MEMORANDUM

**FROM
THE DEPARTMENT OF
COMMMUNITY DEVELOPMENT**

TO: **Donna Marie Collins**
Hearing Examiner

DATE: **August 13, 2024**

FROM: **MarySue Groth**
Senior Planner

RE: Staff 48-Hour Letter
DCI2023-00033 – Heights Career Technical School

SUMMARY:

The above-referenced case was scheduled to be heard by the Hearing Examiner on February 29, 2024, prior to being deferred to March 28, 2024, and again to August 15, 2024. During that time, the applicant revised the Master Concept Plan, and staff recommends additional conditions and deviations based on the revisions to the Master Concept Plan.

The original staff report recommended approval of the request and found that it complies with the decision-making criteria for amendments to a planned development found in the Lee County Land Development Code Section 34-145. The staff recommendation remains unchanged by the modification to the Master Concept Plan and corresponding conditions and deviations.

The changes to the request are summarized as follows:

1. The Master Concept has been revised to reflect a change in the maximum permitted building height from 36 feet to 50 feet.
2. The staff-recommended Conditions and Deviations include modifications to:
   a. Development Parameters.
   b. Schedule of Uses – (all commercial uses proposed for the Commercial Planned Development except the School, Commercial and Noncommercial use have been removed).
   c. The Transportation Condition.
   d. The language of Deviation 14 has been revised for clarification.
   e. Deviation 15 has been revised to reflect specific buffer materials within the Pine Ridge Road and Gladiolus Drive buffers.
   f. Deviation 16, requesting relief from LDC Section 10-416(c)(11), has been added.

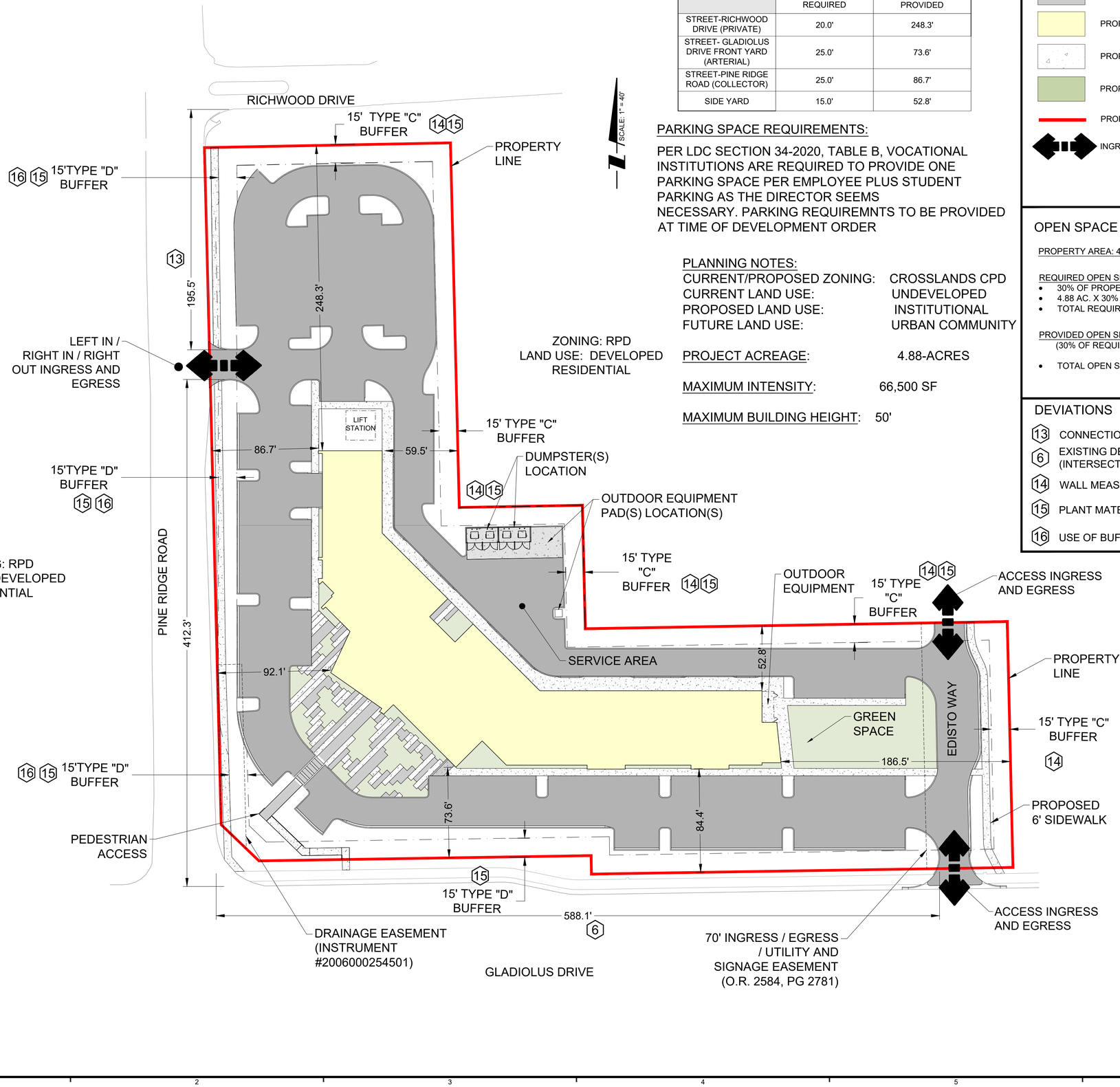
Staff has reviewed the revised request and Master Concept Plan submitted by the applicant and is in agreement with the revisions to the Master Concept Plan, conditions and deviations.

Please contact me if you have any questions or concerns.

