

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

January 25, 2002

Ray Eubank, Community Program Administrator
Florida Department of Community Affairs
Division of Community Planning
Bureau of Local Planning
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

Re: Amendments to the Lee Plan
Adoption Submission Package (DCA No. 01-1) for the 2000/2001 Regular Comprehensive
Plan Amendment Cycle

Dear Mr. Eubank:

In accordance with the provisions of F.S. Chapter 163.3184 and of 9J-11.011, this submission package constitutes the adopted 2000/2001 Regular Comprehensive Plan Amendment Cycle to the Lee Plan (DCA No. 01-1), known locally as PAT 99-14, PAT 99-20, CPA 2000-03, CPA 2000-06, CPA 2000-07, CPA 2000-08, CPA 2000-09, CPA 2000-10, CPA 2000-11, CPA 2000-13, CPA 2000-14, CPA 2000-17, CPA 2000-21, CPA 2000-22, CPA 2000-23, CPA 2000-25, CPA 2000-26, CPA 2000-29, CPA 2000-31, CPA 2000-02, CPA 2000-15, CPA 2000-19 and CPA 2000-27. The adoption hearing for these plan amendments was held at 9:30 am on January 10, 2002.

Included with this package, per 9J-11.011(5), are three copies of the adopted amendments, supporting data and analysis, and the following five adopting ordinances: Ordinance No. 02-02, Ordinance No. 02-03, Ordinance No. 02-04, Ordinance No. 02-05, and Ordinance No. 02-06. By copy of this letter and its attachments I certify that this amendment has been sent to the Regional Planning Council, the Florida Department of Transportation (FDOT), the Department of Environmental Protection, the Florida Department of State, the Florida Fish and Wildlife Conservation Commission, the Department of Agriculture and Consumer Services, Division of Forestry, and the South Florida Water Management District.

The initial staff reports for the proposed amendments were sent to the DCA with a transmittal cover letter dated September 12, 2001. Only one amendment, PAM 98-06, previously reviewed and objected to by the Department in this current cycle of amendments, was not adopted by the Board of County Commissioners. In addition, changes have occurred in CPA 2000-02, CPA 2000-15, CPA 2000-19 and CPA 2000-27. Revisions in CPA 2000-02 were made in response to objections raised by the Department in the ORC Report. The revisions clarify permitted uses in the Boca Bay Community. In amendment CPA 2000-15 golf maintenance building setbacks

adjacent to residential uses within the DR/GR land use category have been increased for compatibility purposes. The Board of County Commissioners made changes to CPA 2000-19 in response to the representatives of the Estero Planning Community Effort clarifying the status of night clubs in the community, mitigation banking options in the community, and removing the requirement of Mixed Planned Development zoning outside of commercial nodes. CPA 2000-27 has added a new table reflecting the new 2002/2006 fiscal year to the CIP. The Board of County Commissioners adopted CPA 2000-02, CPA 2000-15, CPA 2000-19 and CPA 2000-27 with the noted changes.

If you have any questions, or if I can be of any assistance in this matter, please feel free to call me at the above telephone number.

Sincerely,
DEPT. OF COMMUNITY DEVELOPMENT
Division of Planning



Paul O'Connor, AICP
Director

All documents and reports attendant to this adoption are also being sent, by copy of this cover, to:

Wayne Daltry
Executive Director
Southwest Florida Regional Planning Council

Norm Feder, District Director
Planning and Programming
FDOT District One

Executive Director
South Florida Water Management District

Plan Review Section
Department of Environmental Protection

Florida Department of State

Florida Fish and Wildlife Conservation Commission

The Department of Agriculture and Consumer Services, Division of Forestry

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Florida Fish and Wildlife Conservation
620 South Meridian Street
Tallahassee, FL 32399-1600

Commission

2. Article Number (Copy from service label)

7000 0600 0027 9258 1098

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

☐ Agent
☐ Addressee

 D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Florida Department of State
Division of Historical Resources
The Capitol
Tallahassee, FL 32399-0250

2. Article Number (Copy from service label)

7000 0600 0027 9258 1050

PS Form 3811, July 1999

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COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

 C. Signature GRACIE PENTON
 X DEPARTMENT OF ST.

 D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

1-31-82

3. Service Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Department of Agriculture and Consumer Svc.
Division of Forestry
3125 Connor Boulevard
Tallahassee, FL 32301

2. Article Number (Copy from service label)

7000 0600 0027 9258 1043

PS Form 3811, July 1999

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102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

X

LEE MERCIER

1-31

☐ Agent
☐ Addressee

 D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

e Type

☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.
4. Restricted Delivery? (Extra Fee) ☐ Yes

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Executive Director
South Florida Water Management District
3301 Gun Club Road
West Palm Beach, FL 33406

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 0600 0027 9258 1081

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Domestic Return Receipt

102595-00-M-0952

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Mike Rippe
Florida Department of Transportation
P.O. Box 1030
2292 Victoria Avenue, Suite 292
Fort Myers, FL 33902-1030

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 0600 0027 9258 1074

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102595-00-M-0952

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Florida Department of Environmental Protection
Plan Review Section
3900 Commonwealth Boulevard, MS 47
Tallahassee, FL 32399-3000

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number (Copy from service label)

7000 0600 0027 9258 1067

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Wayne Daltry
S.W. Florida Regional Planning Council
P.O. Box 3455
4980 Bayline Drive, 4th Floor
North Fort Myers, FL 33918-3455

2. Article Number (Copy from service label)

7000 0600 0027 9258 1029

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COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

PAT McINNIS

B. Date of Delivery

1/30/02

C. Signature

X [Signature]

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ray Eubanks, Community Program Administrator
Florida Department of Community Affairs
Bureau of Local Planning
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

2. Article Number (Copy from service label)

7000 0600 0027 9258 1036

PS Form 3811, July 1999

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102595-00-M-0952

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A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X [Signature]

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Ray Eubanks, Community Program Administrator
Florida Department of Community Affairs
Bureau of Local Planning
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

2. Article Number (Copy from service label)

7000 0600 0027 9258 1012

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X [Signature]

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Ryan M. Shute
Morris-Depew Associates, Inc.
2216 Altamont Avenue
Fort Myers, FL 33901

2. Article Number (Copy from service label)

7000 0600 0027 9258 0985

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Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Sharon M. Helled 2/8/02

C. Signature

X Sharon M. Helled

☐ Agent☐ AddresseeD. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

102595-00-M-0952

LEE COUNTY ORDINANCE NO. 02-02

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN" AS ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT CERTAIN SPECIFIC AMENDMENTS APPROVED IN CONJUNCTION WITH ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO THE ADOPTED TEXT AND MAPS; PROVIDING FOR PURPOSE AND SHORT TITLE; PROVIDING FOR ADOPTION OF THE SPECIFIED AMENDMENTS TO THE LEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR THE LEGAL EFFECT OF "THE LEE PLAN"; PROVIDING FOR GEOGRAPHICAL APPLICABILITY; PROVIDING FOR SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan (hereinafter referred to as the "Lee Plan") Policy 2.4.1 and Chapter XIII, provides for adoption of Plan Amendments with such frequency as may be permitted by applicable state statutes, in accordance with such administrative procedures as the Board of County Commissioners may adopt; and,

WHEREAS, the Lee County Board of County Commissioners, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 further provides an opportunity for individuals to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency (hereinafter referred to as the "LPA") held statutorily prescribed public hearings pursuant to Chapter 163, Part II, Florida Statutes, and Lee County Administrative Code AC-13-6 on January 22, 2001, February 26, 2001, March 26, 2001, April 23, 2001, June 4, 2001, June 25, 2001, and July 23, 2001; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 163, Part II, Florida Statutes, and Lee County Administrative Code AC-13-6, held a statutorily prescribed public hearing for the transmittal of the proposed amendments on August 29,

2001; and at that hearing approved a motion to send, and did later send, the proposed amendments to the Florida Department of Community Affairs (hereinafter referred to as "DCA") for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and,

WHEREAS, at the August 29, 2001 meeting, pursuant to Chapter 163, Part II, Florida Statutes, the Board of County Commissioners did announce its intention to hold a public hearing after the receipt of DCA's written comments commonly referred to as the "ORC Report," which were later received on November 21, 2001 by the Chairman of the Lee County Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners during its statutorily prescribed public hearing for the plan amendments on January 10, 2002, moved to adopt the proposed amendments as more particularly set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, has conducted a series of public hearings to review the proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt those amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Plan, as hereby amended, will continue to be the "Lee Plan." This ordinance may be referred to as the "2000/2001 Regular Comprehensive Plan Amendment Cycle Consent Ordinance."

SECTION TWO: ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE

The Lee County Board of County Commissioners hereby amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting amendments, as revised by the Board of County Commissioners on January 10, 2002, known as PAT 99-14, PAT 99-20, CPA 2000-03, CPA 2000-06, CPA 2000-07, CPA 2000-08, CPA 2000-09, CPA 2000-10, CPA 2000-11, CPA 2000-13, CPA 2000-14, CPA 2000-17, CPA 2000-21, CPA 2000-22, CPA 2000-23, CPA 2000-25, CPA 2000-26, CPA 2000-29, and CPA 2000-31, which amend the text of the Lee Plan as well as the Future Land Use Map series, the Transportation Map series, and the tables of the Lee Plan.

In addition, the above-mentioned Staff Reports and Analysis, along with all attachments for these amendments are hereby adopted as "Support Documentation" for the Lee County Comprehensive Plan.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as so amended.

SECTION FOUR: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in any joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION FIVE: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board of County Commissioners that this ordinance would have been adopted had such unconstitutional provisions not been included therein.

SECTION SIX: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his or her designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION SEVEN: EFFECTIVE DATE

The plan amendments adopted herein are not effective until a final order is issued by the DCA or Administration Commission finding the amendment in compliance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or

commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution will be sent to the DCA, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

THE FOREGOING ORDINANCE was offered by Commissioner Judah who moved its adoption. The motion was seconded by Commissioner St. Cerny and, when put to a vote, the vote was as follows:

ROBERT JANES	<u>AYE</u>
DOUGLAS ST. CERNY	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
ANDREW COY	<u>ABSENT</u>
JOHN ALBION	<u>AYE</u>

DONE AND ADOPTED this 10th day of January, 2002.

ATTEST:
CHARLIE GREEN, CLERK

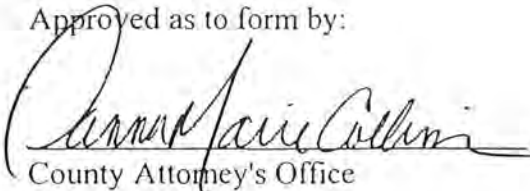
LEE COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: 
Deputy Clerk

BY: 
Chairman

DATE: January 10, 2002

Approved as to form by:


County Attorney's Office



LEE COUNTY ORDINANCE NO. 02-03

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN" AS ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT THAT AMENDMENT KNOWN LOCALLY AS CPA 2000-02 APPROVED IN CONJUNCTION WITH ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO THE ADOPTED TEXT AND MAPS; PROVIDING FOR PURPOSE AND SHORT TITLE; PROVIDING FOR ADOPTION OF THE SPECIFIED AMENDMENT TO THE LEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR THE LEGAL EFFECT OF "THE LEE PLAN"; PROVIDING FOR GEOGRAPHICAL APPLICABILITY; PROVIDING FOR SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan (hereinafter referred to as the "Lee Plan") Policy 2.4.1 and Chapter XIII, provides for adoption of Plan Amendments with such frequency as may be permitted by applicable state statutes, in accordance with such administrative procedures as the Board of County Commissioners may adopt; and,

WHEREAS, the Lee County Board of County Commissioners, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 further provides an opportunity for individuals to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency (hereinafter referred to as the "LPA") held statutorily prescribed public hearings pursuant to Chapter 163, Part II, Florida Statutes, and Lee County Administrative Code AC-13-6 on June 4, 2001; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 163, Part II, Florida Statutes, and Lee County Administrative Code AC-13-6, held a statutorily prescribed public hearing for the transmittal of the proposed amendments on August 29, 2001, and at that hearing approved a motion to send, and did later send, the proposed

amendments to the Florida Department of Community Affairs (hereinafter referred to as "DCA") for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and,

WHEREAS, at the August 29, 2001 meeting, pursuant to Chapter 163, Part II, Florida Statutes, the Board of County Commissioners did announce its intention to hold a public hearing after the receipt of DCA's written comments commonly referred to as the "ORC Report," which were later received on November 21, 2001 by the Chairman of the Lee County Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners during its statutorily prescribed public hearing for the plan amendments on January 10, 2002, moved to adopt the proposed amendments as more particularly set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, has conducted a series of public hearings to review the proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt those amendments to the Lee Plan discussed at those meetings and approved by an absolute majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Plan, as hereby amended, will continue to be the "Lee Plan." This ordinance may be referred to as the "2000/2001 Regular Comprehensive Plan Amendment Cycle CPA 2000-02 Ordinance."

SECTION TWO: ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE

The Lee County Board of County Commissioners hereby amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting amendments, as revised by the Board of County Commissioners on January 10, 2002, known as CPA 2000-02, which amend the text of the Lee Plan as well as the Future Land Use Map series of the Lee Plan.

In addition, the above-mentioned Staff Report and Analysis, along with all attachments for this amendment are hereby adopted as "Support Documentation" for the Lee County Comprehensive Plan.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as so amended.

SECTION FOUR: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in any joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION FIVE: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the

powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board of County Commissioners that this ordinance would have been adopted had such unconstitutional provisions not been included therein.

SECTION SIX: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his or her designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION SEVEN: EFFECTIVE DATE

The plan amendments adopted herein are not effective until a final order is issued by the DCA or Administration Commission finding the amendment in compliance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution will be sent

to the DCA, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida
32399-2100.

THE FOREGOING ORDINANCE was offered by Commissioner Judah who moved
its adoption. The motion was seconded by Commissioner Albion and, when put to a vote,
the vote was as follows:

ROBERT JANES	<u>AYE</u>
DOUGLAS ST. CERNY	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
ANDREW COY	<u>ABSENT</u>
JOHN ALBION	<u>AYE</u>

DONE AND ADOPTED this 10th day of January, 2002.



ATTEST
CHARNE GREEN, CLERK

BY: Ruth Jaymar
Deputy Clerk

LEE COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: Randy Seaman
Chairman

DATE: January 10, 2002

Approved as to form by:

Dannafane Collins
County Attorney's Office

LEE COUNTY ORDINANCE NO. 02-04

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN" AS ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT THAT AMENDMENT KNOWN LOCALLY AS CPA 2000-15 APPROVED IN CONJUNCTION WITH ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO THE ADOPTED TEXT AND MAPS; PROVIDING FOR PURPOSE AND SHORT TITLE; PROVIDING FOR ADOPTION OF THE SPECIFIED AMENDMENT TO THE LEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR THE LEGAL EFFECT OF "THE LEE PLAN"; PROVIDING FOR GEOGRAPHICAL APPLICABILITY; PROVIDING FOR SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan (hereinafter referred to as the "Lee Plan") Policy 2.4.1 and Chapter XIII, provides for adoption of Plan Amendments with such frequency as may be permitted by applicable state statutes, in accordance with such administrative procedures as the Board of County Commissioners may adopt; and,

WHEREAS, the Lee County Board of County Commissioners, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 further provides an opportunity for individuals to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency (hereinafter referred to as the "LPA") held statutorily prescribed public hearings pursuant to Chapter 163, Part II, Florida Statutes, and Lee County Administrative Code AC-13-6 on January 22, 2001; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 163, Part II, Florida Statutes, and Lee County Administrative Code AC-13-6, held a statutorily prescribed public hearing for the transmittal of the proposed amendments on August 29, 2001, and at that hearing approved a motion to send, and did later send, the proposed

amendments to the Florida Department of Community Affairs (hereinafter referred to as "DCA") for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and,

WHEREAS, at the August 29, 2001 meeting, pursuant to Chapter 163, Part II, Florida Statutes, the Board of County Commissioners did announce its intention to hold a public hearing after the receipt of DCA's written comments commonly referred to as the "ORC Report," which were later received on November 21, 2001 by the Chairman of the Lee County Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners during its statutorily prescribed public hearing for the plan amendments on January 10, 2002, moved to adopt the proposed amendments as more particularly set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, has conducted a series of public hearings to review the proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt those amendments to the Lee Plan discussed at those meetings and approved by an absolute majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Plan, as hereby amended, will continue to be the "Lee Plan." This ordinance may be referred to as the "2000/2001 Regular Comprehensive Plan Amendment Cycle CPA 2000-15 Ordinance."

SECTION TWO: ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR
COMPREHENSIVE PLAN AMENDMENT CYCLE

The Lee County Board of County Commissioners hereby amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting amendments, as revised by the Board of County Commissioners on January 10, 2002, known as CPA 2000-15, which amend the text of the Lee Plan as well as the Future Land Use Map series of the Lee Plan.

In addition, the above-mentioned Staff Report and Analysis, along with all attachments for this amendment are hereby adopted as "Support Documentation" for the Lee County Comprehensive Plan.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as so amended.

SECTION FOUR: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in any joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION FIVE: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held unconstitutional

by a court of competent jurisdiction, the decision of that court will not affect or impair remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board of County Commissioners that this ordinance would have been adopted had such unconstitutional provisions not been included therein.

SECTION SIX: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his or her designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION SEVEN: EFFECTIVE DATE

The plan amendments adopted herein are not effective until a final order is issued by the DCA or Administration Commission finding the amendment in compliance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution will be sent to the DCA, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

THE FOREGOING ORDINANCE was offered by Commissioner Judah who moved its adoption. The motion was seconded by Commissioner St. Cerny and, when put to a vote, the vote was as follows:

ROBERT JANES	<u>AYE</u>
DOUGLAS ST. CERNY	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
ANDREW COY	<u>ABSENT</u>
JOHN ALBION	<u>NAY</u>

DONE AND ADOPTED this 10th day of January, 2002.

ATTEST:
CHARLIE GREEN, CLERK

BY: *Patricia Jaymes*
Deputy Clerk

LEE COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: *[Signature]*
Chairman

DATE: January 10, 2002

Approved as to form by:

Dannan Paul Collins
County Attorney's Office



LEE COUNTY ORDINANCE NO. 02-05

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN" AS ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT THAT AMENDMENT KNOWN LOCALLY AS CPA 2000-19 APPROVED IN CONJUNCTION WITH ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO THE ADOPTED TEXT AND MAPS; PROVIDING FOR PURPOSE AND SHORT TITLE; PROVIDING FOR ADOPTION OF THE SPECIFIED AMENDMENT TO THE LEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR THE LEGAL EFFECT OF "THE LEE PLAN"; PROVIDING FOR GEOGRAPHICAL APPLICABILITY; PROVIDING FOR SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan (hereinafter referred to as the "Lee Plan") Policy 2.4.1 and Chapter XIII, provides for adoption of Plan Amendments with such frequency as may be permitted by applicable state statutes, in accordance with such administrative procedures as the Board of County Commissioners may adopt; and,

WHEREAS, the Lee County Board of County Commissioners, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 further provides an opportunity for individuals to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency (hereinafter referred to as the "LPA") held statutorily prescribed public hearings pursuant to Chapter 163, Part II, Florida Statutes, and Lee County Administrative Code AC-13-6 on June 25, 2001 and July 23, 2001; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 163, Part II, Florida Statutes, and Lee County Administrative Code AC-13-6, held a statutorily prescribed public hearing for the transmittal of the proposed amendments on August 29, 2001, and at that hearing approved a motion to send, and did later send, the proposed

amendments to the Florida Department of Community Affairs (hereinafter referred to as "DCA") for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and,

WHEREAS, at the August 29, 2001 meeting, pursuant to Chapter 163, Part II, Florida Statutes, the Board of County Commissioners did announce its intention to hold a public hearing after the receipt of DCA's written comments commonly referred to as the "ORC Report," which were later received on November 21, 2001 by the Chairman of the Lee County Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners during its statutorily prescribed public hearing for the plan amendments on January 10, 2002, moved to adopt the proposed amendments as more particularly set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, has conducted a series of public hearings to review the proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt those amendments to the Lee Plan discussed at those meetings and approved by an absolute majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Plan, as hereby amended, will continue to be the "Lee Plan." This ordinance may be referred to as the "2000/2001 Regular Comprehensive Plan Amendment Cycle CPA 2000-19 Ordinance."

SECTION TWO: ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR
COMPREHENSIVE PLAN AMENDMENT CYCLE

The Lee County Board of County Commissioners hereby amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting amendments, as revised by the Board of County Commissioners on January 10, 2002, known as CPA 2000-19, which amend the text of the Lee Plan as well as the Future Land Use Map series of the Lee Plan.

In addition, the above-mentioned Staff Report and Analysis, along with all attachments for this amendment are hereby adopted as "Support Documentation" for the Lee County Comprehensive Plan.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders shall be consistent with the Lee Plan as so amended.

SECTION FOUR: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in any joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION FIVE: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held unconstitutional

by a court of competent jurisdiction, the decision of that court will not affect or impair remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board of County Commissioners that this ordinance would have been adopted had such unconstitutional provisions not been included therein.

SECTION SIX: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his or her designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION SEVEN: EFFECTIVE DATE

The plan amendments adopted herein are not effective until a final order is issued by the DCA or Administration Commission finding the amendment in compliance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution will be sent to the DCA, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

THE FOREGOING ORDINANCE was offered by Commissioner Judah who moved its adoption. The motion was seconded by Commissioner St. Cerny and, when put to a vote, the vote was as follows:

ROBERT JANES	<u>AYE</u>
DOUGLAS ST. CERNY	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
ANDREW COY	<u>ABSENT</u>
JOHN ALBION	<u>AYE</u>

DONE AND ADOPTED this 10th day of January, 2002.

ATTEST:
CHARLIE GREEN, CLERK

BY: *Patricia Higgins*
Deputy Clerk

LEE COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: *Paul St. Cerny*
Chairman

DATE: January 10, 2002

Approved as to form by:

Matthew Collins
County Attorney's Office



LEE COUNTY ORDINANCE NO. 02-06

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN" AS ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT THAT AMENDMENT KNOWN LOCALLY AS CPA 2000-27 APPROVED IN CONJUNCTION WITH ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO THE ADOPTED TEXT AND MAPS; PROVIDING FOR PURPOSE AND SHORT TITLE; PROVIDING FOR ADOPTION OF THE SPECIFIED AMENDMENT TO THE LEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR THE LEGAL EFFECT OF "THE LEE PLAN"; PROVIDING FOR GEOGRAPHICAL APPLICABILITY; PROVIDING FOR SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan (hereinafter referred to as the "Lee Plan") Policy 2.4.1 and Chapter XIII, provides for adoption of Plan Amendments with such frequency as may be permitted by applicable state statutes, in accordance with such administrative procedures as the Board of County Commissioners may adopt; and,

WHEREAS, the Lee County Board of County Commissioners, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 further provides an opportunity for individuals to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency (hereinafter referred to as the "LPA") held statutorily prescribed public hearings pursuant to Chapter 163, Part II, Florida Statutes, and Lee County Administrative Code AC-13-6 on January 22, 2001; and,

WHEREAS, the Board of County Commissioners, pursuant to Chapter 163, Part II, Florida Statutes, and Lee County Administrative Code AC-13-6, held a statutorily prescribed public hearing for the transmittal of the proposed amendments on August 29, 2001, and at that hearing approved a motion to send, and did later send, the proposed

amendments to the Florida Department of Community Affairs (hereinafter referred to as "DCA") for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and,

WHEREAS, at the August 29, 2001 meeting, pursuant to Chapter 163, Part II, Florida Statutes, the Board of County Commissioners did announce its intention to hold a public hearing after the receipt of DCA's written comments commonly referred to as the "ORC Report," which were later received on November 21, 2001 by the Chairman of the Lee County Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners during its statutorily prescribed public hearing for the plan amendments on January 10, 2002, moved to adopt the proposed amendments as more particularly set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, has conducted a series of public hearings to review the proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt those amendments to the Lee Plan discussed at those meetings and approved by an absolute majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Plan, as hereby amended, will continue to be the "Lee Plan." This ordinance may be referred to as the "2000/2001 Regular Comprehensive Plan Amendment Cycle CPA 2000-27 Ordinance."

