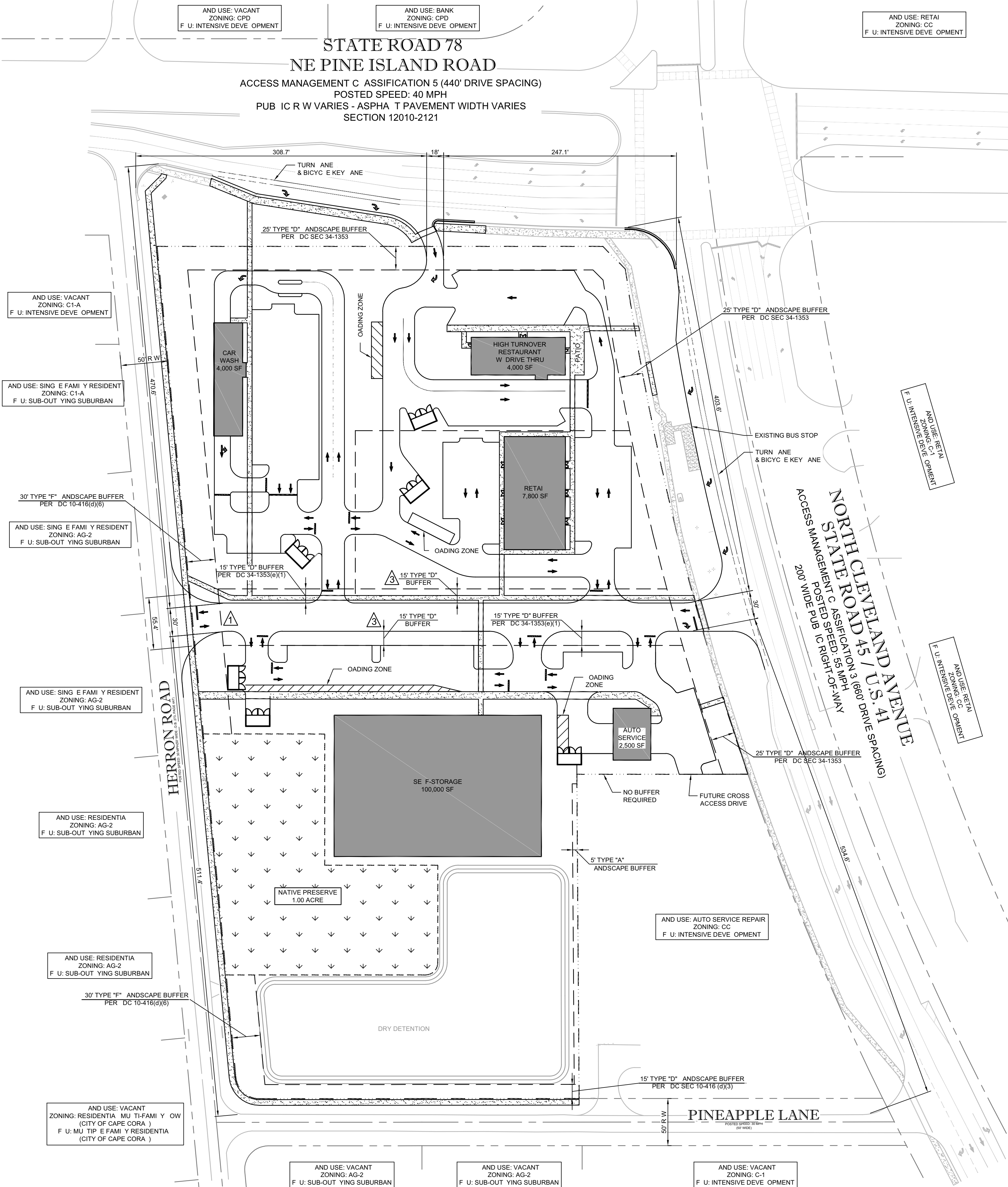
NISIT SAPPARKHAO, P.E.
FL REG. NO. 64085

DATE _____

Project Name and Address	PNE ISLAND ROAD CPD SWC OF N CLEVELAND AVE & NE PINE ISLAND RD LEE COUNTY, FLORIDA 33903
Sheet Title	OPEN SPACE EXHIBIT

Project No. 300-21.00	Sheet
Date 01-23-23	MCP.2
Scale AS NOTED	

Additional info dated 04-17-2024



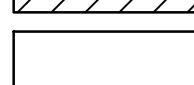
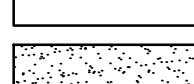
PROJECT SUMMARY

SITE LOCATION:	SWC OF N C EVE AND AVE & NE PINE IS AND RD EE COUNTY, F 33903
PROJECT AREA:	9.71 ACRE ±
STRAP NUMBER:	03442401000000008B 03442401000000008A 034424010000000080 034424060000000040 034424110000000080 034424110000000090 034424110000000100 034424110000000110 034424110000000120 034424110000000130 034424110000000140
ZONING REZONING	C-1, C-1A & AG-2 TO <u>CPD</u>

