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August 16, 2024

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Dave Harner, II
County Manager

RE: CPA2024-00011 and CPA2024-00012 – First Review

Corkscrew 80

Richard Wm. Wesch
County Attorney

Dear Mr. Drovdlc:

Donna Marie Collins
County Hearing
Examiner

Staff has reviewed the application submittals for the Comprehensive Plan Amendments, CPA2024-00011 (Map) and CPA2024-00012 (Text), stamped “received” on July 12, 2024. Planning staff finds that the application materials are insufficient and further information is needed.

Please note that the applicant has concurrent map amendment, text amendment, rezoning, and bonus density applications. It is the applicant's responsibility to ensure consistency throughout the application process as staff requests changes. Additionally, the application materials provided for the text and map amendments are largely duplicative and appear to be tailored to the rezoning request, even though the impacts of the proposed amendments are not the same. Staff would urge the applicant to revise each application to address the relevant requests.

CPA2024-00011 – MAP AMENDMENT

APPLICATION MATERIALS

1. Remove the disclosure of interest or remove names at the bottom unless someone in the organization is a Lee County Employee, County Commissioner, or Hearing Examiner.
2. It appears a page of mailing labels from another application was included with this application package. Verify all labels are consistent with Exhibit M3.
3. Exhibit M20 states that the property is not within a planning community with a specific LDC requirement in Chapter 33; however, it is within the Southeast Lee County Community Plan Area, which has requirements in the Comprehensive Plan for map and text amendments. Provide a meeting summary document on the required informational session per the requirements of Lee Plan Goal 17.

PLANNING COMMENTS

4. Exhibit M14, Section 2 states the existing maximum development of 85 units under DR/GR and 85 units under Intensive Development. This does not appear to accurately represent this application, as the application does not propose intensive development. Revise the analysis to reflect the number of units currently allowed under DR/GR and the proposed number under DR/GR with the additional map amendments. This analysis needs to demonstrate that the proposed water and sewer lines have adequate capacity to serve the increased density on the subject property.
5. The Lee Plan Analysis included an analysis of Conservation Lands FLU. Clarify how this relates to the application, specifically whether this also proposes adding lands to the Conservation Lands FLU category.
6. Add a statement to the Lee Plan analysis addressing Lee Plan Policy 1.6.5 regarding the impacts of the proposed map amendments on Table 1(b) allocation for SE Lee County, the Lee County population projections, and the total population capacity of the FLU map.
7. The application materials only include a Lee Plan Analysis relating to Southeast Lee County for Policy 33.2.4. Revise the Lee Plan Analysis to demonstrate the map amendments' consistency with Goal 33, Objective 33.1, and the policies supporting Objective 33.1.
8. The analysis provided for Lee Plan Policy 33.2.4 does not sufficiently address all of the criteria for the EEPCO. Revise the analysis of this policy to demonstrate how the proposed map amendments are consistent with numbers 1-4 and the sub-policies therein. This analysis needs to demonstrate that the proposed map changes support all the intentions of the Southeast Lee Community Plan Area.

ENVIRONMENTAL COMMENTS

9. Provide an analysis of Lee Plan policies 1.4.6, 2.3.1, 2.3.2, 33.1.1, 33.1.2, 33.1.4, 60.4.3, 61.1.6, 123.1.5, 123.2.10, 123.3.3, 126.1.1, 126.1.4 as well as Goal 63.
10. Expand on the analysis of Lee Plan 33.2.4 (1). The policy states that lands eligible for designation must provide significant regional hydrological and wildlife connections and have the potential to improve, preserve, and restore regional surface and groundwater resources and indigenous wildlife habitats. In the application, the applicant only indicated that a 12 ac cypress head and 6 ac of Pine Flatwoods would be preserved. Please provide scientific analysis/data to demonstrate that significant regional hydrological and wildlife connections can be provided to support the request.
11. Expand on the analysis of Lee Plan policy 1.6.10 detailing how the proposed preservation provides an "important regional hydrological and wildlife connection."
12. The applicant stated in the Lee Plan Analysis that preserving a minimum of 50% of the property in conservation easements will meet the intent of the EEPCO to improve, preserve, and restore regional surface and groundwater resources. Please provide scientific analysis/data to support this claim.
13. The applicant's Existing and Future Conditions Analysis narrative incorrectly indicated that the property abuts Lee County 20/20 lands to the north. Please revise accordingly.
14. The applicant's Existing and Future Conditions Analysis indicated, "There are no known environmentally sensitive areas recorded in the environmental assessment report." Please detail what significant regional hydrological and wildlife connections the subject property can provide.
15. Provide a description of the soils found on the property (identify the source of the information).
16. Provide a topographic map depicting the property boundaries and 100-year flood-prone areas indicated (as identified by FEMA).
17. Provide a map delineating the property boundaries on the most recent Flood Insurance Rate Map.