Respectfully Submitted,

MarySue Groth
Senior Planner, Zoning Section

Attachments
Revised Master Concept Plan dated June 2024
Revised Conditions and Deviations
Revised Staff Expert Witness List



MINIMUM SETBACK		
	REQUIRED	PROVIDED
STREET-RICHWOOD DRIVE (PRIVATE)	20.0'	248.3'
STREET- GLADIOLUS DRIVE FRONT YARD (ARTERIAL)	25.0'	73.6'
STREET-PINE RIDGE ROAD (COLLECTOR)	25.0'	86.7'
SIDE YARD	15.0'	52.8'

PARKING SPACE REQUIREMENTS:

PER LDC SECTION 34-2020, TABLE B, VOCATIONAL INSTITUTIONS ARE REQUIRED TO PROVIDE ONE PARKING SPACE PER EMPLOYEE PLUS STUDENT PARKING AS THE DIRECTOR SEEMS NECESSARY. PARKING REQUIREMNTS TO BE PROVIDED AT TIME OF DEVELOPMENT ORDER

PLANNING NOTES:

CURRENT/PROPOSED ZONING: CROSSLANDS CPD
CURRENT LAND USE: UNDEVELOPED
PROPOSED LAND USE: INSTITUTIONAL
FUTURE LAND USE: URBAN COMMUNITY

PROJECT ACREAGE: 4.88-ACRES

MAXIMUM INTENSITY: 66,500 SF

MAXIMUM BUILDING HEIGHT: 50'

LEGEND

- ASPHALT PAVEMENT
- PROPOSED BUILDING
- PROPOSED SIDEWALK
- PROPOSED BUILDING FOUNDATION PLANTINGS
- PROPERTY BOUNDARY
- INGRESS / EGRESS ACCESS

OPEN SPACE CALCULATIONS

PROPERTY AREA: 4.88 AC

REQUIRED OPEN SPACE CALCULATION:
- 30% OF PROPERTY AREA
- 4.88 AC. X 30%
- TOTAL REQUIRED OPEN SPACE: 1.46 AC

PROVIDED OPEN SPACE CALCUATION:
(30% OF REQUIRED OPEN SPACE
- TOTAL OPEN SPACE PROVIDED: 1.51 AC

DEVIATIONS

13 CONNECTION SEPERATION
6 EXISTING DEVIATION AND EXISTING CONDITION (INTERSECTION SPACING)
14 WALL MEASUREMENT
15 PLANT MATERIAL STANDARDS
16 USE OF BUFFER AREAS

PENINSULA ENGINEERING
• CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE
• PLANNING AND ZONING • SURVEYING
• ENVIRONMENTAL SERVICES • LAND DEVELOPMENT
2600 Golden Gate Pkwy 239.403.6700
Naples, FL 34105 Pen-Eng.com

PROJECT:

HEIGHTS CAREER TECHNICAL SCHOOL AT CROSSLANDS CPD

TITLE:

MASTER CONCEPT PLAN

CLIENT:

THE HEIGHTS LAND COMPANY, INC.

REVISIONS:

No:	Revision:	Date:

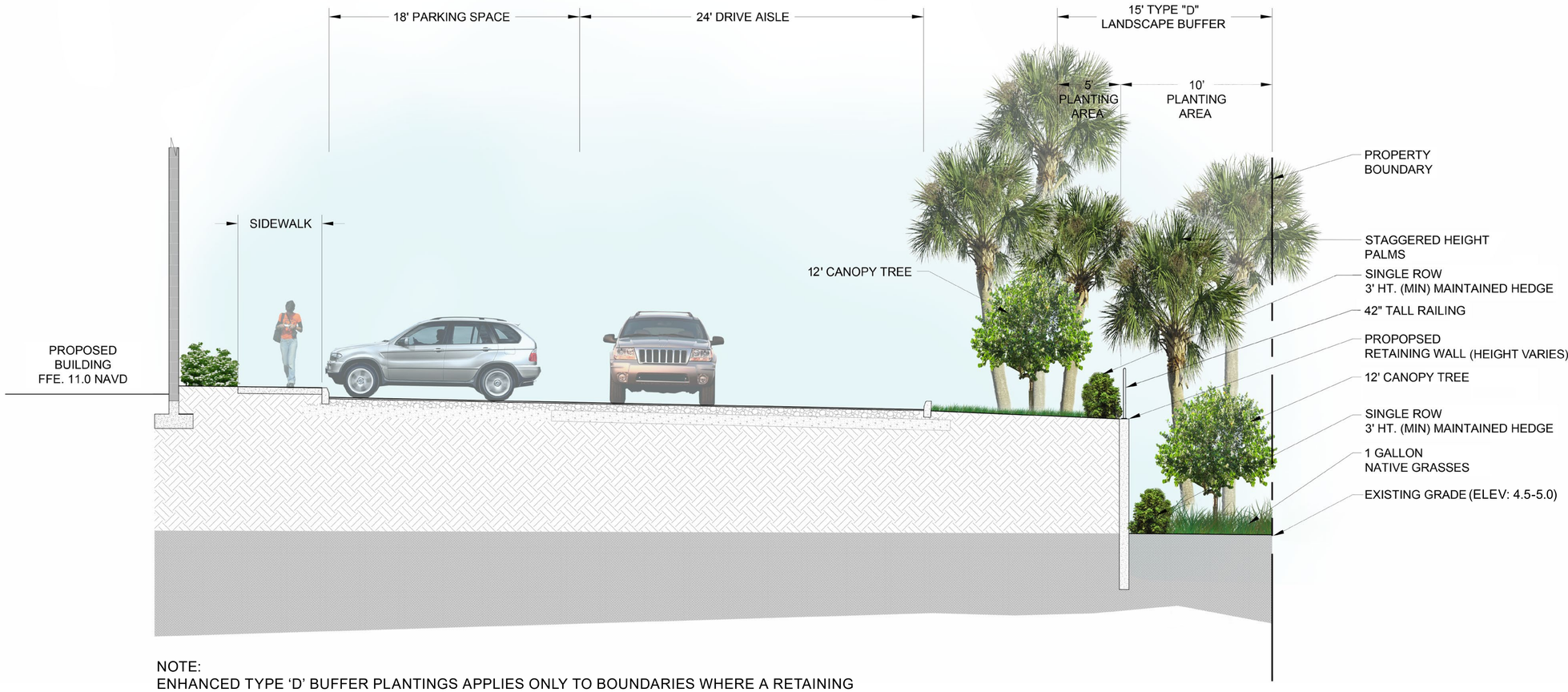
NOTES:

PROFESSIONAL SEALS:
PROFESSIONAL ENGINEER:
FLORIDA LICENSE NUMBER:

Florida Engineering Certificate of Authorization #28275
Florida Landscape Certificate of Authorization #LC26000632

DATUM NOTE:
ALL ELEVATIONS ARE BASED ON NAVD 88
(NORTH AMERICAN VERTICAL DATUM OF 1988).