OPEN SPACE SUMMARY

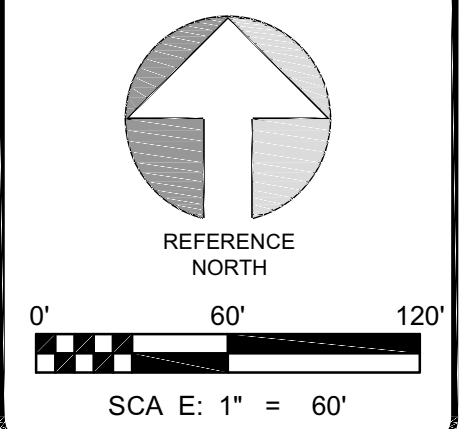
<u>AND USE</u>	<u>AREA</u>
ON-SITE INDIGENOUS PRESERVE PROVIDED	1.00 ACRES
OTHER OPEN SPACE PROVIDED	1.56 ACRES
TOTAL OPEN SPACE REQUIRED	2.56 ACRES
TOTAL OPEN SPACE PROVIDED	2.56 ACRES
PUBLIC ACCESSIBLE OPEN SPACE REQUIRED	0.35 ACRES
PUBLIC ACCESSIBLE OPEN SPACE PROVIDED	0.35 ACRES

LEGEND

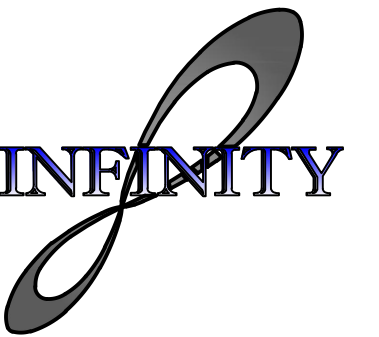
	CPD BOUNDARY		PEDESTRIAN CROSSWA K
	BUI DING		VEHICU AR F OW INGRESS EGRESS
			LOADING ZONE
			PAVEMENT EDGE DRIVE
			SIDEWA K
			DEVIATION TRIANG E

INDIGENOUS PRESERVE SUMMARY

<u>AND USE</u>	<u>AREA</u>
ON-SITE INDIGENOUS PRESERVE REQUIRED	1.29 ACRES
ON SITE INDIGENOUS PRESERVE PROVIDED	1.35 ACRES (1.0 ACRES PROVIDED ON SITE X 135% (CREDIT))



No.	Revison Issue	Date
	ISSUE FOR DCI REVIEW COMMENTS	09/06/23
	ISSUE FOR REVIEW	01/23/23



INFINITY ENGINEERING
GROUP, LLC

208 East Kennedy Boulevard
Suite 230
Tampa, Florida 33602
[p]: 813.434.4770
[f]: 813.445.4211
www.icgroup.net
FL Cert. of Auth. No. 27889

[illegible]