SECTION TWO: ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR
COMPREHENSIVE PLAN AMENDMENT CYCLE

The Lee County Board of County Commissioners hereby amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting amendments, as revised by the Board of County Commissioners on January 10, 2002, known as CPA 2000-27, which amend the text of the Lee Plan as well as the Future Land Use Map series of the Lee Plan.

In addition, the above-mentioned Staff Report and Analysis, along with all attachments for this amendment are hereby adopted as "Support Documentation" for the Lee County Comprehensive Plan.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as so amended.

SECTION FOUR: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in any joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION FIVE: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the

powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board of County Commissioners that this ordinance would have been adopted had such unconstitutional provisions not been included therein.

SECTION SIX: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intention; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his or her designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION SEVEN: EFFECTIVE DATE

The plan amendments adopted herein are not effective until a final order is issued by the DCA or Administration Commission finding the amendment in compliance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution will be sent

to the DCA, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida
32399-2100.

THE FOREGOING ORDINANCE was offered by Commissioner Judah who moved
its adoption. The motion was seconded by Commissioner St. Cerny and, when put to a
vote, the vote was as follows:

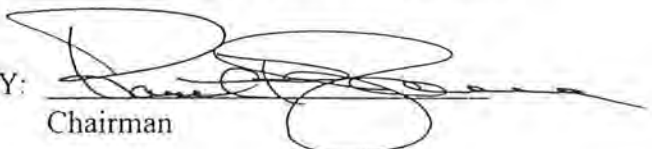
ROBERT JANES	<u>AYE</u>
DOUGLAS ST. CERNY	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
ANDREW COY	<u>ABSENT</u>
JOHN ALBION	<u>AYE</u>

DONE AND ADOPTED this 10th day of January, 2002.

ATTEST:
CHARLIE GREEN, CLERK

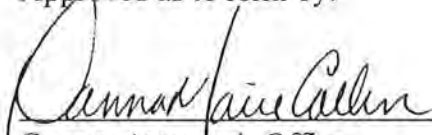
BY: 
Deputy Clerk

LEE COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: 
Chairman

DATE: January 10, 2002

Approved as to form by:


County Attorney's Office



**CPA 2000-03
PRIVATELY SPONSORED
AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Adoption Document

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(941) 479-8585*

January 10, 2002

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA 2000-03**



Text Amendment



Map Amendment

<input checked="" type="checkbox"/>	This Document Contains the Following Reviews:
<input checked="" type="checkbox"/>	Staff Review
<input checked="" type="checkbox"/>	Local Planning Agency Review and Recommendation
<input checked="" type="checkbox"/>	Board of County Commissioners Hearing for Transmittal
<input checked="" type="checkbox"/>	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
<input checked="" type="checkbox"/>	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: June 15, 2001

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

WORTHINGTON OF RENAISSANCE, LLC
REPRESENTED BY: DANIEL DELISI,
VANASSE & DAYLOR, LLP

- 2. REQUEST:** Amend the Future Land Use Map series, Map 1, the Future Land Use Map, to change the Future Land Use designation from Mixed Use Interchange and General Interchange to Outlying Suburban for approximately 152.37 +/- acres of land generally located in the northwest quadrant of the interchange of I-75 and Daniels Parkway. Subsequently, delete Policy 1.3.6, the Mixed Use Interchange descriptor policy, and reclassify the approximately 2 +/- acres that would remain in the Mixed Use Interchange category as General Interchange. Also, amend the Planning Communities Acreage Allocation Table 1(b), for the Daniels Parkway Planning Community, to remove 68 residential acres from the Mixed Use Interchange category and add 68 residential acres to the Outlying Suburban category.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

- 1. STAFF RECOMMENDATION:** Planning staff recommends that the Board of County Commissioners transmit the proposed plan amendment. There are four actions that would be accomplished through the transmittal of this amendment. They are as follows:

1. Map 1, the Future Land Use Map, would be amended to change the Future Land Use designation of the 152.37-acre subject property from Mixed Use Interchange and General Interchange to Outlying Suburban. None of the acreage within the Wetlands Future Land Use category is being converted at this time.

2. The Planning Communities Acreage Allocation Table 1(b) for the Daniels Parkway planning community would be amended to remove 68 residential acres from the Mixed Use Interchange category, and add an unspecified number of acres to the Outlying Suburban residential allocation. Staff estimates that approximately 123 +/- acres will need to be added to the Outlying Suburban allocation to accommodate the same number of dwelling units as the 68 acres of Mixed Use Interchange. The exact acreage that will be added to Outlying Suburban is unsure at this time. The Planning Communities Acreage Allocation Table 1(b) will be amended comprehensively through plan amendment PAT 99-20, and will reflect the land use change made through this amendment.

3. If this amendment is approved, there would be 2 +/- acres remaining in the Mixed Use Interchange category. These 2 acres would be the only acreage in the County with this land use designation. Staff believes these areas are too small to realistically be developed under the standards of the Mixed Use Interchange category. Staff recommends that these areas should be redesignated to General Interchange. This action is not part of the formal request, but staff believes it is necessary in light of the proposed land use change.

4. Staff further recommends that Policy 1.3.6, Mixed Use Interchange category descriptor policy, be deleted from the Lee Plan because there would be no other areas in the County designated Mixed Use Interchange if this amendment is approved.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The proposed Future Land Use Map change will decrease the potential residential density and non-residential intensity for the subject property.
- The proposed designation of the property as Outlying Suburban would be compatible with the adjacent Outlying Suburban property to the north and west.
- The northern portion of the subject property was formerly designated as Outlying Suburban. It was changed to Mixed Use Interchange during the 1999 amendment cycle.
- The current Mixed Use Interchange designation allows for residential uses as well as a significant amount of non-residential use.

- The proposed land use change will not negatively impact any adopted levels of service for community facilities or infrastructure. In fact, it will lessen the impacts on these facilities.
- The property owner is currently in the process of establishing the subject property as a Uniform Community Development District. This District will be an infrastructure financing tool for the developer. The establishment of the District provides extra protection to ensure that the County will not have to pay the costs associated with any expanded infrastructure that might be necessitated by the development of the property.
- The Daniels Parkway interchange currently contains enough land within the General Interchange areas to adequately serve the traveling public, as required by Objective 1.3 of the Lee Plan. The frontage along Daniels Parkway, south of the subject property, is currently developed with uses that serve the traveling public. The other three quadrants of the Daniels interchange are also designated General Interchange and could accommodate uses that would serve the traveling public.
- The applicant has immediate plans to develop the subject property as a residential golf course community if the proposed amendment is adopted. The subject property is undergoing rezoning to Residential Planned Development concurrent with this application. This amendment is necessary to accommodate the proposed plan of development for the property.

C. BACKGROUND INFORMATION

1. COMPREHENSIVE PLAN AND ZONING BACKGROUND

In 1984, Lee County adopted its first official Future Land Use Map (FLUM) as an integral part of its comprehensive plan. On that map, the subject property was designated General Interchange, Rural, and Resource Protection (now Wetlands). In 1987, a corridor study was completed for Daniels Parkway. Through the adoption of that study, the Rural portions of the subject property were converted to Outlying Suburban. In 1988, the majority of the subject property was rezoned to CPD, and the Danport Center DRI was established. The Danport Center was proposed to be a regional mall site with 1,800,000 square feet of mixed commercial development and a hotel. The regional mall, however, was never developed and the Danport Center DRI was abandoned in August of 1998. Then during the 1999 Lee Plan amendment cycle, the subject property was converted from General Interchange and Outlying Suburban to the newly created Mixed Use Interchange category. Concurrent with the 1999 plan amendment, most of the subject property was rezoned to a Mixed Use Planned Development that was designed to meet the requirements of the newly created Mixed Use Interchange land use category. This rezoning accommodated 500 dwelling units, 235,000 square feet of office, 40,000 square feet of retail uses, and 300,000 square feet of industrial uses. This zoning was approved in April of 2000, is still active, and could potentially be developed with these uses today. Currently, the property that is the subject of this request is mostly within the Mixed Use

Interchange land use category (129 acres), but it also contains approximately 2 acres of General Interchange and approximately 22 acres within the Wetlands category.

2. EXISTING CONDITIONS

SIZE OF PROPERTY: The subject area is approximately 152.37 acres in size.

PROPERTY LOCATION: The subject property is generally located in the northwest quadrant of I-75 and Daniels Parkway.

CURRENT ZONING: MPD, AG-2, and CPD.

CURRENT FUTURE LAND USE CLASSIFICATION: The subject property is currently designated Mixed Use Interchange, General Interchange, and Wetlands Future Land Use categories.

3. INFRASTRUCTURE AND SERVICES

SEWER: The subject property is within the Lee County Utilities Wastewater Franchise area. The subject property will be served by the City of Fort Myers' South Wastewater Treatment Plant, through an interlocal agreement. The plant currently has the capacity to serve the subject property. In terms of sewer infrastructure, Lee County Utilities currently has a 16-inch force main on Daniels Parkway and a lift station on Skyport Avenue to serve the subject property. Lee County Utilities staff have indicated that they do not have any objection to the proposed amendment since it will result in a reduction in development intensity.

WATER: The subject property is within the Lee County Utilities Water Franchise area, and would be served by Lee County Utilities' Corkscrew Water Plant, which currently has available capacity to serve the subject property. In terms of water infrastructure, Lee County Utilities currently has a 30-inch water main on Daniels Parkway and a 10-inch water main on Mall Loop Road. Lee County Utilities staff have indicated that they do not have any objection to the proposed amendment since it will result in a reduction in development intensity.

FIRE: Fire/Rescue service is provided by the South Trail Fire Protection and Rescue Service District. South Trail District staff have indicated that the proposed amendment should have no additional impacts on their services because it will result in a reduction in development intensity. There is a fire substation located directly across the Daniels Parkway that would serve the subject property. The District is also planning for construction of a new substation to be built about 3 miles east of the subject property.

TRANSPORTATION: The subject property currently has access from Daniels Parkway, via Mall Loop Road. The property also has access from Palomino Lane.

SOLID WASTE FRANCHISE: Solid waste disposal is provided by Florida Recycling Services. This company has confirmed that they will be able to provide service to the subject property. Once collected, combustible waste will be sent to the County's Waste to Energy Facility and non-combustible waste will be sent to the Gulf Coast Landfill. If fully developed under the proposed Future Land Use category, the subject property could be expected to generate approximately 3.46 tons per day of solid waste. This figure will be less than what could be generated under the existing Future Land Use designation, because the subject property would accommodate fewer residents and significantly less commercial and industrial development if this map amendment is adopted. The Lee County Waste to Energy Facility currently has sufficient capacity to handle this potential volume of solid waste.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

INTRODUCTION

The applicant, Worthington of Renaissance, LLC, represented by Daniel DeLisi, is requesting a Future Land Use Map amendment from Mixed Use Interchange and General Interchange to Outlying Suburban for 152.37 acres of land. The applicant is also requesting an amendment to Table 1(b), Planning Community Year 2020 Allocations for the Daniels Parkway Planning Community, to remove 68 acres from the Mixed Use Interchange category and add 68 acres to the Outlying Suburban category. The property is generally located in the northwest quadrant of Daniels Parkway and I-75. If the amendment is approved, the area would change from a mix of residential, commercial, and industrial uses to a predominantly low-density residential area, with some limited commercial uses.

SUMMARY OF REQUEST

According to the application, the summary of the request is as follows:

"Convert 129.04 +/- acres of Mixed Use Interchange, 1.95 acres of General Interchange, and 22.15 acres of Wetlands to Outlying Suburban. The result will be a reduction in intensity by converting these commercial areas to residential, and decreasing the allowed residential intensity."

Staff believes that the request will also necessitate modifications to the Planning Communities Acreage Allocation Table 1(b) to remove the 68 residential acres from the Mixed Use Interchange category, and add an unspecified number of acres to the Outlying Suburban residential allocation. Staff estimates that approximately 123 +/- acres will need to be added to the Outlying Suburban allocation to accommodate the same number of dwelling units as the 68 acres of Mixed Use Interchange. The exact acreage that will be added to Outlying Suburban is unsure at this time. The Planning Communities Acreage Allocation Table 1(b) will be amended comprehensively through plan amendment PAT 99-20, and will reflect the land use change made through this amendment.

Through the review of this amendment application, staff discovered that the requested change would also necessitate other minor changes to the Lee Plan that should be addressed at this time. If the proposed plan amendment is adopted, it will leave approximately 2 acres in the Mixed Use Interchange category. These would be the only lands remaining in the County so designated, and because the two acres are divided into three smaller areas, they would not realistically be developable under the standards of the Mixed Use Interchange category. So, as part of this amendment, staff is recommending that the request be augmented to redesignate the remaining 2 +/- acres of Mixed Use Interchange as General Interchange. Staff also recommends that the request be augmented to include the removal of Policy 1.3.6, the Mixed Use Interchange descriptor Policy, from the Lee Plan.

The applicant has requested that 22.15 acres within the Wetlands Future Land Use category be converted to Outlying Suburban as part of this request. Staff does not agree that the redesignation of Wetlands should be a part of the formal request for several reasons. The applicant has confirmed that the actual acreage of jurisdictional wetlands on the property is approximately 26.29 acres. This figure is different from the 22.15 acres that are currently designated Wetlands on the Future Land Use Map. Generally, when privately-initiated plan amendments include areas designated Wetlands on the Future Land Use Map, the Wetland boundaries on the map are modified administratively by staff to reflect the boundaries delineated in the jurisdictional wetlands determination. This procedure is consistent with Objective 1.5 of the Lee Plan which requires the County to designate on the Future Land Use Map those lands that are identified as Wetlands through the use of the unified state delineation methodology. This procedure is also consistent with Lee Plan Chapter XIII.b.A.2.b, "Administrative Interpretations of the Lee Plan."

COMPARISON OF DEVELOPMENT POTENTIAL

As noted above, the majority of the subject property is currently designated Mixed Use Interchange. The Mixed Use Interchange category allows a density of up to 5 dwelling units per acre. The Mixed Use Interchange areas of the subject property (151 acres) could, therefore, accommodate up to 755 residential dwelling units. This is assuming that there are no jurisdictional wetlands on the property. Staff notes, however, that the property does contain jurisdictional wetlands, and that their presence would reduce the allowable density on the property. The remaining two acres of the property are within the General Interchange category, which would not permit any dwelling units.

The Mixed Use Interchange land use category also allows for a significant amount of commercial and/or industrial development. The land use category provides that at least 40 percent of the gross usable land area will be developed with commercial and/or industrial uses. The subject property contains approximately 153 total acres, therefore, 40 percent of the subject property would be 61.2 acres (or 7,893,072 square feet). The land use category also provides that non-residential uses must be constructed in a manner such that the total building area does not exceed 20 percent of the total land area used for non-residential uses. Staff calculates that 20 percent of 7,893,072 square feet would be 1,578,614 square feet. This is the maximum building area that could potentially be used for commercial or industrial uses on the subject property. These non-residential uses would be in addition to the 755 residential units that could also be developed on the subject property under the existing land use category.

Under the proposed amendment, the subject property would contain 153 acres within the Outlying Suburban category, which allows a maximum density of 3 dwelling units per acre. Under this density, the property could potentially accommodate 459 total dwelling units. Again, this is assuming that there are no jurisdictional wetlands on the property, which staff confirms is not the case. The presence of jurisdictional wetlands would further reduce the allowable density.

In terms of non-residential uses that could potentially be developed under the Outlying Suburban designation, staff notes that commercial and industrial uses would be limited. Commercial uses are limited to Neighborhood Centers, which staff has generally interpreted as less than 100,000 square feet of building area on 10 acres or less. Industrial uses are not permitted in the Outlying Suburban category.

In summary, staff believes that the proposed amendment will represent a reduction in potential residential units (459 versus 755). Staff also believes that the proposed amendment will represent a significant reduction in the non-residential potential of the property (1,578,614 square feet versus 100,000 square feet). The reduction in residential density and non-residential intensity will result in a reduction in the total impacts to public services that could otherwise occur under the existing land use category.

POPULATION ACCOMMODATION

Under the current land use designations, approximately 755 dwelling units could be constructed on the property. These dwelling units would accommodate 1,577 persons on the Future Land Use Map (755 dwelling units x 2.09 persons per dwelling unit). The population accommodation capacity of the subject property under the current Future Land Use designation is 1,577 persons.

Under the proposed land use category, approximately 459 dwelling units could be constructed on the subject property. These dwelling units would accommodate 959 persons on the Future Land Use Map (459 dwelling units x 2.09 persons per dwelling unit). The population accommodation capacity of the subject property under the proposed Future Land Use designation is 959 persons.

The proposed Future Land Use Map change will decrease the population accommodation of the Future Land Use Map by 618 persons. Staff would point out, however, that prior to the 1999 plan amendment that changed this property to Mixed Use Interchange, the subject area accommodated no dwelling units or persons.

ADJACENT ZONING AND LAND USES

Surrounding Zoning

The subject property is currently zoned MPD, which would allow 500 residential units, 235,000 square feet of office uses, 40,000 square feet of retail uses, and 300,000 square feet of industrial uses. To the north of the subject property is AG-2 zoning, which is currently in the process of being rezoned to RPD. To the south of the subject property is active CPD zoning. To the east of the subject property is a narrow strip of vacant parcels zoned MPD and CPD, which is currently in the process of being rezoned to RPD. To the west of the subject property is Palomino Lane, then AG-2 and RPD zoning.

Surrounding Land Uses

The existing use of the subject property is mostly vacant land, with the exception of four single-family homes. To the north of the subject property is an undeveloped area designated Outlying Suburban. The redesignation of the subject property as Outlying Suburban will be compatible with the lands to the north. The lands to the north will also be under the same unified plan of development as the subject property. South of the subject property is an area of existing and future commercial properties designated General Interchange. As stated above, the areas to the south are zoned CPD. This area already contains 2 convenience stores with gas pumps, two restaurants, and hotel. These uses near Daniels Parkway serve the needs of the traveling public as required by Objective 1.3 of the Lee Plan, which describes the interstate interchange areas. To the east of the subject property is a narrow strip of vacant land that is designated General Interchange. Under this land use category, the property could potentially develop with a wide variety of tourist commercial, general commercial, or light industrial/commercial uses. To the west of the subject property is Palomino Lane. West of Palomino Lane is an area designated Outlying Suburban that is characterized by low density residential uses. The proposed conversion of the subject property to Outlying Suburban would be compatible with the land use to the west.

IMPACTS TO SERVICES

Planning staff and the applicant solicited comments from various public community service and facilities providers to determine the impact that the proposed amendment would have on their ability to provide service to the area. The comments that were received have been attached to this report. In addition to the impacts to water, sewer, fire, and solid waste discussed previously, staff has highlighted the impacts to additional public services.

Transportation

Lee County Department of Transportation (DOT) staff have reviewed the proposal and provided written comments dated May 1, 2001. Their comments state that they have no objection to the proposed amendment because "this proposed change will decrease traffic from the study area." Planning staff agrees with the assessment provided by DOT because the proposed amendment will result in a slight reduction in residential density and a significant reduction in non-residential intensity. Staff had concerns about the 1999 plan amendment that designated the subject property as Mixed Use Interchange because of the potential traffic impacts that the potential commercial and industrial areas would have on Palomino Lane and Daniels Parkway. These impacts will be much lower if the property is redesignated as Outlying Suburban.

Emergency Management - Hurricane Evacuation/Shelter Impacts

Lee County Emergency Management staff have reviewed the proposal and provided written comments dated February 23, 2001. This letter provides that the subject property is within the Category 4 and 5 Hurricane Evacuation Zones. This area will not receive storm surge flooding from a Category 3 hurricane, therefore, this area is exempt from the requirements of Land Development Code Section 2-481 through 2-486 that require shelter and evacuation route impact mitigation for residential developments. Any new residential development on the site in excess of 50 dwelling units will be required to submit an emergency preparedness plan at the time of development order application.

School Impacts

Staff of the School District of Lee County have reviewed the proposal and provided written comments dated September 7, 2000. According to the School District staff, the proposed amendment would reduce the potential school impacts by approximately 8 students and one classroom in comparison with the existing land use category. Despite the reduction in school impacts resulting from this map amendment, the development of the subject property would still create impacts to the School District when the property is actually developed. These impacts could be addressed during the rezoning process.

Mass Transit

The subject property is served by Lee Tran Route 85. The Lee Tran web site summarizes Route 85 as follows:

"Route 85 is an hourly route that serves several residential areas: SWI Airport, Danport Centre, Gulf Coast Hospital, Bell Tower, Lakes Park, Health Park, and Summerlin Square. This route has direct connection with the Park-n-Ride Trolley to Fort Myers Beach at Summerlin Square."

Staff notes that Route 85 specifically serves the Danport Centre, which is the former name for the subject property. The Route schedule indicates that Lee Tran stops at the subject property every hour, from 6:10 a.m. to 10:25 p.m., Monday through Saturday. On Sunday, Lee Tran stops at the subject property every two hours between 7:28 a.m. and 9:28 p.m.

Community Parks

The subject property is located in Park Impact Fee District 4. The Lee Plan sets out a regulatory level of service and a "desired" level of service for community parks. The regulatory level of service is currently 0.8 acres per 1,000 permanent residents in the unincorporated area of each district. The "desired" level of service was increased in 1996 to 1.75 acres per 1,000 permanent residents in the unincorporated area of each district, and was increased again in 1998 to 2.00 acres per 1,000 permanent residents in the unincorporated area of each district. According to the Concurrency Management Inventory and Projections the district will meet the basic regulatory standard for level of service through the Year 2005. The district, however, has not met the "desired" standard since 1997.

The applicant has provided that the proposed amendment will not increase residential units over what has already been approved via the 1999 land use map amendment, therefore, the proposed amendment will not negatively impact community parks level of service. The applicant has also provided that the proposed development scenario for the property will include significant open space and recreational opportunities in the form of a golf course and other recreational opportunities.

