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January 19, 2007

MIKE PAPPAS
HEIDT & ASSOC., INC.
3800 COLONIAL BLVD
SUITE 200
FORT MYERS, FL 33912

RE: SUMMERLIN PLACE
DOS2006-00178 - DO Submittal Large
RO2 Application (Resubmittal)

Dear MIKE PAPPAS :

Your plans for the above-referenced project have been reviewed and approved for Concurrency and a Development Order with stipulation(s). Concurrency and the Development Order are granted for the following:

Approved for 106 residential condominiums in 16 Buildings (4 Buildings - 4 Units/Bldg, 3 Buildings- 6 Units/Bldg, 9 Buildings - 8 Units/Bldg) with streets, utilities, stormwater management facilities, a 1,400+/- sq. ft. modular building for a temporary sales center, a swimming pool, and related minors site related improvements.
Concurrency Certificate No. CNC2006-00257

THIS CERTIFICATE OF CONCURRENCY SHALL BE VALID AND EFFECTIVE UNTIL 1/19/2010. DURING THE NEXT THREE (3) YEARS, the Development Services Division is authorized to issue building permits for the construction of the building(s) indicated above without further review of the Concurrency requirements by the Division. Upon expiration of the Concurrency Certificate, the project will be subject to the concurrency program in effect at the time of expiration. No vested right to a Concurrency Certificate will exist solely due to the existence of an otherwise effective Development Order.

THIS DEVELOPMENT ORDER WILL BE VALID FOR A PERIOD OF SIX (6) YEARS AND IS SCHEDULED TO EXPIRE ON 1/19/2013.

Approval is subject to the following stipulation(s) and/or comment(s):
LC Engineering/General Checklist (Ord. 03-16)

7b) Phasing Plan. For phased development orders (see LCLDC 10-117), a master phasing plan must be submitted with stages numbered in sequence showing how each phase fits into the master plan for continuance of streets, stormwater management, potable water, fire protection, sewage collection, and landscaping & buffers. [10-154(7)b, 10-153(5)i]

STIPULATION: Prior to building permit issuance for Phase 2, specifically Buildings 8, 9 and 10, the replacement sanitary sewer proposed in Summer Rose Way must be in service and the existing water and sewer easements across proposed lots 32 through and including 48 must be extinguished.

8) Exterior Lighting Plan, Photometrics & Calculations. An exterior lighting plan must be submitted in full compliance with LCLDC Sec. 34-625 and must demonstrate compliance with all standards and criteria specified therein. {NOTE: See LCLDC Sec. 34-625 and the Lighting checklist.} [10-154(8)] {See Application Form PART VIII}

STIPULATION: If street lighting or exterior lighting associated with the proposed Amenity Area is proposed, pursuant to §10-625(e) of the Lee County Land Development Code, the required lighting plan together with photometrics, calculations and manufacturer catalogue cut sheets must be submitted and approved.

28) Assurance of Completion of Improvements. Assurance of completion for all off-site improvements is required prior to commencing any off-site or on-site development. Assurance of completion for all on-site subdivision improvements is required prior to the acceptance of a subdivision plat. [10-154(26)] {See Application Form PART VIII}

STIPULATION: Prior to commencing off-site development, as provided by § 10-154(26)a. of the LDC, security in the form of a surety or cash performance bond must be posted with the board and made payable to the county in an amount equal to 110 percent of the full cost of installing the required improvements approved by the county. Prior to acceptance, bonds must be reviewed and approved by the county attorney's office.

LC Stormwater Management Requirements Checklist (Ord. 03-16)

6j) Excavation depths exceeding 12 feet to a maximum of 20 feet may be approved if they do not penetrate the confining layer and if a "Deep Lake Management Plan" is provided. [10-329(d)(3)a]

STIPULATION: Pursuant to §10-329(d)(3)a.3. of the LCLDC, prior to certificate of compliance the property owner must record covenants, in a form acceptable to the county attorney's office, providing that the lake management techniques, including operation of the destratification system specified in the Deep lake Management Plan, will be maintained for the life of the lake.