NISIT SAPPARKHAO, P.E.
F REG. NO. 64085

DATE _____

PINE ISLAND ROAD CPD

MASTER CONCEPT PLAN

Project No.	300-21.00
Date	01-23-23
Scale	AS NOTED

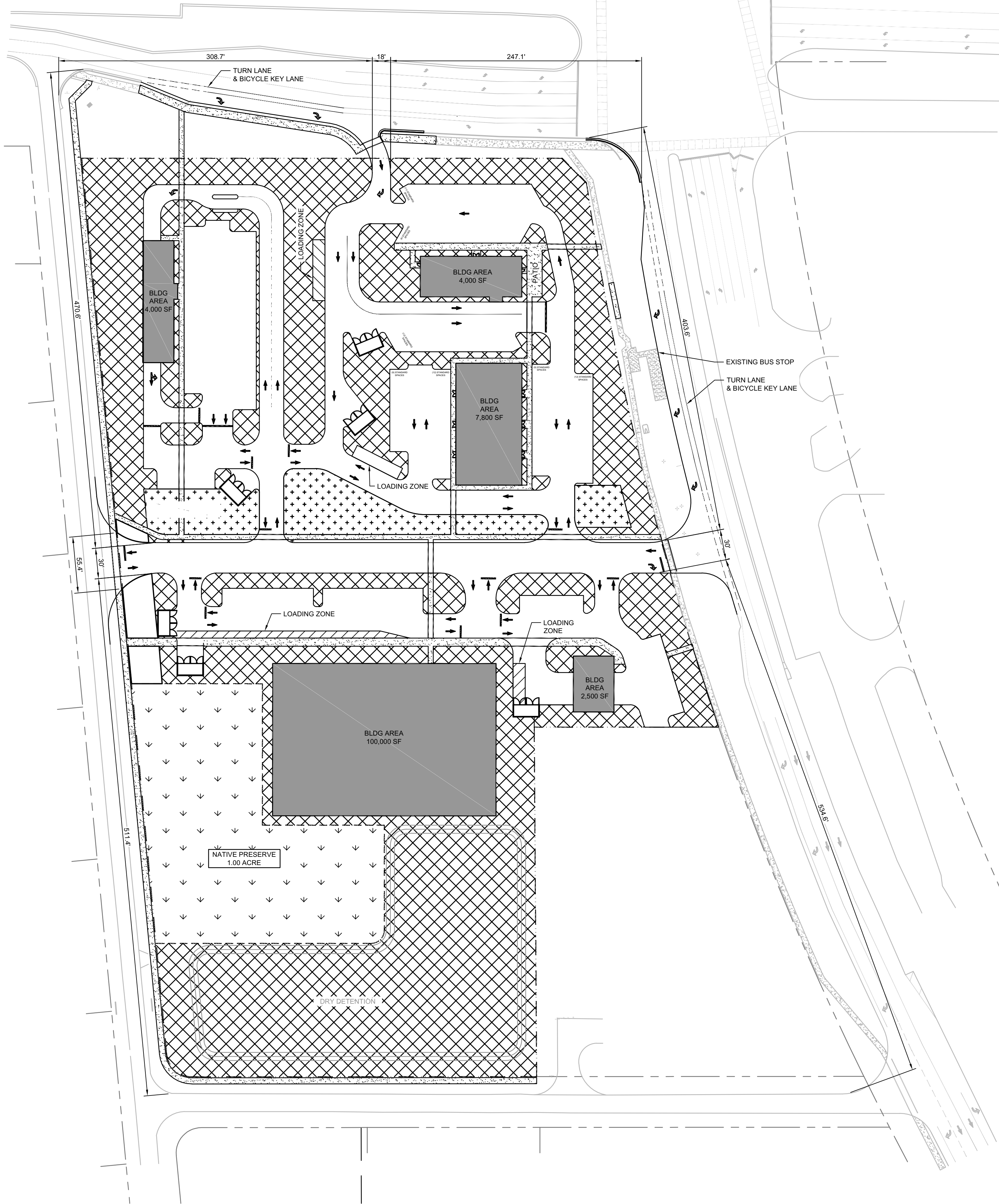
MCP.1

PLAN VIEW	SCA E
	1" = 60'

SCA E
1" = 60'

1

Additional info dated 04-17-2024



PLAN VIEW

SCALE
1" = 60'

PROJECT SUMMARY

SITE LOCATION: SWC OF N CLEVELAND AVE & NE PINE ISLAND RD
LEE COUNTY, FL 33903

PROJECT AREA: 9.71 ACRE ±

STRAP NUMBER: 0344240100000008B
0344240100000008A
03442401000000080
03442406000000040
03442411000000080
03442411000000090
03442411000000100
03442411000000110
03442411000000120
03442411000000130
03442411000000140

ZONING/REZONING: C-1, C-1A & AG-2 TO CPD

LEGEND

CPD BOUNDARY

BUILDING

TOTAL OPEN SPACE PROVIDED
≈ 2.56 ACRES

PUBLICLY ACCESSIBLE OPEN SPACE = 0.35 ACRES

NATIVE PRESERVE
≈ 1.00 ACRE

PEDESTRIAN CROSSWALK

VEHICULAR FLOW INGRESS/EGRESS

LOADING ZONE

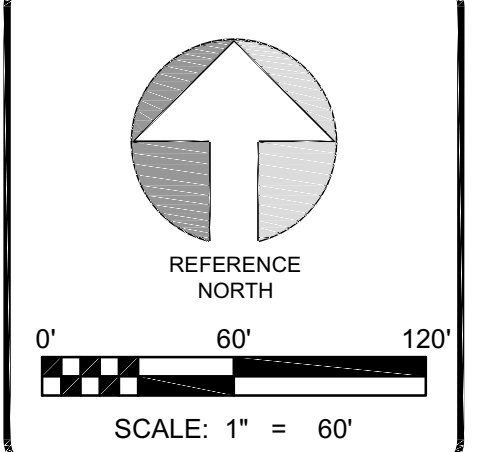
PAVEMENT EDGE DRIVE

SIDEWALK

DEVIATION TRIANGLE

OPEN SPACE SUMMARY

LAND USE	AREA	LAND USE	AREA
REQUIRED OPEN SPACE	2.56 ACRES (0.20 X 3.49 ACRES + 0.30 X 6.22 ACRES)	REQUIRED ON-SITE PRESERVE	1.29 ACRES (0.5 X 2.56 ACRES)
PROVIDED OPEN SPACE	2.56 ACRES (INCLUDES NATIVE PRESERVE)		
REQUIRED PUBLICLY ACCESSIBLE OPEN SPACE	0.35 ACRES (0.10 X 3.49 ACRES)	PROVIDED ON-SITE PRESERVE (PER LDC SEC. 10-415(B)(3)(a) & (b)(4) CREDITS)	1.35 ACRES = (135% (CREDIT) X 1.0 ACRES PROVIDED ON-SITE)
PROVIDED PUBLICLY ACCESSIBLE OPEN SPACE (IN ADDITION TO REQUIRED OPEN SPACE)	0.35 ACRES		



--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

INFINITY
INFINITY ENGINEERING GROUP, LLC

1208 East Kennedy Boulevard
Suite 230
Tampa, Florida 33602
[p]: 813.434.4770
[f]: 813.445.4211
www.iegroupp.net
FL Cert. of Auth. No. 27889

PHOENIX
ASSOCIATES OF FLORIDA

4190 LUNSTON RD., SUITE 200, TAMPA, FL 33610
PH (239) 596-9111 | FX (239) 596-7637 | WWW.PHAEINK-ASSOCIATES.COM

PHAEINK ASSOCIATES OF FLORIDA, INC. IS AN EQUAL OPPORTUNITY EMPLOYER. WE DO NOT DISCRIMINATE ON THE BASIS OF RACE, GENDER, RELIGION, NATIONAL ORIGIN, ANCESTRY, COLOR, SEX, AGE, SEXUAL ORIENTATION, OR DISABILITY. WE ARE COMMITTED TO PROVIDING A DIVERSE AND INCLUSIVE WORK ENVIRONMENT. ALL EMPLOYEES ARE REQUIRED TO READ AND UNDERSTAND THE COMPANY'S POLICY ON HARASSMENT AND SEXUAL HARASSMENT. EMPLOYEES ARE REQUIRED TO REPORT ANY HARASSMENT OR SEXUAL HARASSMENT TO THE HUMAN RESOURCES DEPARTMENT. EMPLOYEES ARE REQUIRED TO SIGN AND DATE THE HARASSMENT AND SEXUAL HARASSMENT POLICY. EMPLOYEES ARE REQUIRED TO SIGN AND DATE THE HARASSMENT AND SEXUAL HARASSMENT POLICY. EMPLOYEES ARE REQUIRED TO SIGN AND DATE THE HARASSMENT AND SEXUAL HARASSMENT POLICY.