Staff would also point out that the property owner is in the process of establishing the property as a Uniform Community Development District (UCDD). Once this district has been established, it will ensure that any necessary improvements to most public facilities, infrastructure and services, including parks and recreation, will be fully financed by the developer of the property. Additional staff discussion about the Renaissance UCDD is provided later in the following paragraph.

Impacts to Services Conclusion

Given that the proposed land use change would result in a decrease in the potential number of residential units, as well as the elimination of a significant amount of potential commercial and industrial area, staff believes that the proposed amendment would generally reduce the impacts to public services created by the future development of the property.

The subject property is within the Privately Funded Infrastructure Overlay as shown on Map 1 (Page 2 of 4) of the Lee Plan. According to Objective 3.1, that describes the overlay, these areas will be permitted to develop with urban-level densities because the necessary infrastructure and service improvements will be provided by the developer through a variety of methods, including the establishment of community development districts. Once established, a community development district serves to manage and finance its basic infrastructure systems, facilities, and services within its boundaries pursuant to the Uniform Community Development District Act of Florida, Chapter 190, Florida Statutes and Rule 42-1, Florida Administrative Code. This removes the burden of providing increased services and infrastructure from the County and places it upon the developer of the area in question. The property owner in this case is currently in the process of establishing the subject property as a Uniform Community Development District (UCDD). The property owner has already submitted one petition for the establishment of a UCDD that would cover the provision of basic infrastructure within the subject property. As of the drafting of this report, staff has reviewed the petition and recommended approval of the UCDD. The final decision on the establishment of the UCDD will be made by the Board of County Commissioners in the near future. The property owner has also indicated to staff that they will submit another UCDD petition in the near future that will cover parks and recreation, security, and waste collection and disposal. Staff anticipates that this UCDD petition will be submitted and approved prior to the final adoption of this amendment.

VEGETATION AND WILDLIFE

The 153-acre site contains a wide variety of FLUCCS classifications, as shown on the Species survey map with FLUCCS communities provided by Boylan Environmental Consultants. The dominant feature of the site is improved pasture (90 acres). There are also several impacted FLUCCS categories present. There are, however, some indigenous communities on the property. The site contains 11.95 acres of pine-melaleuca with scattered saw palmetto, 1.31 acres of pine melaleuca wetlands, and 1.56 acres of cypress, all of which are considered indigenous. Through the planned development rezoning process, the developer will have to meet the indigenous preserve requirement as provided in the Land Development Code. The proposed plan amendment will not result in any additional impacts beyond what would be permitted under the existing land use category.

The applicant has provided a wetlands jurisdictional map for the subject property. This map shows the Army Corps of Engineers and South Florida Water Management District jurisdictional wetlands for the entire 542 +/- acre Worthington of Renaissance property. The area depicted on the map is much larger than the boundaries of the subject property. Staff confirms with the applicant that there are approximately 26.29 +/- acres of jurisdictional wetlands on the subject property. This figure is slightly more than the 22.15 acres currently designated Wetlands on the Future Land Use Map. The Wetland boundaries will be modified administratively to reflect the jurisdictional wetlands determination provided by the applicant.

The species survey of the property, conducted by Boylan Environmental Consultants, shows the presence of 1 Big Cypress Fox Squirrel Nest, 2 foraging wood storks, and 5 abandoned woodpecker cavity trees. No other species were found on the property.

DRAINAGE AND SURFACE WATER MANAGEMENT

The subject property is located within the Six Mile Cypress Watershed. According to Lee County Division of Natural Resources staff, this property is a vital link between I-75 and the Six Mile Cypress Slough. The subject property accommodates drainage from lands east of I-75 through a 4' x 6' box culvert. The flow generally moves east to west across the subject property and into the North Cross Creek sub-watershed. The existing channel sections north of Cross Creek Estates and through the proposed Danforth RPD have been modified to accommodate the surface water flow model for this property. Through the ongoing rezoning process for the Renaissance South RPD, the developer is working with the South Florida Water Management District to recreate the flow ways through and west of the site, which will enhance the regional water management system. To accommodate flows from the Renaissance project and lands to the east, the flow ways proposed through this area have been designed as 10-foot deep ditches with varied side slopes and bottom width. Weirs will be placed on the east side of Palomino Lane in the ditch. The proposed weirs will substantially improve water quality through the ditch system by providing retention of some runoff after a long dry period, when runoff water quality would be the worst.

APPROPRIATENESS ANALYSIS

Staff believes that the request to redesignate the 152 +/- acre site from Mixed Use Interchange and General Interchange to Outlying Suburban is an appropriate action in light of the factors discussed in this report. Staff believes the amendment is appropriate for the following reasons:

- The proposed Future Land Use Map change will decrease the potential residential density and non-residential intensity for the subject property.
- The proposed land use category will result in reduced impacts to public facilities and services as compared with the existing land use category
- Typical interchange uses, such as those that serve the traveling public, are already existing at the Daniels/I-75 interchange, and more specifically, within this quadrant of the interchange. Also, this quadrant of the interchange will still contain approximately 40 acres of land designated General Interchange that could potentially be developed as commercial uses to serve the traveling public. Additionally, there are vacant lands within the General Interchange areas at the other quadrants of the interchange that could be used to serve the traveling public.
- The areas immediately to the north and west of the subject property are currently designated Outlying Suburban. If the subject property is changed to Outlying Suburban, it would be compatible with the adjacent land use category.
- The developer has proposed a specific development scenario through the rezoning process. This is not a case of speculative land use planning.

- The loss of potential industrial land can be accommodated in the vacant Airport Commerce lands east of I-75.

B. CONCLUSIONS

Staff concludes that the proposed land use change is justified, as provided in this report. Staff concludes that the proposed Outlying Suburban designation is consistent with the Lee Plan and is appropriate at the subject location.

C. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners transmit the proposed plan amendment. Staff's recommendation contains four sub-recommendations as follows:

1. Staff recommends that Map 1, the Future Land Use Map, be amended to change the future land use designation of this parcel from the Mixed Use Interchange and General Interchange land use categories to the Outlying Suburban land use category. The areas of the subject property that are within the Wetlands Future Land Use category will be modified administratively to reflect the jurisdictional wetland boundaries as provided by the applicant. This will result in an increase in Wetland acreage on the property from 22.15 to 26.29.
2. Staff recommends that the Planning Communities Acreage Allocation Table 1(b) for the Daniels Parkway planning community be amended to remove 68 residential acres from the Mixed Use Interchange category. The land use category change will necessitate the addition of some residential acreage into the Outlying Suburban allocation, which staff estimates will be approximately 123 +/- . The exact acreage that will be added to the Outlying Suburban category is, however, subject to change through plan amendment PAT 99-20 which takes a more comprehensive look at the Planning Communities Acreage Allocation Table 1(b).
3. Staff recommends that the 2 +/- acres remaining in the Mixed Use Interchange category be redesignated to General Interchange. This action is not part of the formal request, but staff believes it is necessary in light of the proposed land use change.
4. Staff further recommends that Policy 1.3.6, the Mixed Use Interchange category descriptor policy, be deleted from the Lee Plan because there will be no other areas in the county designated Mixed Use Interchange if this amendment is approved. The proposed language change is as follows:

POLICY 1.3.6: ~~The Mixed Use Interchange District areas are intended to provide opportunities for a wide range of light industrial, office, and retail commercial uses, accompanied by a viable residential component to facilitate the internal capture of trips through on-site shopping and job creation. The residential uses in this category are to be transitional with existing and future residential uses abutting this land use district to promote compatibility with adjacent residential uses. The maximum residential density, of 5 units per acre, for this category is calculated on the upland acreage of the entire project including both residential and non-residential areas. Policy 6.1.2.2 does not apply to this interchange district. Commercial and residential uses shall meet the following criteria in this district.~~

1. In order to implement the standards of this district, Mixed Use Planned Development (MPD) zoning is required:

2. Residential uses in this category will serve as a transition between the intense non-residential uses within the interchange area and existing or potential residential uses on properties outside of the interchange category. To preserve the intent of the interchange designation, uses serving the traveling public are required within 330 feet of the arterial road creating the interchange:

3. To insure viable residential uses and to provide for employment and shopping opportunities for residential uses developed on site the following minimum acreage percentages are required:

- 45 percent of the gross usable land area will be developed with residential uses, and
- 40 percent of the gross usable land area will be developed with commercial and/or industrial uses:

4. Non-residential uses will be constructed in a fashion such that the total building area does not exceed 20% (0.2 FAR) of the total land area used for non-residential uses. Development intensities may be more or less than a floor area ratio (FAR) of 0.2 on individual parcels, as long as the project's average FAR for non-residential uses does not exceed 0.2:

5. Bicycle & Pedestrian facilities will be provided throughout the development. Connections between all uses are required to facilitate these alternative modes of transportation. When possible, connections to developments adjacent to the MPD will be provided:

6. Vehicular connections between residential and non-residential uses will be provided to facilitate the internal capture of trips. When possible, connections to developments adjacent to the MPD will be made to provide alternative access to the non-residential components of this development other than the arterial creating the interchange with I-75:

7. Landscaping requirements shall be increased in this land use category to help promote a pedestrian ambiance. The following requirements shall supplement the minimum standards of the Lee County Land Development Code Section 10-415:

- Multi-family developments shall provide 1.5 trees per 3,000 S.F.
- Non-residential uses shall provide 1.5 trees per 3,500 S.F.
- Landscaping for internal parking areas shall be 15% of the total paved surface—area.
- An average fifty foot buffer strip which includes a minimum of 7 trees and 30 shrubs per 100 lineal feet and a double staggered hedge will be provided along the I-75 corridor. It is desired that existing native vegetation be retained and augmented to meet this standard:

If any facility deficiencies may result from the application of this district, commitments shall be provided at the time of zoning to insure that necessary improvements will be in place to support the proposed uses:

**PART III - LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: June 25, 2001

A. LOCAL PLANNING AGENCY REVIEW

Planning staff and the applicant both gave brief summaries of the proposed amendment. One member of the LPA questioned the location of the remaining Mixed Use Interchange land that staff had recommended to be converted to General Interchange. In response, the applicant pointed out these areas on a map. The LPA provided no further discussion of the proposed amendment.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** The LPA recommended that the Board of County Commissioners transmit this amendment as proposed by staff.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	<u>AYE</u>
SUSAN BROOKMAN	<u>AYE</u>
BARRY ERNST	<u>AYE</u>
RONALD INGE	<u>ABSENT</u>
GORDON REIGELMAN	<u>AYE</u>
VIRGINIA SPLITT	<u>ABSENT</u>
GREG STUART	<u>AYE</u>

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: August 29, 2001

A. BOARD REVIEW: Staff provided a brief presentation on the proposed amendment. The Board of County Commissioners provided no discussion.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board voted to transmit the proposed amendment as recommended by staff and the LPA.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by staff.

C. VOTE:

JOHN ALBION	<u>AYE</u>
ANDREW COY	<u>AYE</u>
BOB JANES	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
DOUG ST. CERNY	<u>AYE</u>

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: November 21, 2001

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

The Department of Community Affairs provided no objections, recommendations, or comments on the proposed amendment.

B. STAFF RESPONSE

Adopt the amendment as transmitted.

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: January 10, 2002

A. BOARD REVIEW: The Board of County Commissioners provided no discussion on the amendment. The item was considered as part of the consent agenda.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board of County Commissioners voted to adopt the amendment as previously transmitted. This item was voted on as part of the Board's consent agenda.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by staff.

C. VOTE:

JOHN ALBION	<u>AYE</u>
ANDREW COY	<u>ABSENT</u>
BOB JANES	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
DOUG ST. CERNY	<u>AYE</u>

September 29, 2000

Mr. Matt Noble, Senior Planner
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, Florida 33901

**Re: Renaissance South
Future Land Use Map Amendment**

Dear Matt:

On behalf of Worthington Holdings, I am pleased to submit this Future Land Use Map Amendment request to revert the area known as Daniels Interchange MPD from Mixed Use Interchange to Outlying Suburban. This amendment represents a significant reduction in the approved intensity of this property.

The purpose for the amendment is to allow for a master planned community that will ultimately include approximately 500 acres. Further, the amendment will allow for the property owner to more comprehensively address water management, access, preservation and connection with the Daniels Parkway commercial area.

Attached to this FLUM Amendment application is a detailed evaluation of the resulting reduction of impacts on water, sewer, fire, police and transportation facilities. Further, the documentation clearly details how the proposed amendment is consistent with the Lee Plan.

If you have any questions, or would like to review this amendment with the applicants, please do not hesitate to contact me. Should you need any additional information, graphics or justification, I will be happy to promptly provide you with whatever you need.

In advance, thank you for your attention to this matter.

Sincerely,
Vanasse & Daylor, LLP



Mitchel A. Hutchcraft, ASLA, AICP
Executive Vice President

Cc: Scott Connell, Worthington Communities
Mark McCleary, Community Engineering Services
Russell Schropp, Hederson Franklin Starnes and Holt, P.A.

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D: _____

REC'D BY: _____

APPLICATION FEE: _____

TIDEMARK NO: _____

THE FOLLOWING VERIFIED:

Zoning ☐

Commissioner District ☐

Designation on FLUM ☐

(To be completed by Planning Staff)

Plan Amendment Cycle: ☐ Normal ☐ Small Scale ☐ DR ☐ Emergency

Request No: _____

APPLICANT PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit 6 copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Additional copies may be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs packages.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

9.27.00
DATE

SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

I. APPLICANT/AGENT/OWNER INFORMATION

Worthington of Renaissance LLC
APPLICANT
14291 Metro Parkway Bldg 1300
ADDRESS
Ft. Myers FL 33912
CITY STATE ZIP
(941) 561-4666 (941) 561-4676
TELEPHONE NUMBER FAX NUMBER

Mitchel A. Hutchcraft, ASLA, AICP
AGENT*
12730 New Brittany Blvd, Suite 600
ADDRESS
Ft. Myers FL 33907
CITY STATE ZIP
(941) 437-4601 (941) 437-4636
TELEPHONE NUMBER FAX NUMBER

Worthington of Renaissance LLC
OWNER(S) OF RECORD
14291 Metro Parkway Bldg 1300
ADDRESS
Ft. Myers FL 33912
CITY STATE ZIP
(941) 561-4666 (941) 561-4676
TELEPHONE NUMBER FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

☐ Text Amendment

☒ Future Land Use Map Series Amendment
(Maps 1 thru 19)

List Number(s) of Map(s) to be amended

Map 1

B. SUMMARY OF REQUEST (Brief explanation):

Convert 129.04 1/2 acres of mixed use interchange, 1.95 1/2 acres of general interchange, and 22.15 1/2 acres of Wetland to
diffusing suburbs. The result will be a reduction in intensity by
converting these commercial areas to residential, and
decreasing the allowed residential intensity.

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY
(for amendments affecting development potential of property)

A. Property Location:

1. Site Address: 13050 Danport Blvd.
2. STRAP(s): See attached list.

B. Property Information

Total Acreage of Property: 152.37 1/2

Total Acreage included in Request: 152.37 1/2

Area of each Existing Future Land Use Category: general interchange - 1.95 1/2
Wetland - 22.15 1/2
Mixed use interchange 129.04 1/2

Total Uplands: 130.22 1/2

Total Wetlands: 22.15 1/2

Current Zoning: MPD, Ag-2 + CDD

Current Future Land Use Designation: Mixed use interchange, general
interchange + Wetland

Existing Land Use: VACANT, SCATTERED RESIDENTIAL

- C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Lehigh Acres Commercial Overlay: N/A

Airport Noise Zone 2 or 3: N/A

Acquisition Area: N/A

Joint Planning Agreement Area (adjoining other jurisdictional lands): N/A

Community Redevelopment Area: N/A

- D. Proposed change for the Subject Property:

CONVERT TO CHANGING SUBURBAN

- E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density: 500 RESIDENTIAL UNITS

Commercial intensity: 275,000 SQUARE FEET

Industrial intensity: 300,000 SQUARE FEET

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density: 474 RESIDENTIAL UNITS

Commercial intensity: MINIMAL

Industrial intensity: N/A

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Map and describe existing land uses (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
4. Map and describe existing zoning of the subject property and surrounding properties.
5. The legal description(s) for the property subject to the requested change.
6. A copy of the deed(s) for the property subject to the requested change.
7. An aerial map showing the subject property and surrounding properties.
8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;

- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);
- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
 - b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;
- Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);
- c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
 - d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.

2. Provide an existing and future conditions analysis for:
 - a. Sanitary Sewer
 - b. Potable Water
 - c. Surface Water/Drainage Basins
 - d. Parks, Recreation, and Open Space.

Analysis should include (but is not limited to) the following:

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;
- Projected 2020 LOS under existing designation;
- Projected 2020 LOS under proposed designation;
- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
 - a. Fire protection with adequate response times;
 - b. Emergency medical service (EMS) provisions;
 - c. Law enforcement;
 - c. Solid Waste;
 - d. Mass Transit; and
 - e. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map with property boundaries and 100-year flood prone areas

indicated (as identified by FEMA).

4. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
5. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. 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.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)
 - a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
 - b. Provide data and analysis required by Policy 2.4.4,

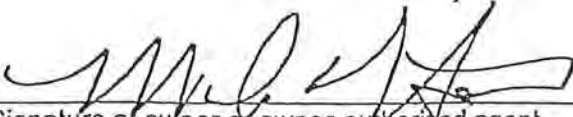
- c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.
2. Requests moving lands from a Non-Urban Area to a Future Urban Area
- a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.
3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.
4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.
- G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

Item 1: Fee Schedule

Map Amendment Flat Fee	\$500.00 each
Map Amendment > 20 Acres	\$500.00 and \$20.00 per 10 acres up to a maximum of \$2,255.00
Text Amendment Flat Fee	\$1,250.00 each

AFFIDAVIT

I, Mitchel A. Hutchcraft, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

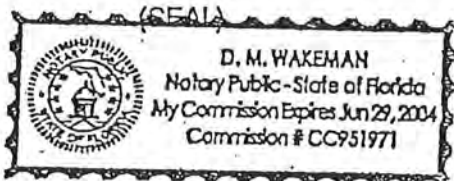

Signature of owner or owner-authorized agent

7.27.2000
Date

Mitchel A. Hutchcraft
Typed or printed name

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 27th day of Sept. 19 2002
by Mitchel A. Hutchcraft, who is personally known to me ~~or who has produced~~
as identification.



[Signature]
Signature of notary public

D. M. WAKEMAN
Printed name of notary public

Future Land Use Map Amendment

Renaissance at Daniels Parkway & I-75

Converting Mixed Use Interchange and General Commercial Interchange to Outlying Suburban

IV. AMENDMENT SUPPORT DOCUMENTATION:

A. General Information and Maps:

A.1. Provide any proposed text changes:

The applicant is not requesting any amendments to the text other than the reallocation of 2020 acreage from the Mixed Use Interchange category to Outlying Suburban. This shift in acreage is necessary to accommodate the desired amount of residential uses. An updated copy of the 2020 allocation table for the Daniels Parkway Planning Community is attached.

The result of this amendment will be that there will no longer be any land designated as "Mixed Use Interchange". However, the applicant is not proposing that this category be deleted, because it is anticipated that other portions of the Daniels Interchange area may take advantage of this category in the future.

A.2. Future Land Use Map:

A copy of the Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding future land use map designations, and natural resources is attached as Exhibit A.2.

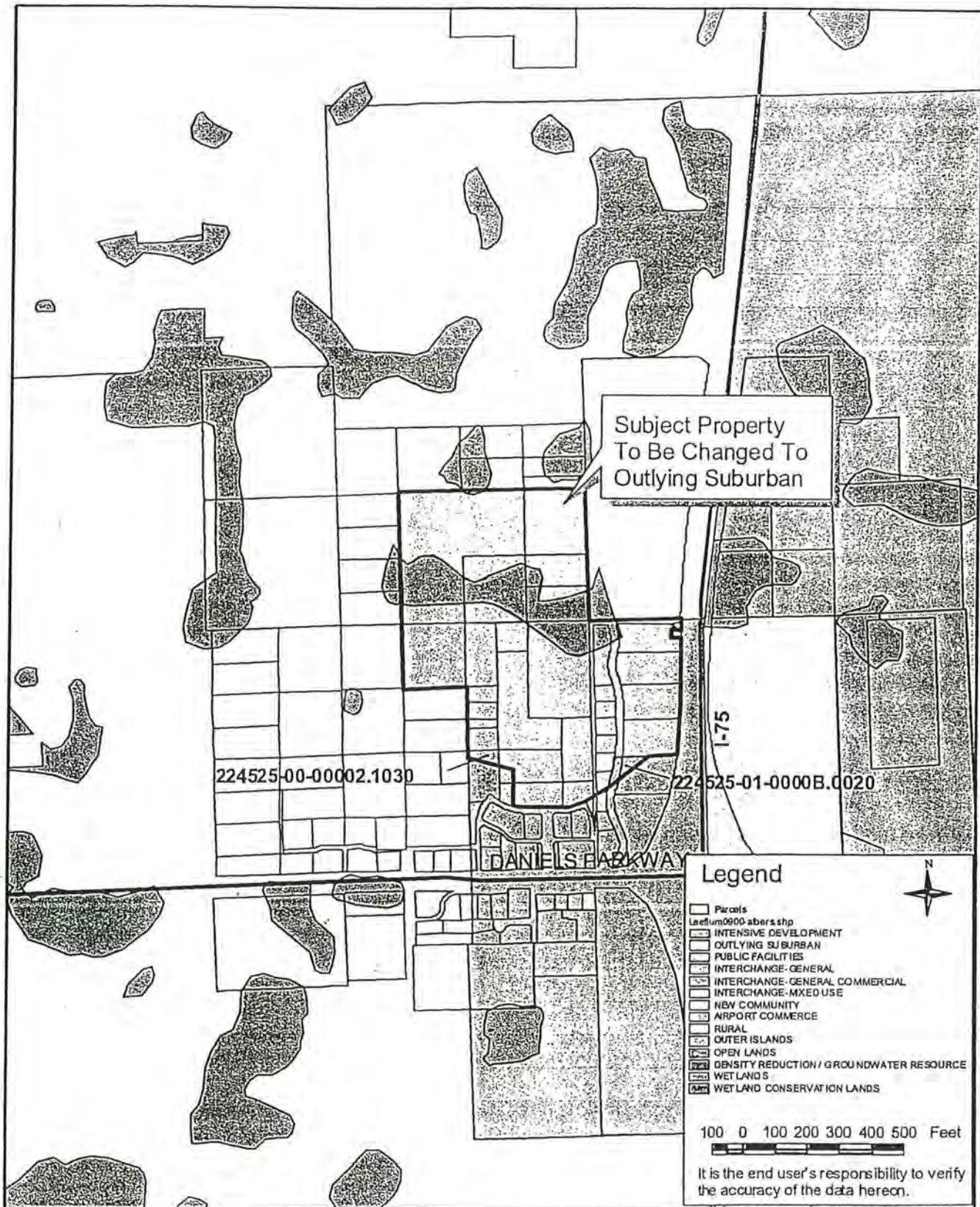
A.3. Existing Land Use Map:

A map depicting the existing land uses on a recent aerial is attached as Exhibit A.3. The consistency of the current uses with the proposed changes are presented below.

