



Professional Engineers, Planners & Land Surveyors

November 30, 2018

Ms. Laura Tefft, MPA Senior Planner
City of Fort Myers
1825 Hendry Street
Fort Myers, Florida 33901

**REFERENCE: CITY WALK PUD
18PUD05**

Dear Ms. Tefft:

This letter is written in response to staff review comments dated October 18, 2018, regarding the above referenced project. With these responses, we are submitting two (2) sets of the below documents to address specific code references and consistency in all documents pursuant to discussions.

1. Ten (10) Revised Traffic Impact Statement
2. Ten (10) Revised PUD Site Plan
3. Ten (10) Revised Sign Package
4. Ten (10) Revised Architectural Elevations
5. Ten (10) Revised Warrants and Deviations
6. Ten (10) Revised Narrative Regarding Ordinance 3331 Conditions

Presented below are responses to each review comment.

ENGINEERING - WILLIAM PORTER

Comment 1: **Water** - A 12" DIP watermain exists on West First St., McGregor Blvd. and along Virginia Ave. 8" mains exist on Altamont Ave. and Clifford St. The applicant will be required to connect to one or more of these mains for potable water supply. The City can provide treatment capacity on a first come, first serve basis upon receipt of a formal request for service, payment of appropriate fees and charges, and approval of all State and local regulatory agencies. Extension of offsite mains for adequate domestic supply and fire protection will be the responsibility of the owner.

Response: *Acknowledged. To be addressed at Site Work submittal.*

Comment 2: **Sanitary Sewer** - There is an existing 10" gravity sewer main on West First St. that increases to 15" at Altamont Ave., a 12" main on Altamont Ave. and an 8" gravity main on Virginia Ave., McGregor Blvd. and Clifford St. The applicant will be responsible for providing sewer-modeling calculations to determine if the existing sewer system has the capacity to handle the additional wastewater flow from the proposed development. The submitted calculations do not solve for the current flow through the existing 15" gravity main on West First Street. Also, further calculations are needed to show the maximum capacity that lift station #3 can accept. If upgrades are needed at the time of build-out, the developer will be responsible for completing them. The City's wastewater treatment plant can provide

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treatment capacity on a first come, first serve basis for the project upon receipt of a formal request for service, payment of appropriate fees and charges, and approval of all State and local regulatory agencies. Offsite mains, collection lines, and pump stations and/or appurtenances will need to be installed or increased/upgraded by the owner to handle additional flow as needed. The applicant agrees and will be required to submit all necessary calculations at the time of permit submittal.

Response: *Acknowledged. To be addressed at Site Work submittal.*

Comment 3: **Stormwater** - The property needs to reflect how it is handling the surface water from the new building since it shall not cause hazardous conditions. The PUD reflects on schedule of uses that onsite stormwater retention/detention.

Response: *Stormwater will be collected in catch basins and conveyed through pipes to the existing vault system consistent with the existing ERP permit. The project will not exceed the impervious thresholds from the ERP permit therefore it shall not cause hazardous conditions.*

Comment 4: **Solid Waste Disposal** - Dumpsters or compactors will be required for this parcel. The locations of these facilities need to be reflected on a dimensioned site plan. Shall be such that adequate turn-around room for the City's 35-foot long trucks is provided.

Response: *Dumpster will be rolled out to the apron on the north side of the garage. There is sufficient room for the city trucks.*

TRANSPORTATION - CARL KARAKOS

Comment 1: City Walk Fort Myers, LLC (FKA First Street Village Phases Two and Three) is seeking approval of a PUD Amendment (18PUD05) to update the proposed development plan for the undeveloped 7.87-acre portion of the existing First Street Village PUD (12.34-acre site), which was approved by Ordinance No. 3331, formally identified as Phase Two (Block 2A and Block 2B) and Phase Three (Block 3) on the existing PUD plan.

Response: *Acknowledged.*

Comment 2: The City Walk Amendment proposes to develop the following:

- 256 multifamily units (up to a maximum 320 residences) with a maximum height of four stories;
- Five-level parking garage (perhaps between 400 and 500 spaces ??);
- 130-room, five-story hotel; and,
- 30,000 sf of commercial, retail, and office space.

Response: *Acknowledged.*

Comment 3: City Walk proposes a three-phase project, as follows:

- Phase I - parking garage, infrastructure, and multi-family;
- Phase II - hotel; and,
- Phase III - mixed use/commercial/townhouse development.

Response: *Acknowledged.*

- Comment 3: Proposed site access is as follows (all may not be feasible due to potential Virginia Avenue roundabout constraints):
- McGregor Boulevard - full access (in/out, both directions);
 - Virginia Avenue - full access
 - West First Street - full access
 - Altamont Avenue - full access

Response: *Acknowledged. Pursuant to the meeting held with City staff on October 23, 2018, the proposed access to Virginia Avenue will now be limited to a right-in/right-out only access drive.*

- Comment 5: With regard to the proposed access locations, full access may not be viable on McGregor Boulevard and Virginia Avenue due in part to the proposed splitter islands servicing the proposed Virginia Avenue roundabout and/or the need to support a left-turn lane with adequate storage along NB McGregor Blvd.

Response: *Pursuant to the meeting held with City staff on October 23, 2018, the proposed splitter island will be adjusted to provide an 80' – 100' northbound left-turn lane for the McGregor Boulevard access. Therefore, a full access is still proposed to be provided to McGregor Boulevard. However, the proposed access to Virginia Avenue will now be limited to a right-in/right-out only access drive.*

- Comment 6: With respect to the proposed McGregor Blvd. access driveway, it is located approximately 250' from Virginia Avenue, which, per City's attached 134.2 requirements, is less than the required 330' for such in/out access to be allowed. Hence a right-in only maneuver is permitted; no right-out or left-out maneuvers are allowed. Further, it appears that the proposed McGregor Blvd. access driveway is located approximately 120' north of the Virginia Avenue centerline, which falls within the limits of the roundabout's splitter island that extends approximately 180' north of Virginia Avenue centerline. If it is possible to shift this driveway 100' north of its current proposed location, there is the possibility of allowing full access, as a center-turn lane might be able to serve both the hotel access and Illinois Avenue. This option may be feasible by flipping the parking garage driveway on West First Street to the southern end and flipping the parking garage driveway on McGregor Boulevard to the northern end (essentially flipping both parking garage access points). Also, depending on operations, the proposed Virginia Avenue roundabout provides the opportunity for U-turn maneuvers, should it be determined that left-out maneuvers are not feasible (Illinois Ave./McGregor Blvd./hotel driveway).

Response: *Pursuant to the meeting held with City staff on October 23, 2018, the proposed splitter island will be adjusted to provide an 80' – 100' northbound left-turn lane for the McGregor Boulevard access. Therefore, a full access is still proposed to be provided to McGregor Boulevard.*

- Comment 7: With respect to the proposed Virginia Avenue access driveway, it is located approximately 150' from McGregor Blvd., which is less than the required 330' for such in/out access to be allowed. Therefore, a right-out only maneuver is permitted; no right-in or left-out maneuvers are allowed. Although this road is technically a local street, in terms of traffic at buildout, it will function more as a collector. Further, the proposed Phase 3 mixed use building at the intersection's NW corner potentially impacts intersection sight distance as setbacks are at or close to the back of sidewalk. As such, intersection sight distance will be an important consideration at this driveway. Ideally, consideration of another roundabout at the West First Street/Virginia Avenue intersection, mirroring the future Altamont

Ave./West First St. roundabout, would complement the Virginia Avenue roundabout, collectively providing convenient U-turn access options. Also, roundabouts are most effective when used in series.

Response: *Pursuant to the meeting held with City staff on October 23, 2018, the proposed splitter island will be adjusted to prevent left-out turning movements for the proposed Virginia Avenue access. Access to Virginia Avenue will be limited a right-in/right-out only turning movements.*

Comment 8: The number of parking spaces supporting the hotel should be provided along with the number of "extra spaces," if any, that could be for public use outside of the parking garage's spaces for City Walk's attractions. Such extra spaces may be considered a potential traffic generator, because of the limited downtown parking that currently exists only 1/2-mile to the north. However, it is understood that the parking garage was not included in the analysis, since it is intended to solely serve the City Walk/First Street Village development.

Response: *The hotel spaces will be provided by a combination of future on-site spaces, on-street parking and first floor spaces at the garage. There are no "extra spaces" that could be considered a potential traffic generator.*

Comment 9: Per City code, wherever gated access is proposed, there should be a calculation that presents the approximate backup queues corresponding to the gated entry operations, if any, since such queues might extend beyond the actual space that is provided between any proposed gate entry and available storage lanes.

Response: *There are no gates at ground level. The gate to the second floor of the garage will be for residents only and a scanner will be used.*

Comment 10: Page 3, last paragraph - the report should reflect McGregor Boulevard as a two-lane undivided (not divided roadway). Also, next to last sentence should state: A conceptual plan of the proposed roundabout... (not the proposed roundabout...), since the design has not yet been finalized/approved.

Response: *Acknowledged. See attached revised TIS. The Level of Service analysis has also been revised to reflect a two-lane undivided McGregor Boulevard condition.*

Comment 11: Page 6, the report states that there will be a 21% capture reduction in the PM peak hour for the proposed First Street Village/City Walk PUD; however, on page 10, the report states that there will be 19% capture reduction in the PM peak hour for the proposed First Street Village/City Walk PUD. These capture reduction rates should be rectified to match. It appears that the 19% rate is correct.

Response: *Both internal capture percentages mentioned on page 6 and page 10 of the TIS report are different and correct. The internal capture on page 6 was completed based on the proposed entire (northern half and southern half) PUD Amendment. In this section of the report, the entire approved PUD was compared with the entire proposed PUD Amendment. The internal capture on page 10 was completed based on just the proposed southern or vacant portion of the PUD Amendment (City Walk), which is where the new development is proposed.*

Comment 12: Page 9, first paragraph references "full site access drive at each location." However, based on the proposed access locations presented in the amended site plan application for City Walk, full site access may not be feasible, for reasons noted under comment Nos. 5, 6, and 7 above.

Response: *Acknowledged. See revised TIS. Pursuant to the meeting held with City staff on October 23, 2018, the proposed splitter island will be adjusted to provide an 80' – 100' northbound left-turn lane for the McGregor Boulevard access. Therefore, a full access is still proposed to be provided to McGregor Boulevard. However, the proposed access to Virginia Avenue will now be limited to a right-in/right-out only access drive. The proposed access connections to West First Street and Altamont Avenue will still allow for full site access drives.*

Comment 13: Page 15/Figure 4, the figure does not include peak directional traffic volumes and Level of Service for the western roadway link associated with West First Street, which has a proposed full access driveway servicing the proposed parking garage.

Response: *Acknowledged. See attached TIS report which has been revised to include a Level of Service Analysis on West First Street. Note, due to insufficient traffic data on this roadway, TR Transportation Consultants conducted a PM peak hour traffic count on West First Street adjacent to the site in order to obtain existing peak hour peak direction background traffic volume. This traffic count is attached to the Appendix of the revised TIS report for reference.*

Comment 14: Page 18, the report states that the project traffic will continue to utilize the existing full median on McGregor Boulevard to access the site immediately north of Illinois Avenue.

Response: *Acknowledged. This statement has been removed in the attached revised TIS report.*

Comment 15: Page 22, the northern splitter island on McGregor Blvd., servicing the proposed Virginia Avenue roundabout, will reduce/eliminate the existing center-turn lane. As such, there will not be available "full median" turn-lane space to access the hotel, as noted in the second paragraph. For safety and operational reasons, it is not desirable to reduce the proposed splitter island length, as stated on Page 23.

Response: *Pursuant to the meeting held with City staff on October 23, 2018, the proposed splitter island will be adjusted to provide an 80' – 100' northbound left-turn lane for the McGregor Boulevard access. Therefore, a full access is still proposed to be provided to McGregor Boulevard.*

Comment 16: Page 23 - Conclusion: As previously stated, it is not desired to shorten the McGregor Boulevard splitter island to accommodate left-turn movements into the hotel. Instead (#6 above), it is preferred to shift this driveway 100' north of its current proposed location, which may allow full access using a center-turn lane that can also service Illinois Avenue.

Response: *Pursuant to the meeting held with City staff on October 23, 2018, the proposed splitter island will be adjusted to provide an 80' – 100' northbound left-turn lane for the McGregor Boulevard access. Therefore, a full access is still proposed to be provided to McGregor Boulevard.*

Comment 17: The traffic analysis in support of turn lanes and future growth should consider traffic data and future projections that are consistent with David Plummer and Associates' traffic study, since that analysis was used in support of the proposed Virginia Avenue Roundabout design.

Response: *The TIS for the proposed Roundabout design completed by David Plummer and Associates was based on the projected 2040 analysis. The TIS for the proposed PUD Amendment was completed based on acceptable methodology and based on the build-out year analysis of 2023.*

Comment 18: It is suggested that TR Transportation/Banks Engineering provide a complete site plan that includes the geometrics of the City's proposed Virginia Avenue roundabout project so that we can get a better perspective on the developer's proposed access impacts. What currently exists will not be present upon development. It's is further suggested that the applicant then follow-up with a meeting with City staff and our roundabout consultant, David Plummer & Associates (DPA), to further review site access with the goal of coming to site access solutions that best suit all parties.

Response: *Acknowledged. A meeting was held on 10/23/18.*

DEVIATIONS/WARRANTS

- Warrant from Code 118.8.5.C.1.b; Allow the grocery store to not have its principal entrance on a frontage line - no objection.

Response: *Acknowledged. Thank you.*

- Warrant from Code 118.8.6.G.2; Allow for front setbacks of more than 10 feet - no objection.

Response: *Acknowledged. Thank you.*

- Warrant from Code 138-41 of the City Code; Allow 140' separation between landscape islands - no objection.