NISIT SAPPARKHAO, P.E.
FL REG. NO. 64085

DATE

Project Name and Address
PINE ISLAND ROAD CPD
SWC OF N CLEVELAND AVE & NE PINE ISLAND RD
LEE COUNTY, FLORIDA 33903

Sheet Title
OPEN SPACE EXHIBIT

Project No.
300-21.00

Date
01-23-23

Scale
AS NOTED

Sheet
MCP.2



Pine Island Road CPD Schedule of Deviations & Justification

Deviation 1 seeks relief from LDC Section 34-2013(b)(3), Access Maximum Width, which allows a maximum 35-foot parking lot entrance at the property line, to allow for a maximum of 56-foot parking lot entrance at the property line along Herron Road.

Justification: The Applicant is proposing to increase the maximum parking lot entrance width at the property line from 35 feet to 56 feet. LDC Section 34-2013(b) states “The Director may determine the high traffic volumes or other special circumstances warrant other requirements”. The possible “gas station” and mini-storage use of the subject site will require the access along Herron Road to be designed for larger vehicles to be able to egress and ingress the site. The 30-foot driveways with 50-foot radii width entrance will assure the necessary turning movements by these large trucks are possible without having to compromise the landscaping areas adjacent to the driveways or impact adjacent property owners along Herron Road. Furthermore, the channelization of vehicles will be achieved via striping. Therefore, the granting of this deviation will uphold public health, safety, and welfare.

Deviation 2 seeks relief from LDC Sections 34-2020(b), required parking spaces for non-residential uses, which requires warehouse, mini-warehouse to provide a minimum of 1 space per 25 storage units, with a minimum of 5 spaces, to allow for a minimum of 1 space per 50 storage units, with a minimum of 5 spaces.

Justification: The Applicant is proposing to allow for a minimum of 1 space per 50 storage units, with a minimum of 5 spaces required which would be consisted with the true parking needs for the warehouse, mini-warehouse use. The number of parking spaces required by code is estimated to be 20 parking spaces as the exact number of storage units is calculated to be around 500+/- units based on the possible maximum buildout. The applicant is proposing a minimum of 5 parking spaces. Loading and unloading zones have been designated in addition to parking spaces to the north of the mini-warehouse building outside of parking drive aisles. Based on the trip count and parking demand study for the mini-warehouse use these areas are enough for patrons and employees to utilize the facility safely.

As identified by the Traffic Impact Statement by TR Transportation Consultants Inc. the use will generate a very limited amount of trips to the development and provide a limited demand of parking needs for a warehouse, mini-warehouse which are consistent with the Applicants deviation request.

The request to reduce the number of required parking spaces for a mini-warehouse consistent with the established parking needs of the use as identified by the Arbor Village mini-warehouse parking demand study.

Additionally, the request removes additional unnecessary impervious area for a use that provides a minimal amount of traffic.

Furthermore, the requests will enhance the objectives of the planned development allowing for flexible design within the CPD and will preserve and promote the protection of public health, safety and welfare.

Deviation 3 seeks relief from LDC Section 33-1581(b) which requires a 20-foot-wide Type-D buffer along internal accessways, to allow for a 15-foot-wide Type D buffer.

Justification: The proposed deviation proposes only to reduce the buffer width from 20 feet wide to 15 feet wide. This reduction will not reduce the amount of vegetation being provided to five (5) trees per 100 linear feet and a double staggered hedge row.

The LDC Section 34-1353(e) requires 15-foot-wide Type D buffer containing 5 canopy trees per 100 feet and shrubs maintained at 36 inches along internal access ways adjacent to convenience food and beverage stores with or without gas pumps, automobile service stations with or without gas pumps, fast food restaurants, and car washes.

It should be noted that an eastern portion of the internal accessway is part of the approximately 3.49 +/- acres of the property located within the Mixed-Use Overlay. LDC Section 10-425 would only require a 5-foot-wide Type D buffer along the portion of the property located within the Mixed-Use Overlay adjacent to the proposed self-storage and retail building use identified on the MCP. The Applicant has proposed a 15-foot-wide buffer along these areas for consistency along the internal accessway.

The CPD is a unified, master planned development under common ownership with both LLC's containing the same officers. Approval of this deviation will further the intent of the CPD providing for a uniform and consistent internal accessway buffer for the entire development. Furthermore, approval of this deviation will not create a scenario where minimum open space, minimum open space canopy trees, parking and vehicular use area landscaping, building perimeter plantings is not provided in accordance the LDC. The external views will remain well landscaped, while allowing the internal mix of uses to be developed in a more compact format. For these reasons, the deviation will not impact public health, safety or welfare.

For deviation 3 the applicant requests deviations from buffer and landscaping requirements. Due to the properties location within the North Fort Myers Shores Planning Community per Lee Plan Policy 30.2.5 any deviation from landscaping and buffering requirements may not be granted unless the requires meets the approval criteria for variances set forth in LDC Section 34-145(b)3.

Variance Criteria

a) The property has inherent exceptional conditions that cause the application of the regulation to create a hardship

The highest and best use for the site based on its location along the major intersection of Pine Island Road and Cleveland Avenue is commercial/office use, however, the Property's size at 9.71 +/- acres, configuration as a corner through lot having at least four (4) of its property lines adjacent to rights-of-way and surrounding conditions minimize the ability of the property to develop using at the highest and best use as a unified commercial planned development when the strict regulation of the internal accessway buffers is applied.