SEC: 32	TWP: 45S	RGE: 24E	
City: FORT MYERS	County:	LEE	
Designed by:		J. WOODWARD	
Drawn by:		J. WOODWARD	
Date:		JUNE 2024	
Horizontal Scale:		1" = 40'	
Vertical Scale:		N.T.S.	
Project Number:		P-HVC-001-002	
File Name:		MCP.dwg	
Sheet ID:		EX-01	
Sheet Number:		1 of 1	



NOTE:
ENHANCED TYPE 'D' BUFFER PLANTINGS APPLIES ONLY TO BOUNDARIES WHERE A RETAINING WALL IS CONSTRUCTED. SHOULD A RETAINING WALL NOT BE CONSTRUCTED ALONG ANY PORTION OF THE PROPERTY BOUNDARIES, STANDARD TYPE 'D' BUFFER PLANTINGS WILL BE MET PER LDC REQUIREMENTS.

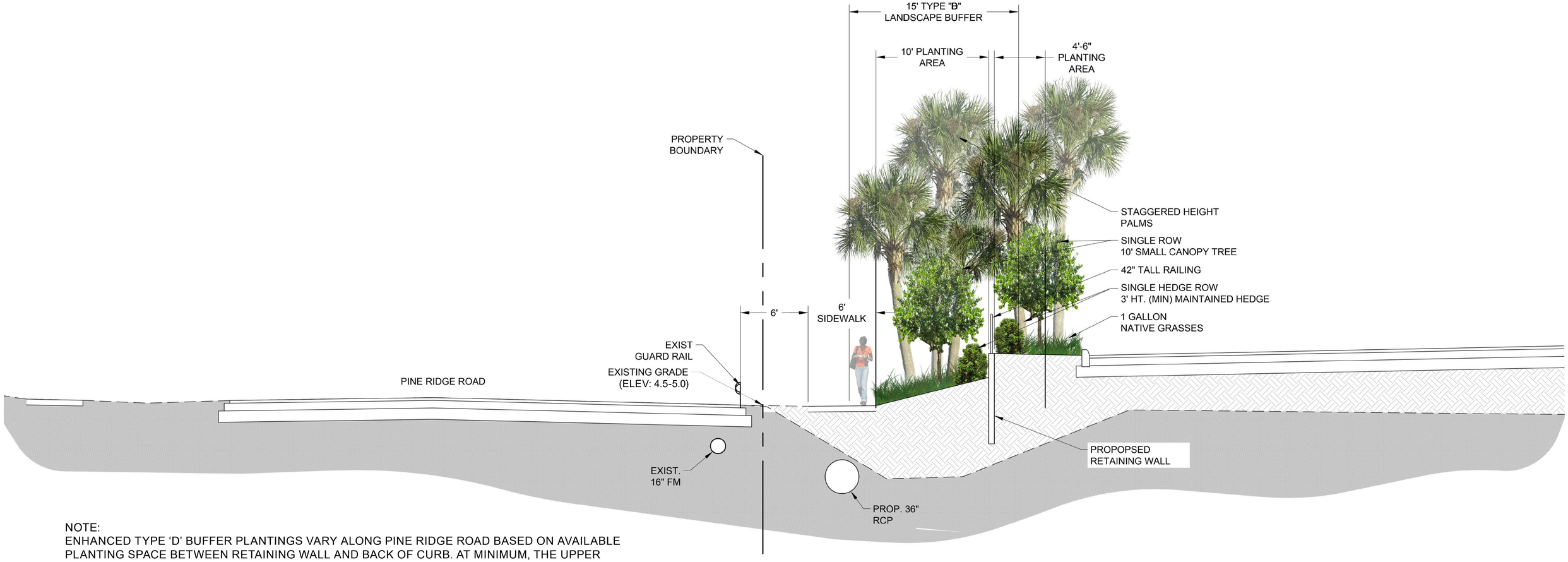
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Suite 305
Bonita Springs, Florida 34135
Tel: 239.405.7777
www.rviplanning.com

HEIGHTS CAREER TECH SCHOOL • TYPE 'D' BUFFER - SOUTH PROPERTY BOUNDARY

Lee County, FL
June 24, 2024
22005110

0 1' 2'
SCALE: 1/4" = 1'-0"
For illustrative purposes only. Subject to change without notice.



NOTE:
ENHANCED TYPE ‘D’ BUFFER PLANTINGS VARY ALONG PINE RIDGE ROAD BASED ON AVAILABLE PLANTING SPACE BETWEEN RETAINING WALL AND BACK OF CURB. AT MINIMUM, THE UPPER PLANTING AREA WILL HAVE NATIVE GRASSES PLANTED.