Consistency:

The existing land use of the subject property is predominantly vacant, except for 4 single-family homes. The subject property is currently approved for significant commercial, industrial and residential densities. The proposed use will result in a significant reduction in the intensity of use permitted on this property. The result will be that the proposed use will be more consistent with the adjacent uses, as presented below.

North: To the north of the subject property is an undeveloped area designated as Outlying Suburban. This property will be developed as a low-density residential area. The existing Master Concept Plan for the Daniels Interchange project depicts a residential zone as a transitional buffer between the more intensive commercial/industrial areas, and the low



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12730 New Brittany Blvd., Suite 600
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3001 Tamiami Trail North, Suite 206
Naples, Florida 34103
Tel: 941-403-0223 Fax: 941-263-5096

Renaissance

Future Land Use Map Amendment

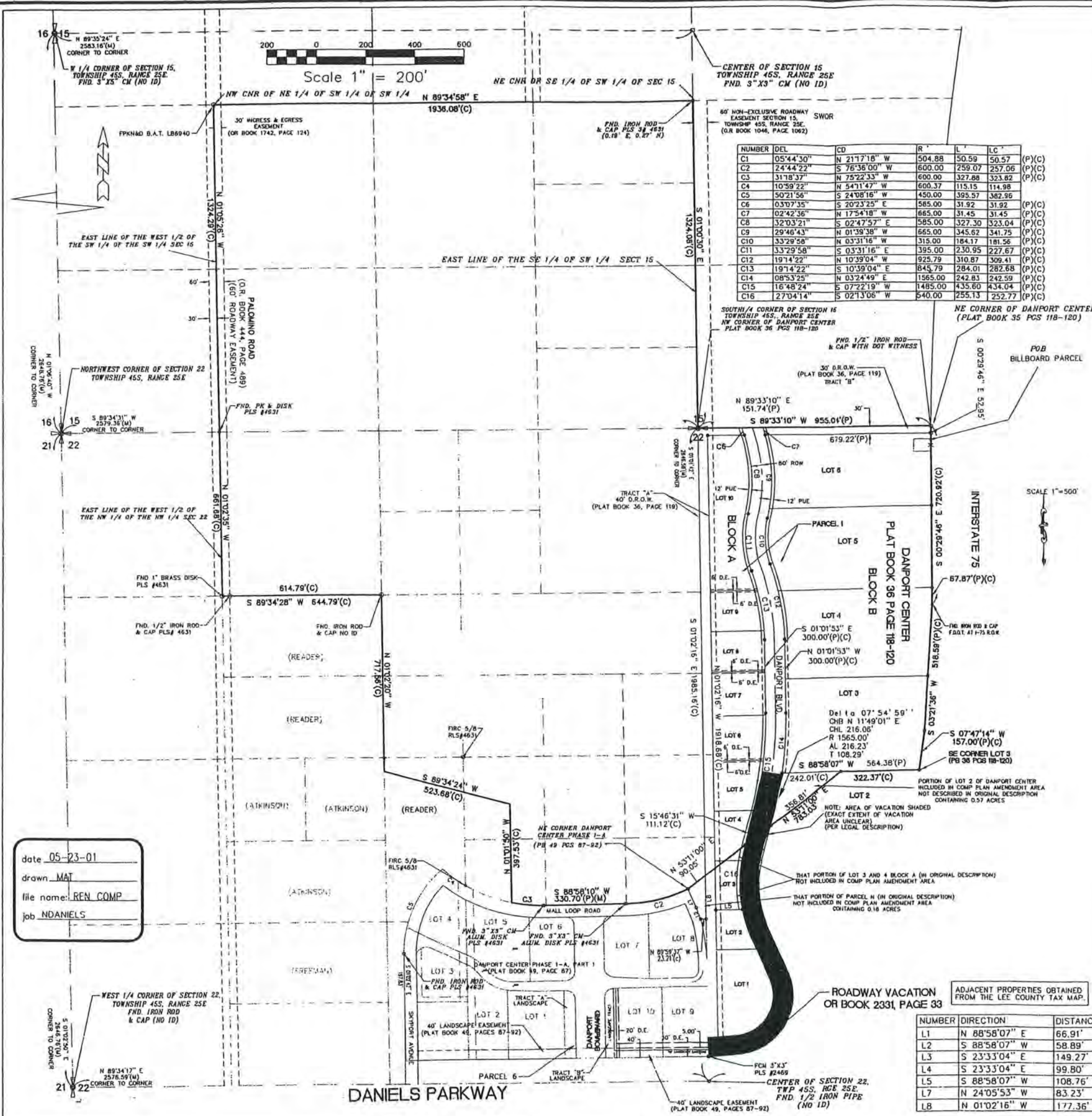
Sources: Lee County

Scale: 1" = 5,000'

Date: 05/23/01

Map 1

File Name: XXXX.apr



BOUNDARY SKETCH
TO
ACCOMPANY LEGAL DESCRIPTION
FOR
RENAISSANCE
COMP PLAN AMENDMENT AREA

A PORTION OF SECTIONS 15 & 22, TWP 45S, RGE 25E
LEE COUNTY, FLORIDA

ACREAGE BREAKDOWN
TOTAL AREA = 152.37 ACRES

LEGAL DESCRIPTION AS PREPARED BY SURVEYOR
(SEE ATTACHED)

SURVEYORS NOTES

1. THE BEARINGS SHOWN ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST ONE QUARTER OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEING NORTH 89°35'24" EAST.
2. THIS LEGAL DESCRIPTION OR SURVEY SKETCH IS NOT VALID UNLESS THE LEGAL DESCRIPTION THAT ACCOMPANIES SKETCH BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE PURPOSE OF THIS SURVEY SKETCH IS TO DELINEATE THE BOUNDARIES OF CERTAIN PORTIONS OF LAND THAT DESCRIBED THE MPD AREA AS NOTED

LEGEND

NO ID= NO IDENTIFICATION
(D) = DEED
PRM = PERMANENT REFERENCE MONUMENT
FND = FOUND
(C) = CALCULATED
(M) = MEASURED
(P) = PLAT
(DS) = DEED SURVEY PER CPD/RPD DOCUMENTS
NGVD = NATIONAL GEODETIC VERTICAL DATUM
USGS = UNITED STATES GEODETIC SURVEY
R/W = RIGHT OF WAY
CD = CHORD BEARING
LC = CHORD LENGTH
L = ARC LENGTH
R = RADIUS
F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION
F.P.L = FLORIDA POWER & LIGHT
F.P.L = FLORIDA POWER & LIGHT

MPD = MASTER PLANNED DEVELOPMENT
DEL = DELTA
PG. = PAGE
O.R. = OFFICIAL RECORDS BOOK
 Δ = DELTA ANGLE
CM = CONCRETE MONUMENT
POC = POINT OF COMMENCEMENT
POB = POINT OF BEGINNING
PLS = PROFESSIONAL LAND SURVEYOR
EOP = EDGE OF PAVEMENT
CNR = CORNER
SEC = SECTION
AC = ACRES
FCM = FOUND CONCRETE MONUMENT
● = SET 1/2" IRON REBAR & CAP (LB#572 OR PSM#5294)
■ = SET CONCRETE MONUMENT
○ = FOUND IRON REBAR & CAP
□ = FOUND CONCRETE MONUMENT

NUMBER	DIRECTION	DISTANCE
L1	N 88°58'07" E	66.91'
L2	S 88°58'07" W	58.89'
L3	S 23°33'04" E	149.27'
L4	S 23°33'04" E	99.80'
L5	S 88°58'07" W	108.76'
L7	N 24°05'53" W	83.23'
L8	N 01°02'16" W	177.36'

density uses to the north. Under the proposed plan, the Daniels Interchange area will be re-designated as Outlying Suburban, allowing the 153 acres to be integrated with the land to the north as one, integrated, golf course community.

South: South of the subject property is an area of existing and future commercial uses. The current Daniels Interchange property allows for an intensification of uses as you proceed north from Daniels Parkway. This intensification was the topic of much concern under the previous Lee Plan Amendment (PAM/T 98-07).

The proposed amendment will allow for a master planned golf course community to be developed on the Daniels Interchange property, as well as the property to the north, which is currently designated as Outlying Suburban. The design of the master planned community will provide adequate buffers and separations from the commercial uses to ensure that the residential and commercial components are compatible. This effort is accentuated by the fact that the applicant currently controls the undeveloped commercial tracts to the south, and is planning to develop them in a manner compatible and complimentary to the residential uses to the north. In fact, the applicant is already undertaking a significant landscape improvement program to improve and enhance the existing commercial uses, the main entry at Danport Boulevard, and begin to establish an aesthetically pleasing entrance to the future residential development. This type of unified and integrated approach will not only ensure the compatibility of the two uses, but also begin to invigorate the commercial uses already in existence.

East: To the east of the subject property is I-75. Under the Daniels Interchange MPD, the subject property would allow for intensive commercial and industrial uses adjacent to this major roadway. Under the proposed amendment, residential uses would be allowed. A planned development for the Renaissance project will be submitted demonstrating the significant buffers, berms and setbacks being proposed to ensure compatibility between the residential uses and I-75. Further, the proposed uses will actually improve the aesthetic experience of traveling along I-75.

West: West of the subject property is Palomino Lane. Beyond Palomino is an area characterized by low density (3 dwelling units per acre or less) residential. Most recently approved, is the Danforth RPD, which has development slightly below 3 du/ac. The proposed conversion of the subject property from Mixed Use Interchange to Outlying Suburban will ensure greater compatibility between the existing and proposed residential uses along Palomino, than those currently allowed under the Mixed Use Interchange.

Zoning, Existing Land Use Map

A.4. Existing Zoning:

A map depicting the existing zoning of the subject property and surrounding properties is attached as Exhibit A.4. A summary of the adjacent zoning is presented below:

North:	AG-2 (being rezoned by the applicant to RPD)
South:	CPD/AG-2 (the vacant parcels are under control of the applicant, and will be developed in a manner that accentuates the proposed residential development.
East:	I-75
West:	Palomino Lane AG-2/RPD
Subject Property:	MPD (will be rezoned to RPD as part of the Renaissance project)

A.5. Legal Description:

A copy of the legal description for the subject property is attached as Exhibit A.5.

A.6. Deeds:

A copy of the executed contract for the subject property is attached as Exhibit A.6.

A.7. Aerial Map

An aerial map is integrated into Exhibit A.4, which also depicts the current zoning and existing land uses.

A.8. Authorization:

The applicant is the property owner, and therefore no additional authorization letter is required.

B. Public Facilities Impacts:

B.1. Traffic Circulation Analysis:

A detailed traffic circulation analysis was submitted as part of PAM/T 98-07. This analysis demonstrated that the uses, as currently approved, could be accommodated by the existing and programmed improvements. The proposed amendment will result in a significant reduction in intensity and density within this TAZ. A copy of the traffic circulation analysis for PAM/T 98-07 is attached in Appendix "B1", along with a comparison of the anticipated trips for the approved uses, and the requested uses.

Because this question was reviewed and approved for PAM/T 98-07, which reflects an increase over the previous uses, and the proposed amendment is consistent with the adopted MPO plans and FDOT's 5-year Transportation Plan, and will not require any revisions to the Traffic Circulation and/or Capital Improvement Elements. This is clearly demonstrated by the decrease in intensity below the previous uses. For this reason, no additional Traffic Circulation Analysis should be required.

B.2 Project Infrastructure:

a. Sanitary Sewer Analysis:

The property is located within the Lee County Utilities franchise area and is served through an agreement with the City of Fort Myers (CFM). The closest line is at either Daniels Parkway, being a 16" force main, within approximately 2,000 feet to the south; or a lift station at Skyport Avenue, approximately 1,200 linear feet to the south. Presently the CFM sewer plant is operation at 70% of its 12.0 MGD capacity. The additional proposed area could generate a demand of .086 MGD, (187.5 GPD/Unit) as a worst case. This represents a reduction of approximately .052 MGD below what is currently approved (as listed in PAM/T 98-07). Because the amendment represents a reduction of demand, no improvements will be necessary to accommodate this amendment. Similarly, this amendment will not require any revisions to the sanitary sewer sub-element or CIE.

b. Potable Water Analysis:

The property is located within the Lee County Utilities franchise area and is served by the Corkscrew Regional Plant. The closest line is at either Daniels Parkway (30" D.I.P.), approximately 2,000 feet to the south; or Mall Loop Road within the Danport Commercial Area, (10" D.I.P.) approximately 1,000 feet to the south. Presently, the Corkscrew water treatment plan is operating at 90% of its 10.0 MGD capacity. The proposed amendment will result in a maximum demand of approximately 115,000 per day (250 gallons/unit), which is a reduction of 23,250 gallons per day over what is currently approved (as listed in PAM/T 98-07). The result is that no improvements in the system will be required, and no amendments to the potable water sub-element or CIE will be required.

c. Drainage/Surface Water Management Analysis:

The property is located within the Six Mile Cypress Watershed, and historically within the Cross Creek Sub-Watershed. Proposed drainage improvements have been integrated into surrounding development plans, in conjunction with the Danforth RPD. It is anticipated that funding for any required improvement will come from private developers and/or South Florida Water Management District (SFWMD). The proposed project will require approval from SFWMD and also compliance with Lee County's Level of Service Policy 70.1.3 for storm water management facilities. This amendment will not require any revisions to the surface water management sub-element or to the CIE.

d. Parks/Recreation/Open Space Analysis:

The property is located in Park Impact Fee District 4, and according to the analysis prepared by Lee County, there are 187 acres of community parks in this district. The current level of service for Community Parks is .8 acres per 1,000 persons, with a "desirable" standard of 1.75 acres per 1,000 persons. The estimated population for the District 4 Impact Fee District in 1995 was 99,400, and it appears that the regulatory Level of Service Standard will be met through the year 2020. As identified by the County, a future community park will be required in order to achieve the "desired" LOS.

The proposed amendment will not increase the residential units over what has already been approved via PAM/T 98-07, but will allow for the provision of significant open space and recreational opportunities for the residents of the area through the construction of the proposed Renaissance golf course and recreational facilities. These recreational amenities should sufficiently offset any demand created by this amendment. Therefore, no amendments to the Parks and Open Space or CIE element are required.

B.3. Letters of Willingness to Provide Service:

a. Fire Protection with Adequate Response Times:

The subject property is located immediately north of the South Trail Station located on Daniels Parkway. A letter from the South Trail Fire District is attached indicating they are willing to provide service with adequate response times. See Appendix "B3".

b. Emergency Medical Service:

The subject property is located immediately north of the South Trail Station located on Daniels Parkway. This station is both a Fire and EMS Station. A letter from the South Trail Fire District is attached indicating they are willing to provide service with adequate response times. See Appendix "B3".

c. Law Enforcement:

The subject property is located in Unincorporated Lee County where the Lee County Sheriff's Office provides law enforcement. A letter of willingness to provide service is attached. See Appendix "B3".

d. Solid Waste:

The property is served by Florida Recycling Services, Inc. which sends combustible wastes to the County's Waste to Energy Facility and non-combustible waste to the Gulf Coast Landfill. Current and projected levels of service for all unincorporated areas of Lee County are concurrent with the Level of Service Standard set forth in the Lee Plan. This amendment will not require any revisions to the solid waste sub-element or to the CIE. A letter of willingness to provide service is attached in Appendix "B3".

e. **Mass Transit**

Recently, Lee Tran has extended service on Daniels Parkway in the vicinity of the subject site. Route 85 provides access to the Bell Tower and the International Airport, as well as connection to the remainder of the Lee Tran service area. A copy of the Lee Tran Route Map is attached.

f. **Schools:**

The proposed development is anticipated to be a high-end residential development, which typically generates minimal demand on school resources. Further, the anticipated product type is expected to range from a low of \$250,000 - \$1,000,000 and higher. Because of the increase in property values and the low generation of school demand, it is anticipated that the project will have a positive net impact on the school system. Attached in Appendix "B3" is a copy of the letter provided by the Lee County School District.

C. **Environmental Impacts:**

C.1. **FLUCCS Mapping:**

The subject property is predominated by agriculture or impacted FLUCCS categories, with minimal wetland areas. A copy of the FLUCCS Mapping prepared by Boylan Environmental Services is attached.

C.2. **Soils:**

Exhibit C.2. depicts the soils found on the property, as depicted in the Soil Classification Survey for Lee County. There are 4 different soil classifications within the subject property. Listed below is each of the classifications and their descriptions.

(26) *Pineda Fine Sand*

This is a nearly level, poorly drained soil on sloughs. Slopes are smooth to slightly concave and range from 0 to 1 percent. Natural vegetation consists of pineland threeawn, panicums, sedges, maidencain, wax myrtle, South Florida slash pine, and scattered clumps of saw palmetto.

(27) *Pompano Fine Sand*

This is a nearly level, poorly drained soil in depressions. Slopes are concave and less than 1 percent. Natural vegetation consists of St. Johnswort and wax myrtle.

(28) *Immokalee Sand*

This is a nearly level, poorly drained soil in flatwoods areas. Slopes are smooth to convex and range from 0 to 2 percent. Natural vegetation consists of saw palmetto, fetterbush, pineland threeawn, and South Florida slash pine.

Mass Transit Map

FLUCCS Map

SOILS Map

(34) *Malabar Fine Sand*

This is a nearly level, poorly drained soil in sloughs. Slopes are smooth to concave and range from 0 to 1 percent. The available water capacity is low in the surface and subsurface layers and the upper part of the subsoil and medium in the lower part of the subsoil. Natural fertility is low. Natural vegetation consists of pineland threeawn, wax myrtle, scattered saw palmetto, maidencaine, panicum, and South Florida slash pine.

C.3. Topographic Map:

Exhibit C.3. depicts the general topography for the subject property and surrounding areas. This information was obtained from the USGS Quad Sheet Data. Further, the 100-year flood plain, as identified by Map 9 of the Lee Plan, has been overlain on the Topographical map.

C.4. Wetlands, aquifer recharge areas, and rare and unique uplands.

Exhibit C.1 depicts the wetlands that are contained within the subject property. There are no aquifer recharge areas or rare and unique uplands on the site.

C.5. Protected Species:

As documented in PAM/T 98-07, Passarella and Associates conducted a protected species survey on the 153-acre parent tract. An updated species survey is being prepared by this applicant, and will be submitted as part of a rezoning application.

The survey submitted in PAM/T 98-07 included habitat types on the project site with the potential to be utilized by Lee County listed species. Snowy egret was the only Lee County protected species found during the April 10, 1998 protected species survey. The snowy egret was observed feeding at the edge of the borrow area (FLUCFCS Code 742). There was no nesting activity associated with this listed species on the project site.

TOPO Map

The protected species survey located three abandoned red-cockaded woodpecker cavity trees within the limits of the subject property and one abandoned RCW cavity tree within 25 feet of the property limits. The cavity trees were located within the Pine Flatwoods, Disturbed (FLUCFCS 4119) habitats. A RCW nesting season survey was conducted for a period of seven consecutive days beginning April 10 and ending April 16, 1998. The nesting season survey was conducted to determine the foraging potential of existing pinewoods by RCW and activity status of the cavity trees. The RCW surveys identified no RCW nesting or foraging activity on or adjacent to the project site.

D. Impacts on Historic Resources:

The project will have no impacts to any mapped Historic Resources.

E. Internal Consistency with the Lee Plan:

The proposed amendment is consistent with the following goals, objectives and policies of the Lee Plan, the State Comprehensive Plan, and the Strategic Regional Policy Plan.

Lee Plan:

1.) Vision Statement:

The Daniels Parkway vision statement indicates that this area is one of the primary gateways into Lee County. The proposed amendment will result in the coordinated development of the northwest quadrant of the Daniels/I-75 interchange. Further, the reduction in commercial intensity will result in less visual impact at this prominent gateway.

The vision statement continues, "much of the existing vacant land will be developed into low density gated communities." The proposed amendment furthers this vision, and brings the subject property into a greater level of compatibility with the surrounding uses.

2.) Policy 1.1.6 – Outlying Suburban:

The proposed amendment converting the Mixed Use Interchange to Outlying Suburban will allow for the development of low-density residential projects consistent with the provisions of Policy 1.1.6. Further, by amending the subject property to a land use category that currently exists adjacent to two sides of the amendment area, greater compatibility will be assured between future and existing uses.

3.) Objective 2.1 – Development Location:

The proposed amendment is consistent with Objective 2.1 because it allows for contiguous, compact growth patterns in an area where existing infrastructure is in place and sufficient to accommodate the proposed use.

4.) **Policy 2.1.1:**

This policy directs the majority of commercial, industrial and residential development to areas designated Future Urban on the Future Land Use Map. While the proposed amendment will reduce the permitted intensity of the subject property, it will remain a Future Urban category. Therefore the proposed amendment is consistent with this policy.

5.) **Objective 2.2. – Development Timing:**

Objective 2.2 directs new growth to those areas that have sufficient public infrastructure to support the proposed development. The proposed amendment is clearly consistent with this policy, in that the current land use would generate significantly greater demands on public infrastructure than the proposed use. Therefore the amendment will actually reduce the demand on infrastructure that has already been determined sufficient to accommodate greater intensities of development.

6.) **Goal 4:**

Goal 4 encourages mixed-use development and integrated design. While the proposed amendment will not encourage mixed-use development, the resulting project will allow for a comprehensive master plan on more than 500 acres. This master plan is well integrated, functionally related, and consistent with adjacent uses.

Further, the applicant not only owns the property that is the subject of this amendment, but property to the north and the south. This ownership will provide the opportunity to develop the project in an integrated fashion, maintaining a unified aesthetic theme and coordinating the provision of infrastructure.

7.) **Policy 5.1.1:**

The amendment will allow for a coordinated planned development on approximately 500 acres.

8.) **Policy 5.1.5:**

The proposed amendment allows for the development of a residential planned development that is compatible with the land uses to the north, east and west. Further, because the owner of the subject property also owns the undeveloped commercial land to the south, a coordinated development plan is being developed to ensure that the adjacent uses are appropriately located and adequately buffered to ensure that the character and integrity of each is maintained.

9.) **Policy 5.1.6:**

The proposed amendment will allow for a low density, golf course community which will provide a mix of residential unit types, as well as the ability to provide a significant amount of open space, buffering, landscaping and recreational amenities for its residents.

10.) **Standards 11.1 and 11.2:**

The proposed project will be served by Lee County Utilities.

- 11.) **Standard 11.3:**
The resulting project will be processed as a Planned Development, and will submit a detailed TIS to document concurrency with the surrounding transportation network. Further, the proposed amendment will result in a reduction of allowed intensity within the subject property, thereby reducing trips on surrounding roadways.
- 12.) **Objective 28.2:**
The subject property is serviced by access to mass transit.
- 13.) **Policy 36.1.5:**
The proposed development will be serviced by public sanitary sewer services.
- 14.) **Policy 40.3.1(A):**
The proposed development will be designed in conformance with the Six Mile Cypress Watershed requirements.
- 15.) **Policy 45.2.1:**
The proposed development is located in an established fire district, and in an area where public water is available.
- 16.) **Goal 52 – Development Requirements:**
The proposed development will meet or exceed all required open space standards for residential developments.
- 17.) **Policy 79.1.1:**
The proposed development will comply with the County's new Hurricane Mitigation program. It is anticipated that the finished floor elevations will be above the Category 3 flood zone.
- 18.) **Policy 84.1.2:**
The proposed project will, to the extent possible, integrate existing wetland, as well as connect historic or desired flow ways. Any impacts to jurisdictional wetlands will be in conformance with SFWMD or DEP dredge and fill permits or exemptions.
- 19.) **Policy 100.9.5:**
The proposed density and intensity of the subject property following the FLUM amendment will be compatible with or improve the area's existing character.
- 20.) **Policy 100.9.6:**
The proposed amendment will ensure that the proposed land uses acceptably minimize adverse drainage, environmental, spatial, traffic, noise and glare impacts on adjacent uses.