An internal accessway for any commercial/office use that is developed on this Property is necessary due to its inherited size, shape and location across from existing and future single-family residential to the west of Herron Road and south of Pineapple Lane. Best planning practices call for the reduction of the greatest number of trips along Pineapple Lane and Herron Lane to protect the residential nature of the development while allowing for pedestrian and vehicular interconnection from the residential properties to the commercial development to obtain goods and services without having to add additional trips to Pine Island Road and Cleveland Avenue.

The Applicant is requesting uses within the CPD outlined in LDC Section 34-1353 which require a 15-foot-wide type D buffer adjacent to an internal accessway, however, the site inherently contains two different internal accessway buffer requirements as the property is located within the North Fort Myers Planning Community which requires a 20-foot-wide Type D buffer adjacent to internal accessways and 3.49 +/- acres of the property are located within the Mixed-Use Overlay which requires a 5-foot-wide buffer adjacent to internal accessways. The strict enforcement of the code would result in an inconsistent buffer width along the internal access way of the development with three (3) different buffer widths required along a 520 +/- stretch. Furthermore, the real-world implementation of where the 20-foot-wide, 15-foot-wide and 5-foot-wide buffers will start and end are not very intuitive for County Staff to inspect and the Applicant to provide versus a the consistent ad continuous 15-foot-wide buffer that is being proposed along the entirety of the internal accessway.

The approval of the deviation would allow for a consistent and unified commercial development that provides an inviting pedestrian experience for the public and users to access the publicly accessible space and commercial uses located within the development.

b) The exceptional conditions are not the result of actions of the property owner taken subsequent to the adoption of the ordinance

As stated above, the exceptional and inherited conditions pertain to the property being located within along a major intersection and to the west of existing and planned residential, being a through corner lot, and being within a mixture of overlays with different buffer requirements were not the results of actions taken by the property owner subsequent to the adoption of the ordinance.

c) The variance granted is the minimum variance that will relieve the unreasonable burden caused by the application of the regulation to the property.

All required plantings will be provided and only a reduction in the buffer width is proposed.

d) The granting of the variance will not be injurious to the neighborhood or detrimental to the public welfare.

Granting of the proposed deviation will ensure future compliance and will not be injurious to the neighborhood or negatively impact the public health, safety, and welfare or the aesthetics of the community. The required buffer is completely internal to the site and there is no reduction in the amount of vegetation screening or shade being provided by the development.

e) The variance is consistent with the Lee Plan

The requested deviation complies with Goal 30 North Fort Myers Community Plan, Objective 30.2. Centers And Corridors by redeveloping an abandoned gasoline station and further developing a major intersection within the community. Specifically, the requested deviation complies with Policy 30.2.5 of the Lee Plan by meeting the approval criteria for variances set forth in Chapter 34 of the Land Development Code.

PINE ISLAND ROAD CPD**PRESERVE MANAGEMENT PLAN**

Lee County STRAP #'s:

*03-44-24-01-00000.008A; 03-44-24-01-00000.0080; 03-44-24-06-00000.0040; 03-44-24-11-00000.0080;
03-44-24-11-00000.0090; 03-44-24-11-00000.0100; 03-44-24-11-00000.0110; 03-44-24-11-00000.0120;
03-44-24-11-00000.0130; 03-44-24-11-00000.0140 & 03-44-24-01-00000.008B*

*December 2023
Revised April 2024*

Prepared For:

Phoenix Associates of South Florida
c/o: Randy Johns
13180 Livingston Road, Suite 204
Naples, Florida 34109
Phone: 239-596-9111
Email: rjohns@phoenix-associates.com
Prepared By:



BearPaws Environmental Consulting
1599 Covington Circle East
Phone: (239) 340-0678
Email: BearPaws.Env.Consulting@GMail.com

INTRODUCTION

The 9.71± acre Pine Island Road CPD project site is located in Section 3, Township 44S, and Range 24E, of Lee County, Florida. More specifically, the site is located in the southwest corner of the intersection of Pine Island Road (SR 78) and US 41 (Tamiami Trail North), in North Fort Myers, Florida. Please see the attached Project Location Map (Exhibit A).

PROPERTY DESCRIPTION

The upland preserve area is located in the southern portion of the site, just north of the proposed dry detention area and will encompass 1.00± acres of mixed uplands. Please see the attached Exhibit B, Master Concept Plan. Per the Lee County, Land Development Code (LDC), Section 10-415(b)(1), large developments, with existing indigenous native vegetation, must provide open space requirement through the onsite preservation of existing indigenous native vegetation. The property is composed mainly of upland forest with abandoned commercial. The goal of this preserve management plan is to improve the condition of the uplands and provide a natural preserve area for the flora and fauna on the property. The on-site preserve area provides habitat for nesting and create foraging areas for all kinds of wildlife species.

MITIGATION & MAINTENANCE PLAN

The purpose of this plan is to ensure that preserves are maintained exotic free in perpetuity and nuisance plants are controlled to healthy levels thru a scheduled maintenance program. The list of exotic and nuisance plant species are defined under the Lee County, Land Development Code (LDC), Section 10-420(h). This program is incorporated into a two-phase process: the initial exotic removal and the subsequent annual maintenance. The exotic and nuisance plant removal and maintenance program will ensure the viability, value, and aesthetics of the preserve. The exotic plant removal and maintenance program will be implemented by and the responsibility of the owner or their successor. Exotic and nuisance plants often dominate native plants, which in return reduces habitat values, consequently, negatively impact aesthetic values. Exotic and nuisance plants will be killed in a manner consistent with the LDC, Section 10-415(b)(4), following current approved exotic and nuisance plant removal practices and will occur in spring and/or fall.

