



## Board of County Commissioners

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July 24, 2024

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Richard Wm. Wesch  
County Attorney

Donna Marie Collins  
County Hearing  
Examiner

Thomas Delehaye  
1113 Range Avenue  
Suite 110, Box 126  
Denham Springs, LA 70726  
**Via E-mail Only:** [tdelehaye@cstmultifamilyrealestateservices.com](mailto:tdelehaye@cstmultifamilyrealestateservices.com)

### **RE: CPA2024-00010 The Reserve at Pinto Place**

Dear Mr. Delehaye:

Staff has reviewed the application submittal for Map Amendment CPA2024-00010, stamped "received" on June 26, 2024. Planning staff finds that the application materials are insufficient and further information is required for review.

### **APPLICATION MATERIALS COMMENTS**

1. Update the project description on application page 1 to state what amendment(s) to the Lee Plan are being requested.
2. Indicate on the application that the State Review Process will be a Small-Scale Review.
3. In Part 5 of application page 1, clarify the acreage of wetlands and acreage of uplands on the property.
4. Part 6 of application page 1 states that the commercial intensity allowable under the current Lee Plan is "n/a". Update this section to reflect allowable commercial intensity in the Outlying Suburban future land use category. This is typically assumed to be 10,000 square feet per acre.
5. Part 7 of application page 1 must have commercial intensity updated as discussed in Comment 4. Part 7 must also update the industrial intensity to show that an assumed 10,000 square feet per acre of industrial development would be allowable under the new future land use category.
6. Provide a scanned copy of application page 5 signed by the applicant.
7. Include the Disclosure of Interest forms provided in the application as an exhibit titled "Exhibit - M2".
8. Paragraph 6 of the Disclosure of Interest forms should only be filled out if a Lee County Employee, Commissioner, or Hearing Examiner has an Ownership Interest in the subject property. If no such Ownership Interest exists, provide a Disclosure of Interest form without providing information in Paragraph 6.

9. Provide a map showing which parcels were included in the list of property owners within 500 feet of the subject property. Include this with the list of surrounding property owners in one exhibit titled "Exhibit – M3".
10. Provide physical copies of the mailing labels (i.e. sticker labels) for property owners within 500 feet of the subject parcel. Include the labels within Exhibit – M3.
11. Outline the subject property on the existing future land use map. Title the existing future land use map as "Exhibit - M4".
12. Provide a map and description of the existing land uses (not future land use designations) of the subject property and surrounding properties. Title this as "Exhibit - M5".
13. Outline the subject property on the existing zoning map. Title the existing zoning map as "Exhibit - M6".
14. Label the purchase agreement included in the application as "Exhibit – M8".
15. Label the Affidavit of Authorization included in the application as "Exhibit – M10".
16. Label the aerial map showing the subject property and surrounding properties included in the application as "Exhibit – M9".
17. Provide a map of the proposed amendment to the future land use designation. Label this map as "Exhibit – M11".
18. The authorized representative listed on the application does not match the contact information for the submittal in ePlan/Accela. For Mark Boudreaux from Benchmark Group, LLC, to receive correspondence regarding this case, a copy of application page 5 signed by Mark Boudreaux is required.

## **LEGAL REVIEW COMMENTS**

19. Provide the certified legal description(s) and certified sketch of the description for the property subject to the requested change.
20. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.
21. No certified legal description meeting the requirements above was submitted. If the amendment will alter the wetland designation, a Jurisdictional Determination approved by South Florida Water Management District or Florida Department of Environmental Protection using the methodology in Fla. Admin. Code R. 17-340 as ratified and amended in § 373.4211, Fla. Stat. must be submitted.



## **HISTORIC RESOURCES COMMENTS**

22. List all historic resources (including structure, districts, and/or archaeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. Label this analysis as "Exhibit – M14".
23. Within Exhibit – M14, provide a map of any historic districts and/or sites listed on the Florida Master Site File which are located on the subject property or adjacent properties. Include correspondence with the Florida Division of Historic Resources.
24. Within Exhibit – M14, provide a map showing the subject property location on the archaeological sensitivity map for Lee County.

## **PLANNING COMMENTS**

25. Provide a Lee Plan analysis demonstrating that the proposed amendment to the future land use map is internally consistent with the entire Lee Plan. Comments 26 and 27 are part of the needed analysis of the Lee Plan, but is not an exhaustive list of required Goals, Objectives, and Policies needed in the analysis to demonstrate consistency with the Lee Plan. Label this analysis as "Exhibit – M12". Additional comments regarding Exhibit – M12 may follow after review of subsequent submittal.
26. Planning staff have concerns over the proposed amendment's consistency with the Lee Plan. Discuss the amendment's consistency with Policy 1.1.3, Objective 1.5, Policy 1.6.5, Objective 2.2, Policy 39.1.3, Policy 39.2.1, Objective 39.6, Policy 61.2.3, Policy 95.1.3, Policy 135.9.5, Policy 135.9.6, and Policy 135.9.7 within Exhibit – M12.
27. Within Exhibit – M12, analyze Lee Plan Policies 4.1.1, 4.1.2, Objective 60.3, Policies 61.1.6, 125.1.2, and 126.1.4.
28. Within Exhibit – M12:
  - a. Discuss how the proposal affects established Lee County population projections, Lee Plan Table 1(b) and the total population capacity of the Lee Plan Future Land Use Map.
  - b. List all goals and objectives of the Lee Plan that are affected by the proposed amendment or that affect the subject property. This analysis should include an evaluation of all relevant policies under each goal and objective.
  - c. Describe how the proposal affects adjacent local governments and their comprehensive plans.
29. Provide a cover page for Exhibits M16 through M18. Label this page "Public Facilities Impacts Analysis: Exhibit – M15".