State Plan:

- 1.) **Goal 16(a):**
The project will have access to adequate public facilities, as noted in Section B.
- 2.) **Policies 16(b)1 and 3:**
The amendment will allow for a mix of residential unit types, and ensure a well-integrated transition from the commercial uses along Daniels Parkway to the residential areas to the north and west.

Regional Policy Plan:

- 1.) **Goal I-1:**
This amendment will permit for a greater mix of housing types on the over all site.
- 2.) **Policies I-5.1.c. and 2:**
Approval of this amendment will allow for compact, efficient and compatible development patterns.
- 3.) **Policies V-3.1 and 2:**
The amendment will allow for residential uses next to an area that provides for significant business activities.

F. Additional Requirements for Specific Future Land Use Amendments:

The proposed amendment does not contain any provisions that require additional information under this section.

G. Planning Justification:

The subject property originally had the land use designation and zoning in place to accommodate a regional mall. Due to this site's proximity to the Bell Tower and Edison Mall, and the community's changing demographics, the demand for a regional shopping facility has moved south, leaving this site inappropriately designated. During this same time frame, the Daniels Parkway Corridor has continued to develop as a high-end residential corridor, with limited commercial areas pushed towards major nodes.

The most recent amendment on this property (PAM/T 98-07) recognized these two developments, and tried to establish a land use category that would allow for commercial and industrial components, as well as accommodate a residential component that would help create a transition between the commercial uses and the lower density residential uses to the north and west.

Since the 1998 amendment was submitted, the residential demand in this area continues to be for moderate to low density uses, as demonstrated by the recent approval of Danforth RPD, immediately across Palomino Road from the subject property. Additionally, due to a lack of large, developable parcels in Lee County, there continues to be a demand for golf course communities. Because of the very stringent limitations on land use percentages within the Mixed Use Interchange land use category, accommodating the desire for low density residential and golf course uses within the Mixed Use Interchange is impossible. Further, because of the size and amount of

wetlands on the Outlying Suburban land to the north of the subject property, there is insufficient space to develop a stand alone residential development, without integrating the "Daniels Interchange MPD" land.

For these reasons, the applicant is requesting that the Mixed Use Interchange land use category be reverted to Outlying Suburban in order to allow this property to be planned in conjunction with the land to the north, resulting in sufficient area to develop a moderate to low-density golf course community. This community is consistent with the surrounding land uses, environmental characteristics and density of the immediate area.

It is also important to note that the demand for commercial within this quadrant of Interstate 75 can still be accommodated in the vacant 35 + acres that are still designated as General Interchange.

The result of this amendment will be a reduction in permitted density and intensity, and therefore a reduction in demand on surrounding water, sewer, police, EMS, traffic and educational resources. For these reasons, the applicant submits that the requested amendment is consistent with the Lee Plan and sound planning principles, and should therefore, be approved.

Project Team:

Renaissance Future Land Use Amendment

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March 20, 2001

Mr. Matthew A. Noble
Principal Planner
Department of Community Development
Division of Planning
P.O. Box 398
Ft. Myers, FL 33902-0398

Re: CPA 2000-03, Lee Plan Future Land Use Amendment

Dear Mr. Noble:

In response to your letter dated February 19, 2001 concerning the Lee Plan Future Land Use Amendment, I am pleased to submit the following information. (For your convenience, I have copied and accented the staff's comments and then provided the applicant's response in the regular font):

Division of Planning
Sufficiency Checklist for Planned Developments

1. Please correctly identify the applicant – Worthington Holdings, or Worthington of Renaissance, LLC.

Since the original submittal in September, 2000, the property owner has created a new holding company named Worthington of Renaissance, LLC. Attached is a revised copy of the Application reflecting Worthington of Renaissance as the owner, and a copy of the property appraisers data sheets illustrating that Worthington of Renaissance does own all applicable parcels.

- IIIB. The applicant does not provide information concerning the amount of Uplands and Wetlands. The section for "Area of each Existing Future Land Use Category" has not been filled out by the applicant. In other sections of the application, the applicant indicates that the existing parcel includes 153 acres of Mixed Use Interchange and approximately 5 acres of Global Interchange. Please confirm this. Staff has been unable to verify the presence of General Interchange lands within the subject property.

Based on the SFWMD Wetland Jurisdictional Determination, signed by Craig Schmittler on 8/25/2000, there are approximately 26.29 acres of jurisdictional wetlands within the amendment boundaries. This 26.29 acres primarily consists of FLUCCS categories 211H, 411H and 424, with one small (.94 acre) area of 621. The remainder of the property (+/- 131.71 acres) is all classified upland. A copy of this jurisdictional determination (showing both Renaissance North and South) is attached.



The submitted STRAP list provides the owner information as "Daniels-I75 Associates LTD. As stated above, staff finds the owner of record to be "Worthington of Renaissance, LLC." Please correct the STRAP list.

As indicated above, the ownership is now completely under the control of Worthington of Renaissance LLC. The STRAP list has been updated to reflect this refinement of ownership.

IVA.1. The applicant has not provided the requested text change in a strike-out-underlined format. The application lacks analysis and data to justify this proposed change. The application does not provide an estimated needed residential allocation.

Originally, the applicant was not requesting any amendments Lee Plan Text, only the FLUM. However, in discussions with staff, they have indicated that they would prefer that the amendment eliminate the land use category from the Lee Plan due to the fact that all of the land under that designation will be eliminated. Similarly, with the deletion of this land use category, the applicant will be requesting that the 2020 allocations be converted to other appropriate categories.

Below are the proposed text changes to the Lee Plan, as well as the Table 1A (2020 Overlay). The anticipated residential allocation for this amendment can easily be accommodated by the 68 acres of residential that are currently allocated to the Mixed Use Interchange. In fact, the proposed residential units currently approved under the MPD for this property, exceed what will be requested in Renaissance North and South combined. Based on this reduction in density, the proposed amendment will not result in an increase to the population accommodation, nor will it result in a deficiency in any LOS for public infrastructure.

A.1. Provide any proposed text changes:

The result of the requested amendment will be the removal of any land from the FLUM that is allocated to the Mixed Use Interchange Land Use Category. For this reason, the applicant is submitting a request to delete Policy 1.3.6 in its entirety. However, should Lee County and DCA desire to retain this land use category for future areas, the applicant would have no objection. The language proposed to be deleted is as follows:

~~Policy 1.3.6: The Mixed Use Interchange District areas are intended to provide opportunities for a wide range of light industrial, office, and retail commercial uses, accompanied by a viable residential component to facilitate the internal capture of trips through on-site shopping and job creation. The residential uses in this category are to be transitional with existing and future residential uses abutting this land use district to promote compatibility with adjacent residential uses. The maximum residential density, of 5 units per acre, for this category is calculated on the upland acreage of the entire project including both residential and non-residential areas. Policy 6.1.2.2 does not apply to this interchange district.~~

~~Commercial and residential uses shall meet the following criteria in this district.~~

~~1. In order to implement the standards of this district, Mixed Use Planned Development (MPD) zoning is required.~~

2. ~~Residential uses in this category will serve as a transition between the intense non-residential uses within the interchange area and existing or potential residential uses on properties outside of the interchange category. To preserve the intent of the interchange designation, uses serving the traveling public is required within 330 feet of the arterial road creating the interchange.~~
3. ~~To insure viable residential uses and to provide for employment and shopping opportunities for residential uses developed on-site, the following minimum acreage percentages are required:~~
 - ~~45 percent of the gross land area will be developed with residential uses, and~~
 - ~~40 percent of the gross land area will be developed with commercial and/or industrial uses.~~
4. ~~Non-residential uses will be constructed in a fashion such that the total building area does not exceed 20% (0.2 FAR) of the total land area used for non-residential uses. Development intensities may be more or less than a floor area ratio (FAR) of 0.2 on individual parcels, as long as the project's average FAR for non-residential uses does not exceed 0.2~~
5. ~~Bicycle & pedestrian facilities will be provided throughout the development. Connections between all uses are required to facilitate these alternative modes of transportation. When possible, connections to developments adjacent to the MPD will be provided.~~
6. ~~Vehicular connections between residential and non-residential uses will be provided to facilitate the internal capture of trips. When possible, connections to development adjacent to the MPD will be made to provide alternative access to the non-residential components of this development other than the arterial creating the interchange with I-75.~~
7. ~~Landscaping requirements shall be increased in this land use category to help promote a pedestrian ambiance. The following requirements shall supplement the minimum standards of the Lee County Land Development Code Section 10-415.~~
 - ~~Multi-family developments shall provide 1.5 trees per 3,000 S.F.~~
 - ~~Non-residential uses shall provide 1.5 trees per 3,500 S.F.~~
 - ~~Landscaping for internal parking areas shall be 15% of the total paved surface area.~~
 - ~~An average fifty foot buffer strip which includes a minimum of 7 trees and 30 shrubs per 100 lineal feet and a double staggered hedge will be provided along the I-75 corridor. It is desired that the existing native vegetation will be retained and augmented to meet this standard.~~

~~If any facility deficiencies may result from the application of this district, commitments shall be provided at the time of zoning to insure that necessary improvements will be in place to support the proposed uses.~~

In addition to deleting Policy 1.3.6, the applicant is also requesting the conversion of the residential allocations from the Mixed Use category to the Outlying Suburban category, as reflected below in the modified Table 1(b).

Table 1(b) – Planning Community Year 2020 Allocations:

Future Land Use Category	Existing Allocations	Proposed Allocations	Change
Outlying Suburban	940	1,008	+68
General Interchange	2	2	-
Mixed Use Interchange	68	0	-68
Rural	1,255	1,255	-
Wetlands	7	7	-
Residential Sub Total	2,273	2,273	-
Commercial	398	398	-
Industrial	10	10	-
Public	1,854	1,854	-
Active Ag	254	254	-
Passive Ag	958	958	-
Conservation	1,913	1,913	-
Vacant	427	427	-
Total	8,088	8,088	-

The 68 acres currently allocated to the Mixed Use Interchange accommodates the permitted 500 dwelling units at a gross density of 5 dwelling units per acre. The conversion of these acres to a category with a maximum density of 3 dwelling units per acre would normally result in an increase in acres to accommodate the same number of units at a lower density. However, to simplify this amendment, the request is simply to transfer the same 68 acres from Mixed Use Interchange to Outlying Suburban.

IVA.2. The applicant has only submitted 1 color copy of the required map. Please resubmit 30 copies of the color map.

The color map, which the applicant provided, is a version of the existing FLUM showing the outline of the subject property. We believe that staff has a digital version of the county's FLUM. However, the applicant has provided an additional 30 version of our map in 8 ½" x 11" format.

A.5&6 Please update the legal description. The acreage does not match (152.95 versus the 158). Staff is also asking that the applicant provide an opinion of title and a boundary survey, which agree. Staff prefers that the applicant provide a metes and bounds description that includes right-of-ways such as Danport Center Boulevard.

Attached is the latest copy of the legal description. The applicant currently owns land on the north and south of the subject property, and will be submitting a RPD for property that encompasses more than the land that is the subject of this amendment. Our request is simply to change the designation of the area amended by PAM/T 98-07 (as submitted in the original applicants legal description) to the Outlying Suburban land use category. Roger Harrah at



Community Engineering Services, is following up with Jerry Murphy to make sure that the all issues with the legal description have been addressed.

At the time of submittal, the subject property was under contract. Copies of all of the contracts were submitted with the original application. In the 5 months since submittal, the property has changed ownership, and is now under the control of Worthington of Renaissance, LLC. In light of the completion of this acquisition, the applicant has now provided the appropriate deeds for staff's review.

A.8 Please submit the required authorizations from the property owners of the subject property so that the agent may represent the owners in this matter.

The authorization form was originally signed by Scott Connell of Worthington Holdings. Since the submittal 5 months ago, all of the land has been closed, and converted into a holding company, Worthington of Renaissance, LLC. A revised authorization form has been signed by Scott Connell on behalf of Worthington of Renaissance, LLC.

B.1 Please respond to the Memo from the Department of Transportation.

Please see the attached response to the Department of Transportation Memo.

B.3.c Please provide a letter of willingness to provide service from the Lee County Sheriff's Office.

The Lee County's Sheriff's Office is a constitutional office that is required to provide law enforcement for all of unincorporated Lee County. The original letter cannot be located at this time, and a new letter has been requested.

C. See attached comments from Environmental Sciences staff.

Please provide a FLUM with proposed land uses. This map must delineate state jurisdictional wetlands or provide a SFWMD permit including exhibits showing approved wetland impact and required wetland preservation areas. Any wetland areas to be preserved must be delineated on the FLUM as Wetland.

The applicant submitted a FLUM map outlining the area proposed to be converted to Outlying Suburban. A detailed FLUCCS map and Soils map were also submitted. In response to staff's request, a signed SFWMD wetland delineation has been submitted in this response.

The application for an amendment to the FLUM, specifically item IV.C, does not require the delineation of wetlands to be preserved. However, because of the degraded condition of the vast majority of the wetlands on site, it is likely that all wetlands may be subject to some level of impact, whether it is through the creation of flow ways, mitigation, excavation or filling. It is anticipated that the wetland on the western property line (containing less than 4 acres of FLUCCS 621, 424 and 211 will be incorporated into the projects preserve area). However, because of the preliminary nature of this project, and because no permitting has been approved, it is impossible to identify the wetlands which will be preserved.



- C.1** The submitted exhibit indicates an approximate acreage of 542.42 acres. Other sections of the application indicate that the subject parcel is approximately 158 acres. Please correct.

A detailed acreage breakdown has been provided for the Renaissance South FLUCC categories. This exhibit reflects approximately 26.29 acres of wetland on the 153 +/- acre subject property.

- C.2** Staff notes the presence of additional soil (44 & 13) types on the subject property. Please revise the application to include these types.

The applicant has reviewed the Soil Survey, and believes that if these two soil classifications are present on the property, that they represent such an insignificant amount of land (Less than an acre combined) that their inclusion does not appear to be justified. However, in accordance with Staff's request, these classifications have been added in the attached sufficiency update.

C.2. Soils:

Exhibit C.2. depicts the soils found on the property, as depicted in the Soil Classification Survey for Lee County. There are 6 different soil classifications within the subject property. Listed below is each of the classifications and their descriptions.

(13) Boca fine sand

This is a nearly level, poorly drained soil on flatwoods. Slopes are smooth and range from 0 to 2 percent. Natural vegetation consists of saw palmetto, pineland threeawn, South Florida slash pine, and wax myrtle.

(44) Malabar fine sand, depressional

This is a nearly level, poorly drained soil in depressions. Slopes are concave and are less than 1 percent. Natural vegetation consists of bald cypress, wax myrtle, St. Johns wort, and water tolerant grasses.

(26) Pineda Fine Sand

This is a nearly level, poorly drained soil on sloughs. Slopes are smooth to slightly concave and range from 0 to 1 percent. Natural vegetation consists of pineland threeawn, panicums, sedges, maidencain, wax myrtle, South Florida slash pine, and scattered clumps of saw palmetto.

(27) Pompano Fine Sand

This is a nearly level, poorly drained soil in depressions. Slopes are concave and less than 1 percent. Natural vegetation consists of St. Johnswort and wax myrtle.

(28) Immokalee Sand

This is a nearly level, poorly drained soil in flatwoods areas. Slopes are smooth to convex and range from 0 to 2 percent. Natural vegetation consists of saw palmetto, fetterbush, pineland threeawn, and South Florida slash pine.

(34) *Malabar Fine Sand*

This is a nearly level, poorly drained soil in sloughs. Slopes are smooth to concave and range from 0 to 1 percent. The available water capacity is low in the surface and subsurface layers and the upper part of the subsoil and medium in the lower part of the subsoil. Natural fertility is low. Natural vegetation consists of pineland threeawn, wax myrtle, scattered saw palmetto, maidencaine, panicum, and South Florida slash pine.

- C.5. Staff does not find a table of plant communities by FLUCCS..." Please provide the requested table.**

In addition to the documentation provided in PAM/T 98-07, Boylan Environmental has conducted a protected species survey for the subject property. A copy of the FLUCCs table and potential protected species is provided on the attached FLUCCS Map.

Table C.5. FLUCCS and Potential Protected Species

- D.1. The applicant has not indicated whether or not there are any historic resources listed on the Florida Master Site File, which are located on the subject property or adjacent property.**

There are not any historic resources listed on the Florida Master Site File for the subject property.

- D.2. Please provide a map showing the subject property location on the archeological sensitivity map for Lee County.**

The subject property does not fall within either Archeological Sensitivity Level 1 or 2. A black and white copy of the County's map is provided, as well as an archeological survey of the site conducted by Archeological Consultants, Inc.

- E.1. Please provide the required discussion.**

The proposed amendment does not have any impact on the established Lee County population projections; in that the proposed density is a reduction from the currently permitted densities. Further, as detailed above, the proposed request will require the transfer of 68 residential acres from the Mixed Use Interchange to Outlying Suburban land use category, as reflected in Table 1(b). This adjustment is appropriate due to the fact that all of the land in this land use category is requested to be converted to Outlying Suburban. The result of this amendment is that there will be no increase in the County's population accommodation of the Future Land Use Map.

- E.3. Please provide the required discussion.**

The proposed amendment will have no impact on any adjacent government's comprehensive plan. The proposed project is located wholly within Lee County, and is more than 8 miles from the nearest incorporated area. The proposed amendment provides for greater compatibility with surrounding residential uses, and still maintains viable commercial areas within the Interchange land use category.



F.1.a State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals.

The subject property does have access to Daniels Parkway (an arterial road) via an internal access road through an existing commercial subdivision. The property does not have any access to rail lines, and does not have any direct access to airport terminals. The subject property is approximately two miles from the entrance to the airport.

However, while the subject property did allow for some industrial uses, they were all light industrial uses that can still be accommodated in the vast Airport Commerce land use designation, New Community, and other industrial land use categories in close proximity to the airport. Locations for industrial and retail land uses were further expanded in 2000 due to the expansion of the Noise Zones for the future airport expansion. Further, there are in excess of 15 acres of land still remaining within the General Interchange category that can continue to accommodate light industrial and retail uses.

F.1.c Address the affect of the proposed change on the county's industrial employment goal, specifically policy 7.1.4.

It is important to point out that in the staff report recommending approval of PAM/T 98-08, there was no discussion pertaining to Policy 7.1.4, and the recommendation was made without respect to Policy 7.1.4. There was no indication made by staff that there was any need for additional industrial land use designations to comply with Policy 7.1.4, and there was no reference to the required bi-annual study documenting the county's progress toward this employment goal.

Further, the approved amendment resulting in Policy 1.3.6 does not require any industrial development, but rather simply allows the use. Since the land use category could be completely developed without any industrial uses, the creation of the category cannot be reasonably be counted towards the fulfillment of Policy 7.1.4. Conversely, the deletion of the Mixed Use Interchange category does not diminish any realistic opportunity to achieve the goal.

As outlined in Attachment 7 of PAM/T 96-13, Lee County provides the following assessment of acres per land use category:

Land Use Category	Acres	% considered non-residential (From Attach. 4)	Available for Industrial Uses
Intensive Development	4,945.00	61.5%	3,041.17
Industrial	5,861.12	100%	5,861.12
Industrial Interchange	110.83	100%	110.83
General Interchange	1,109.87	100%	1,109.87
Industrial Commercial Interchange	272.19	100%	272.19
New Community	4,370.01	40.9%	1,787.33
Airport Commerce	4,572.22	100%	4,572.22
DRGR	94,763.56	5% *	4,738.18
Totals:	116,004.80		21,492.91



For comparison, the 1990 projections for the required industrial acreage, based on 3% of population, required an allocation of 11,365 acres (1990 Amendments to the Lee Plan, Volume 2 of 3, September 1990). The 1990 population was 335,113 (based on Attachment 9 of PAM/T 96-13). The projected 2010 population is 511,400, or an increase of 152.6% over the 1990 population. By applying this same rate of increase to the desired industrial allocation, it is estimated that 17,342.99 acres of industrial should be accommodated. As outlined above, the current FLUM currently has allocated approximately 21,500 acres of land that could be developed for industrial uses.

While this land use allocation has been provided by the FLUM, Attachment 13 and 14 of PAM/T 96-13 demonstrates that through the year 1996, there was only a demand of 1,440.3 acres of industrial, or approximately 10,084,000 square feet (which translates into an intensity of about 7,000 square feet per acre). Based on this data, there is currently more than 20,000 acres of land that could accommodate industrial uses than the actual demand (as tracked in Attachment 14) for industrial development.

As indicated in the Lee County 2020 Planning Community allocation tables (attached), there are 2,296 acres of industrial land use available in the Gateway/Airport Planning Community, 332 industrial acres available in the South Fort Myers Planning Community, and 160 in the San Carlos Estero Community. These three Planning Communities surround the Daniels Road Planning Community, and represent the majority of the main concentrations of industrial allocations for Lee County. Combined, there are in excess of 2,788 available acres of industrial allocations within the surrounding Planning Communities. Again for comparison, Attachment 14 of PAM/T 96-13 tracks the annual acreage demand for industrial in Lee County since 1930. The result is that on average, Lee County consumes approximately 20 acres of industrial per year over that time frame, with peak demand for 63.63 acres per year (1985). Based on the highest annual demand for industrial acreage, the current allocation represents more than a 43.8-year supply – well beyond the 2010 time frame established in Policy 7.1.4.

Finally, assuming that 50% of the available acreage within the Mixed Use Interchange land use category were actually converted to industrial use, it would represent approximately 31.6 acres, or less than 1.1% of the current available industrial acreage. Based on this data and analysis, and the current adequate supply of industrial land, the conversion of this land use category to Outlying Suburban would have a negligible effect on Policy 7.1.4.

- G. The application lacks justification that is supported with adequate data and analysis. For example, the application provides the statement that “the demand for commercial within this quadrant of Interstate 75 can still be accommodated in the vacant 35+ acres that are still designated as General Interchange.” The application provides little justification for the need for additional low-density development in Lee County.**

The proposed amendment is required, and/or appropriate, for a variety of reasons, which are all based in sound planning principles. The first issue is that of need. In evaluating the large, urban sites available for golf course communities, there are virtually no remaining parcels that have not been identified for development. In order to realistically be developed as a golf course community, a parcel in excess of 350 acres is required, but a parcel in excess of 450 acres is desired. This is the only remaining site, of sufficient size and unified control to be realistically considered for development as a golf course community. If urban sites are discouraged from development as residential communities, it increases development pressure at the edges of the urban land use categories.