All small exotic saplings and exotic shrubs are to be treated in place. All large exotic trees, with greater than 4-inch DBH, will be cut at stump height and removed from the preserve area; the remaining stumps will be treated in place. Any trees too large to be practically cut will be treated standing in place, upon the Lee County Environmental Staff approval. Any herbicides applied will be required to be EPA approved and conducted with a tracer dye. All exotic vegetation removed from the preserve area will be to be taken off-site and disposed of; there will be no exotics stockpiled within the preserve area. Any staging areas for the removal of exotic debris will be placed outside of the preserve and the exact location will be determined by the contractor.

The County requires all Category I and II species to be removed from preserves and not exceed a level of 5 percent, per LDC Sec. 10-420(h). Native nuisance coverage will be expected to be maintained as necessary. Exotic and nuisance plants will be killed in a manner consistent with current approved removal practices; all removal practices will be conducted according to current standards and applied by a licensed herbicide applicator. The established preserve maintenance program will be conducted in perpetuity.

The on-site preserve area provides habitat for nesting and create foraging areas for all kinds of wildlife species. On-site enhancement activities will be conducted concurrently with the on-site construction activities. These enhancement activities will include the hand removal of exotic and nuisance vegetation from the upland preserve area. The exotics to be eradicated include, but are not limited to, melaleuca (*Melaleuca quinquenervia*), and Brazilian pepper (*Schinus terebinthifolius*).

INDIGENOUS RESTORATION

Indigenous Preserve - Supplemental Plantings (1.00± Acres)

The supplemental Plantings will be installed within the 1.00± acres of the upland preserve to restore native vegetation resulting from exotic removal. Per restoration specifications via LDC Section 10-415(b)(3)(b)5, this area will then be replanted with 56 trees, in a minimum of 5-gallon containers, at 4-6 foot in height, on 20 foot centers; 152 shrubs, in a minimum of 3-gallon containers, 2-3 foot in height, on 12 foot centers; and 340 herbaceous groundcover, in a minimum of 1-gallon containers, 1-2 foot in height, on 3 foot centers.

The tree plantings will include a minimum of two (2) species, depending on availability at time of planting; it's anticipated that this area will be replanted with Slash Pine (*Pinus elliottii*), Live Oak (*Quercus virginiana*), and Dahoon holly (*Ilex cassine*). The shrub plantings will include a minimum of three (3) species, depending on availability at time of planting; it's anticipated that this area will be replanted with beauty berry (*Callicarpa Americana*), myrsine (*Rapanea guinensis*), coco plum (*Chrysobalanus icaco*), and wax myrtle (*Myrica cerifera*). The herbaceous plantings will include a minimum of four (4) species, depending on availability at time of planting; it's anticipated that this area will be replanted Sand cordgrass (*Spartina bakeri*), Fakahatchee grass (*Tripsacum dactyloides*), lantana (*Lantana involucrate*), and purple muhly grass (*Muhlenbergia capillaris*). Please see Table 1 below for specific details of species requirements. These plantings will mimic natural conditions found in the surrounding habitats.

Table 1. Recommended Supplemental - Restoration Plantings

Common Name	Scientific Name	Minimum size or better	Planting Density	Plant Numbers**
Trees				
Slash pine	<i>Pinus elliottii</i>	5 g. / 4-6'	20' o.c.	56 Trees Total
Live oak	<i>Quercus virginiana</i>	5 g. / 4-6'	20' o.c.	
Dahoon holly	<i>Ilex cassine</i>	5 g. / 4-6'	20' o.c.	
Shrubs				
Beauty berry	<i>Callicarpa Americana</i>	3 g. / 2-3'	12' o.c.	152 Shrubs Total
Myrsine	<i>Rapanea guinensis</i>	3 g. / 2-3'	12' o.c.	
Coco plum	<i>Chrysobalanus icaco</i>	3 g. / 2-3'	12' o.c.	
Wax-myrtle	<i>Myrica cerifera</i>	3 g. / 2-3'	12' o.c.	
Ground Cover				
Sand cordgrass	<i>Spartina bakeri</i>	1 g. / 1-2'	3' o.c.	2,420 Herbaceous Total
Fire bush	<i>Hamelia patens</i>	1 g. / 1-2'	3' o.c.	
Fakahatchee grass	<i>Tripsacum dactyloides</i>	1 g. / 1-2'	3' o.c.	
Lantana	<i>Lantana involucrate</i>	1 g. / 1-2'	3' o.c.	
Muhly grass	<i>Muhlenbergia capillaris</i>	1 g. / 1-2'	3' o.c.	

DEBRIS REMOVAL

Debris and garbage in the preserve area will be removed as needed within the preserve area. No large debris is currently located within the preserve area. Any garbage found will be removed from the preserve and disposed of in the proper receptacles.

MITIGATION SUCCESS CRITERIA

Monitoring of the preserve area shall be conducted for a minimum of five years with annual reports submitted to the County. If native upland species does not achieve an 80% native coverage within the initial two years of the monitoring, native species shall be planted in accordance with the maintenance program. At end of the monitoring program the entire preserve area shall contain 80% coverage of desirable native species.

All mitigation areas will consist of no more than five percent cover by exotic and/or nuisance species at all times. Exotic and nuisance vegetation species are identified as those exotic species listed as CAT I and CAT II by the Florida Exotic Pest Plant Council (FEPPC). The preserve areas will be managed such that exotic/nuisance plant species do not dominate any one section of areas within the preserves. This is also applicable to native vegetation to ensure diversity within the upland habitats. Perpetual maintenance of the preserve areas is recommended to ensure coverage by native desirable vegetation is maintained as specified in the permit.