7) Bathymetric Survey Requirement. A post-construction bathymetric survey, sealed by a Professional Surveyor and Mapper, must be submitted prior to certificate of compliance for all lakes regardless of depth. {See also the Environmental Sciences checklist.} [10-329(d)(3)d]

STIPULATION: Prior to issuance of the Certificate of Compliance the required survey must be submitted.

15) Miscellaneous items.

STIPULATION: Prior to issuance of a Certificate of Compliance for this or any project, or any phase of a project, that contains a surface water management system permitted by the South Florida Water Management District (SFWMD), a copy of the executed SFWMD Construction/Construction Certification form must be submitted to this office.

LC Utilities Short Checklist

2) The reviewer may be contacted for additional information regarding this Utilities checklist.

Prior to any utility construction, please revise the plans and submit to LCU showing the followings design considerations:

1. Provide signed and sealed hydraulic computations to LCU showing what impact this project may have on our existing sewer facilities.

Please contact Jessica Gutierrez @ 479-8155 for further information regarding this review.

LC Environmental Sciences Checklist (Ord. 03-16)

47) Miscellaneous Items.

STIPULATIONS:

- (1.) Prior to any site work, a Vegetation Removal Permit must be obtained from ES staff at 239-479-8389 and a meeting must be coordinated with ES staff to discuss site work with the contractor of record.
- (2.) Prior to issuance of a Vegetation Removal Permit, the gopher tortoise relocation area, the 0.29 acre upland restoration area, the 0.72 acre upland area, the wetland preserve, the existing sabal palms and the two pine trees in the wetland restoration and all staging areas must be staked. In addition, a point mapped delineating all staking with marking indicators must be submitted. Once staking is verified by ES staff and a vegetation removal permit is issued, silt fencing must be installed to delineate all preserve areas, sabal palms and pine trees in the wetland restoration area and all staging areas. Chicken wire must also be installed inside the silt fence for the tortoise relocation area.
- (3.) Prior to issuance of a Vegetation Removal Permit, for gopher tortoise relocation, the take permit and receipt for payment must be submitted to ES staff.
- (4.) Prior to issuance of a Certificate of Compliance, all protected credit trees must be in healthy and in vigorous condition, all buffers must be installed, a destratification system must be installed with documentation that the proposed destratification system is adequately sized and designed for each lake and a post bathymetric survey, sealed by a Professional Surveyor and Mapper, must be submitted prior to issuance of Certificate of Compliance for the proposed lakes. All restoration plantings must be in healthy and vigorous condition.
- (5.) Prior to issuance of a Certificate of Compliance, all exotic vegetation must be removed from preserve areas. All existing cabbage palms must be relocated to open space areas onsite or maybe salvage for an offsite recipient site or sale per LDC Sec. 10-415(b)(2)(a).
- (6.) Prior to issuance of a Certificate of Compliance for the infrastructure development order, the native plantings must be installed in the restoration areas and the enlarged littoral shelf following the removal of existing exotic plant species.
- (7.) Prior to issuance of a certificate of compliance, all code-required landscaping must not be located in any easement unless a written statement is provided per LDC Sec. 10-421(a)(5).
- (8.) Prior to issuance of a certificate of compliance, all code-required landscaping must not be planted in areas that interfere with buildings, utilities, site drainage, views, signs, or where they require frequent pruning to avoid overhead powerlines in perpetuity.

48) Contact. The reviewer may be contacted for additional information regarding this Environmental Sciences checklist..

Brent Cunningham, Environmental Planner
239-479-8337
bcunningham@leegov.com

LC Hurricane Shelter and Evacuation Impacts Checklist (Ord. 03-16)

2c) Payment in lieu of donation of land or use of private structure option may be utilized. [2-485(b)(3)].

Approved for stipulation in the amount for \$7,537.00, satisfied prior to the issuance of a building permit.

6) The reviewer may be contacted to discuss Hurricane Shelter and Evacuation Mitigation.

Terry M. Kelley 239-477-3610 tkelley@leegov.com

If you have any questions concerning this matter, please contact this office.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Mary Gibbs

for

Peter J. Eckenrode
Development Services Director

PJE / BHD

Attachments: Three (3) sets of drawings.