The second issue is compatibility. The current and anticipated development to the north and west of the subject property is low-density residential uses. By converting this project to a lower density residential use, the transition to adjacent residential developments such as Danforth RPD, and the larger estate tracts to the north are made much more smoothly. Despite the buffers and transitional areas, the transition from industrial, to commercial to residential would have been challenging. Further, the amount of development permitted by the current land use category is significantly more intense than is being requested. This high level of intensity was a major concern of Lee County's, particularly as it related to road impacts on Palomino and Daniels Parkway. The proposed development will reduce this intensity, and thereby minimizing potential impacts on the roadway LOS.

The third issue is market. Originally this site was approved for a regional mall. As has been evidenced over the last year by the submittal of two alternative mall sites, and by the abandonment of the DRI, this site was not a viable regional mall site. Staff acknowledged this change in viability on page 6 of 33 of the Staff Report for PAM/T 98-07. This site also has significant competition for the mid-scale retail center, in that 6 miles to the west is the very vibrant Bell Tower Shoppes, and within 5 miles to the south is the approved Three Oaks commercial center. Opportunities for development as a mid-scale center are also adversely impacted by the existing development of the Daniels Road frontage for tourist oriented uses. Neighborhood retail uses are further limited, in that there have been significant approvals for Grocery Store anchored developments within 1-4 miles of the site, including the Shoppes at Fiddlesticks (100,000), Daniels Falls CPD (100,000), the Colony CPD (60,000), US Communities/Riverside Baptist Church CPD (30,000), Palomino Park CPD (80,000), the Brookshire Albertsons (150,000) and others (see attached project descriptions). These projects have resulted in the approval of over 500,000 square feet of neighborhood retail uses.

The fourth issue is the ability to still provide some retail and office uses adjacent to the proposed development, augmented by internal vehicular and pedestrian access – which was a goal of Policy 1.3.6. Between Daniels Parkway and the proposed development, there are over 40 acres of land that are currently approved for office or retail uses, or could be approved for office or retail uses. This future development could still provide the opportunity for an employment base close to residential (including Danforth RPD, the Legends and the Renaissance Development). This approach is still consistent with the position taken by staff on page 7 of 33 of the Staff Report for PAM/T 98-07, which was, "It is the intent of this new category to not only provide residential opportunities with convenient access to I-75 for their working commute, but also to provide these residents convenient pedestrian accessible retail for their after work needs."

Should you have any questions concerning the responses in this submittal, please do not hesitate to contact me.

Sincerely,
Vanasse & Daylor, LLP

Mitch Hutchcraft, AICP, ASLA
Executive Vice President

May 21, 2001

Mr. Matthew A. Noble
Principal Planner
Department of Community Development
Division of Planning
P.O. Box 398
Ft. Myers, FL 33902-0398

Re: CPA 2000-03, Lee Plan Future Land Use Amendment

Dear Mr. Matt:

In response to your letter dated April 27, 2001 concerning the Lee Plan Future Land Use Amendment, I am pleased to submit the following information. (For your convenience, I have copied and accented the staff's comments and then provided the applicant's response in the regular font):

Division of Planning
Sufficiency Checklist for Planned Developments

- 1. Please identify which parcel or parcels are within the General Interchange category. Please identify all the STRAP numbers and owners. Also please provide the deeds for the referenced parcel.**

Worthington of Renaissance is the property owner for both of the parcels within the General interchange Land Use category. The STRAP numbers for the two parcels are: 22-45-25-00-00002.1030 and 22-45-25-01-0000B.0020. Enclosed, please find the deeds for both parcels.

The application has not taken into account the presence of the Wetlands land use category on the property. Is it the intent for the areas currently designated Wetlands to remain in the Wetlands category, or does this request propose to change them to Outlying Suburban? How will this affect the proposed 2020 allocation figures?

Most of the FLUM designated Wetland area within this parcel is non-functioning wetland. This project is working with the South Florida Water Management District to recreate the flow ways through the site and greatly enhance the regional water management system. Some of the non-viable wetlands will be impacted by development, and these areas will change from Wetland to Outlying Suburban. The other areas of Wetland and the wetland areas that are created can remain in the Wetland category.



The application should indicate how many acres of Mixed Use Interchange, General Interchange and Wetlands exist on the property.

We have revised the application to show the acrages of General Interchange, Mixed Use Interchange and Wetlands on site. There is 1.95+/- acres of General Interchange, 129.04+/- acres of Mixed Use Interchange, and 22.15 +/- acres of Wetlands.

- A1. Staff would prefer to retain the Mixed-Use Interchange Category. Please revise the application to retain Policy 1.3.6. Also Table 1(b) has not taken into account any changes in the number of acres within the General Interchange category.

As per our meeting on May 16, you and Paul mentioned that you no longer planned to retain the Mixed Use Interchange Land Use Category. We have revised Table 1(b) to account for acres within the General Interchange category.

Table 1(b) – Planning Community Year 2020 Allocations:

Future Land Use Category	Existing Allocations	Proposed Allocations	Change
Outlying Suburban	940	1,008	+68
General Interchange	2	2	-
Mixed Use Interchange	68	0	-68
Rural	1,255	1,255	-
Wetlands	7	7	-
Residential Sub Total	2,273	2,273	-
Commercial	398	398	-
Industrial	10	10	-
Public	1,854	1,854	-
Active Ag	254	254	-
Passive Ag	958	958	-
Conservation	1,913	1,913	-
Vacant	427	427	-
Total	8,088	8,088	-

The 68 acres currently allocated to the Mixed Use Interchange accommodates the permitted 500 dwelling units at a gross density of 5 dwelling units per acre. The conversion of these acres to a category with a maximum density of 3 dwelling units per acre would normally result in an increase in acres to accommodate the same number of units at a lower density. However, to simplify this amendment, the request is simply to transfer the same 68 acres from Mixed Use Interchange to Outlying Suburban. The General Interchange Category does not permit residential uses. Therefore, although this amendment is requesting to change approximately two acres of General Interchange to Outlying Suburban, these acres would not be added to the Table under Outlying Suburban as there would be no transfer of residential density.



A2. The application requires 30 copies of the required map.

Enclosed, please find 30 copies of the required map.

A3. Please verify that this parcel does, in fact, contain a billboard. Item IV.A.3 requires a discussion of the consistency of current uses with proposed changes. Please discuss how the billboard will be consistent with the Outlying Suburban category.

The billboard parcel is not included in the Comprehensive Plan Amendment. Worthington of Renaissance does not own this parcel and is not authorized to change its Future Land Use category.

A.5. The "Parcel Key Map" submitted by CES makes references to a "CDD Boundary". Please correct this minor error.

Please see the enclosed revised Parcel Key Map.

A.6. The deed for the parcel containing the billboard is missing from the application.

The billboard parcel is not included in the Comprehensive Plan Amendment. Worthington of Renaissance does not own this parcel and is not authorized to change its Future Land Use category. Since Worthington of Renaissance does not own the parcel, there is no deed to submit.

The property appears to include a small portion of STRAP number 22-45-25-01-0000B.0020

That is correct. As we discussed, this area will be re-platted in conjunction with the Renaissance South RPD. There are also other parcels which this Comprehensive Plan Amendment intersects. All of the properties are under ownership of Worthington of Renaissance and will be replatted.

A.7. Please provide the letter from the Lee County Sheriff's Office when it becomes available.

We are working with the Sheriff's office to obtain this letter. We will give it to you as soon as we get it.

C.1. Please submit a more legible copy of the map depicting wetland jurisdictional lines and FLUCCS plant communities.

Please see the enclosed map depicting wetland jurisdictional lines and FLUCCS plant communities.

E.1. Please provide the required discussion.

The proposed amendment has a negative any impact on the established Lee County population projections, in that the proposed density is a reduction from the currently permitted densities. Further, as detailed above, the proposed request will require the transfer of 68 residential acres from the Mixed Use Interchange to Outlying Suburban land use category, as reflected in Table



1(b). This adjustment is appropriate due to the fact that all of the land in this land use category is requested to be converted to Outlying Suburban.

According to the submitted application for the Residential Planned Development, this area will build no more than 260 residential units. The 68 acres of allocated residential area in the Mix Use Interchange Future Land Use category would allow for 340 units. The result of this amendment is that there will be a decrease in the County's population accommodation of the Future Land Use Map.

Should you have any questions concerning the responses in this submittal, please do not hesitate to contact me.

Sincerely,
Vanasse & Daylor, LLP

A handwritten signature in black ink, appearing to read 'Daniel DeLisi', written in a cursive style.

Daniel DeLisi
Planner

**LEGAL DESCRIPTION
FOR
RENAISSANCE COMP PLAN AMENDMENT AREA**

A PARCEL OF LAND LYING IN SECTIONS 15 AND 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, SAID LAND BEING SITUATED WEST OF I-75 AND NORTH OF DANIELS ROAD AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH ¼ CORNER OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST; SAID POINT ALSO BEING THE NORTHWEST CORNER OF DANPORT CENTER PLAT BOOK 36, PAGES 118 THROUGH 120, THENCE ALONG THE NORTH LINE OF SAID PLAT AND THE SOUTH LINE OF SECTION 15, N 89°33'10" E, A DISTANCE OF 955.04' TO A POINT MARKING THE NORTHEAST CORNER OF SAID PLAT AND ALSO BEING ON THE WEST RIGHT OF WAY OF INTERSTATE 75; THENCE ALONG SAID RIGHT OF WAY AND SAID PLAT THE FOLLOWING BEARINGS AND DISTANCES : S 00°29'46" E, A DISTANCE OF 720.92' TO A POINT; THENCE S 03°21'36" W, A DISTANCE OF 518.59' TO A POINT; THENCE S 07°47'14" W, A DISTANCE OF 157.00' TO A POINT MARKING THE SOUTHEAST CORNER OF LOT 3 OF "DANPORT CENTER" AS RECORDED IN PLAT BOOK 36 PAGES 118 THROUGH 120; THENCE LEAVING SAID RIGHT OF WAY AND RUNNING WITH THE SOUTH LINE OF SAID LOT 3, S 88°58'07" W, A DISTANCE OF 322.37' TO A POINT; THENCE LEAVING SOUTH LINE OF LOT 3 AND RUNNING; S 53°11'00" W, A DISTANCE OF 783.03' TO A POINT MARKING THE NORTHEAST CORNER OF "DANPORT CENTER PHASE 1A" AS RECORDED IN PLAT BOOK 49 PAGES 87 THROUGH 92; THENCE WITH THE NORTH LINE OF SAID PLATTED LANDS AROUND A CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 24°44'22", AN ARC DISTANCE OF 259.07', RADIUS OF 600.00', WITH A CHORD BEARING OF S 76°36'00" W, A DISTANCE OF 257.06' TO A POINT; THENCE S 88°58'10" W, A DISTANCE OF 330.70' TO A POINT; THENCE AROUND A CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 12°26'10", AN ARC DISTANCE OF 13023', HAVING A RADIUS OF 600.00', WITH A CHORD BEARING OF N 84°48'46" W, A DISTANCE OF 129.98' TO A POINT; THENCE LEAVING SAID PLAT AND RUNNING N 01°01'50" W, A DISTANCE OF 397.53' TO A POINT; THENCE N 75°40'45" W, A DISTANCE OF 523.68' TO A POINT; THENCE N 01°02'20" W, A DISTANCE OF 717.56' TO A POINT; THENCE S 89°34'28" W, A DISTANCE OF 644.79' TO A POINT ON THE EAST LINE OF THE WEST ½ OF THE NORTHWEST ¼ OF THE NORTHWEST ¼, AND BEING NEAR THE CENTERLINE OF PALOMINO LANE; THENCE WITH SAID EAST LINE N 01°02'35" W, A DISTANCE OF 661.68' TO A POINT ON THE SOUTH LINE OF SECTION 15; THENCE CONTINUE WITH THE EAST LINE OF THE WEST ½ OF THE SW ¼ OF THE SW ¼ OF SECTION 15, N 01°05'26" W, A DISTANCE OF 1324.29' TO THE NW CORNER OF THE NE ¼ OF THE SW ¼ OF THE SW ¼; THENCE LEAVING SAID EAST LINE AND RUNNING N 89°34'58" E, A DISTANCE OF 1936.08' TO THE NE CORNER OF THE SE ¼ OF THE SW ¼ OF SECTION 15, SAID POINT BEING ON THE EAST LINE OF THE SE ¼ OF THE SW ¼ OF SECTION 15; THENCE WITH SAID LINE THENCE S 01°00'03" E, A DISTANCE OF 1324.08' TO THE POINT OF BEGINNING.

CONTAINING 152.37 ACRES MORE OR LESS.
(See Attached Boundary Sketch)

Surveyor and Mapper in Responsible Charge:
Roger H. Harrah, LS #5294
Community Engineering Services, Inc. LB #6572
9200 Bonita Beach Road, Suite 213
Bonita Springs, FL 34135

Signed: Roger H. Harrah
Roger H. Harrah, P.L.S.

Date: 05-23-01
\\Commserv\barbdata\Renaissance\153 comp. plan amendment desc.doc

RENAISSANCE
PROPOSED COMPREHENSIVE PLAN CHANGE

V&D #80306

Prepared for:

Worthington of Renaissance LLC

Submitted: March 2001

Prepared by:

VANASSE & DAYLOR, LLP
12730 New Brittany Boulevard, Suite 600
Ft. Myers, FL 33907
(941) 437-4601

INTRODUCTION

Worthington of Renaissance LLC is proposing a Lee County Comprehensive Plan Change for the Renaissance project. The project will occupy the vast majority of the undeveloped lands within TAZ 640 and is projected to consist of up to 500 dwelling units of residential housing. The mix is anticipated to be at least 130 multi-family and up to 370 single-family residences. The project is within TAZ 640 with is bounded by Palomino Road to the west, Penzance Boulevard to the north, I-75 to the east and Daniels Parkway to the south. The proposed Comprehensive Plan change would change nearly all the undeveloped land (approximately 153 acres) within TAZ 640 from the General Interchange land use classification to the Outlying Suburban land use classification.

In accordance with a LDOT memorandum dated January 15, 1999 (see Appendix A), the existing land uses within TAZ 640 at that time were 12 single-family dwelling units, 87 hotel/motel units and 57,355 square feet of commercial land uses. A letter (see Appendix A) written by Robert H. Gurnham from the Lee County Department of Community Development dated February 25, 2001 states "Be advised however, that 172 of the 200 hotel/motel units allowed by resolution Z-88-296 have already been built or permitted." Therefore, for the existing condition, we have assumed there are 12 single-family dwelling units, 172 hotel/motel units and 57,355 square feet of commercial land uses within the area. Table 1A shows the proposed trip generation at buildout of the area, which will include the existing, land uses plus the 370 single-family dwelling units and the 130 multi-family dwelling proposed by this Comprehensive Plan change.

In 1999, Lee County approved a Comprehensive Plan Change for the Daniels Interchange MPD, which changed 68.6 acres within TAZ 640 from the Outlying Suburban land use classification to the General Interchange land use classification. TAZ 640 including the Daniels Interchange MPD included 250 single-family dwelling units, 250 multi-family dwelling units, 200 hotel/motel units, 100,000 square feet of commercial land uses, 100,000 square feet of service/office land uses, and 300,000 square feet of industrial/warehouse land uses. Table 2 shows the potential trip generation from these land uses.

The TAZ 640 data from the 2020 Financially Feasible Plan call for 227 single-family dwelling units, 22 multi-family dwelling units, 225 hotel/motel units and a computed 92,000 square feet of commercial and 835,764 square feet of service/office land uses (see Appendix B). Table 3 shows the potential trip generation from these land uses.

SITE-GENERATED TRAFFIC

The Trip Generation Manual (6th Edition) published by the Institute of Transportation Engineers (ITE) has been used to determine the trip-generation rates for this project.

The following trip generation equations are used for this analysis:

Single-Family Detached Housing (LU 210):

$$\text{ADT: } \ln(T) = 0.920 \ln(X) + 2.707$$

$$\text{AM Peak Hour: } T = 0.700(X) + 9.477$$

$$\text{PM Peak Hour: } \ln(T) = 0.901 \ln(X) + 0.527$$

Multi-Family Housing (LU 230):

$$\text{ADT: } \ln(T) = 0.850 \ln(X) + 2.564$$

$$\text{AM Peak Hour: } \ln(T) = 0.790 \ln(X) + 0.298$$

$$\text{PM Peak Hour: } \ln(T) = 0.827 \ln(X) + 0.309$$

Warehouse (LU 150):

$$\text{ADT: } T = 4.96(X)$$

$$\text{AM Peak Hour: } \ln(T) = 0.707 \ln(X) + 1.148$$

$$\text{PM Peak Hour: } \ln(T) = 0.754 \ln(X) + 0.826$$

Shopping Center (LU 820):

$$\text{ADT: } \ln(T) = 0.643 \ln(X) + 5.866$$

$$\text{AM Peak Hour: } \ln(T) = 0.596 \ln(X) + 2.329$$

$$\text{PM Peak Hour: } \ln(T) = 0.660 \ln(X) + 3.403$$

Professional Office Building (LU 750):

$$\text{ADT: } T = 11.42 (X)$$

$$\text{AM Peak Hour: } \ln(T) = 0.836 \ln(X) + 1.540$$

$$\text{PM Peak Hour: } T = 1.50 (X)$$

Hotel (LU 310):

$$\text{ADT: } T = 8.92 (X)$$

$$\text{AM Peak Hour: } T = 0.670 (X)$$

$$\text{PM Peak Hour: } \ln(T) = 1.150 \ln(X) - 1.255$$

Tables 1A, B and C summarizes the trip generation calculations.

**TABLE 1
PROPOSED TRIP GENERATION @ BUILDOUT OF AREA**

<u>Land Use</u>		ADT	AM Peak	PM Peak
Single Family (LU 210)*:	382 DU	3,557	9	359
Multi-Family (LU 230)*:	130 DU	814	63	76
Shopping Center (LU 820)	57,355 SF	4,768	115	435
Hotel (LU 310):	172 RM	1,534	115	106
Totals		10,673	302	977

*includes 370 SF and 130 MF DU's proposed for Renaissance Center

**TABLE 2
PREVIOUSLY APPROVED DANIELS INTERCHANGE MPD TRIP GENERATION**

<u>Land Use</u>		ADT	AM Peak	PM Peak
Warehouse (LU 150):	300,000 AC	1488	178	168
Single Family (LU 210):	250 DU	2,408	9	245
Multi-Family (LU 230):	250 DU	1,418	106	131
Shopping Center (LU 820)	100,000 SF	6,817	160	628
Professional Office (LU 750):	100,000 SF	1,142	219	150
Hotel (LU 310):	200 RM	1,784	134	126
Totals		15,057	806	1,449

**TABLE 3
2020 TAZ 640 ASSIGNED TRIP GENERATION**

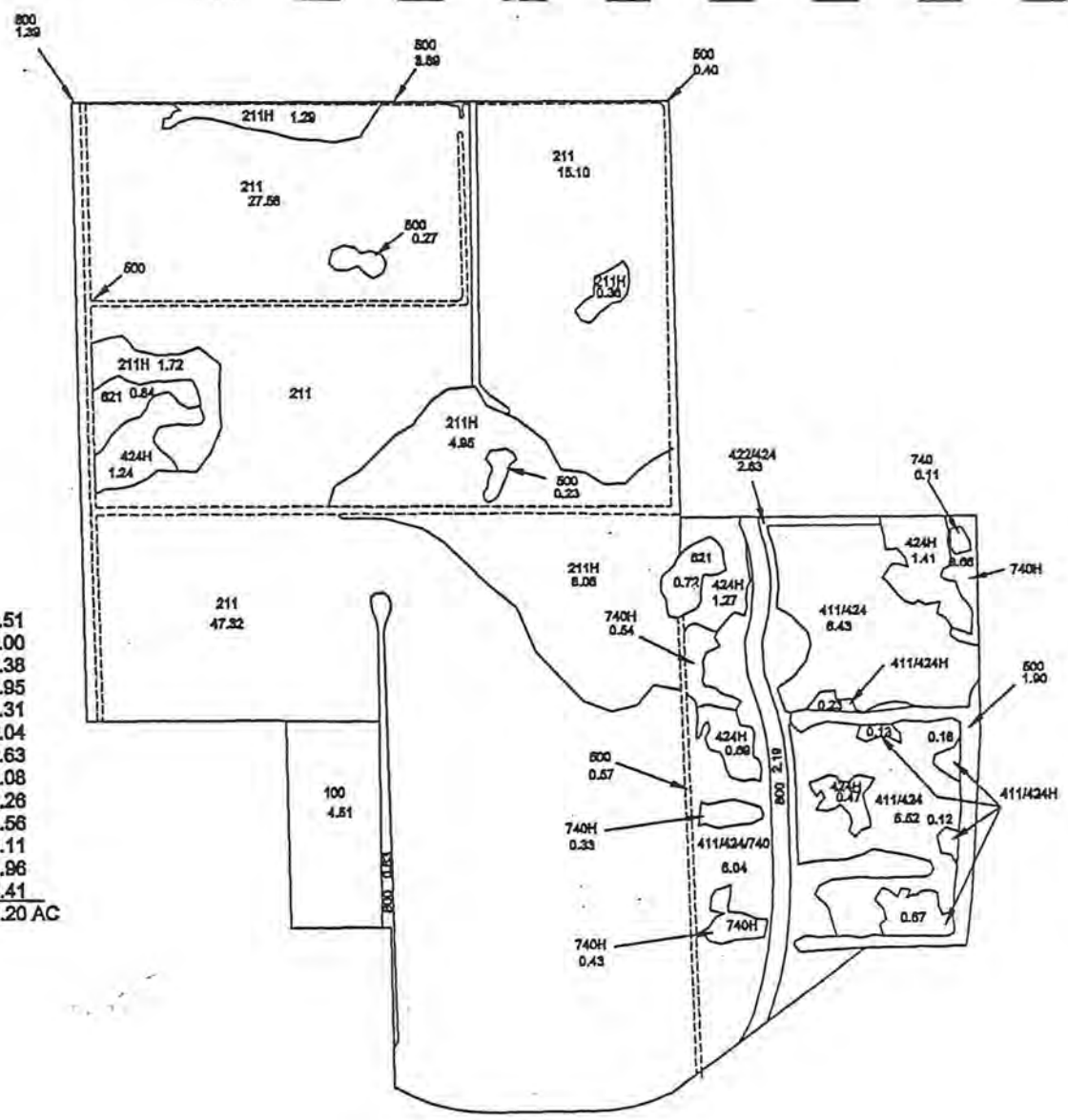
<u>Land Use</u>		ADT	AM Peak	PM Peak
Single Family (LU 210):	227 DU	2,204	9	225
Multi-Family (LU 230)	22 DU	180	15	18
Shopping Center (LU 820)	92,000 SF	6,461	152	594
Professional Office (LU 750):	835,750 SF	9,544	1293	1254
Hotel (LU 310):	225 RM	2,007	151	145
Totals		20,396	1,621	2,235

The above tables show that the land use changes proposed by this Comprehensive Plan change have a much lower trip generation potential than the currently approved Comprehensive

Plan land uses or the currently modeled 2020 Financially Feasible land uses.