MONITORING

Sampling Methodology

The proposed monitoring of the preserve area will begin concurrently with construction and will consist of baseline, time-zero, and annual monitoring of vegetation, and wildlife. The baseline monitoring report will document conditions in the project site as they currently exist. The time-zero report will document the conditions immediately following completion of mitigation activities. The annual reports will document the extent of success of the project and, if needed, identify specific actions to be taken to improve the conditions within the project area. Sampling transects and methodology for the baseline, time-zero, and annual reports will utilize identical methods of data collection from identical sampling stations. The location of the proposed sampling stations will be taken along the edge of the preserve areas, immediately adjacent to the upland buffer area. The Open Space Exhibit and Landscape Plan, showing the indigenous preserve areas, is included as Exhibit B.

Wildlife Monitoring

Regular observations of wildlife will be made during the monitoring event by qualified ecologists. Observations will consist of recording evidence and signs of wildlife (i.e., direct sightings, vocalizations, burrows, nests, tracks, droppings, etc.).

Photographic Documentation

Permanent fixed-point photograph stations will be established in the preserve area providing physical documentation of the condition and appearance of an area, as well as any changes taking place within it. Monitoring photographs will accompany vegetation data in each report. Locations of photograph stations will remain the same throughout the duration of the monitoring program.

MONITORING REPORTS

Concurrently with construction, the permittee will submit annual monitoring reports to the County documenting the success of the mitigation program and general condition of the preserve area. Within 60 days of permit issuance or modification, the baseline monitoring for the preserve area will be submitted to the County. The time-zero monitoring report will be submitted within 60 days of completion of enhancement activities. Annual monitoring reports will include the following information:

- Brief description of mitigation and maintenance work performed since the previous report along with a discussion of any modifications to the mitigation or maintenance program.
- Brief description of anticipated mitigation and maintenance work to be conducted over the next year.
- Results of vegetation monitoring conducted in the preserve area.
- A list of observed wildlife species.
- Monitoring photographs taken at photograph stations within the preserve area.

