



## Board of County Commissioners

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June 20, 2025

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Examiner

Jennifer Sapen  
Sapen Site Planning, LLC  
P.O. Box 100690  
Cape Coral, FL 33910

**RE: Wildcat RPD  
DCI2025-00008**

Dear Ms. Sapen:

The Zoning Section has reviewed the information provided for the above-referenced application. The Lee County Land Development Code (LDC) requires additional information for the application to be sufficient. A public hearing date will not be scheduled until a complete application is submitted.

Please respond to the enclosed sufficiency review comments within sixty (60) calendar days of the date of this letter. This application may be considered withdrawn if no response is received within this timeframe. Please feel free to contact me at [JSarracino@leegov.com](mailto:JSarracino@leegov.com) or (239) 533-8984 if you have any questions.

### Zoning

1. LDC Sec. 34-202(2). - Paragraph six of the Disclosure of Interest Affidavit should only be filled out if a Lee County Employee, County Commissioner, or Hearing Examiner has an ownership interest in the property or legal entity with an ownership interest in the property. If no such relationship exists, provide a Disclosure of Interest Affidavit leaving paragraph six blank.
2. The FLUCCS map provided within the application shows ±3.52 acres of potential freshwater wetlands, all of which appear to be impacted on the site plan. Include the impacted wetlands within the density calculation, calculated at a rate of one dwelling unit per 20 acres.
3. LDC Sec. 34-373(a)(4)b.v. - Provide a map drawn at the same scale as the Master Concept Plan depicting the existing and historic flow-ways on the subject property.
4. LDC Sec. 34-373(a)(4)d. - Provide an exhibit showing the nature and location of any known historical or archaeological sites as listed on the Florida Master Site File or Lee County Historical Site Survey and the location of any part of the property within archaeological sensitivity zones 1 or 2. Staff notes that a portion of the property falls within archaeological sensitivity zone 2.

5. The Boundary Survey and several other submittal items include STRAP # 08-45-27-24-00000.J000, but this parcel is excluded from the MCP. Please clarify, and explain why no access is proposed to Grant Boulevard, a County maintained Minor Collector. Consider the purpose of Planned Development districts outlined in LDC Sec. 34-612(2), particularly Sections 34-612(2)d. and 34-612(2)e., where impacts on surrounding traffic circulation could be reduced and economic use of infrastructure could be promoted by having vehicular and pedestrian access to both Grant Boulevard. Additionally, consider the access standards of LDC Sec. 10-285(a), which prioritize access to minor collector roads over access to arterial roads.
6. Is the area of the STRAP # 08-45-27-24-00000.J000 included in the density calculation for the proposed development?
7. According to Resolution Z-81-129, a portion of the subject property, along with the Cypress Pines and Kings Green residential developments, were rezoned from AG (now AG-2) to RM-2, subject to a limitation of 400 dwelling units. The 400 dwelling unit cap still applies to the subject property, less the AG-2 portion. Explain how the applicant intends to rectify potential inconsistencies with Resolution Z-81-129 while still respecting the property rights of Cypress Pines and Kings Green and provide a calculation of density for the existing and approved dwelling units within Kings Green and Cypress Pines.
8. LDC Sec. 34-373(a)(6)a. - Provide the location and explanation of all existing and proposed easements on the Master Concept Plan. Staff notes that a utility easement recorded in Official Records Book 3885 Page 1196 is absent from the Master Concept Plan.
  - a. The Cypress Pines Plat, recorded in Plat Book 35 Page 39-41, states that all roads, including Will Flint Boulevard, Petrucka Circle, and Lake Vista Circle, are subject to a 15 foot public utility and drainage easement on both sides. Denote this easement on the Master Concept Plan.
9. Provide a measurement of the connection separation from the proposed southern entrance on Homestead Road to the existing access point on Homestead Road and Will Flint Boulevard.
10. LDC Sec. 34-373(a)(6)f. - Provide the general location of any flow-ways to be preserved, restored, or created on the Master Concept Plan.
11. Remove the note saying "retain existing trees where possible" and associated depictions of these areas from the Master Concept Plan.
12. Will the applicant be proposing any excess spoil removal for the development?
13. LDC Sec. 34-373(a)(8)b.i - Provide the maximum number of dwelling units by type on the proposed Schedule of Uses.
14. The numbering of deviations on the Schedule of Deviations is inconsistent with the Master Concept Plan. Please clarify.
15. The Schedule of Deviations frequently references "MCP Alternate B". Staff is only able to locate one proposed Master Concept Plan within the application materials. Please clarify.
16. LDC Sec. 34-373(b)(1)c. - Within the Surface Water Management Plan, provide a discussion of the legal mechanism which will guarantee the maintenance of the retention features proposed for the development.