The Renaissance project anticipates 500 residential units (370 SF and 130 MF). Table 1 shows the trip generation with the Renaissance project plus the existing land uses. Table 3 shows the trip generation of potential of TAZ 640 as provided in the ZDATA tables of the 2020 FSUTMS input data. The trip generation in the PM Peak Hour of TAZ 640 with the proposed Renaissance Comprehensive Plan, change is 45% of the trip generation using the 2020 ZDATA for TAZ 640. In addition, the trip generation of TAZ 640 with the proposed Renaissance Comprehensive Plan change is only 69% of the currently approved Daniels Interchange MPD.

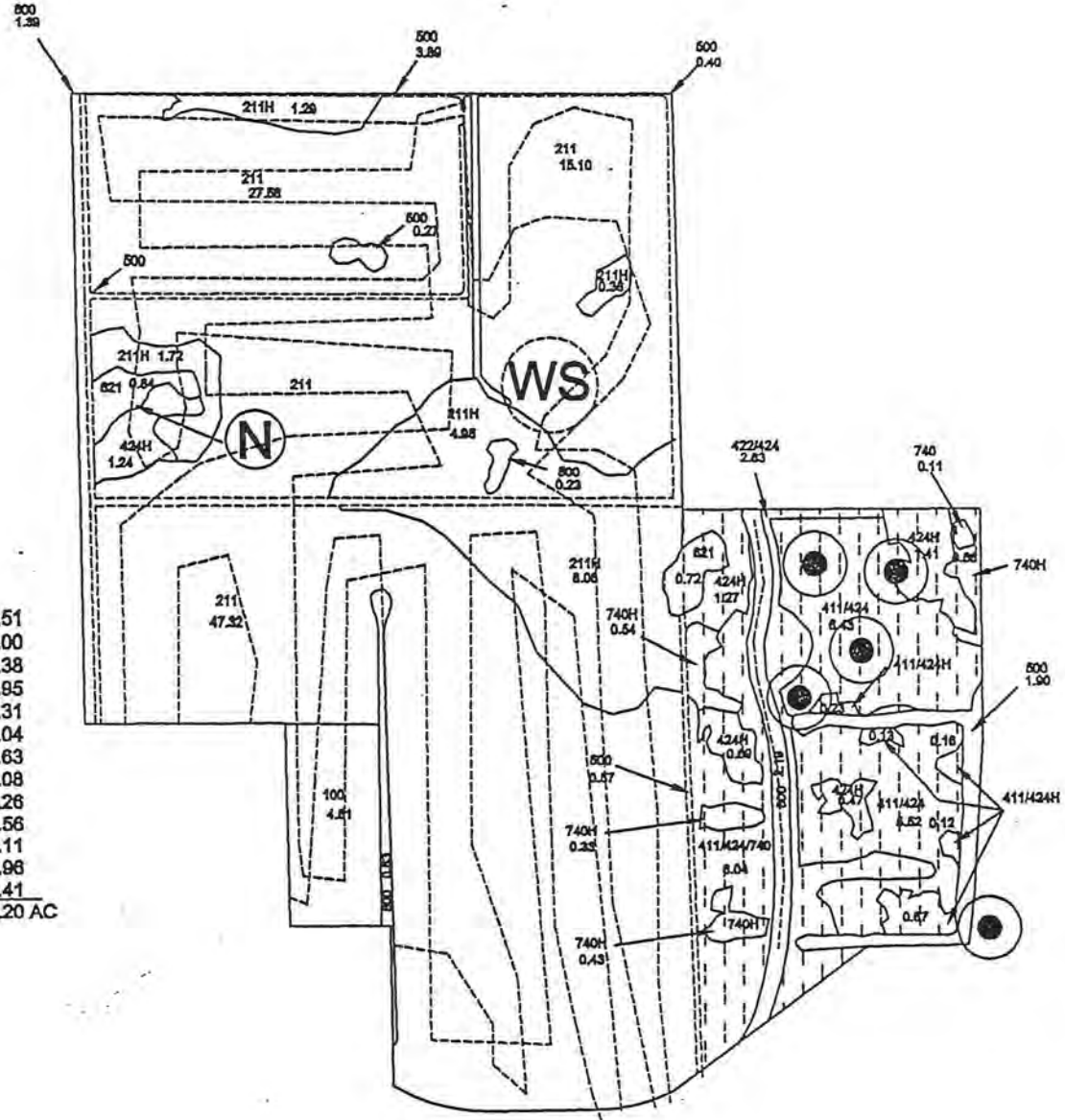
Clearly, the proposed Renaissance Comprehensive Plan change has less of a traffic impact to the surrounding roadway network than either the land uses projected for the 2020 Financially Feasible Plan or the existing Daniels Interchange MPD and no further analysis or FSUTMS modeling will say otherwise.



FLUCCS COMMUNITIES

RESIDENTIAL (ABANDONED)	4.51
IMPROVED PASTURE	90.00
IMPROVED PASTURE WETLANDS	18.38
424H PINE - MELALEUCA WITH SCATTERED SAW PALMETTO	11.95
424H PINE - MELALEUCA WETLANDS	1.31
424.740 PINE - MELALEUCA - DISTURBED	6.04
424 B. PEPPER - MELALEUCA	2.63
MELALEUCA WETLANDS	5.08
OTHER SURFACE WATER	7.28
CYPRESS	1.56
DISTURBED	0.11
DISTURBED WETLANDS	1.96
ROADS	4.41
	<hr/>
	153.20 AC

THESE COMMUNITIES ARE CONSIDERED INDIGENOUS



FLUCCS COMMUNITIES

RESIDENTIAL (ABANDONED)	4.51
IMPROVED PASTURE	90.00
IMPROVED PASTURE WETLANDS	16.38
PINE - MELALEUCA WITH SCATTERED SAW PALMETTO	11.85
PINE - MELALEUCA WETLANDS	1.31
PINE - MELALEUCA - DISTURBED	6.04
B. PEPPER - MELALEUCA	2.63
MELALEUCA WETLANDS	5.08
OTHER SURFACE WATER	7.26
CYPRESS	1.56
DISTURBED	0.11
DISTURBED WETLANDS	1.96
ROADS	4.41
	153.20 AC

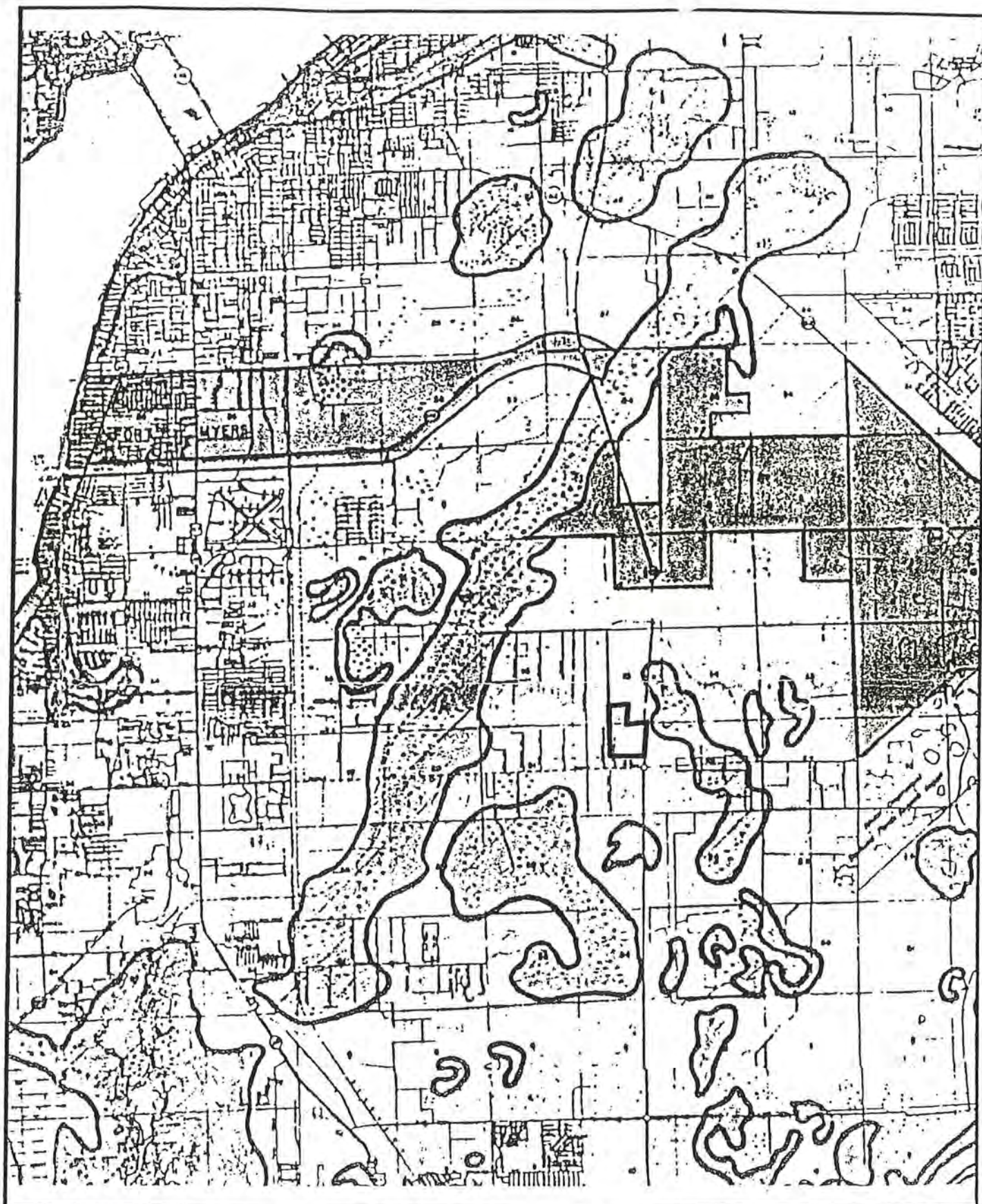
THESE COMMUNITIES ARE CONSIDERED INDIGENOUS

SPECIES SURVEY TRANSECTS

POTENTIAL BIG CYPRESS
FOX SQUIRREL NEST, 1

WOOD STORKS FORAGING, 2

ABANDONED WOODPECKER CAVITY TREES (SLASH PINE), 5



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Renaissance
Archeological Sensitivity Map
Lee Plan Future Land Use Amendment
Sources: Lee County DCO

Date: 03/28/01

Map 3

ATTACHMENT "B-1"

**RESPONSE TO PUBLIC FACILITIES IMPACTS
(TRANSPORTATION ELEMENT)**

FOR

DANIELS INTERCHANGE MPD LAND USE MAP AMENDMENT

(Project No. 980912)

Prepared By:

**SOUTHWEST TRANSPORTATION ENGINEERING, INC.
1342 Colonial Boulevard, Suite 30
Fort Myers, Florida 33907**

September, 1998

INTRODUCTION

The Daniels Interchange MPD is located on the northwest quadrant of Daniels Parkway @ Interstate I-75, within Lee County, Florida. The overall project is approximately 155 acres in size and was previously a major component of the 400 +/- acre Danport DRI. That is, the Danport DRI was a joint-venture DRI which consisted of various property owners, and 155 acres of the DRI (now referred to as the Daniels Interchange MPD) had the vast majority of commercial retail, office and hotel uses located within it's boundaries.

Currently, the northern 68 +/- acres of the 155 +/- acre project is designated outlying suburban pursuant to the Lee County Comprehensive Plan, with the balance of the property in the general interchange category. The proposed Plan Amendment is to change the 68 +/- acres to general interchange. For the purpose of responding to the Transportation Element Question, the total project area (i.e. 155 +/- acres) and it's anticipated land uses were used in relationship to the Traffic Circulation Element of the Lee County Comprehensive Plan.

As apart of Lee County's Long Range Transportation Needs Plan Program, TAZ 640 of the FSUTMS 2020 Travel Model was assigned to the property located between Palomino Lane and I-75 and contiguous to the north of Daniels Parkway. TAZ 640, which included the Danport DRI, currently reflects the following land uses which are expected to be constructed by the year 2020.

Assigned Land Uses to TAZ 640 of the 2020 Travel Model

Single-Family Dwelling Units	(250 Dwelling Units)
Retail Shopping Center	(92,000 Square Feet)
Professional Office	(835,750 Square Feet)
Hotel	(225 Rooms)

The above described land uses do not reflect the approved land uses of the Danport DRI. In other words, the land uses employed in the 2020 travel model do not reflect what was planned to be constructed within the Danport DRI.

Of the above described land uses, the following land uses were assigned to that portion of the Danport DRI within the limits of TAZ 640.

Land Uses of TAZ 640 which were allocated to the Danport DRI

Retail Shopping Center	(92,000 Square Feet)
Professional Office	(835,750 Square Feet)
Hotel	(225 Rooms)

And of those land uses which were specifically assigned to that portion of the Danport DRI within TAZ 640, the following land uses remain undeveloped.

Currently undeveloped Land Uses of the Danport DRI

Retail Shopping Center	(81,500 Square Feet)
Professional Office	(835,750 Square Feet)
Hotel	(138 Rooms)

As previously mentioned, the Daniels Interchange MPD contained the vast majority of the approved retail, office and hotel uses of the Danport DRI. Based on the land use allocations, it was estimated that 89.2 % of all traffic generated by the DRI would be from the land uses constructed within the boundaries of the 155 acre parcel. The Daniels Interchange MPD is now proposing to modify their land use schedule as follows.

Proposed Land Uses of the Daniels Interchange MPD

Single-Family Residential	(250 Dwelling Units)
Multi-Family Residential	(250 Dwelling Units)
Retail Shopping Center	(100,000 Square Feet)
Professional Office	(100,000 Square Feet)
Warehouse	(300,000 Square Feet)
Hotel	(200 Rooms)

The above described land uses are conceptual. These land uses are subject to change at the time of acquiring zoning approval. At that time, a detailed analysis of the project's traffic impacts will be provided pursuant to the Lee County Traffic Impact Statement Guidelines. The traffic statement will identify any on-site and off-site roadway improvements deemed necessary to accommodate the traffic demands associated with the project.

B. PUBLIC FACILITIES IMPACTS

1. *Provide a Traffic Circulation Analysis which includes:*
 - a. *Roadways serving the site (indicate laneage, functional classification and right-of-way width), current LOS, and LOS standard;*

The primary east/west arterial serving the site will be Daniels Parkway. This roadway is currently classified by the Lee County Comprehensive Plan as a six lane divided Group "A" Arterial. The road right-of-way within the area of the project is two hundred and fifty feet (250') in width. The level of service standard for Daniels Parkway has been established at LOS "E". Refer to Tables 2 & 3 and Figure 1 for current laneage, functional classification, current LOS and LOS service volumes.

The primary north/south arterial serving the site will be Interstate I-75. This roadway is apart of the Florida Interstate Highway System (FIHS). The level of service standard for I-75 has been established at LOS "C" by the Florida Department of Transportation. Refer to Tables 2 & 3 and Figure 1 for current laneage, functional classification, current LOS and LOS service volumes.

Table 3 and Figure 1 also detail the existing 1998 peak season traffic volumes for all links being analyzed inside the project's area of influence. These traffic volumes were determined based on the historical data contained in the 1989 thru 1997 Lee County Traffic Count Reports.

b. LOS; Standard; Current; and Projected 2020 LOS under existing designation; Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on the roadway network, and identify resulting changes to the projected LOS); Whether the proposed development impacts road links projected to be at or below the LOS Standard;

In order to calculate the future background traffic volumes for the expected project build-out year of 2005, an annual growth rate was determined for all links under study. The compound growth factors used were derived from the information contained in the 1989 thru 1997 Lee County Traffic Count Reports. Refer to Table 3 in the report's appendix.

A comparison of trips generated by the project based on approved land uses versus the proposed land uses was performed. More specifically, the potential traffic demands associated with the currently approved land uses were compared to the potential traffic demands of the proposed land uses. The trip generations were calculated based on the methodology provided by the Trip Generation Manual of the Institute of Transportation Engineers, Sixth Edition. Tables 1A and 1B provide a comparison of the anticipated traffic demands. As shown in Table 1A, the traffic generations associated with the Daniels Interchange MPD was determined to be 89.2 % of the vested traffic of the Danport DRI. That is, the currently approved land uses within the limits of the Daniels Interchange MPD would generate 1,668 vph during the PM peak hour. As shown in Table 1B, the proposed land uses of the project would generate 1,427 vph during the PM peak hour. As such, it can be concluded that the proposed Comp Plan Amendment will significantly reduce the anticipated traffic demands placed upon the surrounding roadways.

Based on the reasoning that the proposed Comp Plan Amendment will result in significantly less traffic demands placed upon the surrounding roadways, no additional analysis is warranted.

c. Anticipate improvements/expansions (including right-of-way acquisition, number of lanes, signalization, turn lanes, and/or re-designation of functional classification) needed as a result of the proposed amendment.

As determined, the proposed Comp Plan Amendment will result in significantly less traffic demands placed upon the surrounding roadways than those currently planned for the area. Therefore, no further analysis is warranted in response to the Transportation Element Question of the Comp Plan Amendment.

However, as the project applies for final development order permits, additional traffic impact analyses will be required pursuant to the Lee County Traffic Impact Statement Guidelines. At that time, site-related improvements, as well as, off-site mitigation requirements will be identified.

d. Planned improvements/expansions in the 5 year CIP, 6-10 year CIP and long range improvements.

There are no planned improvements for Daniels Parkway or Interstate I-75 within the area of the project in the 5 year CIP or 6-10 year CIP.

The extension of Daniels Parkway (from Chamberlin Parkway to State Road 82) is planned to be completed by the year 2001. In addition, the planned extension of Three Oaks Parkway (between Alico Road and Daniels Parkway) will also provide for north/south travel. Three Oaks Parkway extension is programmed to be constructed as a six-lane divided arterial by the year 2020. The initial construction will be a four-lane divided arterial which will be completed by the year 2003.

Lee County's long range plan includes the six-laning of Interstate I-75 with special ingress/egress collector lanes. At this time, FDOT has not established a construction schedule for these improvements to I-75.

e. Evaluate consistency of impact on adopted MPO plans and FDOT's 5-year Transportation Plan.

Because the proposed project is not required to mitigate any existing or future background transportation deficiencies, this amendment does not require any roadway improvements and/or the reclassification of existing roadways to support the project. Furthermore, the proposed amendment is consistent with the adopted MPO plans and FDOT's 5-year Transportation Plan.

f. Based on a-e are revisions to the Traffic Circulation and/or Capital Improvements Element necessary/included in the application.

Based on the findings described in a-e, there are no revisions to the Traffic Circulation and/or Capital Improvements Element necessary/included in the application.

TABLE 1A
VESTED 2020 TRAFFIC OF THE DANPORT DRI & DANIELS INTERCHANGE MPD

Assigned Land Uses to TAZ 640 of the 2020 Travel Model

Single-Family Dwelling Units	(250 Dwelling Units)
Retail Shopping Center	(92,000 Square Feet)
Professional Office	(835,750 Square Feet)
Hotel	(225 Rooms)

Land Uses of TAZ 640 which were allocated to the Danport DRI

Retail Shopping Center	(92,000 Square Feet)
Professional Office	(835,750 Square Feet)
Hotel	(225 Rooms)

Currently undeveloped Land Uses of the Danport DRI

Retail Shopping Center	(81,500 Square Feet)
Professional Office	(835,750 Square Feet)
Hotel	(138 Rooms)

<u>Description</u>	<u>Result</u>	<u>Trip Generation Manual</u>
Retail Shopping Center (81,500 s.f.)		(LUC 820)
Daily Trips	5,976 ADT	$\ln(T) = 0.643 \ln(X) + 5.866$
PM Total:	549 vph	$\ln(T) = 0.660 \ln(X) + 3.403$
Professional Office (835,750 s.f.)		(LUC 750)
Daily Trips	9,544 ADT	$T = 11.42(X)$
PM Total:	1,254 vph	$T = 1.5(X)$
Hotel (138 Rooms)		(LUC 310)
Daily Trips	1,136 ADT	$T = 8.23(X)$
PM Total	67 vph	$\ln(T) = 1.212 \ln(X) - 1.763$

Total vested traffic of the undeveloped areas of the Danport DRI

Daily Trips	16,656 ADT
PM Total	1,870 vph

**Total vested traffic of the Daniels Interchange M.P.D.
(i.e. 89.2% Danport DRI vested traffic)**

Daily Trips	14,857 ADT
PM Total	1,668 vph

TABLE 1B
DANIELS INTERCHANGE M.P.D.
Trip Generation

Single-Family Residential	(250 Dwelling Units)
Multi-Family Residential	(250 Dwelling Units)
Retail Shopping Center	(100,000 Square Feet)
Professional Office	(100,000 Square Feet)
Warehouse	(300,000 Square Feet)
Hotel	(200 Rooms)

<u>Description</u>	<u>Result</u>	<u>Trip Generation Manual</u>
Single Family		(LUC 210)
Daily Trips	2,408 ADT	$\ln(T) = 0.920 \ln(X) + 2.707$
PM Total:	245 vph	$\ln(T) = 0.901 \ln(X) + 0.527$
Multi-Family Attached		(LUC 230)
Daily Trips	1,418 ADT	$\ln(T) = 0.850 \ln(X) + 2.564$
PM Total:	131 vph	$\ln(T) = 0.827 \ln(X) + 0.309$
Retail Shopping Center		(LUC 820)
Daily Trips	6,817 ADT	$\ln(T) = 0.643 \ln(X) + 5.866$
PM Total:	628 vph	$\ln(T) = 0.650 \ln(X) + 3.403$
Professional Office		(LUC 750)
Daily Trips	1,142 ADT	$T = 11.42(X)$
PM Total:	150 vph	$T = 1.5(X)$
Warehouse		(LUC 150)
Daily Trips	1,488 ADT	$T = 4.96(X)$
AM Total:	168 vph	$\ln(T) = 0.754 \ln(X) + 0.826$
Hotel		(LUC 310)
Daily Trips	1,646 ADT	$T = 8.23(X)$
PM Total	105 vph	$\ln(T) = 1.212 \ln(X) - 1.763$

Total Project Traffic

Daily Trips	14,919 ADT
PM Total	1,427 vph

TABLE 2
LEVEL OF SERVICE VOLUMES

<u>ROADWAY</u>	<u>SEGMENT</u>	ROADWAY	LOS A	LOS B	LOS C	LOS D	LOS E
		<u>CLASS</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>
Daniels Pkwy	E. of Six Mile Pkwy	6LD AA	4680	4930	5090	5360	5640
	W. of I-75	6LD AA	4680	4930	5090	5360	5640
	E. of TreeLine Ave	6LD AA	4680	4930	5090	5360	5640
I-75	S. of Daniels Pkwy	4LD F	3340	3570	4998	6128	6690
	S. of Palm Beach Blvd	4LD F	3340	3570	4998	6128	6690