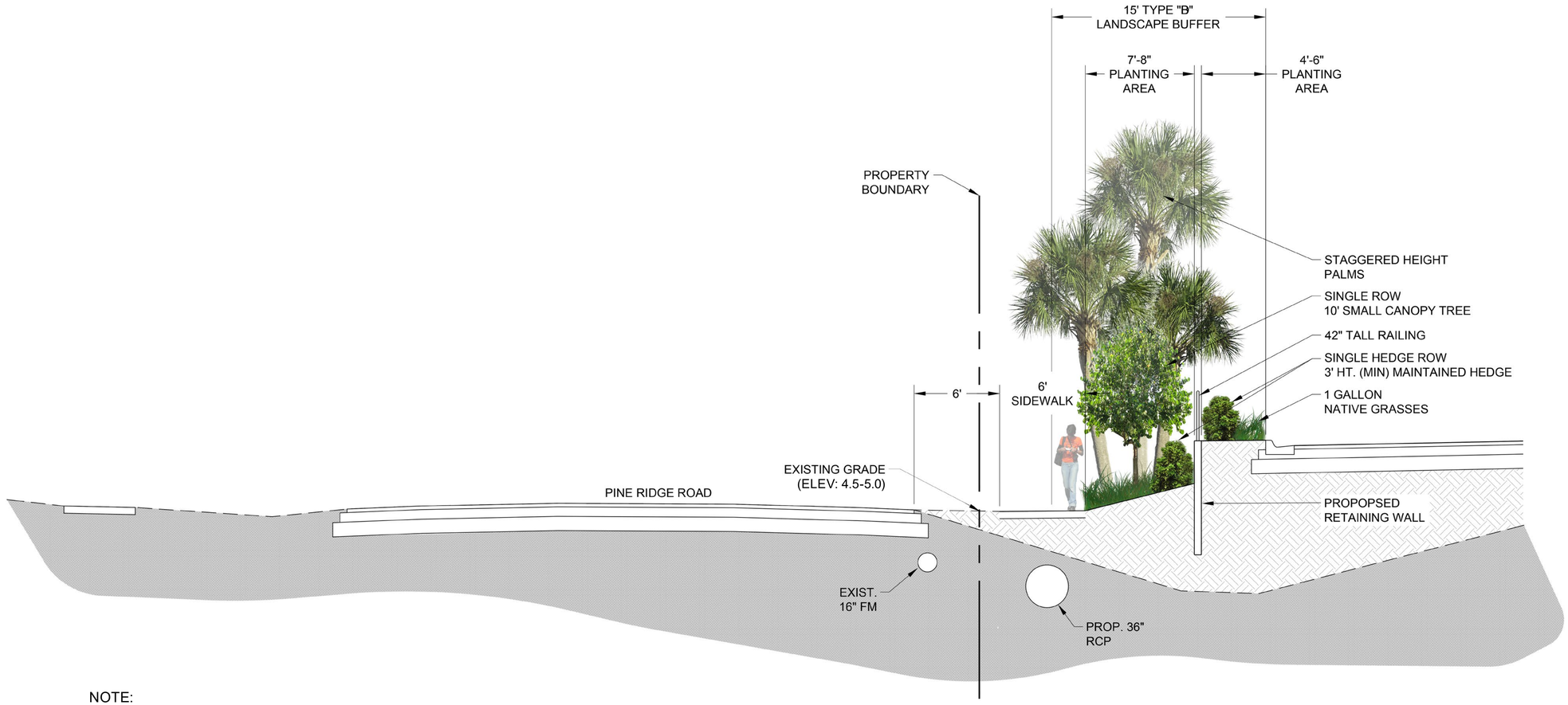
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HEIGHTS CAREER TECH SCHOOL • **TYPE ‘D’ BUFFER - WEST PROPERTY BOUNDARY**

Lee County, FL
June 24, 2024
22005110

0 1' 2'
SCALE: 1/4" = 1'-0"
For illustrative purposes only. Subject to change without notice.



NOTE:
ENHANCED TYPE 'D' BUFFER PLANTINGS VARY ALONG PINE RIDGE ROAD BASED ON AVAILABLE PLANTING SPACE BETWEEN RETAINING WALL AND BACK OF CURB. AT MINIMUM, THE UPPER PLANTING AREA WILL HAVE NATIVE GRASSES PLANTED.

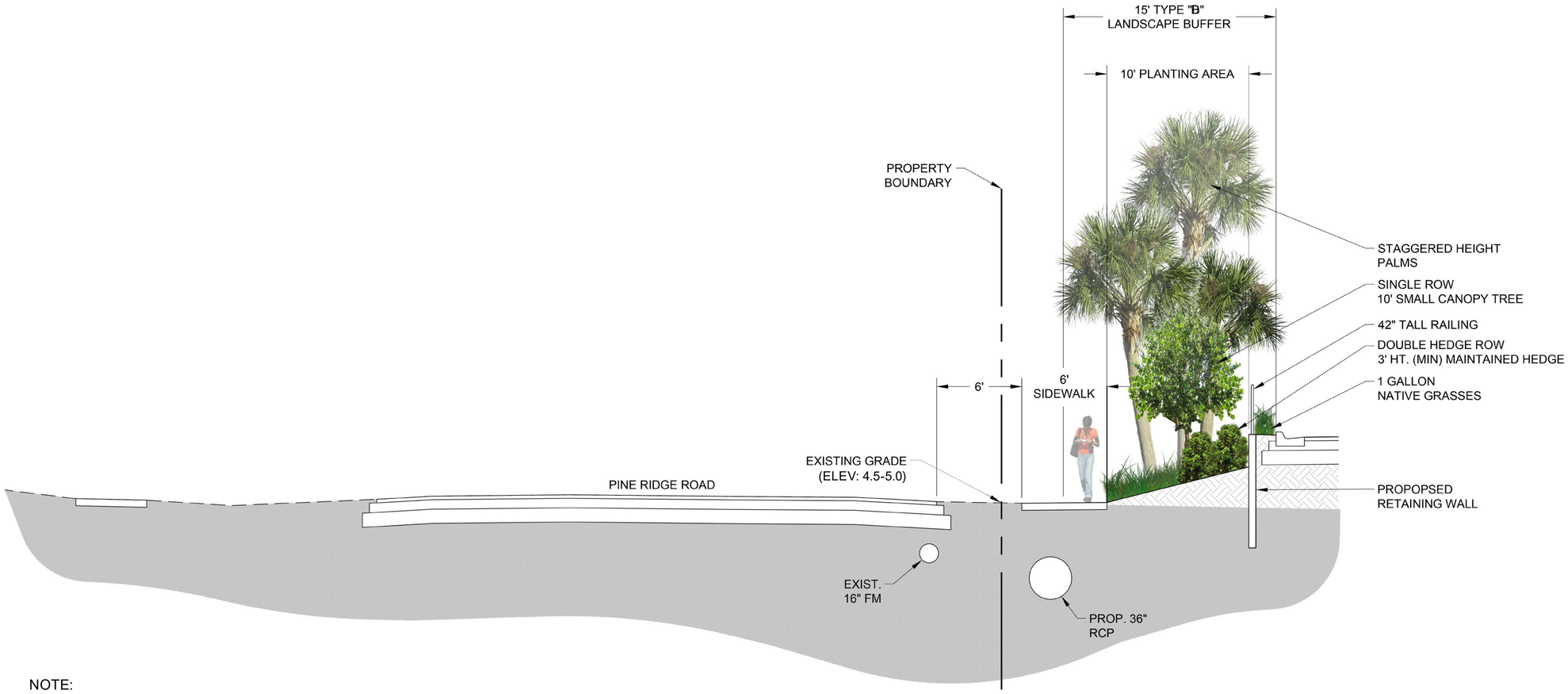
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HEIGHTS CAREER TECH SCHOOL • **TYPE 'D' BUFFER - WEST PROPERTY BOUNDARY**

Lee County, FL
June 24, 2024
22005110

0 1' 2'
SCALE: 1/4" = 1'-0"
For illustrative purposes only.
Subject to change without notice.



