



Professional Engineers, Planners & Land Surveyors

April 22, 2016

Ms. Nettie Richardson, Principal Planner
Lee County Zoning
1500 Monroe Street
Fort Myers, Florida 33919

Reference: **Avida (f/k/a Oasis Cove)**
ADD2016-00011

Dear Ms. Richardson:

This letter is written in response to your review comments from your email dated February 9, 2016. Presented below are responses to each review comment. With this letter we are submitting the following additional information you requested:

- Revised Master Concept Plan
- Revised Indigenous Restoration Plan
- Revised Indigenous Creation Revision Exhibit
- Revised Schedule of Deviations and Justifications

Environmental Sciences - Indigenous Open Space & General Open Space Comments

Comment 1: Label on the MCP the upland indigenous preserve.

Response: The only wetland indigenous preserves are the two small existing areas along the western property line that were already labeled. The Indigenous Restoration Plan and the MCP have been revised. The indigenous preserve in the northeast is now labeled as "upland" and the legend has been revised to show that the restoration areas are upland.

Comment 2: Provide the raw indigenous acreage on the MCP being provided without open space credits.

Response: The provided open space table has been revised on the attached MCP to rearrange the data provided to clarify the raw indigenous acreage.

Comment 3: Provide indigenous with the open space credits.

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Response: The provided open space table has been revised on the attached MCP to rearrange the data provided to clarify the indigenous with the open space credits.

Comment 4: Label the restored preserve acreage for each area being restored.

Response: The Indigenous Restoration Plan has been revised to label the restored preserve acreage for each individual area.

Comment 5: Revise the required total open space on the MCP to 12.99 acres to comply with condition 18. Currently, the MCP indicates 11.94 acres required and 12.99 open space provided giving the impression that additional open space is being provided. Please revise.

Response: A note has been added to the revised MCP to refer to the total required open space per zoning resolution Z-10-009, condition 18.

Comment 6: The color coded exhibit provided in the submittal shows (in red) impacts to the indigenous open space at the north and west sides of the preserve area. Overlaying the approved MCP from the DCI2009-00005 zoning shows that the red area is not within the indigenous open space area and was suppose to be impacted by the development. Please take a look at this area to see if it is necessary to include in the ADD. If there are impacts, please label the individual acreage on each side that is proposed to be impacted.

Response: The only change to the indigenous areas with this administrative amendment is to the wetland areas and upland restoration areas along the west property line. The impacts to the upland indigenous area in the northeast portion of the site are the same as approved by Z-10-009.

Comment 7: ES staff will be including an additional condition to condition 19(c) that states that the indigenous management plan submitted must provide a map to show the areas to be mechanically cleared verses hand removed of exotics and the management of these different areas. Lee County acknowledges that preserves with 75% or more exotics may be mechanically managed.

Response: Acknowledged.

Environmental Sciences - Lake Comments

Comment 1: LDC 10-329 requires lakes to be designed at a 6:1 lake bank slope. Will the new lake location be designed to meet this code? If not, please provide a deviation and justification.

Response: The new lake location will be designed to meet the 6:1 lake bank slopes.

Comment 2: The property regulations for the lakes in the RPD are changing from the previously approved 20 feet to 0 feet where bulkheads or other hardened shoreline structures are provided. Will the lake exceed the 20% threshold for bulkheads? If so please provide a deviation and justification.

Response: The applicant is requesting a deviation (number 7) to allow up to 40% of the lake shoreline to be bulkheads. Please see attached revised deviations and justifications.

Comment 3: Are other alternatives to bulkheads being proposed? Please explain the "other hardened shoreline structures" and provided a deviation from LDC 10-329 for the alternative hardened shoreline structures.

Response: Bulkheads are proposed. The applicant was referring to the other hardened shoreline structures listed in LDC Section 10-418(3) which lists: bulkheads, geo-textile tubes, riprap revetments or similar hardened shoreline structures. A deviation from LDC 10-329 is not required.