Response: *Acknowledged. Thank you.*

- Warrant from Code 134.3.3.B.1 of the City Code; Allow off-street parking to be arranged such that vehicles back into the street right-of-way - objection this is only agreed to for Altamonte, motorcycle parking shall not be allowed.

Response: *The motorcycle parking has been removed. Pursuant to the meeting with staff on 10/23/18, the backout parking on Virginia was agreed to be acceptable.*

- Warrant from Code 134.2.15.I.2 of the City Code; Allow more than two driveways for one property along one street frontage and allow less than the required spacing distance between two driveways and between driveways and intersections along other than single-family local streets -objection, no driveways on McGregor Boulevard.

Response: Pursuant to the meeting held with staff on 10/23/18, the full access on McGregor Boulevard access will remain as proposed with adjustments to the proposed splitter island to allow an 80' to 100' left-turn lane and the access on Virginia will be limited to right-in/right-out only.

- Warrant from Code 134.3.3.A-No objection

Response: Acknowledged. Thank you.

MISCELLANEOUS

Comment 1: A site plan with dimensions is required for site. Site visibility triangles are required for all entrances and exits.

Response: Acknowledged. To be addressed at Site Work submittal.

Comment 2: The developer will be required to pay their fair-share contribution in the amount of \$10,000 for traffic control device above the required road impact fees.

Response: It was confirmed that this has already been paid.

Comment 3: A lighting plan is required.

Response: Acknowledged. To be addressed at Site Work submittal.

Comment 4: A vehicular circulation model needs to be explained and labeled for the site.

Response: Acknowledged. To be addressed at Site Work submittal.

Comment 5: The Public Works/Engineering Department requires that Para-transit funds are supplied for this project and not waived.

Response: The previously submitted Narrative Regarding Ordinance 3331 Conditions provided that, "City Walk proposes to include the condition to provide contribution to the Downtown Para Transit Fund in consideration of multimodal transportation strategies including para-transit provision with updated calculation for the proposed City Walk PUD. The monetary contribution for City Walk's residential density equivalent of 256 units would be \$13,100 annually (256 x \$51.14)."

Comment 6: Locations of meters/FDC/Backflow preventers need to be provided.

Response: Acknowledged. To be addressed at Site Work submittal.

Comment 7: A shared agreement for the parking garage needs to be reflected and shown, and where the public parking is going to be located.

Response: *Public parking is not proposed. The ground floor of the parking garage will provide parking for the residential use and the hotel use as shown on the revised PUD Site Plan. The upper floors are for residential use only.*

Comment 8: Clear delineation between public access (with easements to follow), and what is private property.

Response: *All of the property is private property. Easements will be recorded at time of Site Work permitting.*

Comment 9: The separate phases shall have only access on the internal driveway.

Response: *Acknowledged.*

FIRE PREVENTION - JENNIFER CAMPBELL

Comment 1: No comments on amendment. Plans will be reviewed for fire/life safety code compliance upon submittal for permits.

Response: *Acknowledged.*

PLANNING - LAURA TEFFT

Comment 1: Please provide a plan showing interim plan and elevations for Phases 2 and 3.

Response: *Future phases will be filled, graded and hydro seeded in the interim. The future phases have not yet been designed so therefore elevations are not currently available. The applicant proposes the following condition: Future phases must be complimentary and consistent with the architectural elevations for City Walk approved by City Council.*

Comment 2: Elevations from PDS Architecture do not include parking garage and please include in north and south views.

Response: *Please see the attached updated elevations. Sheet A8.1 demonstrates the amenity area and parking garage structure south elevation. A8.3 and A8.4 each show a partial north facing elevation of the garage.*

Comment 3: Parking calculations should be based on number of units to be built not density/equivalency. LDC Sec. 118.1.6.A. Density 1. For multifamily density calculation purposes only and does not apply to parking calculations. Parking calculations are based on LDC Sec. 134.3.5 Minimum Number of off-street parking spaces and LDC Sec. 118.8.5.7 Parking standards in general. Please provide revised parking calculations.

Response: *Parking calculations have been revised on the attached revised PUD site plan.*

Comment 4: Please provide units per acre on site plan. Density/equivalency will apply at time of permitting.

Response: Units per acre have been added to the site plan.

Comment 5: The title of the site plan will need to be revised due to rescinding of ordinance and adoption of new ordinance.

Response: The title of the site plan has been revised.

Comment 6: Update and add the Schedule of Uses to the proposed PUD site plan.

Response: The schedule of uses has been added to the proposed PUD site plan.

Comment 7: Narrative should be updated to reflect the currently approved Future Land Use Element of the Comprehensive Plan and Land Development Code. Revisions to the Future Land Use Element of the Comprehensive Plan have not been approved and could change prior to approval by City Council.

Response: The City Council held its adoption public hearing on August 6, 2018 and adopted Ordinance No. 3838 approving the amended Future Land Use Element of the Comprehensive Plan. The adopted version is consistent with the language previously provided with original application with the only revisions addressed below:

~~Action 1.7.75) Approval of the bonus density allocation, increased FAR's, and/or increased height in the Downtown Redevelopment Area shall be awarded through implementation of the Land Development Regulations for All new development shall provide amenities according to the pertinent standards provided in the Land Development Regulations, including but not limited to the following areas:~~

~~Hurricane evacuation;~~

~~Affordable housing;~~

~~Para-transit provision;~~

~~Public open space;~~

~~Mixed-use residential/commercial/retail;~~

~~Exceptional architectural design;~~

~~Public/private parking;~~

~~Pedestrian friendly connections between public and private property; and,~~

~~Water enhanced or water dependent uses.~~

~~Multimodal transportation strategies including para-transit provision; and~~

~~Riverwalk easement.~~

The existing PUD contains conditions addressing the items listed in Action 1.7.5. The hurricane evacuation, affordable housing, public open space, mixed-use residential/commercial/retail, and public/private parking provisions are no longer applicable. The applicant proposes exceptional architectural design as demonstrated on the architectural and landscape exhibits included with the application. Pedestrian friendly connection between public and private property are proposed and provided on the proposed City Walk PUD plan. The existing PUD contains conditions regarding multimodal transportation strategies including para-transit provision which are proposed to be amended as shown in the attached narrative addressing the existing PUD conditions. The existing/proposed condition includes language regarding developer, their successors or assigns contribution of \$51.14 per unit (estimated at \$13,100 for 256 equivalent units) annually to mitigate para-transit impacts. The Water enhanced or water dependent uses and Riverwalk easement is not applicable to the subject property.

Policy 1.1417) Within each land use classification, the Land Development Regulations shall distinguish between permitted uses and conditional uses. Planned Unit Development requirements shall be established in the Land Development Regulations.

Action 1.1417.3) A Planned Unit Development is designed and developed in an integrated and cohesive fashion, under single ownership or unified control, providing for flexibility and clustering of uses. Specific standards and criteria shall be met in order for developments to be approved as a Planned Unit Development.

The City Walk PUD is consistent with Policy 1.17, Action 1.17.3. The PUD meets the standards of the LDC with approval of the requested warrants and deviations. City Walk proposes a mix of uses developed in an integrated and cohesive fashion under unified control.

Comment 8: Signage is governed by Section 118.8.5.A.10 and 118.8.5.C. Warrants and deviations are required for signs i.e. internally lit are not permitted, number of signs per façade, size, etc.

Response: *Please see attached revised Warrants and deviations and revised sign package which include a new Warrant 5 to allow internally lit sign.*

Comment 9: Elevation for signs need to depict actual sign placement, specifically Sign A will not be in a park like setting.

Response: *Please see attached revised sign package.*

Comment 10: Sign Site Plan, please remove all reference to Signs G-O, as no signage can be approved for non-existent building.

Response: *Signs G-O are referenced for future use only and will be provided at the time of site development permit and will comply with existing signage regulations.*

Comment 11: Signs identified as E and F appear to be on balconies. Signage is not allowed on balconies.

Response: *Please see attached revised sign package.*

Comment 12: Warrants and Deviations

a) Warrant 1 - Withdrawn

b) Warrant 2 - Amendment request: "The grocery store on the existing Phase One First Street Village and the City Walk development ~~is~~ are not required to have ~~its~~ their principal entrance on a frontage line." **The amendment as requested is not supported by planning staff for Phase 2 and 3.**

Response: *This warrant is requested to allow principal entrances to be located where the internal vehicular access is required however primary facades will be provided along the frontage lines.*

c) Warrant 3 - No amendment is requested but justification discusses continuance of warrant for proposed City Walk Phase 3 along McGregor Blvd., Altamont Avenue and

Virginia Avenue. Please provide clarification as to whether Warrant 3 is to be amended and provide the proposed language.

Response: *Warrant 3 was previously approved for the subject property to allow parking in the first and second layers with a streetwall or liner building not being required except along Clifford Avenue. The revised PUD Site Plan proposes to continue utilizing the warrant request. The PUD site plan has been revised to reflect the request.*

- d) Warrant 4 - Amendment request is as follows: As this project is surrounded on all sides by roads, all setbacks will be considered front yard setbacks. The maximum front setbacks, by street allowed are as follows:

Altamont Avenue - 35 feet

~~Clifford Street - 65 feet~~

McGregor Boulevard - 41 feet

Virginia Avenue - ~~33~~ 70 feet

West First Street - 25 feet

The proposed warrant to allow a maximum setback of 70 feet for the City Walk Phase 3 commercial/mixed use/townhomes parcel is not supported by staff.

Response: *The proposed warrant for Virginia Avenue has been revised to request a maximum setback of 38 feet as shown on the PUD site plan.*

- e) Deviation 5 - No amendment is requested.
- f) Deviation 6 - Amendment request: "Driveway/intersection spacing may be less than three hundred (300) feet along McGregor Boulevard and less than one hundred twenty-five feet (125) feet along Virginia Avenue and West First Street." **Planning staff defers to Engineering.**
- g) Deviation 7 - Amendment request: "Angled parking along Altamont Avenue and Virginia Avenue may be designed so that vehicles back into the right of way." **Planning staff has no objection to Deviation 7 Amendment as proposed.**
- h) Deviation 8 - New Request - Land Development Code Section 134.3.3.A Parking facility dimensions and accessibility. Minimum parking stall width of 10 feet. Deviation language "Minimum parking stall width of 9 feet."

The requested deviation for minimum parking stall width of 9 feet is supported by planning staff.

- i) Deviation 9 - New Request - Land Development Code Section 134.3.3.B.3 Suitable wheel stops shall be installed at least 24 inches from the front edge of all parking spaces except parallel parking spaces. Deviation language "Wheel stops are not required for City Walk."

Planning staff has no objection to the requested deviation.

Informational comments

- Please provide a complete sign package at resubmittal
- Please provide an updated 24 x 36 PUD Site plan for review

Response: *Acknowledged.*

Should you have any questions or require further information, please do not hesitate to contact me at (239) 770-2527 or shewitt@bankseng.com.

Sincerely,
BANKS ENGINEERING



Stacy Ellis Hewitt, AICP
Director of Planning

Attachments



Professional Engineers, Planners & Land Surveyors

January 30, 2019

Ms. Laura Tefft, MPA Senior Planner
City of Fort Myers
1825 Hendry Street
Fort Myers, Florida 33901

**REFERENCE: CITY WALK PUD – 2nd Resubmittal
18PUD05**

Dear Ms. Tefft:

This letter is written in response to staff review comments dated January 11, 2019, revised 1:11 p.m., regarding the above referenced project. We would like to thank you and staff for taking the time to meet with us on January 25, 2019 to discuss the comments. As discussed at the meeting, all roadways and intersections operate at an acceptable level of service for the City Walk PUD project with or without the proposed roundabout improvements at McGregor Blvd. and Virginia Ave. With the below responses, we are submitting ten (10) sets of the below documents.

1. Revised Warrants and Deviations.
2. Revised PUD Site Plan.
3. Lighting Plan Exhibit.
4. Parking Garage Conceptual Plans.
5. Vehicular Circulation Exhibit
6. Revised Landscape Plans.
7. Revised Architectural Elevations.
8. Revised Sign Package
9. Fire truck routing exhibit

Presented below are responses to each review comment.

ENGINEERING - WILLIAM PORTER

Comment 1: **Water** – A 12-inch DIP water main exists on West First St., McGregor Blvd. and along Virginia Ave. Eight-inch mains exist on Altamont Ave. and Clifford St. The applicant will be required to connect to one or more of these mains for potable water supply. The City can provide treatment capacity on a first come, first serve basis upon receipt of a formal request for service, payment of appropriate fees and charges, and approval of all State and local regulatory agencies. Extension of off-site mains for adequate domestic supply and fire protection will be the responsibility of the owner.

Response: *Acknowledged.*

Comment 2: **Sanitary Sewer** - There is an existing 10" gravity sewer main on West First St. that increases to 15" at Altamont Ave., a 12" main on Altamont Ave. and an 8" gravity main on Virginia Ave., McGregor Blvd. and Clifford St. The applicant will be responsible for providing sewer-

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modeling calculations to determine if the existing sewer system has the capacity to handle the additional wastewater flow from the proposed development. The submitted calculations do not solve for the current flow through the existing 15" gravity main on West First Street. Also, further calculations are needed to show the maximum capacity that lift station #3 can accept. If upgrades are needed at the time of build-out, the developer will be responsible for completing them. The City's wastewater treatment plant can provide treatment capacity on a first come, first serve basis for the project upon receipt of a formal request for service, payment of appropriate fees and charges, and approval of all State and local regulatory agencies. Off-site mains, collection lines, and pump stations and/or appurtenances will need to be installed or increased/upgraded by the owner to handle additional flow as needed. The applicant agrees and will be required to submit all necessary calculations at the time of permit submittal.

Response: *Acknowledged.*

Comment 3: The property needs to reflect how it is handling the surface water from the new building since it shall not cause hazardous conditions. The PUD reflects on schedule of uses that on-site stormwater retention/detention-This has been addressed.