NOTE:
ENHANCED TYPE ‘D’ BUFFER PLANTINGS VARY ALONG PINE RIDGE ROAD BASED ON AVAILABLE PLANTING SPACE BETWEEN RETAINING WALL AND BACK OF CURB. AT MINIMUM, THE UPPER PLANTING AREA WILL HAVE NATIVE GRASSES PLANTED.

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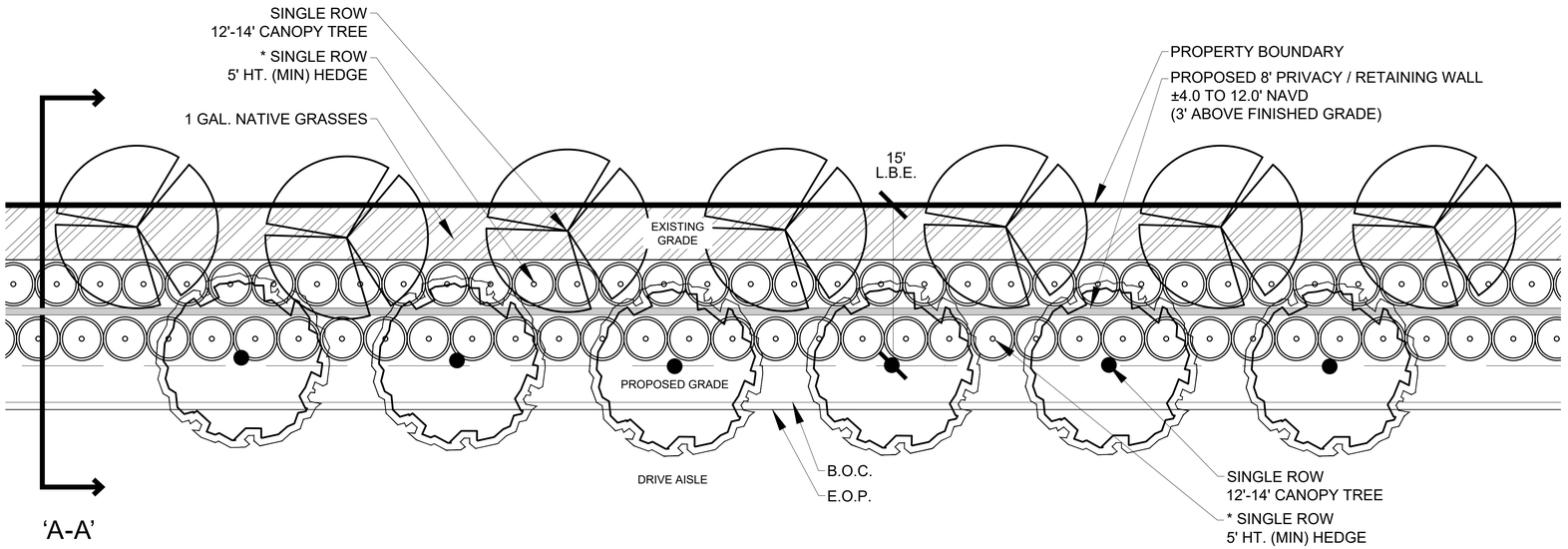
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HEIGHTS CAREER TECH SCHOOL • TYPE ‘D’ BUFFER - WEST PROPERTY BOUNDARY

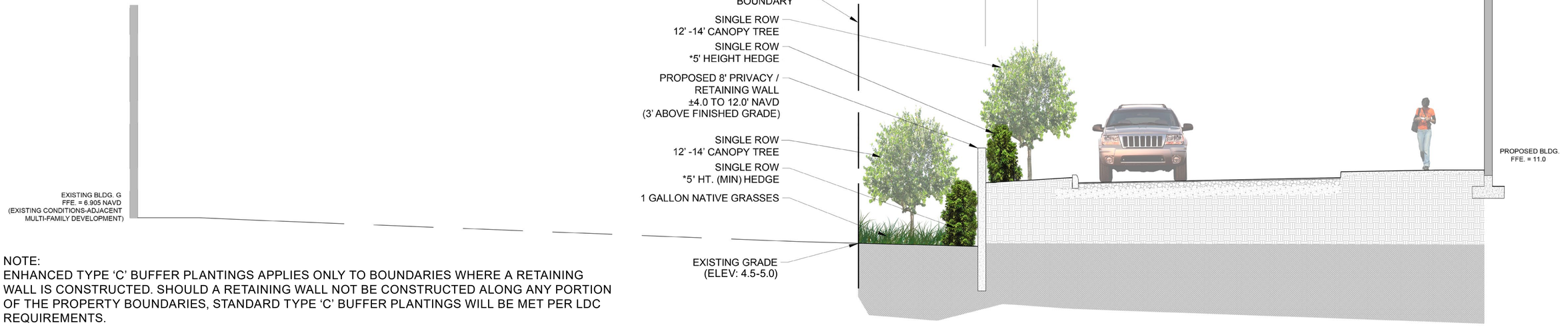
Lee County, FL
June 24, 2024
22005110

0 1' 2'
SCALE: 1/4" = 1'-0"
For illustrative purposes only.
Subject to change without notice.

Staff's 48 Hour Letter
Dated 08-13-2024
DCI2023-00033



100' TYPICAL - PLAN VIEW



NOTE:
ENHANCED TYPE 'C' BUFFER PLANTINGS APPLIES ONLY TO BOUNDARIES WHERE A RETAINING WALL IS CONSTRUCTED. SHOULD A RETAINING WALL NOT BE CONSTRUCTED ALONG ANY PORTION OF THE PROPERTY BOUNDARIES, STANDARD TYPE 'C' BUFFER PLANTINGS WILL BE MET PER LDC REQUIREMENTS.

*HEDGE AT EXISTING GRADE AND PROPOSED GRADE TO BE MAINTAINED AT 7' HEIGHT.

SECTION VIEW - 'A-A'

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HEIGHTS CAREER TECH SCHOOL • ENHANCED TYPE 'C' BUFFER - NORTH & EAST PROPERTY

Lee County, FL
June 24, 2024
22005110

0 1' 2'
SCALE: 1/4" = 1'-0"

For illustrative purposes only.
Subject to change without notice.

