Lee County Community Development

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Writer's Direct Dial Number: 239-533-8372

November 15, 2024

Margaret Emblidge
LJA Engineering
7400 Trail Blvd., Ste. 200
Naples, FL 34108

Re: Arthrex at Plantation
DCI2024-00034 - Major PD

Dear Margaret Emblidge:

The Zoning Section has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

A public hearing date will not be scheduled until a complete application is submitted.

If you do not provide the requested supplements or corrections within 30 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section

Electronically signed on 11/15/2024 by
Chahram Badamtchian, Planner, Senior

Margaret Emblidge
LJA Engineering
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Planning Review:
Staff cannot confirm the proposed density without a site plan clearly showing the location of residential development and how the proposed amendment will impact or preserve freshwater wetlands on the subject property. The applicant's anticipated impacts to jurisdictional wetlands must be shown to craft a condition that appropriately addresses the reduction in density that will result from impacts to freshwater wetlands.

The proposed density must be consistent with anticipated impacts to wetlands based on the environmental report provided with the application. Provide an exhibit showing the master concept plan overlaying the anticipated wetland areas.

Application Part 4 must be consistent with the environmental report provided by the applicant.

Please contact Joseph Sarracino at JSarracino@leegov.com or by calling 239-533-8984 with any questions regarding the above review comments.

Legal Description Review:
c. 34-202(a). Submittal requirements for applications requiring public hearing.
(6) Boundary Survey. & (7) Certification of title and encumbrances

The easements listed in the certification of title and the easements mapped on the boundary survey do not match. The title opinion letter includes OR Book 4542 Pg 3723, OR Book 3207 Pg954, Inst# 2006000344481, Inst# 2006000344484, Inst# 2006000458380, and Inst# 2007000368846 which are not depicted on the boundary survey. If applicable, the note "not plottable" may be added. Instruments numbers 2006000220406 and 2006000314463 are depicted on the boundary survey but not listed in the title opinion. (2007000368846 is a deed of sale for a Cape Coral property), Some of the easements may fall outside of the property boundary as the perimeter boundary is not marked with a heavy line making it distinguishable from the areas not part of the entire area to be developed.

Please contact Richard R Burris at RBurris@leegov.com or by calling 239-533-8526 with any questions regarding the above review comments.

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Environmental Review:

Revise the MCP to depict the width of the "Existing Buffer Betterment Plan" buffer. Staff will be recommending a condition to ensure that the approved Limited Development Order (LDO2021-00201) that abated the violations will be provided as part of the development order for the land improvements.

Courtesy: Staff will be recommending a buffer along the west property line to be consistent with the LDO2021-00201 As-Built approval in order to provide consistent screening.

The previously approved RPD application indicated that three wetlands were existing on the site and the applicant would be required to provide on or offsite mitigation to impact the wetlands. Please clarify the maximum density taking into consideration the impacts to these wetlands. The current application calculates the entire 37.7 acre parcels as Intensive Development upland with 14 dwelling units per acre. If wetlands are impacted, the density will be required to be calculated at one dwelling unit per 20 acres of wetland impacts. Provide a formal jurisdictional wetland determination stating the acreage of State wetlands to ensure that the maximum density is attainable.

Deviation #1 cannot be granted because the section of code cited prohibits deviations and variances. The applicant has provided a FPL consent agreement that includes a site plan stating the vegetation heights are limited to a maximum height of 16 feet within the FPL easement. This meets the easement agreement mentioned in LDC Section 10-421(a)(5). A deviation is not necessary.

Please contact Elizabeth A Workman at EWorkman@leegov.com or by calling 239-533-8793 with any questions regarding the above review comments.

DOT Review:

1. The connection separation distances specified on the MCP must be measured edge to edge of pavement. In addition, the separation distances must be determined on both sides of the roadway for undivided roadways. Existing and approved access points must be depicted on both sides of the road along the project frontage and to the nearest access point beyond the project frontage in each direction.

2. The proposed uses in the application and shown on the MCP are not consistent with the uses in the Zoning Traffic Study (ZTS). A clarification is required. If this MCP is designed with two alternatives of the schedule of uses as identified in the ZTS, the proposed land use table on the MCP, request statement, and requested schedule of uses must be revised to clearly identify the proposed two options of the schedule of uses. As an alternative, the ZTS must be revised to reflect the worst-case scenario of the proposed schedule of uses identified on the current MCP.

Please contact Pakorn Sutitarnnontr at PSutitarnnontr@leegov.com or by calling 239-533-8516 with any questions regarding the above review comments.

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TIS Review:

1. The proposed uses in the application and shown on the MCP are not consistent with the uses in the Zoning Traffic Study (ZTS). The ZTS must be revised to reflect the worst-case scenario of the proposed schedule of uses identified on the current MCP. If this MCP is designed with two alternatives of the schedule of uses as identified in the TIS, the proposed land use table on the MCO and requested schedule of uses must be revised to clearly identify the proposed two options of the schedule of uses.

2. DOT staff does not agree with only 10% of the project traffic assigned onto Plantation Road north of Daniels Pkwy.

3. The applicant/developer must enter into a Signalization Agreement for the proportionate share contribution towards the design and installation/construction of traffic signal facilities at the intersection of Six Mile Cypress Pkwy and Plantation Rd as a part of the initial approval for Development. The proportionate share traffic signal agreement must be reviewed and approved by Lee County Department of Transportation and County Attorney's Office, executed, and recorded by the Lee County Clerk of Court prior to issuance of the first certificate of occupancy for development permitted under that development order.

Please contact Pakorn Sutitarnnontr at PSutitarnnontr@leegov.com or by calling 239-533-8516 with any questions regarding the above review comments.