Response: *Acknowledged.*

Comment 4: Dumpsters or compactors will be required for this parcel. The locations of these facilities need to be reflected on a dimensioned site plan. shall be such that adequate turn-around room for the City's 35-foot long trucks is provided. -This has been addressed.

Response: *Acknowledged.*

TRANSPORTATION - CARL KARAKOS

Comment 1: In general, I take no exception to Banks Engineering's Revised November 30, 2018 memo response, which considers the adopted revisions to the Future Land Use Element of the Comprehensive Plan. In this regard, relating to the Fort Myers Integrated Downtown Redevelopment Strategy, conditions b.1 through b.7, the updated development conditions are now based upon a revised Action 1.7.5) – All new development shall provide amenities according to the pertinent standards provided in the Land Development Regulations, including but not limited to the following areas:

- Exceptional architectural design;
- Pedestrian friendly connections between public and private property;
- Multimodal transportation strategies including para-transit provision; and,
- Riverwalk easement.

Accordingly, as part of my review of their forthcoming site plan, I'll especially be looking for design features relating to the two highlighted strategies, which should be clearly spelled out in their application narrative/TIS.

Response: *Acknowledged. This information will be provided with the Site Development Plan.*

Comment 2: A formal engineering traffic and site plan review will be provided at such time the applicant submits formal site plans, support details, and a TIS as part of its' site plan application. The submittal should include considerations as highlighted in the last paragraph above.

Response: Acknowledged.

Comment 3: The site plan/phasing plan submittal should also relate to the City's proposed Virginia Avenue Roundabout project, which is currently in the process of an appeal to City Council. Depending on the results of the Council appeal, the City's roundabout project may take a different form in terms of the intersection's design, which in turn may require some revisions to City Walk's PUD/proposed site plan/phasing plan details.

Response: Acknowledged. As discussed at the meeting held on January 25, 2019, all roadways and intersections operate at an acceptable level of service for the City Walk PUD project with or without the proposed roundabout improvements at McGregor Blvd. and Virginia Ave.

Comments 4-5: The future buildout of City Walk's proposed Phase 3 – 30,000 SF/5 stories (max.) development of Commercial/Mixed Use/Townhomes structures is located at the north quadrant of the Virginia Avenue/McGregor Blvd. intersection. At this time, it is not apparent how this phased development will impact the proposed intersection and corresponding sight distance issues. However, such development must consider intersection sight triangles (aka intersection sight distances), especially in consideration of the proposed short intersection separations between the proposed Virginia Avenue driveway and McGregor Blvd. (150 feet +/-) and the proposed McGregor Blvd. driveway and Virginia Avenue (250 feet +/-). Such impacts may affect the development's proposed ingress/egress operations at both proposed driveways.

Response: Acknowledged.

Comment 6: At such time City Walk submits its formal site plan application, plans should consider pedestrian access and driveway access connections that integrate with both the existing street/sidewalk conditions as well as the proposed street/sidewalk conditions, which are depend on the results of the City's roundabout appeal and/or the timing of such construction. This may lead to the need for temporary construction options so as to minimize construction redundancy between the two projects (City Walk and McGregor/Virginia intersection project). I believe this is an important consideration to relay to the applicant, as Engineering has been diligently working with the applicant's design team regarding site access conditions that assume the roundabout design will be constructed by the time their development begins its construction. Therefore, due to the appeal process delay and related uncertainties, such construction timing will likely be delayed and potentially changed, all of which will impact the applicant/proposed site plans.

Response: Acknowledged.

DEVIATIONS/WARRANTS

- Warrant from Code 118.8.5.C.1.b; Allow the grocery store to not have its principal entrance on a frontage line – no objection.

Response: Acknowledged. Thank you.

- Warrant from Code 118.8.6.G.2; Allow for front setbacks of more than 10 feet - no objection.

Response: Acknowledged. Thank you.

- Warrant from Code 138-41 of the City Code; Allow 140' separation between landscape islands - no objection.

Response: *Acknowledged. Thank you.*

- Warrant from Code 134.3.3.B.1 of the City Code; Allow off-street parking to be arranged such that vehicles back into the street right-of-way - objection this is only agreed to for Altamonte, motorcycle parking shall not be allowed.

Response: *The motorcycle parking has been removed. The applicant was under the impression that the backout parking on Virginia was agreed to be acceptable at the 10/23/18 meeting. Pursuant to meeting held on 1/25/19 and follow up email on 1/28/19, Engineering and Transportation staff are following up with the City Engineer for recommendation. Please see attached updated justification.*

- Warrant from Code 134.2.15.1.2 of the City Code; Allow more than two driveways for one property along one street frontage and allow less than the required spacing distance between two driveways and between driveways and intersections along other than single-family local streets -objection, no driveways on McGregor Boulevard.

Response: *Pursuant to the meeting held with staff on 10/23/18, the full access on McGregor Boulevard access will remain as proposed with adjustments to the proposed splitter island to allow an 80' to 100' left-turn lane and the access on Virginia will be limited to right-in/right-out only if the roundabout is constructed.*

- Warrant from Code 134.3.3.A-No objection

Response: *Acknowledged. Thank you.*

- Warrant from Code 134.3.3.B.3 Wheel stops need to be installed or curbing and 2 foot over hangs need to be reflected on the plans for all sidewalks and walkways per section 134.3.3.B.3

Response: *Acknowledged. Warrant has been withdrawn on the attached revised warrants and deviations since the applicant will comply with Section 134.3.3.B.3.*

MISCELLANEOUS

Comment 1: A site plan with dimensions is required for site. Site visibility triangles are required for all entrances and exits, this needs to be supplied before approval since it may alter the locations of buildings

Response: *Site visibility triangles are demonstrated on the attached vehicular circulation exhibit.*

Comment 2: The developer will be required to pay their fair share contribution in the amount of \$10,000 for traffic control device above the required road impact fees. -This has been paid

Response: *This has been paid as noted.*

Comment 3: A lighting plan is required.

Response: *Please see attached lighting plan exhibit.*

Comment 4: A vehicular circulation model needs to be explained and labeled for the site, this includes the Garage.

Response: *Please see attached conceptual parking garage plans for all floors showing circulation.*

Comment 5: The Public Works/Engineering Department requires that Para-transit funds are supplied for this project and not waived-This has been addressed and para-transit funds are now included.

Response: *Acknowledged.*

Comment 6: Locations of meters/FDC/Backflow preventers need to be provided.

Response: *The approximate locations of meters/FDC/Backflow preventers have been added to the PUD Site Plan.*

Comment 7: A shared agreement for the parking garage needs to be reflected and shown, and where the public parking is going to be located.

Response: *Public parking is not proposed. The ground floor of the parking garage will provide parking for the residential use and the hotel use as shown on the revised PUD Site Plan. The upper floors are for residential use only.*

Comment 8: Clear delineation between public access (with easements to follow), and what is private property- This has been addressed, no public

Response: *Acknowledged.*

Comment 9: The on-street parking located on West First Street is located in the right of way, and cannot be counted as parking for this site, the City has the right to remove or alter anything located in the right of way of the City of Fort Myers.

Response: *The parking calculations have been updated on the revised PUD site plan.*

PLANNING - LAURA TEFFT

Comment 1: Please provide a plan showing interim plans and elevations for Phases 2 and 3. Applicant responded, "Future phases will be filled, graded and hydro seeded in the interim. The future phases have not yet been designed so therefore elevations are not currently available. The applicant proposes the following condition: Future phases must be complimentary and consistent with the architectural elevations for City Walk approved by City Council. It is understood that Phase 2 and 3 are not yet designed and that these phases will be filled, graded and hydro seeded, this does not alleviate the need for buffering at parking areas adjacent to future phases. Phases 2 and 3 will be required to be approved through public hearing amendments to the PUD prior to issuance of any permits for those phases.

Response: *As discussed at the meeting held on 1/25/2019, the applicant respectfully requests that the future phases be eligible to proceed with administrative downtown site plan review process.*

Comment 2: Elevations from PDS Architecture do not include parking garage and please include in north and south views. Revised elevations were provided. The south elevations, Sheet A8.1, for the parking garage does not match the PUD Site Plan provided (entry/exit is shown as open without divider as shown on site plan). The north elevations on Sheets A8.3 and A8.4 do not show the parking garage, please provide revised elevations showing parking garage not dashed lines.

Response: *The divider median shown on the PUD Site Plan is outside of the parking garage structure. The south elevations previously provided included the parking garage. Updated architectural elevations are attached showing the parking garage in the north elevation.*

Comment 3: Parking calculations should be based on number of units to be built not density/equivalency. LDC Sec. 118.1.6.A. Density 1. For multifamily density calculation purposes only and does not apply to parking calculations. Parking calculations are based on LDC Sec. 134.3.5 Minimum Number of off-street parking spaces and LDC Sec. 118.8.5.7 Parking standards in general. Please provide revised parking calculations. Revised parking calculations were provided. Comment satisfied.

Response: *Parking calculations have been updated to remove the 8 parking spaces provided on W. First Street from the parking calculations.*

Comment 4: Please provide units per acre on site plan. Density/equivalency will apply at time of permitting. Comment satisfied.

Response: *Acknowledged.*

Comment 5: The title of the site plan will need to be revised due to rescinding of ordinance and adoption of new ordinance. Comment satisfied.

Response: *Acknowledged.*

Comment 6: Update and add the Schedule of Uses to the proposed PUD site plan. Comment satisfied.

Response: *Acknowledged.*

Comment 7: Narrative should be updated to reflect the currently approved Future Land Use Element of the Comprehensive Plan and Land Development Code. Revisions to the Future Land Use Element of the Comprehensive Plan have not been approved and could change prior to approval by City Council.

Response: *This comment was addressed with November 30th submittal.*

Comment 8: Signage is governed by Section 118.8.5.A.10 and 118.8.5.C, Warrants and deviations are required for signs i.e. internally lit are not permitted, number of signs per facade, size,

etc. Warrant 5 has been requested to allow internal illumination per sign package. Internal illumination is not supported for signage by the Downtown Smart Code. Staff can support the internal illumination as shown in the sign package.

Response: *Acknowledged. Thank you.*

Comment 9: Elevation for signs need to depict actual sign placement, specifically Sign A will not be in a park like setting. Please also include the dimensions on the site plan for the island which Sign A is located. Also, the distance to the edge of the McGregor Boulevard pavement is required. If the proposed sign is within 25 feet of the edge of pavement, it cannot exceed 30 square feet in area per Chapter 81-164, Laws of Florida.

Response: *The dimension from Sign A to the edge of the McGregor Boulevard pavement has been added to the PUD Site Plan and is 25 feet.*

Comment 10: Sign Site Plan, signs B, C, J, K, L, and O require warrants as they are not on a street facing/adjacent façade. No warrants will be supported for signs J, K, L, and O at this time and there are no buildings proposed. Signs H, I, M, and N appear to be code compliant as shown.

Response: *Please see attached revised PUD Site Plan, Warrants and Deviations and sign package. Warrant 7 has been added to request 2 signs along the north (signs D & E) and east (signs C & F) façades as demonstrated in the sign package.*

Comment 11: Signs identified as E and F appear to be on balconies. Signage is not allowed on balconies. Comment satisfied.

Response: *Acknowledged.*

Comment 12: 12. Warrants and Deviations
a) Warrant 1 – Withdrawn
b) Warrant 2 - Amendment request: “The grocery store on the existing Phase One First Street Village and the City Walk development is are not required to have its their principal entrance on a frontage line.” The amendment as requested is not supported by planning staff for Phase 2 and 3, they will need to seek approval of a warrant when they amend the PUD to development these future phases.

Response: *As discussed at the meeting held on 1/25/2019, the applicant respectfully requests that the future phases be eligible to proceed with administrative downtown site plan review process.*

c) Warrant 3 - No amendment is requested but justification discusses continuance of warrant for proposed City Walk Phase 3 along McGregor Blvd., Altamont Avenue and Virginia Avenue. Please provide clarification as to whether Warrant 3 is to be amended and provide the proposed language.

Applicant’s response dated November 30, 2018 addressed the above request as through the following statement, “Warrant 3 was previously approved for the subject property to allow parking in the first and second layers with a streetwall or liner building not being required except along Clifford Avenue. The revised PUD Site Plan proposes to continue utilizing the warrant request.” As recorded through Ordinance No. 3331,

Warrant 3 was approved as quoted "Parking is permitted in the First and Second Layers and a streetwall or linear building will not be required along the northern half of the northeast property line, but a decorative fence shall be required along Clifford Avenue". Staff's is in agreement that the previously approved warrant does allow parking to be permitted in the First and Second Layers, but according to the previously approved warrant #3, all parking areas are required to be masked by a streetwall or linear building if not located along the northern half of the northeast property line except along Clifford Avenue which required a decorative fence. Please revise plans accordingly.

Response: *As discussed at the meeting on 1/25/19, please see attached revised PUD Site Plan and Warrants and Deviations. Warrant 3 has been revised to provide landscape screening to screen parking from McGregor until Phase 2 and 3 develop.*

- d) Warrant 4 - Amendment request is as follows: As this project is surrounded on all sides by roads, all setbacks will be considered front yard setbacks. The maximum front setbacks, by street allowed are as follows:
- Altamont Avenue - 35 feet
 - ~~Clifford Street - 65 feet~~
 - McGregor Boulevard - 41 feet
 - Virginia Avenue - ~~33~~ 70 feet
 - West First Street - 25 feet

The proposed warrant to allow a maximum setback of 70 feet for the City Walk Phase 3 commercial/mixed use/townhomes parcel is not supported by staff.