17. LDC Section 33-1401(a). - The applicant must hold and provide the required documentation of a public information meeting within the Lehigh Acres Community Plan Area meeting the requirements of LDC Sec. 33-1401(b) before the application can be found sufficient.
18. LDC Sec. 34-935(b)(1)b. - All buildings and structures must be setback from the development perimeter a minimum of 15 feet if the property will be zoned RPD. Ensure this requirement is demonstrated in the Property Development Regulations.
19. LDC Sec. 34-935(b)(2). - Internal roads or drives may not be closer than five feet to the development perimeter. Ensure that this requirement is demonstrated on the Master Concept Plan, particularly on the eastern and southern borders of the subject property.
20. LDC Sec. 34-2194(c)(1)a. - The Board of County Commissioners has the authority to grant less stringent setbacks for artificial bodies of water when development surrounding the entire body of water is under unified control. This circumstance does not apply to all lakes shown on the Master Concept Plan. Update the Property Development Regulations to show waterbody setbacks of at least 25 feet where lakes are not entirely surrounded by development under unified control.
21. Deviation #3 seeks to deviate from a definition from the LDC. Staff recommends establishing property development regulations for the specified lots under the provisions of LDC Sec. 34-935(e)(1)b and withdrawing this deviation.
22. Explain the need for Deviation #2 in greater detail. As stated above, LDC Sec. 34-935(1)b. allows some flexibility in the specific lot areas and dimensions.
23. Provide the anticipated location of Model Homes, Model Units, and Model Display Groups on the Master Concept Plan. Note that Lee Plan Policy 25.8.7 prohibits new single-family model homes within 300 feet of arterial and collector roads.
24. Staff has concerns about the protection of public health, safety, and welfare regarding Deviation #4. Address this required finding for the proposed 20-foot excavation setbacks from existing property lines under separate ownership.

### **Development Services**

1. Are the subject parcels proposed to be combined?
2. Please provide a Letter of No Objection from the local fire department (Lehigh Acres Fire Department) in regards to Deviation #1 from LDC Section 10-296(p)(1).
3. Staff has concerns about Deviation #4 from LDC Section 10-329(d)(1)a.3 for the (3) proposed new lakes. Pursuant to this code section, a deviation may be granted to reduce the setback for an excavation from a private property line from the 50-foot requirement, but may not be less than 25 feet for all new excavations for water retention and detention. Stronger justification is needed to support this deviation.
4. Please provide cross sections showing the proposed lake bank slopes.

5. LDC Sec. 10-256(a)(2)c.1. - A pedestrian way is required along one side of all streets internal to a residential development. At time of development order the applicant must demonstrate compliance with this requirement.
6. LDC Sec. 10-291(2). - Access to Improved Street Required. The plans must show that all development abut and have access to a public or private street designed & constructed in accordance with LDC Sec. 10-296. At time of development order the applicant must demonstrate compliance with this requirement.
7. INFORMATIONAL COMMENT: A development order and associated subdivision plat is required in addition to the approved zoning action for the proposed project.
8. INFORMATIONAL COMMENT: For all lakes deeper than 12 feet, a Deep Lake Management Plan must be submitted and approved prior to development order issuance in accordance with LDC Sec. 10-329(d)(3).

### **Environmental Sciences**

1. LDC Sec.10-329(d)(1)(a) states that the setbacks for an excavation from a private property line may not be less than 25 feet. If the applicant wishes to obtain a setback less than 25 feet, an application for a variance would need to be submitted.
2. Where multi-family residential use is abutting a single-family residence, a type B buffer is required.
3. Provide a revised open space design plan. Include the total area of the site and provide the overall open space required as part of the large project for a residential development. The project is a large development and required to provide 40 percent open space overall, with half of that amount as indigenous open space. Additional comments may follow.
4. Staff does not understand deviation #4 as the owner of that parcel is not participating in this application for rezoning.
5. Provide an analysis of Lee Plan Objective 25.10, *et seq.*
6. Staff have reviewed the FLUCCS map in the environmental report, completed a site inspection of the property and it appears that some of exotic vegetation on site is more than what is shown on the FLUCCS map. Provide additional information to support the exotic descriptor values.
7. Staff reviewed the FLUCCS map, completed a site inspection, and do not agree with all FLUCCS types. Some areas are identified as golf course but could not be confirmed during the inspection. Provide a revised FLUCCS map that demonstrates current site conditions.
8. The applicants FLUCCS map delineated an area that was not included on the MCP for the development. Please revise the inconsistency between both.