Comment 4: LDC 10-418 requires a 20 foot wide planted littoral shelf with a slope of 6:1 but not more than 4:1. Will the lake be able to meet the requirement? If not, please provide a deviation and justification.

Response: The lake will meet the planted littoral shelf requirement and will enhance it with the compensatory littoral plantings, pursuant to deviation justification attached for deviation 7.

Comment 5: Is this a deep lake? If so, please explain where the deep lake management trees will be installed if the lake bank slope is hardened more than 20% of the shoreline.

Response: The proposed lake is not a deep lake.

Comment 6: Bulkheads require a compensatory littoral shelf equal to the linear feet of the bulkhead. If this lake is more than 20% hardened, where will the compensatory littorals be planted? Please include this in the deviation request for exceeding the 20% bulkhead code in LDC 10-418.

Response: The compensatory littorals will be calculated utilizing the linear footage of the bulkhead and will be planted to within the 20 foot planted littoral shelf as an enhancement. This language is included within the deviation and justification language for deviation number 7 attached.

Comment 7: Please show the 20 foot lake maintenance easement on the MCP. If the 20 foot LME cannot be met, then provide a deviation stating how the lake will be management if access is not available to maintain the lake.

Response: The MCP shows the areas proposed for the 20 foot LME. The only area that does not have a LME is the area for the bulkhead and 0-foot setback line. A new deviation no

8 has been added to the attached deviations and justifications to address this alternative.

Comment 8: Show lake maintenance access areas on the MCP.

Response: The lake maintenance easement will be accessed by the accessways along the lake.

Environmental Sciences - Migratory and Wading Bird Revision

Comment 1: Condition 24 (statement after (c)) will be revised to state that the architectural plans must show the windows and door panels on the northern building facades facing Lakes Park within the RPD parcel and on the eastern building facades facing the offsite County owned preserve within the CPD parcel Lots 6 and 7. In addition a note must be placed on the engineer drawings stating the "prior to the issuance of a Certificate of Compliance, the bird strike prevention mechanism chosen by applicant must be found sufficient by ES staff".

This condition will become 24c and incorporate the language currently in the zoning and is just a housekeeping measure.

Response: Acknowledged.

Development Services

Comment 1: LDC Sec. 10-418(3). Bulkheads - Need more information regarding the bulkheads or other hardened shoreline structures. Please demonstrate compliance or a deviation may be needed.

Response: The applicant is requesting a deviation (number 7) to allow up to 40% of the lake shoreline to be bulkhead. Please see attached revised deviations and justifications.

Comment 2: LDC Sec. 10-418(1) – Lake slopes. Are you going to comply with the 6:1 lake slopes or is a deviation needed?

Response: The new lake location will be designed to meet the 6:1 lake bank slopes.

Comment 3: LDC Sec. 10-329(d)(1) – Wayward vehicles. Are you going to comply with this requirement or is a deviation needed?

Response: The lake is not located within 50 feet of a collector or arterial roadway, which is where the LDC requires protection for wayward vehicles, so no deviation is required. The justification for the 0' setback states that, "For locations where a 0 foot setback is provided between the accessways and the lake, the developer will provide for the protection of wayward vehicles through the use of guardrails, berms, swales, or other similar suitable methods." With the exception of the bulkhead areas with 0 foot

setback, the proposed accessways will meet the minimum 25 foot lake setback requirement for local roadways.

Zoning

Comment 1: Need letter of no objection from the Fire Department regarding building separation request of 10 feet for single story buildings.

Response: Pursuant to follow up discussions with staff, this will not be required.

Comment 2: On the MCP – remove the label “multi-family” on the building closest to Lakes Park (see Res. Z-10-009 – Common Parking Area under Site Development Regulations for the RPD – Multi-family, Clubhouse , Recreational Facility).

Response: The MCP has been revised to remove multi-family from the label on the building in the northeast corner that does not have residential units between Lakes Park and the common parking area.

Should you have any questions or require further information, please do not hesitate to contact me at (239) 939-5490 or shewitt@bankseng.com.

Sincerely,
BANKS ENGINEERING



Stacy Hewitt, AICP
Director of Planning