The proposed warrant has been revised to request a maximum setback of 38 feet as shown on the PUD site plan. Planning staff supports the maximum front setbacks as follows:

- Altamont Avenue - 35 feet
- ~~Clifford Street - 65 feet~~
- McGregor Boulevard - 41 feet
- Virginia Avenue - ~~33~~ 38 feet
- West First Street - 25 feet

Response: *Acknowledged. Thank you.*

- e) Deviation 5 - No amendment is requested.
- f) Deviation 6 - Amendment request: "Driveway/intersection spacing may be less than three hundred (300) feet along McGregor Boulevard and less than one hundred twenty-five feet (125) feet along Virginia Avenue and West First Street." **Planning staff defers to Engineering.**
- g) Deviation 7 - Amendment request: "Angled parking along Altamont Avenue and Virginia Avenue may be designed so that vehicles back into the right of way." **Planning staff has no objection to Deviation 7 Amendment as proposed.**
- h) Deviation 8 - New Request - Land Development Code Section 134.3.3.A Parking facility dimensions and accessibility. Minimum parking stall width of 10 feet. Deviation language "Minimum parking stall width of 9 feet."
The requested deviation for minimum parking stall width of 9 feet is supported by planning staff.
- i) Deviation 9 - New Request - Land Development Code Section 134.3.3.B.3 Suitable wheel stops shall be installed at least 24 inches from the front edge of all parking spaces

except parallel parking spaces. Deviation language "Wheel stops are not required for City Walk."

Planning staff has no objection to the requested deviation.

Response: Acknowledged. Thank you.

Informational comments

- Please provide a complete sign package at resubmittal

Response: Please see attached revised sign package.

- Please provide an updated 24 x 36 PUD Site plan for review showing dimensions of entry/exit access points and entry island.

Response: Please see attached updated 24 36 PUD Site Plan which includes dimensions of entry/exit access points and entry island.

- Please provide an updated landscape plan reflecting updated site plan.

Response: Please see attached updated landscape plans.

As discussed at the meeting with staff on January 25, 2019, the applicant would like to be scheduled for the March Planning Board agenda. We respectfully request that you please contact me at (239) 770-2527 or shewitt@bankseng.com if you have any questions or comments to help facilitate that timeline.

Sincerely,
BANKS ENGINEERING



Stacy Ellis Hewitt, AICP
Director of Planning

Attachments



Professional Engineers, Planners & Land Surveyors

February 25, 2019

Ms. Laura Tefft, MPA Senior Planner
City of Fort Myers
1825 Hendry Street
Fort Myers, Florida 33901

**REFERENCE: CITY WALK PUD – 3rd Resubmittal
18PUD05**

Dear Ms. Tefft:

This letter is written in response to staff review comments dated February 19, 2019 regarding the above referenced project. We would like to thank you and staff for taking the time to meet with us on February 22, 2019 to discuss the comments. With the below responses, we are submitting one copy of the below documents. We will provide 18 Planning Board packets by Tuesday morning.

1. Revised PUD Site Plan
2. Revised Warrants/Deviations and Justifications
3. Revised Sign Package
4. Revised Landscape Color Site Plan and Elevations

Presented below are responses to each review comment.

TRANSPORTATION - CARL KARAKOS

Comment: Warrant from Code 134.3.3.B.1 of the City Code; Allow off-street parking to be arranged such that vehicles back into the street right-of-way
02/14/2019 The island along Virginia needs to be extended so no left movements can be done into the parking.

Response: *The PUD Site Plan has been updated to reflect the extended island along the parking on Virginia.*

Comment: A vehicular circulation model needs to be explained and labeled for the site, this includes the Garage.
02/14/2019 The fire truck circulation needs to be corrected since it appears to not fit/be able to access the site from the access point on McGregor.

Response: *Acknowledged. Site elements will be adjusted if needed at time of sitework permit.*

PLANNING - LAURA TEFFT

• SERVING THE STATE OF FLORIDA •

10511 Six Mile Cypress Parkway • Suite 101 • Fort Myers, Florida 33966
Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

Comment 1: Please remove Deviation #9 from PUD plan and List of Warrants/Deviations and Justifications, as it has been withdrawn.

Response: *Deviation 9 has been removed from the attached revised PUD Site Plan and revised Warrants/Deviations and Justifications.*

Comment 2: Lee Designs – Sheet 12 of 13. Please confirm that sign F is not attached to a balcony.

Response: *Lee Designs Sheet 12 of 13 was corrected in the November 30, 2018 submittal package and has been updated in the attached revised Sign Package.*

Comment 3: The response to comment #7 of the Transportation Section of your letter dated January 30, 2019, discusses that the ground floor of the parking garage will provide parking for the residential and hotel use, please add language to clarify that additional parking will be needed on the hotel site to satisfy the hotel parking requirement. Please show on PUD plan where 65 parking spaces are to be located to satisfy the hotel parking requirement.

Response: *Pursuant to our meeting on February 22, 2019, the PUD Site Plan has been revised to provide a potential parking allocation in the Parking Calculations table. The ground floor of the parking garage could potentially be utilized for residential including guest, hotel, and/or commercial uses.*

Comment 4: Please show visitor parking (21 spaces) on plan as none is allowed in the garage per response to comment #7 as referenced above.

Response: *Pursuant to our meeting on February 22, 2019, the PUD Site Plan has been revised to provide a potential parking allocation in the Parking Calculations table. The ground floor of the parking garage could potentially be utilized for residential including guest, hotel, and/or commercial uses.*

Comment 5: Tables showing parking calculations do not match on the PUD plans and the Finfrock Designs, Inc.

Response: *Pursuant to our meeting on February 22, 2019, the calculations do match.*

Comment 6: Please address the lack of loading and unloading zones for all phases of the site.

Response: *Pursuant to our meeting on February 22, 2019, the code does not require loading zones for residential uses, therefore no loading zones are shown for Phase 1. A note has been added to the PUD Site Plan near the parking calculations table that states, "Note: Future loading zones, if required, will be handled internal to the site."*

I look forward to seeing you at the March Planning Board meeting. Please do not hesitate to contact me at (239) 770-2527 or shewitt@bankseng.com if you have any questions or need anything.

Sincerely,
BANKS ENGINEERING



Stacy Ellis Hewitt, AICP
Director of Planning

Attachments



City of Fort Myers

Planning Division
1825 Hendry Street, Suite 101
Fort Myers, FL 33901
Phone: 239-321-7993

APPLICATION FOR PLANNED UNIT DEVELOPMENT (PUD)

1) PROJECT NAME:
City Walk (F.K.A. First Street Village Phases Two and Three) PUD Amendment

2) Owner(s): Name, address, and email of all owners of the property. Name and address of all parties having interests in the subject property, including owners, major stockholders of corporations and beneficiaries of trusts (attach sheets if needed).

Owner(s):	Corporations:
<u>Joseph R. Bonora, Manager</u>	<u>City Walk Fort Myers LLC</u>
<u>jbonora@catalystcd.com</u>	<u>936 S. Howard Avenue</u>
<u></u>	<u>Tampa, FL 33606</u>
<u></u>	<u></u>

3) Agent: Contact person (agent) authorized to receive all communications regarding this application:

Name:	<u>Stacy Ellis Hewitt, AICP, Banks Engineering</u>
Address:	<u>10511 Six Mile Cypress Pkwy</u>
City, State, Zip:	<u>Fort Myers, FL 33966</u>
Office phone:	<u>(239) 939-5490</u>
Cell phone:	<u>(239) 770-2527</u>
Email address:	<u>shewitt@bankseng.com</u>

4) Developer, if applicable:

Name:	<u>Joseph R. Bonora</u>
Address:	<u>936 S. Howard Avenue</u>
City, State, Zip:	<u>Tampa, FL 33606</u>
Office phone:	<u></u>
Cell phone:	<u>(239) 823-5901</u>
Email address:	<u>jbonora@catalystcd.com</u>

5) Property Address and Strap #:

No. of Parcels:	<u>1</u>
1 st Address:	<u>Unverified/2144 McGregor Blvd.</u>
Strap #1:	<u>23-44-24-P2-00005.0000</u>
2 nd Address:	<u></u>



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Strap #2: _____

3rd Address: _____

Strap #3: _____

6) Date Property Acquired: _____

February 13, 2018

7) Description of Location of Property; if there are adjacent streets, please list them: _____

Site is located at the northwest corner of the intersection of McGregor Boulevard and Altamont Avenue/Victoria Avenue, south of West First Street and east of Virginia Ave, across Altamont Ave. from the existing Publix at First Street Village Phase One.

8) Specially Regulated Areas within the City: Is your property on or within any of the following? Signify by marking with an "X" for yes or no:

	Yes	No
On Cleveland Avenue		X
On Dr. Martin Luther King Jr. Blvd.		X
On Veronica S. Shoemaker Blvd.		X
Within the Urban Reserve Area		X
Within the Downtown Redevelopment Area governed by the Smart Code, Chapter 118, Article 8	X	
Within the Coastal High Hazard Area along the Caloosahatchee River as defined by the State	X	
Within the flood zone of Billy's Creek		X
Within any flood zone as identified by state agencies	X	
Environmentally sensitive area		X
Within the Dunbar Bellevue Annexation Area		X
Within a Development of Regional Impact (DRI)		X
Are you partnering with the City on this project		X

9) From the Future Land Use Map:

Land Use (LU) of your Parcel: _____

LU to North: _____

LU to South: _____

LU to East: _____

LU to West: _____



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10) From the Official Zoning Map:

Zoning of your Parcel:	<u>PUD – First Street Village (underlying Urban Center)</u>
Zoning to North:	<u>Urban Core and PUD One West</u>
Zoning to South:	<u>Professional Office PO</u>
Zoning to East:	<u>Professional Office PO</u>
Zoning to West:	<u>Urban Center</u>

11) Surrounding Businesses By Name and Description of Use (e.g. Smith's Auto Service Center, repair of semi-trucks):

Your Parcel:	<u>Vacant</u>
North:	<u>Developed portion of Existing First Street Village PUD Phase One: 4 Townhomes, Publix Supermarket: 47,538 SF, Liner Buildings: 30,387 SF: Caloosa Realty Group, China Xpress, Custom Fitness of Fort Myers, First Watch, Omnicopy Corp, Scene 826 Hair Studio, Subway, Hallmark Marketing Corp, First Street Liquor, Polish Nail Bar, First Street Village Strip</u>
South:	<u>Marc Joseph Realty, Goldstein Buckley Cechman Rice & Purtz PA, The Flower Path, In, c., The Lofty Fig LLC, Tri-rose Investment Group, Welcome Center</u>
East:	<u>Donnelly and Gross PA & Kim Patrick Hart PA Lawyers offices Ecosystem Technologies, Inc., David M. Jones Jr. & Associates, Inc., Innovative Title & Trust LLC, Law Office of Ryan P. Dugan PA, AHF AIDS Healthcare Foundation, Freidin & Inglis PA, Howard Freidin PA, Acarte Technology Services, Inc., Trunkett Law Group LLC, Barraco & Associates Inc, Von Ahn Associates, Inc., 2271 McGregor Office Building</u>
West:	<u>Spiro & Associates, Florida Fidelity Realty Advisors, Anthony J Gargano PA, Ft Myers Real Estate Sales & Property, Law Office of Quentin B Fairchild, Results Skincare Studio, TGM Associates Limited Partnership, Vista Point Investment LLC, Hewlett Packard Financial Services & Vacant PUD One West</u>

12) Dimensions, Size of Property:

Length:	<u>461'±</u>
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Width:	600'±
Area in s.f:	342,642 SF±
Acres:	7.87± Acres subject parcel (overall PUD is 12.34± acres)

- 13) Has a public hearing been held regarding this property in the past five (5) years?
If so, in whose name and why?

No

- 14) Units, Square Feet (SF) or Acres proposed for various uses (See Categories from LDC Table of Permitted Uses, Section 118.3.2, to fill out this chart):
--Below is for City Walk (former Phases Two and Three/Blocks 1, 2A and 2B of existing PUD and does not include existing First Street Village Phase One/Block 3 consisting of Publix: 47,538 SF, 2023 Altamont Liner Buildings: 17,104 SF, Publix liner Buildings: 13,283 SF, + 4 residential units.--

	Specific Use	Units, S.F. or Acres
Residential:		
Household Living:	Multi-family or townhouse	Up to 256* residential density equivalent units (up to maximum 320 residences)
Group Living;	N/A	
Civic:		
Community Service:	N/A	
Day Care:	N/A	
Educational Facility:	N/A	
Medical Facility:	**	
Parks/Open Space:	N/A	
Passenger Terminal:	N/A	
Place of Worship:	N/A	
Social Service:	N/A	
Utilities:	N/A	
*City Walk proposes up to 320 multi-family or townhome residences with a residential density equivalent of up to 256 units pursuant to LDC Section LDC 118.8.1.B.1: • 72 studio or 1 bedroom multi-family ≤ 750 sf (0.5 density factor or 36 units) • 104 2 bedroom multi-family ≤ 1,200 sf (.75 density factor or 78 units) • 144 units without area limitations		



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	Specific Use	Units, S.F. or Acres
Commercial:	*	*0.45± Ac/30,000 SF maximum
Indoor Recreation:		Accessory private community center/clubhouse for multi-family
Office:	*	
Outdoor Recreation:	N/A	
Overnight Lodging:	Lodging	1.08± Acres/up to 130 rooms
Parking, commercial:	N/A	
Restaurant:	*	
Retail Sales & Service:	*	
Self-Service Storage:	N/A	
Vehicle Sales/ Service:	N/A	
Water-Oriented:	N/A	
Industrial:	N/A	
Wholesale Trade:	N/A	
Light Industrial:	N/A	
Warehouse/Dist.:	N/A	
Heavy Industrial:	N/A	
Waste-Related Service:	N/A	
Open:		
Agriculture:	N/A	
Conservation:	N/A	
Other:		

15) For Non-residential Projects:

a. General Information

Total SF of existing structures:	0
Total SF of proposed structures:	200,000± SF (building footprint all uses)
Total SF of other impervious surface:	134,842± SF
Total SF of pervious :	7,800± SF
Other: Describe:	Up to 130 Hotel Rooms
Commercial Gross Floor Area:	30,000 SF maximum all floors
Industrial Gross Floor Area:	N/A



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b. Description of Phasing: number of years and project for each phase:
City Walk Phase I: Parking garage, infrastructure, and multifamily. 01/2019 start,
22 month construction

City Walk Phase II: Hotel 05/2019 start, 18 month construction

City Walk Phase III: Mixed-use/commercial/townhouse parcel TBD

c. Parking:

Existing Spaces: Old pavement from former development that was demolished around 2003 remains

Existing No. of Handicap Spaces:

Existing Loading Spaces:

Parking for Proposed Use:

Proposed Parking Spaces: 572 (additional may be provided on commercial & hotel sites)

Proposed Handicap Spaces: Will comply with ADA standards

Proposed Loading Spaces: 3

d. Project the number of non-construction full and part time permanent employees and volunteers at the completion of the project. Include estimated salary ranges. Specify if any seasonal variation is anticipated, if applicable:

Multifamily: 6 full time employees; \$30,000 - \$65,000 range

Hotel: 18 full time employees; \$25,000 - \$85,000 range

16) For Residential Projects:

a. General Information

Proposed No. of Dwelling Units: Up to 256* residential density equivalent units (up to maximum 320 residences)

Dwelling Units per Acre: 33 on-site *intent is to receive final approval after the new land use code goes into effect, which raises the density to 70 DU/acre.