### **Planning**

1. The response to Standards 4.1.1 and 4.1.2 only references sewer connections. Revise this to include water and sewer connections, as noted previously in the application.

2. The density table needs to show the existing acreage and units as well as the proposed new units to verify the existing development will not exceed the allowed density based on its acreage. Expand this table to show the existing development's density and the proposed development's density to verify compliance with Policy 1.1.4.
3. The Lee Plan analysis does not include any of the policies for the Lehigh Community Plan Area. Add analyses of the applicable Goals, Objectives, and Policies from Goal 25 to the Lee Plan Analysis.

### **Natural Resources**

1. Please provide analysis of Lee Plan policies 4.1.3, 61.1.6, 124.1.2, 125.1.3, 126.1.3, 126.1.4.
2. Please provide some analysis on the proposed irrigation source and whether the change in land use will result in a decrease in irrigation demand. If surface water lakes will be utilized as an irrigation source, please detail which aquifer will be utilized to resupply the lakes? Will a new SFWMD Water Use Permit be pursued?
3. Please detail whether a master irrigation system will be proposed and if individual irrigation wells will be prohibited?

### **Department of Transportation**

1. Provide the existing ownership restrictions on Will Flint Boulevard which deny your project access to the existing right-of-way.
2. Explain why the site cannot access Grant Boulevard. Per 10-285, all Urban development should access alternative accesses. Staff believes there should be fluid traffic through the development to decrease the amount of congestion.

### **Zoning Traffic Study**

1. The application mentions the project includes 600 residential units, however only 580 dwelling units were analyzed in the TIS. Please clarify.
2. Since the project's trip generation is more 300 trips per hour, the information of intersection Level of Service (LOS) analysis for the project's entrances and the intersections significant impacted by the project must be provided.
3. What is the build-out year for this project? The LOS analysis for year conditions are existing and build-out year conditions, not five year and 20 year conditions (Table 2A).
4. The project's traffic directional splits entering and exiting the project at the proposed access points (trip distribution) is unrealistic. There is no left-in/right-out at proposed north driveway and no right-in/left-out at south driveway. Please revise.
5. The roadway segments of Homestead Road in Table 1A need to be corrected to North of Site and South of Site. Please revise.
6. The project traffic distributions (percentage) in Table 1A for State Road 82 and Lee Boulevard are not correct. Please revise.

7. The context classification of State Road 82 (west of Homestead Road) is C3R, but the service volumes used in Table 1A for SR 82 is the service volumes of C1 & C2. Please revise.
8. Five years of data used for the calculation of annual growth rate in Table 2A is insufficient for analysis. Staff recommends 10 years of data being used for the calculation.

### **Legal Review**

1. Sec. 34-202(a). Submittal requirements for applications requiring public hearing. (7) Certification of title and encumbrances. - The certification submitted is not a title opinion prepared by a licensed Florida attorney (no greater than 90 days old at the time of the initial application submittal), a certification of title/title certification prepared by a title abstractor or company (no greater than 90 days old at the time of the initial application submittal), or a title insurance policy with appropriate schedules (no greater than five years old at the time of the initial zoning case submittal) and an affidavit of no change covering the period of time between issuance of the policy and the application date, and is not an excepted form of certification of title and encumbrances.
2. The legal description from the title certification should be followed with an "Also Described As" statement and the metes and bounds legal description of the perimeter of the subject property matching the Legal description and accompanying sketch (when different than the description from the title certification).
3. The boundary survey does not contain the required state plane coordinates, one at the point of beginning (POB) and one at an opposing corner.
4. The boundary survey is not signed by the surveyor.
5. Survey Note 1 on the first page of the Boundary Survey states that the survey was prepared for a title commitment that is not an accepted form for Title Certification.
6. Sec. 34-202(a) Submittal requirements for applications requiring public hearing. (5) Legal description and sketch to accompany legal description. - The subject property is one contiguous parcel, the legal description must specifically describe the entire continuous perimeter boundary of the property subject to the zoning action with accurate bearings and distances for every line. The legal description is not accompanied by a sketch of the subject property.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Zoning Section

*Joseph Sarracino*

Joseph Sarracino, Planner