TABLE 3

LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

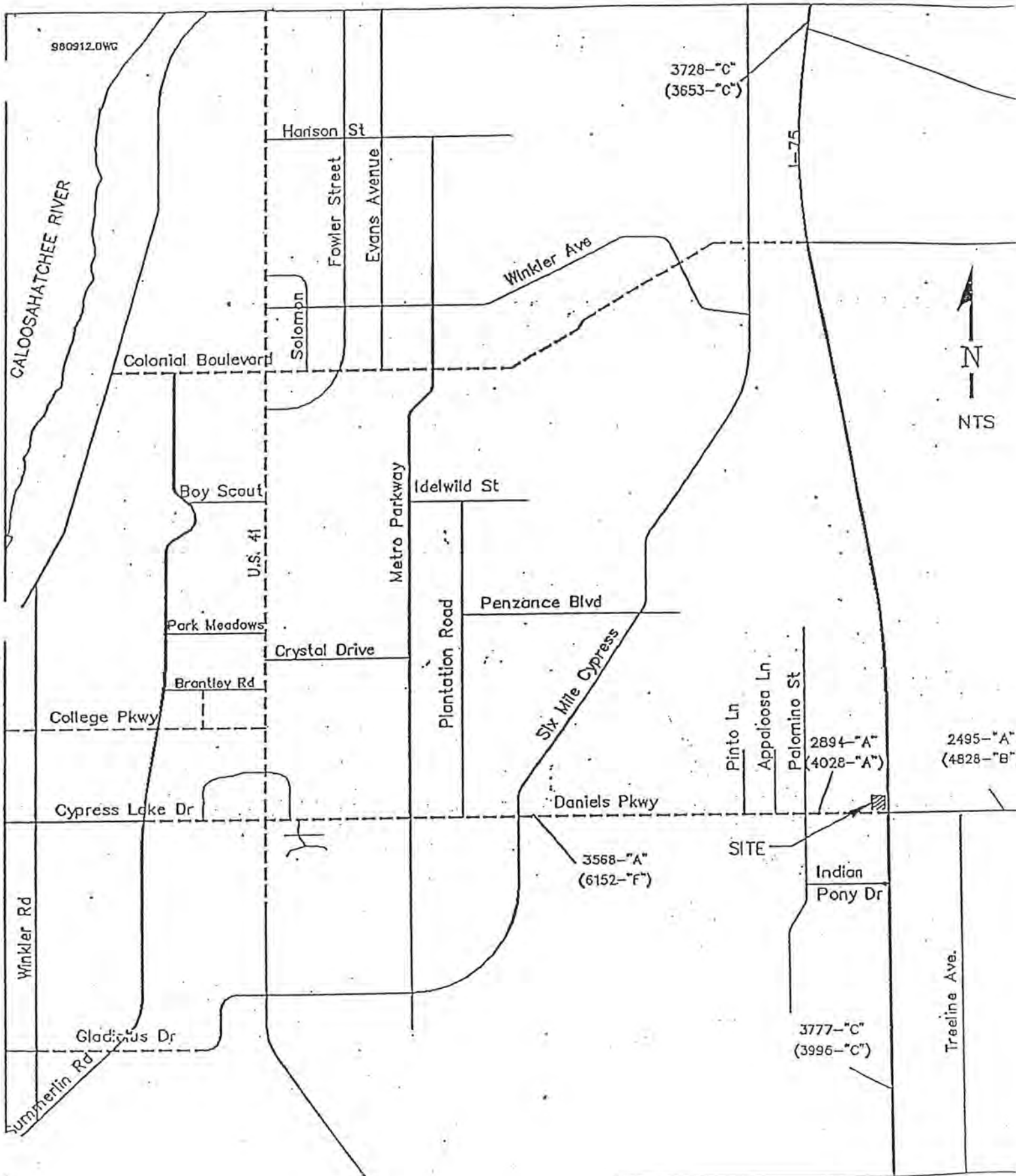
FILE: 96COUNTS

7% Truck Adjustment =

0.934

<u>P.C.S.</u>		<u>P.C.S.</u>		<u>P.C.S.</u>	
PCS NO. 1	1.08	PCS NO. 10	1.07	PCS NO. 30	1.13
PCS NO. 2	1.07	PCS NO. 11	1.07	PCS NO. 31	1.13
PCS NO. 3	1.21	PCS NO. 12	1.21	PCS NO. 32	1.24
PCS NO. 4	1.09	PCS NO. 13	1.07	PCS NO. 33	1.33
PCS NO. 5	1.08	PCS NO. 14	1.00	PCS NO. 34	1.07

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>PCS</u>	<u>BASE YR</u>	<u>1997</u>	<u>YRS OF</u>	<u>ANNUAL</u>	<u>1998</u>	<u>2005</u>
			<u>ADT</u>	<u>ADT</u>	<u>GROWTH</u>	<u>RATE</u>	<u>PK HR</u>	<u>PK HR</u>
							<u>PK SEASON</u>	<u>PK SEASON</u>
Daniels Pkwy	E. of Six Mile Pkwy	31	26500	39100	5	8.09%	3568	6152
	W. of I-75	31	23500	32700	7	4.83%	2894	4028
	E. of Treeline Ave	32	16800	24500	4	9.89%	2495	4828
I-75	S. of Daniels Pkwy	4	44900	46000	3	0.81%	3777	3996
	S. of Palm Beach Blvd	4	46300	45900	3	-0.29%	3728	3653



LEGEND

000-'C' 1998 PEAK SEASON PEAK HR./LEVEL OF SERVICE
 (000-'C') 2005 TRAFFIC CONDITIONS/LEVEL OF SERVICE

1998 AND 2005 TRAFFIC CONDITIONS	
DANIELS INTERCHANGE MPD	980912
LAND USE MAP AMENDMENT	

THE ZDATAL COMPARISON OF 1990, 2010, AND 2020

TAZ	1990 SF DU	2010 SF DU	2020 SF DU	1990 MF DU	2010 MF DU	2020 MF DU	1990 HOTEL/MOTEL UNITS	2010 HOTEL/MOTEL UNITS	2020 HOTEL/MOTEL UNITS
618	0	0	0	0	0	0	0	0	0
619	118	9	9	1127	1313	1318	0	0	0
620	316	431	435	226	312	333	0	0	0
621	28	537	625	7	133	175	0	0	0
622	201	368	368	337	450	466	0	0	0
623	0	0	0	0	0	0	0	0	0
624	0	0	0	0	0	0	0	0	0
625	1	0	0	19	32	32	146	146	146
626	32	2449	3485	0	368	3277	0	0	0
627	27	2	2	274	341	370	12	12	12
628	684	758	758	53	0	0	0	125	125
629	132	130	132	152	194	204	23	23	104
630	208	230	235	96	115	123	0	0	0
631	206	229	229	17	0	0	224	224	224
632	5	152	257	0	36	64	0	0	0
633	195	213	218	447	558	604	0	0	0
634	155	236	245	12	0	0	0	0	0
635	132	78	79	784	925	987	153	153	153
636	29	14	13	3	2	1	0	0	0
637	15	145	163	5	329	382	0	0	0
638	281	626	683	727	1795	1818	0	0	0
639	4	0	0	201	251	263	0	0	0
640	15	198	227	1	22	22	0	225	225
641	1	12	32	0	1	5	0	0	0
642	0	0	0	0	0	0	0	0	0
643	13	30	63	6	26	85	0	0	0
644	12	102	165	2	28	50	0	0	0
645	4	23	57	0	12	50	0	0	0
646	500	560	569	118	132	147	0	0	0
647	41	563	637	68	370	420	0	0	0
648	252	280	285	43	71	81	0	0	0
649	25	262	303	1	55	73	0	0	0
650	771	1261	1327	372	882	970	0	0	0
651	119	1031	1160	13	253	293	0	0	0
652	396	434	442	7	0	0	0	0	0
653	15	0	0	3	0	0	0	0	0
654	240	238	238	453	477	477	0	0	0
655	104	175	184	6	0	0	0	0	0

2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000	1999	1998	1997	1996	1995	1994	1993	1992	1991	1990	1989	1988	1987	1986	1985	1984	1983	1982	1981	1980	1979	1978	1977	1976	1975	1974	1973	1972	1971	1970	1969	1968	1967	1966	1965	1964	1963	1962	1961	1960	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950	1949	1948	1947	1946	1945	1944	1943	1942	1941	1940	1939	1938	1937	1936	1935	1934	1933	1932	1931	1930	1929	1928	1927	1926	1925	1924	1923	1922	1921	1920	1919	1918	1917	1916	1915	1914	1913	1912	1911	1910	1909	1908	1907	1906	1905	1904	1903	1902	1901	1900	1899	1898	1897	1896	1895	1894	1893	1892	1891	1890	1889	1888	1887	1886	1885	1884	1883	1882	1881	1880	1879	1878	1877	1876	1875	1874	1873	1872	1871	1870	1869	1868	1867	1866	1865	1864	1863	1862	1861	1860	1859	1858	1857	1856	1855	1854	1853	1852	1851	1850	1849	1848	1847	1846	1845	1844	1843	1842	1841	1840	1839	1838	1837	1836	1835	1834	1833	1832	1831	1830	1829	1828	1827	1826	1825	1824	1823	1822	1821	1820	1819	1818	1817	1816	1815	1814	1813	1812	1811	1810	1809	1808	1807	1806	1805	1804	1803	1802	1801	1800	1799	1798	1797	1796	1795	1794	1793	1792	1791	1790	1789	1788	1787	1786	1785	1784	1783	1782	1781	1780	1779	1778	1777	1776	1775	1774	1773	1772	1771	1770	1769	1768	1767	1766	1765	1764	1763	1762	1761	1760	1759	1758	1757	1756	1755	1754	1753	1752	1751	1750	1749	1748	1747	1746	1745	1744	1743	1742	1741	1740	1739	1738	1737	1736	1735	1734	1733	1732	1731	1730	1729	1728	1727	1726	1725	1724	1723	1722	1721	1720	1719	1718	1717	1716	1715	1714	1713	1712	1711	1710	1709	1708	1707	1706	1705	1704	1703	1702	1701	1700	1699	1698	1697	1696	1695	1694	1693	1692	1691	1690	1689	1688	1687	1686	1685	1684	1683	1682	1681	1680	1679	1678	1677	1676	1675	1674	1673	1672	1671	1670	1669	1668	1667	1666	1665	1664	1663	1662	1661	1660	1659	1658	1657	1656	1655	1654	1653	1652	1651	1650	1649	1648	1647	1646	1645	1644	1643	1642	1641	1640	1639	1638	1637	1636	1635	1634	1633	1632	1631	1630	1629	1628	1627	1626	1625	1624	1623	1622	1621	1620	1619	1618	1617	1616	1615	1614	1613	1612	1611	1610	1609	1608	1607	1606	1605	1604	1603	1602	1601	1600	1599	1598	1597	1596	1595	1594	1593	1592	1591	1590	1589	1588	1587	1586	1585	1584	1583	1582	1581	1580	1579	1578	1577	1576	1575	1574	1573	1572	1571	1570	1569	1568	1567	1566	1565	1564	1563	1562	1561	1560	1559	1558</
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TYPICAL EMPLOYMENT CONVERSION FACTORS

(October, 1991)

<u>Land Use</u>	<u>Employees/ 1,000 Sq. Ft.⁽¹⁾</u>	<u>Source⁽²⁾</u>
<u>Industrial</u>		
Industrial	1.89	DCA
General Light Industrial	2.16	ITE, p. 82
Industrial Park	2.00	ITE, p. 125
Warehousing	1.28	ITE, p. 183
<u>Office</u>		
General Office, Below 100,000	3.39 4.80	ITE, p. 940 DCA
General Office, 100,000-200,000	3.84 4.40	ITE, p. 940 DCA
General Office, 201,000-500,000	3.22 3.50	ITE, p. 940 DCA
General Office, Above 500,000	2.88 3.50	ITE, p. 940 DCA
General Office, Average	3.29 4.00	ITE, p. 940 DCA
Medical-Dental Office Building	4.83	ITE, p. 975
Office Park	3.59	ITE, p. 1036
Research and Development Center	2.47	ITE, p. 1058
<u>Retail/Commercial</u>		
* Retail/Commercial	2.50	DCA

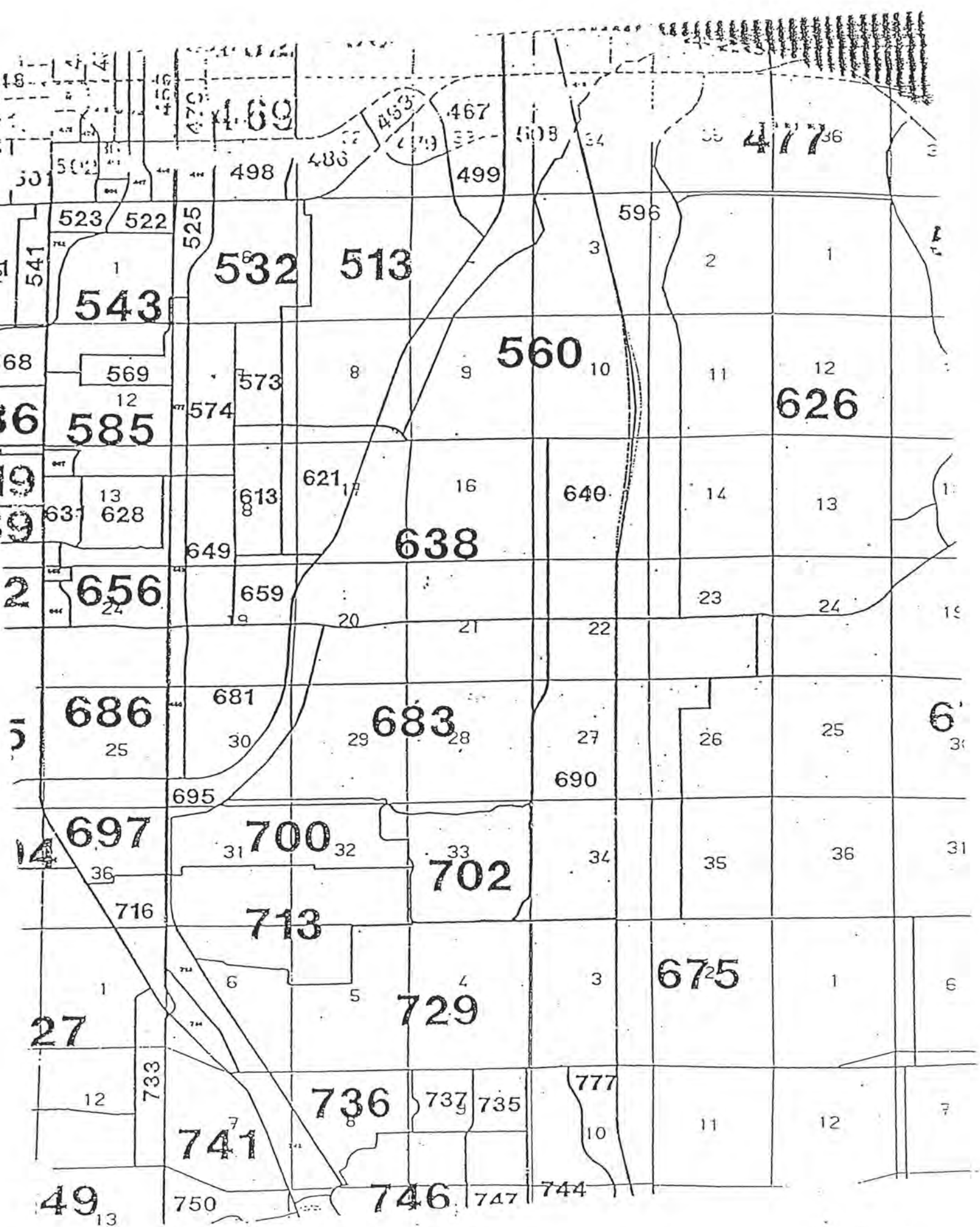
Use	Employees/ 1,000 sq. ft.	Source
* Specialty Retail Center	1.82	ITE, p. 1126
Discount Store	1.53	ITE, p. 1135
Quality Restaurant	7.46	ITE, p. 1248
High-Turnover Restaurant	9.92	ITE, p. 1267
Fast-Food Restaurant (with Drive-Thru)	10.90	ITE, p. 1305
Walk-In Bank	2.10 (Estimate)	ITE, p. 1468
Drive-In Bank	3.82 (Estimate)	ITE, p. 1487
<u>Hotel/Motel</u>		
Hotel	0.90/room	ITE, p. 518
Business Hotel	0.80/room	ITE, p. 539
Motel	0.44/room	ITE, p. 549
* Resort Hotel	0.60/room	ITE, p. 568

Footnotes:

- 1) Employees per 1,000 square feet Gross Floor Area (GFA), except as otherwise noted.
- 2) SOURCE: ITE - Institute of Transportation Engineers.
Trip Generation, Fifth Edition.

ITE4 - Institute of Transportation Engineers.
Trip Generation, Fourth Edition.

DCA - Florida Department of Community Affairs. Draft report titled, Housing Demand, Supply and Need Methodology (April 24, 1991), Appendix A.



2465 Highland Ave.
Ft. Myers Fl. 33916

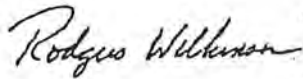
Florida Recycling Services, Inc.

September 12, 2000

Dear Mr. Hutchcraft

This letter concerns the 150-acre parcel at the northwest quadrant of the intersection of I- 75 and Daniels Parkway. Effective 10-01-2000 this area will be serviced by Florida Recycling Services for solid waste collection. FRS sends combustible wastes to the County's Waste to Energy Facility and non- combustible waste to the Gulf Coast Land fill. There will be no impact on FRS and we will be able and have the ability to provide the service that will be needed. If you have any questions please fill free to call me at 407-332-8500.

Sincerely,



Rodgers Wilkinson
Area Manager.

Recycle to benefit the environment



THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901-3988 • (941) 334-1102 • FAX (941) 337-8378

September 7, 2000

Mr. Mitch Hutchcraft, AICP
Executive Vice President
Vanasse & Daylor, LLP
12730 New Brittany Boulevard, Suite 600
Fort Myers, FL 33907

PATRICIA ANN RILEY
CHAIRMAN • DISTRICT 3
KATHERINE BOREN
VICE CHAIRMAN • DISTRICT 4
TERRI K. WAMPLER
DISTRICT 1
LANNY MOORE, SR.
DISTRICT 2
LISA POCKRUS
DISTRICT 5
BRUCE HARTER, PH.D.
SUPERINTENDENT
KEITH B. MARTIN
BOARD ATTORNEY

Re: Request for Determination of Adequacy
Proposed Lee Plan Amendment, Daniels Interchange

Dear Mr. Hutchcraft:

This letter is in response to your request for a determination of adequacy from the Lee County School District on a plan amendment submitted to Lee County. The existing property could contain up to 500 residential dwelling units. This would generate approximately 155 public school students, based on an estimated student generation rate of .31 per dwelling unit for South Lee County, creating a need for up to 7 new classrooms in the District. According to the FY 00-01 District budget, expenditures per Full Time Equivalent (FTE) student are \$5,907.00, creating a financial impact of up to \$915,585.00 to the District.

The proposed amendment would decrease the units by 26 for a total of 474 residential dwelling units, generating approximately 147 public school students, the need for six additional classrooms in the District, and a financial impact of up to \$868,329.00. Thus, the proposed plan amendment would reduce the potential impact by 8 students and one classroom in comparison with the existing land use category now assigned the property. The net difference would lower the potential financial impact to the District by \$47,256.00 but would nevertheless create impacts to the District and its resources.

If you have any further questions or comments, please give me a call.

Sincerely,

Stephanie Keyes, Facilities Planner
Facilities Management and Capital Projects

cc: Frederick Gutknecht, Director, Facilities Management and Capital Projects



**SOUTH TRAIL
FIRE PROTECTION & RESCUE
SERVICE DISTRICT**

Emergency 911

5531 Halifax Avenue
Fort Myers, Florida 33912

Business 433-0080
FAX 433-1941

Prevention 482-8030
FAX 433-2185

September 6, 2000

Mitch Hutchcraft, RLA, AICP
Vanasse & Daylor, LLP
12730 New Brittany Blvd., Suite 600
Fort Myers, FL 33907

Re: Comprehensive Plan Amendment, Daniels Interchange

Dear Mr. Hutchcraft:

This is in response to your September 6th letter requesting our District's input into the proposed comprehensive plan amendment for the northwest quadrant of the I-75/Daniels Parkway interchange. From your correspondence, you have indicated a less intensive land use with fewer residential units, minimal commercial use and no industrial use.

Based upon the information provided there should be no additional impact upon our resources other than that which is contemplated through the capital development mitigation required by the Lee County Fire/EMS Impact Fee Ordinance. As you are aware, the site is currently served by a fire substation, (with ALS service), located directly across the street on Daniels Parkway. The South Trail Fire District is also in the process of planning for construction, a new substation, to be built approximately three miles East of your project within the Gateway community.

Should you have any questions with regards to this response, please do not hesitate to contact my office.

Respectfully,

A handwritten signature in cursive script that reads "Clifford H. Paxson".

Clifford H. Paxson
Chief



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 335-1604

John E. Manning
District One

Douglas R. St. Cherry
District Two

Ray Judah
District Three

Andrew W. Cey
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

September 12, 2000

Mitch Hutchcraft, ASLA, AICP
Vanasse & Daylor, LLP
8270 College Parkway, Suite 205
Fort Myers, Florida 33919

Re: Comprehensive Plan Amendment for Daniels Interchange

Dear Mr. Hutchcraft:

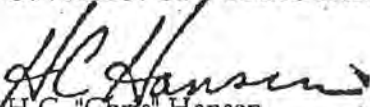
Thank you for sending me information regarding the Comprehensive Plan Amendment for Daniels Interchange. When completed, Lee County EMS will provide emergency care to the residents and visitors of this area.

If the amendment is successful, the proposed build out population of 500 residential units, with two residence per dwelling based on the factor of 126 calls per 1,000 population, the estimated annual EMS impact is 126 calls. The impact of this amendment would not affect the levels of service provided by Lee County Emergency Medical Service.

If you would like to discuss this further, please call me at the above referenced number.

Respectfully submitted,

DIVISION OF PUBLIC SAFETY


H.C. "Chris" Hansen
EMS Program Manager

Office of the Sheriff
Rodney Shoap



County of Lee
State of Florida

May 22, 2001

Vanasse & Daylor, LLP
Daniel DeLisi
12730 New Brittany Boulevard Suite 600
Fort Myers, Florida 33907

RE: Renaissance Comp. Amendment
V&D Project # 80306

Dear Mr. DeLisi:

Due to severe budget constraints coupled with the growth of the county, my office operates at full capacity. It is policy of the Lee County Sheriff's Office to support community growth and we will do everything possible to accommodate the law enforcement needs.

We anticipate that we will receive the reasonable and necessary funding to support growth in demand. We therefore believe that the Lee County Sheriff's Office will be able to serve your project as it builds out.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Johnson".

Captain Daniel Johnson
Planning and Research

Copy: Paul O'Connor Director-Division of Planning
Lee County
File



14750 Six Mile Cypress Parkway • Fort Myers, Florida 33912-4406 • (941) 477-1000

TOTAL P.02