Parkland in project:

Other: Describe:



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b. Description of Phasing: number of years and project for each phase:
City Walk Phase I: Parking garage, infrastructure, and multifamily. 01/2019 start, 22 month construction
City Walk Phase II: Hotel 05/2019 start, 18 month construction
City Walk Phase III: Mixed-use/commercial/townhouse parcel TBD

c. For residential projects, will any assistance from governmental funding programs or subsidized housing be utilized?
None

d. Is this an Affordable Housing Project?
No

e. Will the project be deed restricted? If so, explain and attach a copy of the Deed Restrictions.
Not anticipated.

17) Potable Water, Sanitary Sewer, Surface Water Drainage System, Solid Waste, and Recreation Analysis: Please mark the charts below with an "X" for yes or no.

Potable Water	Yes	No
Water lines, facilities currently serve the site	X	
Water lines, facilities currently do NOT serve the site and will be needed to be built by the applicant		X
City service area	X	
County service area		X
No service available from City or County		X

Sanitary Sewer System	Yes	No
Currently on the site	X	
Will need to be built by the applicant		X



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City service area	X	
County service area		X
No service available from City or County		X

Surface Water Drainage System	Yes	No
Currently on the site	X	
Will need to be built by the applicant		X
City service area	X	
County service area		X
No service available from City or County		X

Solid Waste (Garbage pick-up information)	Yes	No
Service currently being provided to the site	X	X
City service area	X	
County service area		X
No service available from City or County		X

18) For All Projects:

Taxable Value of Property:	\$3,253,800
Est. value of proposed improvements:	\$75,000,000
Estimated sales price or rental rate (include unit sales value for rental projects) by residential unit type or square foot commercial or industrial, if applicable:	\$1200-1800/mo estimated residential rental rate

19) List all agencies (Federal, State, and Local) from which approval and/or a permit must be obtained prior to development. Indicate the permit or approval for each agency.

City of Fort Myers – Site Work Permit & Right-of-Way Permit
SFWMD – ERP Modification
DEP – NPDES
DEP – Sewer Collection
Department of Health – Water Distribution

20) Describe the use of the property on January 1 of this year.

Vacant

H:\CDD-Admin\CDD-Dev Svcs\Forms\PUD\App for PUD.doc

DISCLOSURE OF INTEREST AND AUTHORIZATION FORM

[Individual Owner]

I, Joseph R. Bonora, Authorized Representative, City Walk Fort Myers, LLC, being first duly sworn, depose and say that i am the owner of the property described as:

No. of Parcels: 1
Addresses: Unverified/2144 McGregor Blvd.
Strap #: 23-44-24-P2-00005.0000

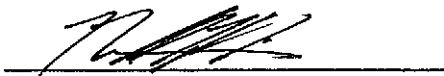
I do hereby appoint Bank Engineering and Henderson, Franklin, Starnes & Holt, P.A. as my authorized agent and/or attorney for the purpose of representing my interests in the above-described property which is the subject matter of this application and proposed hearing. I understand that this application must be complete and accurate before a hearing can be advertised.

Signature of
Owner:



Printed Name: Joseph R. Bonora, Authorized Representative, City Walk Fort Myers, LLC

Sworn to and subscribed before me this 30TH day of MAY, 2018, by JOSEPH BONORA, who is personally known to me or who has produced _____ as identification. He/she has acknowledged to me and before me that he/she executed this instrument for the purposes therein expressed.


Notary Public

NASSER AL-HAFI
Print Notary Name

My commission expires: 10/30/2020



NASSER AL-HAFI
MY COMMISSION # GG 043150
EXPIRES: October 30, 2020
Bonded Thru Budget Notary Services

DISCLOSURE OF SUPPORT OR NOT TO OBJECT

(Principal)

Accurate and complete disclosure is required from time of application submittal up to the time of the actual public hearing. It is the principal's responsibility to disclose any and all information regarding compensation paid, offered or received up to the time of the public hearing. Opportunity will be provided at the public hearing to disclose any additional information not included on this form.

Describe all monies or compensation paid or offered to a person(s) or entity to support or not object to a matter which is set for a public hearing. Disclosure shall be required whether compensation was paid or offered to person or entity or to a third party.

(Compensation includes money, property, services or any other commodity having any economic value or any promise or agreement to provide the same in the future).

I, Joseph R. Bonora, Authorized Representative, City Walk Fort Myers, LLC

Address: 936 S. Howard Avenue

City, State, Zip: Tampa, FL 33606

Office phone: (813) 670-3223

Cell phone: (239) 823-5901

Email address: jbonora@catalystcd.com

do hereby acknowledge that I have read the requirements for Disclosure of Support or Not To Object and offer the following written disclosure. Compensation given or Offered:

None

Reason for Compensation: Support or Not To Object (circle applicable option).

Any failure to make disclosure shall render the relief or item being sought by the Principal invalid.

Violation may also cause any prior approvals to be overturned and can defeat any vested rights as a result of such prior approval, in addition to any other remedies allowed by law.

ACKNOWLEDGEMENT

REQUIREMENTS FOR DISCLOSURE OF SUPPORT OR NOT TO OBJECT

The City Code, Sub-Part A, Administrative Code, Chapter 2, Administration, Article II, City Council requires disclosure be made for all items requiring a public hearing before City Council as follows:

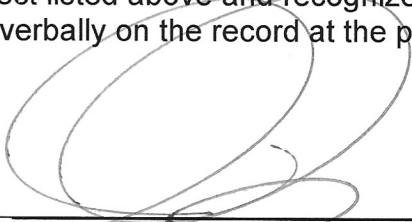
Sec. 2-40. Disclosure requirements. The following provisions related to disclosures are to be made by principals at public hearings. The term principal shall include and extend to any other person or entity appearing on behalf of a principal, including, but not limited to agents, representatives, attorneys, contract purchasers, or any other individual or entity acting on behalf of a principal purchaser or owner.

- (1) All persons or entities seeking any approval, contract, concession, license or any other relief that requires a public hearing before the city council are required to comply with the disclosure requirements. Provided, however, that in cases in which the relief sought is related to a land use application, disclosure shall be required only by the applicant for such relief. Except to the extent such disclosure is prohibited by a confidentiality order from a court of competent jurisdiction, such persons or entities shall:
 - a. In all items requiring a public hearing, including land use matters, disclose in writing to the city council or verbally on the record at such public hearing, all moneys or compensation paid or offered to a person(s) or entity to support or not object to a matter which is set for a public hearing. Disclosure shall be required whether compensation was paid or offered to the person or entity or to a third party. Compensation includes money, property, services or any other commodity having any economic value or any promise or agreement to provide the same in the future. The disclosure shall include the name of the person or entity offered the compensation, the specific compensation offered, what the person was requested to do or refrain from doing in exchange for said compensation, and whether and to whom the compensation was paid; and
 - b. In all items requiring a public hearing, including land use matters, disclose in writing to the city clerk or verbally on the record at such public hearing, all moneys or compensation as defined above, sought or requested by a person(s) or entity to support or not object to a matter which is set for a public hearing. Disclosure shall be required whether compensation was requested for or paid to the requestor or a third party. The disclosure shall include the name of the person or entity seeking the compensation, the specific compensation sought, what the person offered to do or refrain from doing in exchange for said compensation, and whether the compensation was actually paid and to whom.
- (2) Any violation of the above shall render the relief or item being sought by the principal voidable by the city council. Violation may also cause any prior

approvals to be overturned and can defeat any vested rights as a result of such prior approval, in addition to any other remedies allowed by law.

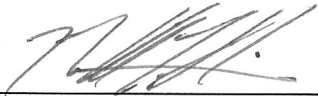
I do hereby acknowledge that I have read the requirements for Disclosure of Support or Not To Object listed above and recognize that this disclosure must be made in writing and stated verbally on the record at the public hearing.

Signature
of
Principal:



Printed Name: Joseph R. Bonora, Authorized Representative, City Walk Fort Myers, LLC
936 S. Howard Avenue, Tampa, FL 33606
Office phone: (813) 670-3223
Cell phone: (239) 823-5901
Email: jbonora@catalystcd.com

Sworn to and subscribed before me this 23 day of JULY, 2018, by
JOSEPH BONORA, who is personally known to me or
who has produced _____ as identification. He/she has
acknowledged to me and before me that he/she executed this instrument for the
purposes therein expressed.



Notary Public

NASSER AL-HAFI

Print Notary Name

My commission expires:



NASSER AL-HAFI
MY COMMISSION # GG 043150
EXPIRES: October 30, 2020
Bonded Thru Budget Notary Services

AGENT AUTHORIZATION AND AFFIDAVIT

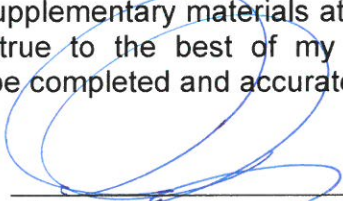
I, Joseph R. Bonora, Authorized Representative, City Walk Fort Myers, LLC

being first duly sworn, depose and say that I am the authorized representative of the owner(s) of the property described as:

No. of Parcels: 1
Addresses: Unverified/2144 McGregor Blvd.
Strap #: 23-44-24-P2-00005.0000

Agent Information: Joseph R. Bonora, Authorized Representative, City Walk Fort Myers, LLC
Address: 936 S. Howard Avenue
City, State, Zip: Tampa, FL 33606
Office phone: (813) 670-3223
Cell phone: (239) 823-5901
Email address: jbonora@catalystcd.com

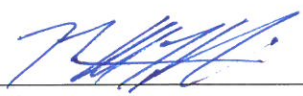
I hereby certify that the answers to the questions in this application and all sketches, data, and other supplementary materials attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be completed and accurate before a hearing can be advertised.

Signature: 

Printed Name: Joseph R. Bonora, Manager, City Walk Fort Myers, LLC

Sworn to and subscribed before me this 23 day of July, 2018, by
JOSEPH BONORA, who is personally known

to me or has produced _____ as identification.
He/she acknowledged before me that he/she has executed this instrument for the reasons therein expressed.

Notary Public Signature: 

Notary Public Name: NASSER AL-HAFI

My commission expires:



NASSER AL-HAFI
MY COMMISSION # GG 043150
EXPIRES: October 30, 2020
Bonded Thru Budget Notary Services



BANKS ENGINEERING

Professional Engineers, Planners, & Land Surveyors

10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523

ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

WWW.BANKSENG.COM

LOCATION MAP

CITY WALK (f.k.a. First Street Village - Phases 2 & 3)

CITY OF FORT MYERS, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
6/5/2018	8294	LOCATION	DBA	JLS	DBA	1"=400'	1



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ENGINEERING

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ENGINEERING LICENSE # EB 6469
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WWW.BANKSENG.COM

AERIAL PHOTOGRAPH PLAN

CITY WALK (f.k.a. First Street Village - Phases 2 & 3)

CITY OF FORT MYERS, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
6/5/2018	8294	AERIAL	DBA	JLS	DBA	1"=400'	1



Professional Engineers, Planners & Land Surveyors



City Walk (FKA First Street Village Phases Two and Three) Narrative Regarding Ordinance 3331 Conditions 18PUD05 – Revised November 30, 2018

City Walk proposes an amendment to update the proposed development plan for the undeveloped 7.87± acre portion of the existing First Street Village PUD approved by Ordinance no. 3331 formerly identified as Phase Two (blocks 2A and 2B) and Phase Three (block 3) on the existing approved PUD plan. The existing conditions from Section 5 of Ordinance no 3331 are provided below along with narrative addressing how each condition applies to the proposed City Walk PUD. The existing conditions are provided in *italics*. Please also refer to submitted List of Warrants/Deviations for narrative addressing Section 4.

a. This planned unit development is for the construction of three hundred forty-eight (348) multi-family residential units and one hundred thirty-nine thousand nine hundred twenty-two (139,922) square feet of office and retail space, including an approximate thirty-nine thousand (39,000) square foot grocery store development on a 12.34 acre, more or less, parcel known as First Street Village located at 2144 McGregor Boulevard with mitigation totaling approximately one million seven hundred ninety-four thousand two hundred dollars (\$1,794,200.00). The developer may choose to reduce the number of stories to seven (7) they may increase the number of units to three hundred fifty-six (356). If this option is selected the recalculated mitigation as listed below is shown in italics, with the new mitigation totaling approximately one million seven hundred eighty thousand four hundred dollars (\$1,780,400.00).