18. Provide a map delineating onsite aquifer recharge areas, if applicable.
19. Provide an integrated surface and groundwater model to demonstrate compliance with Lee Plan policy 33.1.7. Please provide the integrated surface and groundwater supporting model files for Staff to review.

TRANSPORTATION COMMENTS

20. *LCDOT staff has reviewed the Traffic Circulation Analysis attached as part of the applications for CPA2024-00011 and CPA2024-00012 (Corkscrew 80 CPA Map and Text Amendments) and does not have any comments at this time. Revisions to the application materials may create new comments in the future.*

CPA2024-00012 – TEXT AMENDMENT

APPLICATION MATERIALS

1. Remove the disclosure of interest or remove names at the bottom unless someone in the organization is a Lee County Employee, County Commissioner, or Hearing Examiner.
2. The proposed text amendment impacts properties within the Southeast Lee County Community Plan Area. Provide a meeting summary document on the required informational session per the requirements of Lee Plan Goal 17.

PLANNING COMMENTS

3. The proposed text amendment does not provide any analysis that supports the text changes to the Lee Plan. Per the Text Amendment Application requirements, provide an analysis of the impacts of the proposed changes per the following to demonstrate the amendments are consistent with the intent of the Future Land Use and Community Plan Area:
 - a. The proposed text amendment expands the opportunity for all parcels east of the intersection with Alico Road and on either the North or South side of Corkscrew Road to be eligible for incorporation into the EEPKO. Provide an analysis of the impact this would have on potential density and intensity in this Planning District.
 - b. The proposed text amendment to Policy 33.2.4 section 2a proposes to reduce the required open space for properties less than or equal to 100 acres. Provide an analysis of the potential open space loss in this Planning District and how this supports Lee Plan Goal 33 and its supporting policies and objectives.
 - c. The proposed text amendment to Policy 33.2.4, section 2.a.6 proposes to reduce the buffer along Alico Rd for properties less than 100 acres. Provide documentation that demonstrates the reduced buffer will support streetscape continuity along this corridor.
 - d. The proposed text amendment to Policy 33.2.4, section 2.c appears to exempt properties under 100 acres from developing an ecological and hydrological restoration plan. Clarify whether that was the intent, and, if so, provide an analysis of the impact this would have on the Community Plan Area.
 - e. The proposed text amendment to Policy 33.2.4, section 2.e reduces the amount of land that needs to be placed in a conservation easement for properties less than 100 acres. Provide an analysis of the potential conservation loss and an analysis of how this is consistent with Lee Plan Goal 33.

4. The traffic impact statement only addresses the 85 units proposed on the subject property. The proposed text amendments may impact properties other than the property with parcel ID 21-46-27-00-00001.0000. Revise the transportation analysis to reflect all potential transportation impacts of the proposed text amendments.

ENVIRONMENTAL COMMENTS

5. Provide justification and reasoning behind the proposed text changes. Many seem tied to the property's size, but the subject property is undeveloped. In addition, Staff does not understand how property size corresponds to the proposed text changes regarding the enhanced lake management plan and the development of a site-specific ecological and hydrological restoration plan.
6. Provide an overall analysis of potential environmental impacts (positive and negative) resulting from the proposed text amendment. The applicant's Environmental Impacts Analysis only examined the subject property. What additional properties will be eligible to utilize the applicant's proposed text amendment? What environmental impacts will this have (positive and negative)?

TRANSPORTATION COMMENTS

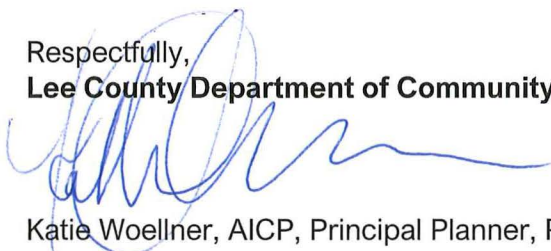
7. *LCDOT staff has reviewed the Traffic Circulation Analysis attached as part of the applications for CPA2024-00011 and CPA2024-00012 (Corkscrew 80 CPA Map and Text Amendments) and does not have any comments at this time. Revisions to the application materials may create new comments in the future.*

ZONING COMMENTS

8. Analysis of Objective 2.1 states that the subject property is in an urbanized area, which is contrary to the intent of the Southeast Lee County Community Plan and the property's Future Land Use Category. Please clarify.
9. In the analysis of Objective 2.2.1, the applicant states that the proposed development provides significant distances between residential lots and the project boundary, but the proposed language requests a reduced buffer requirement for properties less than 100 acres. Please clarify how the reduced buffer and setback requirements are consistent with the surrounding development pattern and with the intent of the Southeast Lee County Community Plan.

Public hearings will not be scheduled until a complete application is submitted. If you do not provide the requested supplements of corrections within 90 days of this letter, this application will be considered withdrawn. Contact planning staff at (239) 533-8362 or kwoellner@leegov.com with any questions.

Respectfully,
Lee County Department of Community Development



Katie Woellner, AICP, Principal Planner, Planning Section

CC: Case File