Heights Career Technical School – DCI2023-00033

Attachment C – Conditions and Deviations

A. CONDITIONS

All references to uses are defined or listed in the Lee County Land Development Code (LDC).

1. Master Concept Plan/Development Parameters

~~MCP. The development of the CPD must be consistent with the three-page MCP entitled "Heights Career Technical School at Crosslands CPD" dated March 2024, except as modified by the conditions below. The Residential Planned Development (RPD) must be consistent with the Master Concept Plan entitled "Master Site Plan, Edisto Lake Apartments" stamped approved by the Division of Development Services on March 30, 1995. Resolutions Z-86-081, Z-87-103, and Administrative Deviation 95-01-232.02A are hereby amended and superseded in strikethrough and underline format herein.~~

MCP. The development of the CPD must be consistent with the six-page MCP entitled "Heights Career Technical School at Crosslands CPD" dated June 2024, except as modified by the conditions below. The Residential Planned Development (RPD) must be consistent with the Master Concept Plan entitled "Master Site Plan, Edisto Lake Apartments" stamped approved by the Division of Development Services on March 30, 1995. Resolutions Z-86-081, Z-87-103, and Administrative Deviation 95-01-232.02A are hereby amended and superseded in strikethrough and underline format herein.

Land Development Code and Lee Plan. Development must comply with the LDC and Lee Plan at time of development order approval, except as may be granted by deviation herein. Subsequent changes may require additional zoning approval.

~~Development Parameters. The RPD is limited to 376 dwelling units not to exceed 35 feet in height, on 90.9 acres. The development will also include accessory recreational uses, model and sales center, and an on-site sewage treatment system. The CPD is limited to 23,000 square feet of retail commercial and professional space not to exceed 35 feet in height. The CPD is limited to a 66,500 square feet of commercial floor area, with a maximum building height of 36 feet, on 4.977 acres.~~

Development Parameters. The RPD is limited to 376 dwelling units not to exceed 35 feet in height, on 90.9 acres. The development will also include accessory recreational uses, model and sales center, and an on-site sewage treatment system. The CPD is limited to a 66,500 square feet of commercial floor area, with a maximum building height of 50 feet, on 4.977 acres.

Prior Approvals. These conditions and deviations codify and supersede Resolution Z-86-081, Resolution Z-87-103, and Administrative Deviation 95-01-232.02A.

2. Uses and Site Development Regulations

a. Schedule of Uses

RPD
Accessory Uses and Structures
Administrative Office
Dwelling Units – Multiple Family, Townhouse, Duplex
Entrance Gates, Gates Houses
Excavation, Water Retention
Fences and Walls
Model Home, Sales Center
Recreational Facilities – Private, Onsite
Signs

CPD
~~Administrative Offices~~
~~Animal Clinics~~
~~ATM (automatic teller machine)~~
~~Auto parts store~~
~~Automobile repair and service, Group I~~
~~Automobile service station~~
~~Bait and tackle shop~~
~~Banks and financial establishments, Group I and II~~
~~Boats: Boat parts store, Boat ramp, Boat rental~~
~~Broadcast studio, commercial radio, and television~~
~~Business services, Group I~~
~~Caretaker's residence~~
~~Car wash~~
~~Cleaning and maintenance services~~
~~Clothing stores, general~~
~~Clubs: Commercial, Fraternal, Membership Organization, Private~~
~~Contractors and builders, Groups I and II~~
~~Day care center, adult, child~~
~~Department store~~
~~Drive-through facility for any permitted use~~
~~Drugstore, pharmacy~~
~~Entrance gates and gatehouse~~
~~EMS, fire or sheriff's station~~
~~Essential services~~
~~Essential service facilities, Group I~~
~~Excavation: Water retention~~
~~Flea market: Indoor~~
~~Food stores, Group I and II~~
~~Funeral home or mortuary: No cremation~~
~~Hardware store~~
~~Healthcare facility, Group III~~
~~Hobby, toy, and game shops~~
~~Household and office furnishings, Group I and II~~
~~Laundromat~~

~~Laundry or dry cleaning, Group I~~
~~Lawn and garden supply~~
~~Library~~
~~Medical office~~
~~Nonstore retailers~~
~~Package store~~
~~Paint, glass, and wallpaper~~
~~Parks, Group I~~
~~Parking lot: Accessory, Park-and-ride, Temporary~~
~~Personal services, Group I, II, III, and IV~~
~~Pet services~~
~~Pet shop~~
~~Pharmacy~~
~~Place of worship~~
~~Recreation, facilities: Commercial, Group I; Private, on-site~~
~~Religious facilities~~
~~Rental or leasing establishments, Group I, II, and III~~
~~Repair shops, Group I and II~~
~~Research and development laboratories, Group II~~
~~Restaurant, fast food~~
~~Restaurants, Group I, II, III, and IV~~
Schools, Commercial and Noncommercial
~~Self-service fuel pumps~~
~~Signs in accordance with Chapter 30~~
~~Social services, Group I~~
~~Specialty retail shops, Group I, II, III, and IV~~
~~Storage: Indoor, Open~~
~~Studios~~
~~Supermarket~~
~~Theater: Indoor~~
~~Transportation services, Group II~~
~~Used merchandise stores, Group I, II, and III~~
~~Variety store~~
~~Vehicle and equipment dealers, Group II~~

b. Site Development Regulations

RPD
Boundary setback 20 feet
Waterbody setback 10 feet (See Deviation 1)

CPD

Minimum Lot Size (Corner Lots):	20,000 SF
Minimum Lot Depth:	100 feet
Minimum Lot Width:	100 feet
Maximum Building Height:	~~36 feet~~ 50 feet
Maximum Lot Coverage:	40 percent

Minimum Open Space:	1.51 acres (see Condition ~~2~~ 4.a)

Minimum Setbacks:

Street, Gladiolus Drive (arterial):	25 feet
Street, Richwood Drive (private):	20 feet
Street, Pine Ridge Road (Collector):	25 feet
Side Yard:	15 feet

3. RPD Conditions– The following conditions were approved by Resolution Z-86-081 and have been determined by County staff to be satisfied, or no longer applicable.