City Walk proposes the construction of up to three hundred twenty (320) multi-family and townhouse residences with a maximum residential density equivalent of up to two hundred fifty-eight (256) multi-family residential units and up to thirty thousand (30,000) square feet of office and retail space, and up to 130 hotel room development on a 7.87 acre, more or less, parcel consisting of former Phase Two and Three of the original First Street Village PUD which was a total 12.34 acre, more or less, parcel. Phase One is developed on the 4.47 acre, more or less, parcel known as First Street Village located at 2144 McGregor Boulevard, developed with Publix: 47,538 SF, 2023 Altamont Liner Buildings: 17,104 SF, Publix liner Buildings: 13,283 SF, and 4 residential units. The combined total of the existing First Street Village Phase One and City Walk is up to 324 residences with a multifamily residential density equivalent of up to 260 units, up to 107,925 square feet of office and retail space and up to 130 hotel rooms. The residential density equivalents for City Walk are as follows:

- 72 studio or 1-bedroom multi-family ≤ 750 sf (0.5 density factor or 36 units)
- 104 2-bedroom multi-family ≤ 1,200 sf (.75 density factor or 78 units)
- 144 units without area limitations

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b. Support the warrant increased height of three (3) stories above the five (5) story maximum (for a total of eight (8) stories) with "bonus criteria" mitigation totaling one million three hundred thirty-seven thousand two hundred dollars (\$1,337,200.00) in consideration for the following:

City Walk does not require the height warrant referenced and bonus density mitigation criteria will no longer be necessary with the adopted revisions to the Future Land Use Element of the Comprehensive Plan through the Fort Myers Integrated Downtown Redevelopment Strategy. Conditions b.1 thorough b.7 will be based upon revised Action 1.7.5 below.

Action 1.7.75) Approval of the bonus density allocation, increased FAR's, and/or increased height in the Downtown Redevelopment Area shall be awarded through implementation of the Land Development Regulations for All new development shall provide amenities according to the pertinent standards provided in the Land Development Regulations, including but not limited to the following areas:

Hurricane evacuation;

Affordable housing;

Para-transit provision;

Public open space;

Mixed use residential/commercial/retail;

Exceptional architectural design;

Public/private parking;

Pedestrian friendly connections between public and private property; and,

~~Water enhanced or water dependent uses.~~

Multimodal transportation strategies including para-transit provision; and

Riverwalk easement.

b.1. Hurricane Evacuation - The developer shall prepare an Emergency Preparedness Plan in accordance with the Lee County Administrative Code 7-7 as shown in Exhibit A. The emergency preparedness plan must be approved by the Lee County Division of Public Safety Emergency Management. The developer shall contribute one hundred four thousand four hundred dollars (\$104,400.00) (348 units X \$300.00 per unit) (or one hundred six thousand eight hundred dollars (\$106,800.00) for three hundred fifty-six (356) units X \$300.00 per unit) into the "Downtown CHHZ Hurricane Shelter Fund" to mitigate their shelter impacts if the First Street Village provides the evacuation plan and shelter unit funding. The developer shall pay fifty-three thousand four hundred dollars (\$53,400.00) prior to the issuance of building permits for vertical construction of Block 2A and the remaining fifty-three thousand four hundred dollars (\$53,400.00) prior to the issuance of building permits for vertical construction of Block 2B as identified on Exhibit D.

Hurricane evacuation criteria is no longer required under the approved revisions therefore condition b.1 has not been duplicated and is no longer necessary for City Walk.

b.2. Affordable Housing - The developer shall choose one of the following three options to provide affordable housing...

Affordable housing criteria is no longer required under the approved revisions therefore conditions b.2.a through c have not been duplicated and are no longer necessary for City Walk.

b.3. Para-Transit - The developer, their successors, or assigns shall contribute seventeen thousand eight hundred dollars (\$17,800.00) (348 units X \$51.14 per unit) annually, (or 356 units X \$51.15 per unit for eighteen thousand two hundred dollars (\$18,200.00), to the "Downtown Para Transit Fund" to mitigate their para-transit impacts. The first contribution shall be due at the time of the certificate of occupancy for Block 2A as identified on Exhibit D. Subsequent payments shall be due to the City of Fort Myers on October 1 and shall be adjusted annually based on the Consumer Pricing Index (CPI)

City Walk proposes to include the condition to provide contribution to the Downtown Para Transit Fund in consideration of multimodal transportation strategies including para-transit provision with updated calculation for the proposed City Walk PUD. The monetary contribution for City Walk's residential density equivalent of 256 units would be \$13,100 annually (256 x \$51.14).

b.4. Public Open Space - The public plaza, as shown on the site plans prepared by Johnson Engineering with a revision date of September 1, 2005, shall be maintained by the developer, their successors, or assigns, and remain open to the public in perpetuity.

Public open space criteria is no longer required under the pending land use revisions and therefore this condition is no longer necessary for City Walk.

b.5. Public/Private Parking - The developer shall provide five hundred eighty-five thousand dollars (\$585,000.00) (\$15,000.00 per space construction cost X 39 parking spaces) (if the option to construct three hundred fifty-six (356) units is selected, the developer will be required to provide five hundred sixty-five thousand dollars (\$565,000.00) (\$15,000.00 per space X 38 parking spaces) to the City to be held in a fund known as "Downtown Redevelopment Area Parking Fund" to be used for construction of public parking spaces. These monies shall be paid per phase, as identified on Exhibit D, as follows:

i. One hundred forty-one thousand two hundred fifty dollars (\$141,250.00) prior to the issuance of the first building permit for vertical construction for the Publix Block.

Public/private parking criteria is no longer required under pending land use revisions therefore conditions b.5.ii through iv have not been duplicated and are no longer necessary for City Walk. It should be noted that First Street Village paid \$141,250 towards this requirement.

b.6. Pedestrian Friendly Connection - The developer shall construct a public plaza and minimum eight (8) to ten (10) foot sidewalks as outlined in the site plan and must retain public access and in perpetuity. Maintenance of all sidewalks not

located on a public right-of-way shall be the responsibility of the developer, their successors, or assigns.

Public open space criteria is no longer required under the pending land use revisions and therefore this requirement to construct a public plaza and retaining public access in perpetuity is no longer necessary for City Walk and is not proposed. City Walk agrees to the portion of the condition that states that maintenance of all sidewalks not located on a public right-of-way shall be the responsibility of the developer.

b.7. Exceptional Architectural Design - Based on comments from Duany Plater-Zyberk (Exhibit C), the developer may construct up to eight (8) stories.

Although City Walk does not propose bonus height as approved by this condition, the pending land use changes require developments to provide exceptional architectural design. Please refer to proposed architectural exhibits prepared by PDS Architecture Inc. for City Walk submitted with PUD application.

c. Support the warrants and deviations as shown on the site plans prepared by Johnson Engineering with a revision date of October 17, 2005. The applicant shall comply with all other requirements of the Smart Code and Growth Management Code.

Please see attached City Walk PUD Site Plan prepared by Banks Engineering.

d. To address the public safety concern, the developer shall contribute one hundred fifty thousand four hundred dollars (\$150,400.00) to the City of Fort Myers to assist in the acquisition of three (3) police cruisers. A payment of fifty thousand dollars (\$50,000.00) shall be made prior to the issuance of the first building permit for vertical construction of the Regency Retail in Block 3 as identified on Exhibit D; fifty thousand dollars (\$50,000.00) prior to the issuance of the first building permit for vertical construction of Publix in Block 3 as identified on Exhibit D, and fifty thousand four hundred dollars (\$50,400.00) shall be made prior to the issuance of the first building permit for vertical construction for the West First Liner Units in Block 3 as identified on Exhibit D.

This mitigation covered the entire PUD and was required as part of the exiting developed Block 3 - First Street Village Phase One which has been completed. City Walk reduces intensity from that which was approved so this condition is not applicable to City Walk.

e. The developer shall comply with the Downtown Fort Myers Streetscape Plan adopted by City Council in April 2003.

This condition should be amended to remove the date reference so that the current plan is referenced.

f. The developer shall comply with the Smart Code dated April 19, 2002.

This condition should be amended to remove the date reference so that the current code is referenced.

g. The developer shall be required to pay their fairshare contribution in the amount of ten thousand dollars (\$10,000.00) for an intersection improvement on McGregor Boulevard. This contribution is in addition to all required road impact fees.

This condition was for the entire PUD and was paid by First Street Village and is no longer applicable for City Walk PUD.

h. An additional traffic impact study will be required if the land uses or combination of land uses change.

City Walk proposes to include a use conversion table based on transportation impacts in order to maintain development flexibility for future phases of development.

i. The developer shall be required to pay the cost of the required turn lanes as contribution to the pedestrian and/ or traffic calming improvements.

City Walk acknowledges this condition.

j. The developer shall be required to donate, with no credits to be granted, the right-of-way needed for the roundabout design prior to the issuance of site work permits and pay their proportionate share of the traffic calming for West First Street prior to the issuance of the first building permit for vertical construction for Block 2A as identified on Exhibit D.

City Walk acknowledges this condition. It should be noted that First Street Village contributed \$64,085 toward traffic calming for the overall PUD.

k. The developer agrees to contribute funds necessary approximately one hundred fifty thousand dollars (\$150,000.00), for the acquisition of a rear loading garbage truck prior to the issuance of building permits for vertical construction for the Publix Block as identified on Exhibit D.

This condition was for the entire PUD and was paid by First Street Village as miscellaneous funds and is no longer applicable for City Walk PUD.

l. The developer shall improve the median the length of Virginia Avenue, details to be determined by the Public Works Department prior to the issuance of permits for vertical construction of Phase Three.

City Walk Narrative Regarding Ordinance 3331 Conditions

City Walk acknowledges this condition.

m. All South Florida Water Management District permits must be issued prior to the issuance of any City permits.

City Walk acknowledges this condition. The approved SFWMD ERP Permit # 36-05850 included the existing vault in the Publix parking lot and was designed to accommodate the entire planned development.

n. The developer agrees to contribute one hundred fifty thousand dollars (\$150,000.00) to the City Public Art Fund prior to the issuance of building permits for the first phase or contribute artwork valued at one hundred fifty thousand dollars (\$150,000.00) to be placed in a public area. All artwork shall be reviewed by the City's Public Art Committee. Such placement shall allow for public enjoyment and its form and location shall be approved by City Council considering the recommendation of the City's Public Art Committee. The determination as to whether a monetary contribution or art donation shall be made prior to the issuance of vertical building permits for Block 2A as identified on Exhibit D, with the monetary contribution due at that time.

City Walk proposes to contribute on-site artwork at a value to be agreed upon by the developer and the City subject to review of the Public Art Committee or provide a monetary contribution in an amount to be agreed upon by the developer and the City. The determination as to whether a monetary contribution or on-site art shall be made prior to the issuance of vertical building permits with any monetary contribution due at that time.

o. The maintenance of all landscaping within and surrounding the development, including but not limited to landscaping within the right-of-way, shall be the responsibility of the property owner, their successors or assigns.

City Walk acknowledges this condition.

p. The landscape plans prepared by Johnson Engineering dated October 17, 2005, are approved conceptually. The final details and planting specifications shall be approved by the Manager, Parks Division, Public Works Department, with the consent of the Beautification Advisory Board, prior to the issuance of certificates of occupancy for Phase I.

Please see attached Landscape plans prepared by OPi - Outside Productions International.

q. The developer shall be required to replace the existing royal palms along the McGregor Boulevard street frontage with new royal palms. The new royal palms shall be a minimum of sixteen (16) feet of gray wood at planting and of Florida Fancy, Grade A

quality. The exact spacing of the palms shall be approved by the Manager, Parks Division, Public Works Department prior to the issuance of building permits for vertical construction. Final placement to be determined by the Manager, Parks Division, Public Works Department, in compliance with applicable state and local historic legislation.

City Walk proposes the following revision to this condition: "The developer shall be required to replace ~~the~~ any impacted existing royal palms along the McGregor Boulevard street frontage with new royal palms."

r. The developer shall be required to pay all fire impact fees, per phase, at the issuance of the first building permit for vertical construction for each phase.

City Walk acknowledges this condition.

The following conditions "s" through "y" are not applicable to the proposed City Walk PUD and were only applicable to First Street Village PUD:

- s. All overhangs (awnings) shall be a minimum of eight (8) feet in depth.*
- t. Overhangs along the north frontage of Publix shall stretch the entire length of the facade facing the parking lot.*
- u. All mechanicals (air conditioning, water meters, fire valves, etc.) for Phase I, townhomes and grocery store, shall be screened from view.*
- v. The Northeast and Southeast Elevations shall be reduced by eight (8) feet per the revised elevations prepared by Councilman Michael Flanders and attached as Exhibit C.*
- w. The developer shall revise the site plans, Exhibit B, to increase the set back of Phase I along McGregor Boulevard by nine (9) feet. This can be accomplished by either removing one (1) row of landscape parking islands or by removing one (1) row of parking.*
- x. The developer shall study the possibility of requiring all truck traffic to utilize Altamont Avenue and not Clifford Street.*
- y. The developer shall grant a public access easement for Village Court prior to the issuance of building permits for vertical construction of Phase III.*

- z. The terms, conditions and deviations for this Planned Unit Development, reflected on the site plan prepared by Johnson Engineering, with a revision date of September 1, 2005, and signage package as prepared by DeNyse Signs dated September 20, 2005, shall be binding on the applicant, their successors or assigns.*

Please see attached City Walk PUD Site Plan prepared by Banks Engineering and signage package prepared by Lee Designs.

aa. The Planned Unit Development for the First Street Village will be a three (3) phase project and shall be effective upon approval. The project phasing is as follows: phase one consists of the block containing the grocery store; phase two is the center block

consisting of the retail plaza and residential units; and phase three is the western most residential block. The phase one linear buildings that screen the surface parking lot shall be completed prior to or concurrent with the issuance of the Certificate of Occupancy for phase two. Construction permits must be applied for within twelve (12) months from the date of the planned unit development approval and construction completed within five (5) years. If for any reason, the Developer is not able to meet the timeframes set forth above, the Developer must, no later than ninety (90) days prior to expiration of any of the timeframes set forth above, provide written notice to the City indicating its anticipated failure to meet the timeframes and provide a detailed explanation of the reason. The City shall determine whether an extension of the timeframes is warranted. For the period of continuance referenced above, the timeframes set forth in the Smart Code are suspended and the units as previously granted in this planned unit development are reserved for the Developer during the period of the suspension.