30. Provide an analysis of existing and future conditions of the following and label the analysis “Exhibit – M17” (see Lee Plan Policy 95.1.3):
  - a. Sanitary Sewer (include the submitted Sanitary Sewer Plan)
  - b. Potable Water
  - c. Surface Water/Drainage Basins (Include the submitted Surface Water Management Plan)
  - d. Parks, Recreation, and Open Space
  - e. Public Schools.
31. Within Exhibit – M17, include at a minimum (refer to the most recent Lee County Concurrency Management Report):
  - a. Franchise Area, Basin, or District in which the property is located,
  - b. Current Level of Service and Level of Service standard of facilities serving the site,
  - c. Projected 2030 Level of Service under existing designation,
  - d. Projected 2030 Level of Service under proposed designation,
  - e. Existing infrastructure, if any, in the immediate area with the potential to serve the subject property,
  - f. Improvements/expansions currently programmed in the 5 year Capital Improvements Program (CIP), 6 – 10 year CIP, and long range improvements,
  - g. A letter of service availability from Lee County Utilities for potable water and sanitary sewer.
32. Within Exhibit – M17, provide the following analysis for potable water:
  - a. Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.
  - b. Include the current demand and the projected demand under the existing designation and the projected demand under the proposed designation.
  - c. include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.
  - d. Include any other water conservation measures that will be applied to the site (see Lee Plan Goal 54).
33. Include an exhibit, labeled “Exhibit – M18”, that includes letters determining adequacy/provision of existing/proposed support facilities from the appropriate agencies providing the following services:
  - a. Fire protection,
  - b. Emergency medical service,
  - c. Law enforcement,
  - d. Solid waste,
  - e. Mass transit,
  - f. Schools
34. In addition to the letters referenced above, Exhibit – M18 must also include the applicant’s correspondence/request to the responding agency. The applicant must supply the responding agency with the information from application items 5, 6, and 7.



35. List State Policy Plan and Regional Policy Plan goals, strategies and actions, and policies which are relevant to this plan amendment. Label this as “Exhibit – M19”.
36. Provide a justification of the proposed amendment based on sound planning principles. Label this as “Exhibit – M20”.
37. Provide a statement confirming the Planning District in which the property is located. Confirm within this statement that there are no Community Planning Area requirements that need to be met for the subject application. Label this statement as “Exhibit – M21”.

## **TRANSPORTATION COMMENTS**

38. Traffic Circulation Analysis should be labeled as “Exhibit - M16”.
39. Provide a Traffic Impact Statement that is consistent with Lee County Administrative Code 13-17 within Exhibit – M16. The trip generation estimates alone are not sufficient to demonstrate the impact of the proposed amendment on Lee County’s roadway network.
40. Demonstrate that the applicant has a legal right to provide roadway improvements necessary to serve the anticipated level of development from the nearest road up to County standards to the subject property.

## **ENVIRONMENTAL COMMENTS**

41. Label the environmental impacts analysis included in the application as “Exhibit – M13”.
42. Provide a map delineating the property boundaries on the most recent Flood Insurance Rate Map.
43. Provide a description of the plant communities found onsite to support the provided FLUCCS map. Staff visited the site and did not observe vegetation to support the 422 FLUCCS code. In addition, a large portion of the 422 contained a pond.
44. The environmental application material depicts a FLUCCS code of 118a and 118b on the FLUCCS map. Clarify what is located in these areas? Staff cannot determine how these areas are dedicated to residential uses. Revise the FLUCCS map if these areas are not committed to residential uses.
45. The table of plant communities by FLUCCS with the potential to contain listed species included a 621 FLUCCS that was not depicted on the FLUCCS map. Clarify whether 621 is found onsite. If not, revise the table.
46. Demonstrate that the applicant has a legal right to provide potable water and sanitary sewer improvements necessary to serve the anticipated level of development from the nearest connection point to the subject property.
47. Provide a topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).

## **DEVELOPMENT SERVICES COMMENTS**

48. INFORMATIONAL COMMENT: Proposed Master Concept Plan to be reviewed under future submittals.

The proposed amendment will require two public hearings: one before the Local Planning Agency and one before the Board of County Commissioners. These public hearings will not be scheduled until a complete application is submitted and found sufficient. If you do not provide the requested supplements of corrections within 90 days of this letter, this application will be considered withdrawn. Feel free to contact Planning staff at (239) 533-8585 or JSarracino@leegov.com with any questions.

Respectfully,

**Lee County Department of Community Development**

A handwritten signature in black ink, appearing to read 'JS', followed by a long horizontal line that tapers to the right.

Joseph Sarracino, Planner, Planning Section

CC: Brandon Dunn, Manager, Planning Section  
Katie Woellner, AICP, Principal Planner, Planning Section  
Case file