~~1. Prior to final plan approval, the developer shall have made acceptable provisions for offsetting any added net public costs or premature commitment of public funds need to provide appropriate levels of fire protection services for the development. In particular, the applicant shall make all necessary arrangements with the Iona-McGregor Fire District to offset a proportionate share of the costs of any land, buildings, and/or equipment required to provide adequate fire protection service to the development.~~

~~2. Prior to final plan approval, the applicant shall modify the Master concept Plan to show the Commercial School on the site.~~

~~3. The Master Concept Plan identified as A Conceptual Site Design for Richwood Lake Estates by Crossland Development and Aim Engineering and Surveying, dated July 23, 1986, and revised 22-86 is APPROVED as modified herein.~~

~~4. Deviations (11, and (3) through (8) are hereby APPROVED to the extent shown on the Master Concept Plan, and as described in these conditions. (Deviation (2) has been withdrawn).~~

~~5. The applicant shall donate (as shown on the Master Concept Plan) five drainage easements to Lee County at the northern terminus of North Church, No name, Codie, Wall and Johnson Streets in Harlem Heights.~~

~~6. Prior to the issuance of building permits, the applicant shall vacate the north-south street right-of-way which runs through the eastern portion of the subject property.~~

~~7. The applicant shall construct the land bridges located in the eastern portion of the previously excavated lake to the satisfaction of the County Engineer.~~

~~8. Prior to final plan approval, the applicant shall obtain an agreement from the adjacent property owner which allows the construction of the temporary cul-de-sac at the northeastern corner of the site. If such an agreement cannot be obtained, the applicant shall amend the Master Concept Plan to show an alternative road alignment. This alternative road alignment shall be subject to approval of the County Engineer and the Director of the Department of Community Development.~~

~~9. Prior to final plan approval, the applicant shall amend the Master Concept Plan to show the allocation of units on the subject property to be consistent with Exhibit G in this report.~~

4. Environmental conditions
    a. The development order plans must depict 1.51 acres of open space for the commercial tract.

    ~~b. The plans must demonstrate the proposed wall abutting to the multi-family development, no less than 3 feet as measured above finished grade.~~
    The development order plans must demonstrate the proposed wall abutting to the multi-family development, no less than 3 feet as measured above finished grade.

    ~~c. The plans must demonstrate no palms within the buffer abutting multi-family residential. Plans must be in substantial compliance with the cross-section entitled Enhanced Type "C" buffer – north and east property (Sheet 3 of the MCP). The applicant must plant trees at 12-14 feet in height, and shrubs at 48 inches at the time of installation for all buffers. Shrubs must be maintained at 60 inches.~~
    The development order plans must demonstrate no palms within the buffer abutting multi-family residential. Plans must be in substantial compliance with the cross-section entitled Enhanced Type "C" buffer – north and east property (Sheet 3 of the MCP). The applicant must plant trees at 12-14 feet in height, and shrubs at 48 inches at the time of installation for all buffers. Shrubs must be maintained at 60 inches.

~~5. Transportation condition~~
    ~~d. Development intensity is limited to new trips generated by a 165-student Junior/Community College use based upon the Institute of Transportation Engineers (ITE) Trip Generation Manual in effect at time of local development order.~~

B. DEVIATIONS

1. Waterbody setback: Deviation 1 seeks relief from LDC Section 34-845 which requires the minimum setback from a structure to a waterbody of 25 feet, to allow for a 10-foot waterbody setback from a structure to a water body (measured at top of bank).
(Staff Note: Existing deviation from Resolution Z-86-081)

2. Withdrawn
(Staff Note: Existing withdrawn deviation from Resolution Z-86-081)

3. Excavation setback: Deviation 3 seeks relief from LDC Section 10-329(d)(3) which requires a setback for an excavation from a private property line of 50 feet, to allow an excavation setback of 25 feet as shown on the MCP.
(Staff Note: Existing deviation from Resolution Z-86-081)

4. Withdrawn. Minimum excavation setbacks to a quarter section line of 60 feet, to 0 feet for the north-south line in Section 32.
(Staff Note: Deviation 4 withdrawn as minimum excavation setbacks to a quarter section line are not required in the current Land Development Code standards).

5. Withdrawn. Requirement that street access be provided to adjoining property, to eliminate a connection to the adjoining local road system.

(Staff Note: Deviation 5 withdrawn as street access land development requirements per LDC Section 10-295 are where deemed necessary by the Director of Development Services.)

6. Connection separation: Deviation 6 seeks relief from LDC Section 10-285 connection separation, which requires a minimum intersection spacing of 660 feet along principal arterial streets, to allow a separation of 588 feet along Gladiolus Drive.
   (Staff Note: Existing deviation from Resolution Z-86-081)

7. Withdrawn. Minimum setbacks from roads, streets, and drives of 80 feet from the centerline of Pine Ridge Road, to 75 feet.
   (Staff Note: Deviation 7 withdrawn as minimum setbacks from roads, streets, and drives from centerlines are not required in the current Land Development Code standards).

8. Withdrawn. Minimum perimeter setbacks for incompatible developments from 25 feet to 20 feet on the south and east property lines.
   (Staff Note: Deviation 8 withdrawn as minimum perimeter setbacks for incompatible developments are not required in the current Land Development Code standards).

9. Withdrawn. Deviation from the requirement of a minimum 60-foot setback from a structure to quarter section line, to allow a 0-foot setback.
   (Staff Note: Deviation 9, which was approved by Resolution Z-87-103, is withdrawn as minimum excavation setbacks to a quarter section line are not required in the current Land Development Code standards).

10. Intersection Design: Deviation 10 seeks relief from LDC Section 10-296(j) which requires streets to be designed to intersect as nearly as possible at right angles, to allow alternative cross section in the form of a “rotary” intersection.
    (Staff Note: Existing deviation from Administrative Deviation 95-01-232.02A)

11. Cul-de-sacs: Deviation 11 seeks relief from LDC Section 10-296(k) which requires dead-end streets, designed to be so permanently, must be closed at one end by a circular turn around for vehicles, to allow an alternative turn-around in lieu of a cul-de-sac termination of a private local road.
    (Staff Note: Existing deviation from Administrative Deviation 95-01-232.02A)

12. Grading and centerline gradients: Deviation 12 seeks relief from LDC Section 10-296(d)(2) which states that grading and centerline gradients are per plans and profiles approved by the Director of the Department of Development Services for privately maintained roads, to allow an alternative road cross section in the form of a “mono slope” pavement on Clear Lake Loop.
    (Staff Note: Existing deviation from Administrative Deviation 95-01-232.02A)

13. Connection separation: Deviation 13 seeks relief from LDC Section 10-285, Table 1 Connection Separation, which requires a 330-foot separation for motor vehicles located along major collectors within Future Urban designated areas, to allow a 195-foot separation for the proposed motor vehicle connection on Pine Ridge Road from Richwood Drive.