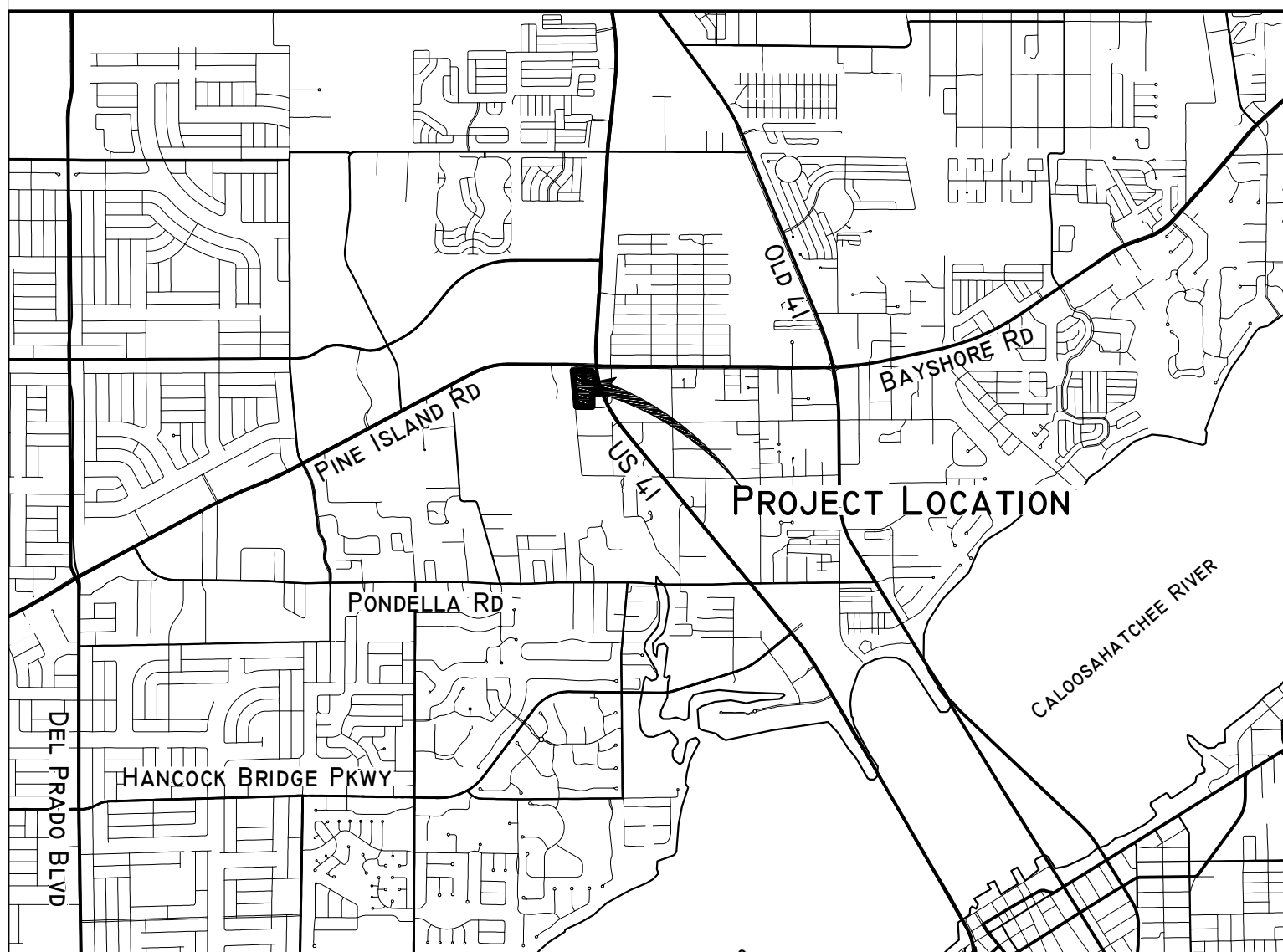
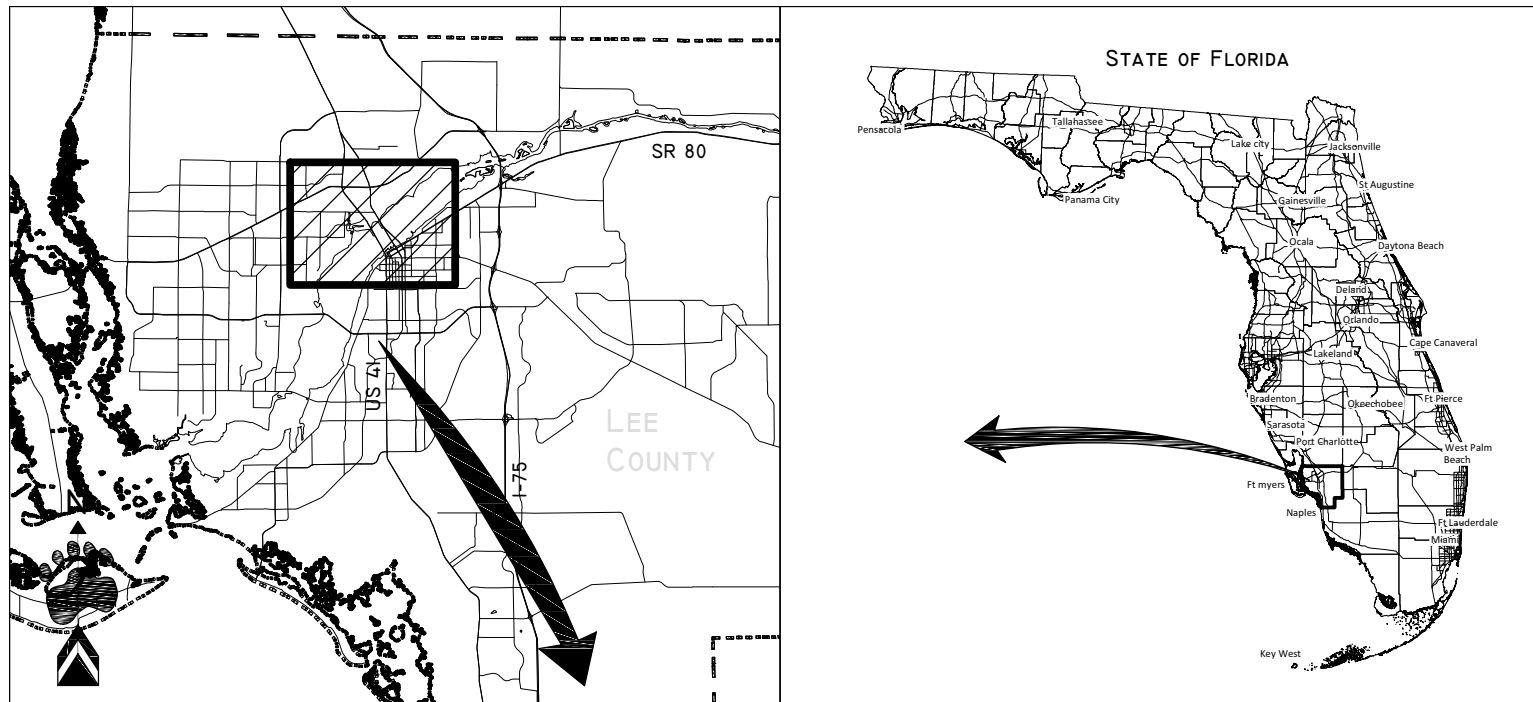
MAINTENANCE AND LONG-TERM MANAGEMENT

Following the completion of the initial exotic removal effort upon the commencement of construction, annual inspections of the mitigation area will occur for the first five (5) years. During these inspections, the mitigation area will be traversed by a qualified ecologist. Locations of nuisance and/or exotic species will be identified for immediate treatment with an appropriate herbicide. Any additional potential problems will also be noted and corrective actions taken. Once exotic/nuisance species levels have been reduced to acceptable limits (i.e., less than five percent cover), inspections of the preserve area will be conducted annually.

Maintenance will be conducted in perpetuity to ensure that the preserve area are free of exotic vegetation (as currently defined by the FEPPC) immediately following maintenance and that exotic and nuisance species will constitute no more than five percent of total combined cover. A mitigation and monitoring work schedule will be prepared, submitted, and approved by the County, prior to issuance of the vegetation removal permit.

Exhibit A

Project Location Map



DRAWN BY:	DATE:	CATEGORY
BWS	2/22/23	LOCATION
JOB NUMBER		SCALE:
		NTS
S/T/R		COUNTY
3/44S/24E		LEE

Pine Island Road CPD

Location Map



PAGE

EXHIBIT

Exhibit B

Master Concept Plan



SCA E
1" = 60'

Project No. 300-21.00	Sheet MCP.1
Date 01-23-23	
Scale AS NOTED	