The applicant proposes updates to the phasing and timing as provided below:

The Planned Unit Development for the First Street Village Phase One consisting of the block containing the grocery store is complete. City Walk will be a three (3) phase project and shall be effective upon approval. The project phasing is as follows: City Walk Phase I consists of the parking garage, infrastructure and multi-family; City Walk Phase II consists of the hotel site, and City Walk Phase III will be the mixed-use/commercial/townhouse parcel. Construction permits must be applied for within four (4) years from the date of the planned unit development approval and construction completed within seven (7) years. If for any reason, the Developer is not able to meet the timeframes set forth above, the Developer must, no later than ninety (90) days prior to expiration of any of the timeframes set forth above, provide written notice to the City indicating its anticipated failure to meet the timeframes and provide a detailed explanation of the reason. The City shall determine whether an extension of the timeframes is warranted. For the period of continuance referenced above, the timeframes set forth in the Smart Code are suspended and the units as previously granted in this planned unit development are reserved for the Developer during the period of the suspension.



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City Walk (FKA First Street Village Phases Two and Three) List of Warrants/Deviations and Justifications 18PUD05 – Revised February 25, 2019

Existing Approved Warrant 1: WITHDRAWN

JUSTIFICATION: No longer required with revised development plan. It was previously approved to allow a principal building height of eight stories for the subject property.

Existing Approved Warrant 2: Land Development Code Section 118.8.5.C.1.b. (former Section 2.4.1.1 T5) Within Urban Center Zones Buildings shall have their principal pedestrian entrances on a frontage line.

Existing Warrant approval: The grocery store is not required to have its principal entrance on a frontage line.

AMENDMENT REQUESTED: The grocery store on the existing Phase One First Street Village and the City Walk development ~~is~~ are not required to have ~~its~~ their principal entrance on a frontage line.

JUSTIFICATION: This warrant is requested for security and safety purposes as well as physical characteristics of the site. City Walk's residential buildings will be accessed internal to the site since the majority of the parking is located within the internal parking garage. It is not feasible to require residents and guests to walk from the parking garage to the street frontages to access the residences. Additionally there is an approximate three foot change in elevation along West First Street from the existing road elevation to the required finished floor elevation of the building. The warrant is requested for City Walk's hotel to allow better access for patrons to bring their luggage from their vehicles and lobby drop off area. The warrant is requested for City Walk's commercial/mixed use/townhome parcel for safety purposes due to its location along a major arterial and the future roundabout planned at the Virginia Avenue and McGregor Boulevard intersection as well as consistency with the existing Publix. As demonstrated, special conditions and circumstances exist which are peculiar to the land, structure, and building involved and which are not generally applicable to other lands, structures, or buildings in the same district. Granting the warrant is in the best interest of the public and promotes the general health, safety, and welfare of the neighborhood to be affected by the warrant. City Walk will be a benefit to the City and the surrounding community by providing infill redevelopment contributing to the Downtown revitalization efforts. The site has been vacant and has remained undeveloped under the currently approved plan for over 12 years. Granting of this warrant will result in a project that better complies with the intent of the Downtown Fort Myers Plan.

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Existing Approved Warrant 3: Land Development Code Section 118.8.5.C.4.a. (former Section 2.4.4.1 T5) Parking Standards All parking areas shall be located at the Third Layers and masked by a streetwall or liner building.

Existing Warrant Approval: Parking is permitted in the First and Second Layers and a streetwall or liner building will not be required along the northern half of the northeast property line but a decorative fence shall be required along Clifford Avenue.

AMENDMENT REQUESTED: Parking is permitted in the First and Second Layers and a streetwall or liner building will not be required along the northern half of the northeast property line but a decorative fence shall be required along Clifford Avenue and landscape screening will be provided to screen parking from McGregor until Phase 2 and 3 develop.

JUSTIFICATION: This warrant was previously approved along McGregor Blvd., Altamont Ave. and Clifford Street. The warrant continues to be proposed on City Walk along McGregor Blvd., Altamont Avenue and Virginia Ave. The PUD Site Plan and the Landscape Plans demonstrate landscaping provided to screen parking from McGregor Blvd. until Phase 2 and 3 develop. This warrant previously demonstrated that special conditions and circumstances exist which are peculiar to the land, structure, and building involved and which are not generally applicable to other lands, structures, or buildings in the same district. Granting the warrant is in the best interest of the public and promotes the general health, safety, and welfare of the neighborhood to be affected by the warrant. City Walk will be a benefit to the City and the surrounding community by providing infill redevelopment contributing to the Downtown revitalization efforts. The site has been vacant and has remained undeveloped under the currently approved plan for over 12 years. Granting of this warrant will result in a project that better complies with the intent of the Downtown Fort Myers Plan.

Existing Approved Warrant 4: Land Development Code Section 118.8.6.G.2 (former Section 3.7.2 T5) Setback – Front – Zero (0) foot minimum, ten (10) foot maximum

Existing Warrant Approval: As this project is surrounded on all sides by roads, all setbacks will be considered front yard setbacks. The maximum front setbacks, by street allowed are as follows:

Altamont Avenue -	35 feet
Clifford Street -	65 feet
McGregor Boulevard -	41 feet
Virginia Avenue -	33 feet
West First Street -	25 feet

AMENDMENT REQUESTED:	Altamont Avenue -	35 feet
	~~Clifford Street -~~	~~65 feet~~
	McGregor Boulevard -	41 feet
	Virginia Avenue -	~~33~~ <u>38</u> feet
	West First Street -	25 feet

JUSTIFICATION: This warrant was previously approved and is requested to remain with proposed development plan. The setback for Clifford Street is only applicable to the existing First Street Village Phase One and is not applicable for City Walk. The maximum

setback for Virginia Avenue is requested to be revised to allow a maximum setback of 38 feet for City Walk. This minimum setback remains zero foot. This warrant previously demonstrated that special conditions and circumstances exist which are peculiar to the land, structure, and building involved and which are not generally applicable to other lands, structures, or buildings in the same district. Granting the warrant is in the best interest of the public and promotes the general health, safety, and welfare of the neighborhood to be affected by the warrant. City Walk will be a benefit to the City and the surrounding community by providing infill redevelopment contributing to the Downtown revitalization efforts. The site has been vacant and has remained undeveloped under the currently approved plan for over 12 years. Granting of this warrant will result in a project that better complies with the intent of the Downtown Fort Myers Plan.

NEW Requested Warrant 5: Land Development Code Section 118.8.5.C.7.c which states, "Signage shall be externally lit, except that signage within the shop may be neon lit." to allow internal illumination per sign package.

JUSTIFICATION: Approval of this deviation will provide for good planning and design flexibility. The proposed sign design provided with the attached sign package is innovative and artistic and enhances the development. City Walk will be a benefit to the City and the surrounding community by providing infill redevelopment contributing to the Downtown revitalization efforts. The site has been vacant and has remained undeveloped under the currently approved plan for over 12 years. The alternative is no less consistent with the health, safety and welfare of the abutting landowners and the general public than the standard from which the deviation is being requested.

NEW Requested Warrant 6: Land Development Code Section 118.8.5.C.4.e which states that a vehicular entrance to a parking lot or garage on a frontage shall be no wider than 30 feet to allow 53 feet on McGregor Blvd. entrance.

JUSTIFICATION: Approval of this deviation will provide for good planning and design flexibility. The main entrance onto McGregor provides a single ± 20 -foot wide entry lane and two exiting lanes totaling ± 24 feet with a ± 9 -foot median which provides the total 53 feet requested. The double exiting lanes will assist with traffic flow and disbursement. City Walk will be a benefit to the City and the surrounding community by providing infill redevelopment contributing to the Downtown revitalization efforts. The site has been vacant and has remained undeveloped under the currently approved plan for over 12 years. The alternative is no less consistent with the health, safety and welfare of the abutting landowners and the general public than the standard from which the deviation is being requested.

NEW Requested Warrant 7: Land Development Code Section 118.8.5.A.10.b which states, "There shall be one sign per facade. Blade signs shall not be counted toward signage permitted." to allow 2 signs on the north (signs D & E per sign package) and south (signs C & F per sign package) facades of Phase 1.

JUSTIFICATION: Approval of this deviation will provide for good planning and design flexibility. The proposed sign design provided with the attached sign package is innovative and artistic and enhances the development. City Walk will be a benefit to the City and the

surrounding community by providing infill redevelopment contributing to the Downtown revitalization efforts. The site has been vacant and has remained undeveloped under the currently approved plan for over 12 years. The alternative is no less consistent with the health, safety and welfare of the abutting landowners and the general public than the standard from which the deviation is being requested.

Existing Approved Deviation 5: Land Development Code Section 138-41 (former Section 30-31) (a) New and existing parking areas. This section shall apply to all new and existing parking and vehicular use areas that are to be expanded, except when the proposed work is limited only to the re-striping of lots and drives.

(3) A minimum eight (8) foot wide curbed landscaped island or peninsula shall be required for a maximum of every one hundred (100) linear feet of parking area. The minimum eight (8) foot width shall be measured between inside edges of curbs. There shall be a minimum of one (1) tree and ten (10) shrubs for every two hundred (200) square feet of parking islands, peninsulas and medians. All parking spaces must be located within a one hundred (100) foot radius of a circle drawn from the center of a tree that is planted in a pervious island, peninsula, or median.

Existing Deviation approval: Landscape islands may be placed at a maximum of one hundred forty (140) feet apart in the short-term parking areas along McGregor Boulevard.

JUSTIFICATION: This deviation was previously approved for the existing development at First Street Village Phase One and is proposed to remain but is not applicable to City Walk. This deviation previously demonstrated that the alternative is no less consistent with the health, safety and welfare of the abutting landowners and the general public than the standard from which the deviation is being requested.

Existing Approved Deviation 6: Land Development Code Section 134.2.15.1.2. (formerly Section 29-53) The minimum centerline spacing between driveways and intersections or between driveways and driveways shall be 330 feet along arterial and collector streets, and 125 feet along other than single-family local streets.

Existing Deviation Approval: Driveway/intersection spacing may be less than three hundred (300) feet.

AMENDMENT REQUESTED: Driveway/intersection spacing may be less than three hundred (300) feet along McGregor Boulevard and less than one hundred twenty-five feet (125) feet along Virginia Avenue and West First Street.

JUSTIFICATION: This deviation was previously approved and is requested to remain with proposed development plan. The existing adjacent driveways were not shown on the existing approved PUD plans and the LDC requires that unless the road is multi-laned and divided with a median, access points on both sides of the roadway must be included when determining connection separation. The proposed City Walk development plan reduces connections onto the adjacent roadways. Approval of the amended language will clarify a discrepancy in the existing PUD. City Walk will be a benefit to the City and the surrounding community by providing infill redevelopment contributing to the Downtown revitalization efforts. The site has been vacant and has remained undeveloped under the currently approved plan for over 12 years. This deviation previously demonstrated that the

alternative is no less consistent with the health, safety and welfare of the abutting landowners and the general public than the standard from which the deviation is being requested.

Existing Approved Deviation 7: Land Development Code Section 134.3.3.B.1 (former Section 29-88) All off-street parking facilities shall be so arranged that no vehicle shall have to back into the right-of-way of any street.

Existing Deviation Approval: Angled parking along Altamont Avenue may be designed so that vehicles back into the right of way.

AMENDMENT REQUESTED: Angled parking along Altamont Avenue and Virginia Avenue may be designed so that vehicles back into the right of way.

JUSTIFICATION: This deviation was previously approved and is requested to remain with the proposed development plan with the additional backout parking being relocated from Altamont Avenue to Virginia Avenue. The design is consistent with the adjacent existing development of the first phase and allows for proper disbursement and options of parking on site. Virginia Avenue is similar in design and function as Altamont Ave. Virginia Avenue has a median in the location where the backout parking is proposed providing additional safety measures and preventing the cars backing out from entering the other travel lane. City Walk will be a benefit to the City and the surrounding community by providing infill redevelopment contributing to the Downtown revitalization efforts. The site has been vacant and has remained undeveloped under the currently approved plan for over 12 years. This deviation previously demonstrated that the alternative is no less consistent with the health, safety and welfare of the abutting landowners and the general public than the standard from which the deviation is being requested.

NEW Requested Deviation 8: Land Development Code Section 134.3.3.A Parking facility dimensions and accessibility. Minimum parking stall width of 10 feet.