    This deviation is APPROVED.

~~14. Buffer types: Deviation 11 seeks relief from LDC Section 10-416(d)4 Buffer Types, which requires Type C buffers provide a solid wall, berm or wall and berm combination, not less than eight feet in height as measured from the finished grade of the project site, to allow a solid wall/retaining wall combination not less than eight feet in height measured from the existing grade of the project.~~

Buffer types: Deviation 14 seeks relief from LDC Section 10-416(d)4 Buffer Types, which requires Type C buffers provide a solid wall, berm or wall and berm combination, not less than eight feet in height as measured from finished grade of the projects site, to allow no wall and Enhanced Type C buffer.

This deviation is APPROVED subject to Condition ~~1~~ 4.b.

15. Buffer planting heights: Deviation 15 seeks relief from LDC Section 10-420(f) Buffer planting heights, which requires the height of all trees, palms, and shrubs located within buffers to be measured from the parking lot grade of the project site, to allow the height of trees, palms, and shrubs within the buffer to be measured from the final grade in which they are planted, subject to the following provisions:

    a. Within the Type 'C' buffers, where the site is adjacent to residential development and a retaining wall is constructed, a single row of shrubs 5 feet in height, spaced 4 feet on center and a single row of native canopy trees 12 to 14 feet in height at five (5) trees per 100 linear feet must be planted at the finished grade of the project site, and a single row of shrubs planted at 5 feet in height and maintained at a minimum of 7 feet in height must be planted and spaced 4 feet on center within the existing grade buffer adjacent to the retaining wall. An additional row of native canopy trees 12 to 14 feet in height with five (5) trees per 100 linear feet must be planted within the existing grade planting area adjacent to the retaining wall, these additional trees may count towards the general tree requirement pursuant to LDC Section 10-416.

    ~~b. Within the Type 'D' buffers, where the site is adjacent to rights-of-way and a retaining wall is constructed, four (4) canopy trees at 12 feet in height and five (5) Cabbage Palms with a minimum 10-foot clear trunk must be planted at existing and finished grade per 100 linear feet. Alternatively, five (5) Royal Palms with a minimum 10-foot clear trunk per 100 linear feet may be planted at existing and finished grade along the intersection of Gladiolus Drive and Pine Ridge Road. The required double hedge row may be split so that one hedge row is planted at existing grade (external side of the wall) and one hedge row is planted at finished grade (interior side of the wall).~~

    Within the Pine Ridge Road Type 'D' buffers, where the site is adjacent to rights-of-way and a retaining wall is constructed, four (4) canopy trees at 12 feet in height and five (5) Cabbage Palms with a minimum 10-foot clear trunk must be planted at existing and finished grade per 100 linear feet. In portions of the buffer where there is insufficient room to plant trees, palms and hedge at both existing and finished grade, the required trees, palms, and hedge will be planted on the existing grade side of the wall and native grasses will be planted at the finished grade (interior) side of the wall.

    c. Within the Gladiolus Drive Type D buffer, where the site is adjacent to rights-of-way and a retaining wall is constructed, four (4) canopy trees at 12' in height and five (5) Cabbage Palms

with a minimum 10' clear trunk shall be planted at existing and finished grade per 100 linear feet. Alternatively, five (5) Royal Palms with a minimum 10' clear trunk may be planted at existing and finished grade per 100 linear feet along the intersection of Gladiolus Drive and Pine Ridge Road. The required double hedge row may be split so that one hedge row is planted at existing grade (external side of the wall) and one hedge row is planted at finished grade (interior side of the wall).

d. One (1) gallon native grasses and groundcovers shall be provided at 36 inches on center within the existing grade portions of the Type C and Type D buffers.

e. Additional plantings apply only to boundaries where a retaining wall or retaining wall/solid wall combination are constructed. Should a retaining wall not be constructed along any portion of the property boundaries, standard buffer plantings will be installed per LDC requirements.

This deviation is APPROVED subject to the following conditions:

1. Prior to issuance of the first development order, the plans must demonstrate no palms within the buffer abutting the multi-family residential.

2. Prior to issuance of the first development order, the plans must be in substantial compliance with the cross-sections on the Master Concept Plan sheets 2 and 3.

3. One (1) gallon native grasses and groundcovers must be provided at 36 inches on center within the existing grade portions of the Type 'C' and Type 'D' buffers.

4. Additional plantings apply only to boundaries where a retaining wall or retaining wall/solid wall combination are constructed. Should a retaining wall not be constructed along any portion of the property boundaries, standard buffer plantings will be installed per LDC requirements.

16. Deviation 16 seeks relief from LDC Section 10-416(c)(11) "Use of Buffer Areas", which permits passive recreational uses such as pedestrian, bike or equestrian trails with required buffers provided not more than twenty percent of the width of the buffer is impervious surface, to allow up to thirty percent of the width of the buffer be impervious surface.

This deviation is APPROVED.

Staff's 48 Hour Letter
Dated 08-13-2024
DCI2023-00033

LEE COUNTY STAFF EXPERT WITNESS INFORMATION
PROVIDED PURSUANT TO AC-2-6, SECTION 2.2.b(5)(F)3.

Case Number:	**DCI2023-00033**
Project Name:	**Heights Career Technical School**
Hearing Examiner Date:	**August 15, 2024**

MarySue Groth, Senior Planner, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, and Environmental Sciences.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Brian Roberts, Planner, Planning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code and Lee Plan.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Ally Hall, P.E., Plan Reviewer, Development Services, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code and Lee Plan.
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Marcus Evans, P.E., Engineer, Infrastructure Planning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code and Lee Plan.

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Nic DeFilippo, Senior Environmental Planner, Planning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, and Environmental Sciences.
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Elizabeth Workman, Environmental Planner, Planning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, and Environmental Sciences.
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Jillian Scholler, Deputy Director Transportation, Planning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, and Transportation.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.