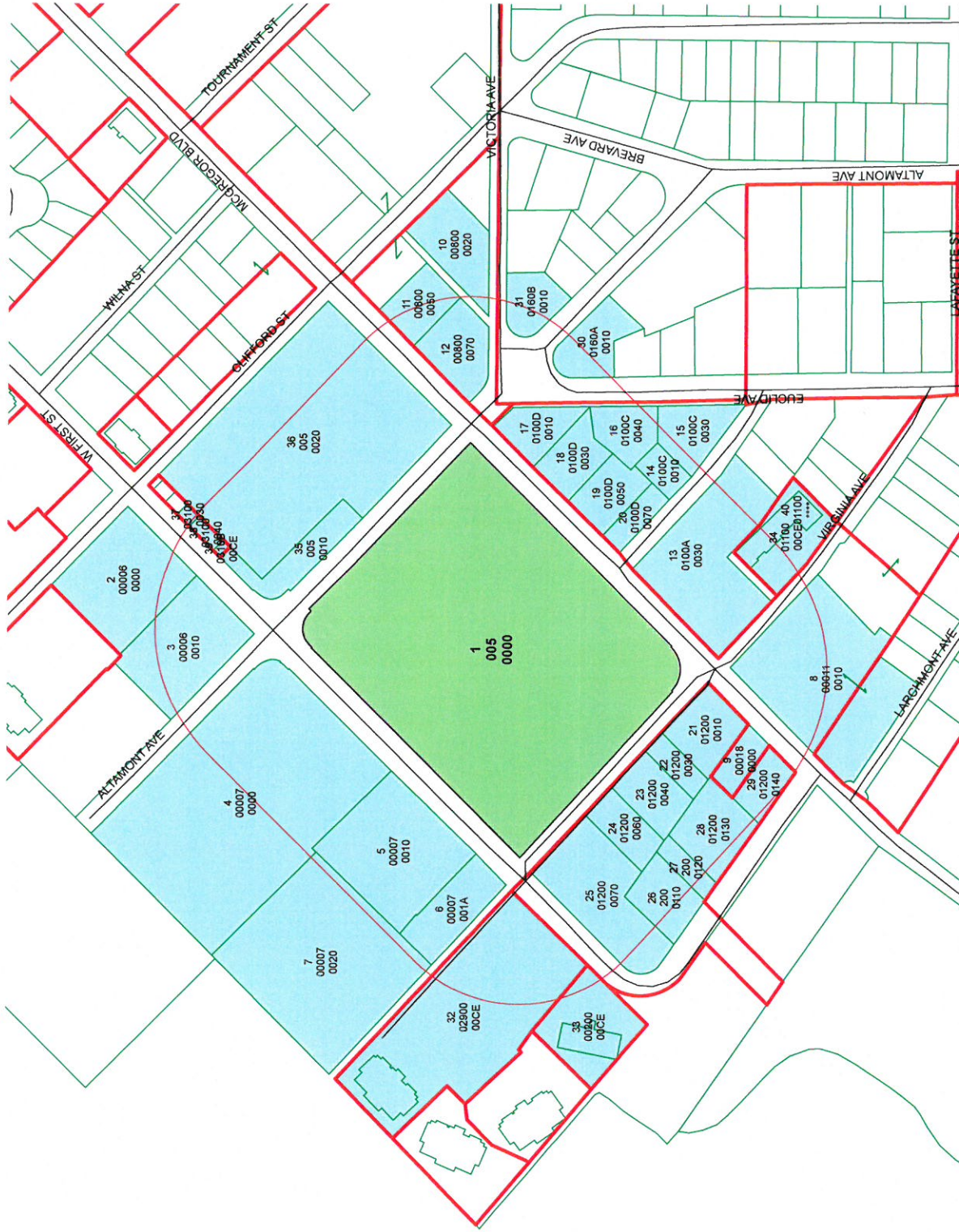
Deviation: Minimum parking stall width of 9 feet.

JUSTIFICATION: The requested deviation is consistent with the 9' wide parking shown on the existing approved PUD site plans as well as the developed portion of the PUD. The requested deviation is internal in nature and will not result in any impacts on the public interest. Approval of this deviation will provide for good planning and design flexibility by remaining consistent with the previous approvals and allowing for additional pervious area. City Walk will be a benefit to the City and the surrounding community by providing infill redevelopment contributing to the Downtown revitalization efforts. The site has been vacant and has remained undeveloped under the currently approved plan for over 12 years. The alternative is no less consistent with the health, safety and welfare of the abutting landowners and the general public than the standard from which the deviation is being requested.

VARIANCE REPORT

6/5/2018

Subject Parcels: 2 Affected Parcels: 55 Buffer Distance: 300 ft



23-44-24-P2-00005.0000 et al.

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Lee County Property Appraiser

Kenneth M. Wilkinson, C.F.A.

GIS Department / Map Room

Phone: (239) 533-6159 • Fax: (239) 533-6139 • eMail: MapRoom@LeePA.org

VARIANCE REPORT

Date of Report: 6/5/2018 10:15:17 AM
Buffer Distance: 300 ft
Parcels Affected: 55
Subject Parcels: 23-44-24-P2-00005.0000

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
WEST FIRST PROPERTIES GRP LLC 5621 STRAND BLVD STE 211C NAPLES, FL 34110	23-44-24-P2-00006.0000 2150/2164 W FIRST ST FORT MYERS FL 33901	PARL IN NW 1/4 OF NE 1/4 SEC 23 TWP 44 R 24 OC DESC IN OR 1098 P 1840	2
2180 WEST FIRST STREET LLC 1500 COLONIAL BLVD #200 FORT MYERS, FL 33907	23-44-24-P2-00006.0010 2180 W FIRST ST FORT MYERS FL 33901	PARL IN NW 1/4 OF NE 1/4 SEC 23 TWP 44 R 24 OC DESC IN OR 1093 P 150	3
2220 WEST FIRST STREET ISTAR FINANCIAL-DAWN ZUKOWSKI 180 GLASTONBURY BLVD STE 201 GLASTONBURY, CT 06033	23-44-24-P2-00007.0000 2220 W FIRST ST FORT MYERS FL 33901	PARL IN NE 1/4 SEC 23 TWP 44 R 24 OC DESC IN OR 1221 P 510 LESS R/W DESC IN INST#2007-129408	4
VISTA POINT INVESTMENT LLC 9100 S DADELAND BLVD STE 912 MIAMI, FL 33156	23-44-24-P2-00007.0010 2240 W FIRST ST FORT MYERS FL 33901	PARL IN NE 1/4 SEC 23 TWP 44 R 24 OC DESC IN INST #2014000238556	5
VISTA POINT INVESTMENT LLC 9100 S DADELAND BLVD STE 912 MIAMI, FL 33156	23-44-24-P2-00007.001A 2286 W FIRST ST FORT MYERS FL 33901	PARL IN NE 1/4 SEC 23 TWP 44 R 24 OC DESC IN INST 2014000238555	6
FORT MYERS PRESBYTERIAN 1050 BURLINGTON AVE N SAINT PETERSBURG, FL 33705	23-44-24-P2-00007.0020 1925 VIRGINIA AVE FORT MYERS FL 33901	PARL IN NE 1/4 SEC 23 TWP 44 R 24 OC DESC IN OR 478 P 424	7
SOUTH FLA WATER MGMT DIST LAND MANAGEMENT PO BOX 24680 WEST PALM BEACH, FL 33416	23-44-24-P2-00011.0010 2301 MCGREGOR BLVD FORT MYERS FL 33901	PARL IN NE 1/4 SEC 23 T 44 R 24 OC DESC IN OR 1625 PG 1489	8
FORT MYERS FCL LLC 3350 N KEY DR APT A102 FORT MYERS, FL 33903	23-44-24-P2-00018.0000 2310 MCGREGOR BLVD FORT MYERS FL 33901	PARL IN NE 1/4 SEC 23 TWP 44 R 24 OC DESC IN OR 296 P 546	9
CITY OF PALMS LLC COOKIE + DAVE DOUGLAS 13300-56 S CLEVELAND AVE FORT MYERS, FL 33907	23-44-24-P2-00800.0020 1821 VICTORIA AVE FORT MYERS FL 33901	MILLERS ALICE 1ST ADD PB 3 PG 22 LOTS 2 + 3 + 9	10
DRUM JAMES A II PO BOX 1260 FORT MYERS, FL 33902	23-44-24-P2-00800.0050 2157 MCGREGOR BLVD FORT MYERS FL 33901	MILLERS ALICE 1ST ADD PB 3 PG 22 LOT 5 W 50 FT + LOT 6 E 50 FT OR 810 PG 477	11
NEW YORK TOWERS CORP 3103 SE 22ND PL FORT MYERS, FL 33901	23-44-24-P2-00800.0070 2161 MCGREGOR BLVD FORT MYERS FL 33901	MILLERS ALICE 1ST ADD PB 3 PG 22 LOTS 7 + 8 WLY 16 FT LOT 6	12
FOUR OAKS PROPERTIES LLC PO DRAWER 2800 FORT MYERS, FL 33902	23-44-24-P2-0100A.0030 2271 MCGREGOR BLVD FORT MYERS FL 33901	EUCLID PARK BLK A PB 4 P33 LOTS 1 THRU 5 + VAC ALLEY DESC INST 2005-48455 + BLK B LOTS 14 THRU 16 + VAC ALLEY DESC IN INST 2005-48455	13
ISLAND COAST AIDS NETWORK INC 6255 SUNSET BLVD 21ST FLOOR LOS ANGELES, CA 90028	23-44-24-P2-0100C.0010 2125 ILLINOIS AVE FORT MYERS FL 33901	EUCLID PARK BLK C PB 3 P33 PT LT 1 SE 10FT LOTS 5 THRU 7 DESC IN OR 1115 P 1466	14
KELLEY CARLA ERICKSON TR 4114 DALE AVE TAMPA, FL 33609	23-44-24-P2-0100C.0030 2240 EUCLID AVE FORT MYERS FL 33901	EUCLID PARK BLK C PB 4 P33 BLK C LOTS 2 THRU 4 DESC OR 1398 PG 899	15
KELLEY CARLA ERICKSON TR 4114 DALE AVE TAMPA, FL 33609	23-44-24-P2-0100C.0040 2222/2224 EUCLID AVE FORT MYERS FL 33901	EUCLID PARK BLK C D PB 4 P 33 IN GL 2 SEC 23 TWP 44 R 24 OC IN OR 1091 P 1175	16

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OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
LWM HOLDINGS LLC 2205 MCGREGOR BLVD FORT MYERS, FL 33901	23-44-24-P2-0100D.0010 2205 MCGREGOR BLVD FORT MYERS FL 33901	EUCLID PARK BLK D PB 4 P 33 PARL IN LOTS 1 + 2 BLK D LOT 4 BLK C IN OR1073 P1352	17
JONES DAVID M JR + JONI G 2221 MCGREGOR BLVD STE 23 FORT MYERS, FL 33901	23-44-24-P2-0100D.0030 2221/2223 MCGREGOR BLVD FORT MYERS FL 33901	EUCLID PARK BLK D PB 4 P33 PT LOTS 3 + 4 IN BLK D DESC IN OR 491 P 59	18
ISLAND COAST AIDS NETWORK INC 6255 SUNSET BLVD 21ST FLOOR LOS ANGELES, CA 90028	23-44-24-P2-0100D.0050 2231 MCGREGOR BLVD FORT MYERS FL 33901	EUCLID PARK BLK D PB 4 P33 PARL IN LOTS 5 + 6 BLK D DESC IN OR 1115 P 1466	19
HOWARD FREIDIN PROF ASSN 2245 MCGREGOR BLVD FORT MYERS, FL 33901	23-44-24-P2-0100D.0070 2245 MCGREGOR BLVD FORT MYERS FL 33901	EUCLID PARK BLK D PB 4 P33 NWLY 140 FT LOT 7 DESC IN OR 516 P 294	20
FORT MYERS FCL LLC 3350 N KEY DR APT A102 FORT MYERS, FL 33903	23-44-24-P2-01200.0010 2300 MCGREGOR BLVD FORT MYERS FL 33901	WATSONS C S ADDITION PB 5 PG 10 LOTS 1 + 2	21
ROBERT HARRIS LAW FIRM LLC 2052 VIRGINIA AVE FORT MYERS, FL 33901	23-44-24-P2-01200.0030 2052 VIRGINIA AVE FORT MYERS FL 33901	WATSONS C S ADDITION PB 5 PG 10 LOT 3	22
2040 VIRGINIA AVENUE FM LLC RANDY KRISE 2040 VIRGINIA AVE FORT MYERS, FL 33901	23-44-24-P2-01200.0040 2040 VIRGINIA AVE FORT MYERS FL 33901	WATSONS C S ADDITION PB 5 PG 10 LOTS 4 + 5	23
SAND LOU B TR 1412 WINKLER AVE FORT MYERS, FL 33901	23-44-24-P2-01200.0060 2030 VIRGINIA AVE FORT MYERS FL 33901	WATSONS C S ADDITION PB 5 PG 10 LOT 6 + 1/2 VAC ST	24
ROYAL PALM MARINA LLC 11216 TAMiami TRAIL NORTH SUITE 120 NAPLES, FL 34110	23-44-24-P2-01200.0070 2301 W FIRST ST FORT MYERS FL 33901	WATSONS C S ADDITIONPB 5 PG 10 LTS 7 THRU 9INCL + 1/2 VAC ST +PAR IN CS WATSON ADDN AS DESC IN OR 1177 PG 1497	25
2369 W FIRST STREET LLC 1680 NE 135TH ST NORTH MIAMI, FL 33181	23-44-24-P2-01200.0110 2365-2373 W FIRST ST FORT MYERS FL 33901	PARL IN C S WATSON ADDN NE 1/4 SEC 23 TWP 44 R 24 OC DESC IN OR 340 P 500	26
2369 W FIRST STREET LLC 1680 NE 135TH ST NORTH MIAMI, FL 33181	23-44-24-P2-01200.0120 2377 W FIRST ST FORT MYERS FL 33901	PARL IN C S WATSON ADDN NE 1/4 SEC 23 TWP 44 R 24 OC DESC IN OR 1298 P 713	27
FIRST CHURCH OF CHRIST 2390 W FIRST ST FORT MYERS, FL 33901	23-44-24-P2-01200.0130 2389 W FIRST ST FORT MYERS FL 33901	PARL IN C S WATSON ADDN IN NE 1/4 SEC 23 TWP 44 R 24 OC DESC IN OR414 P300	28
FORT MYERS FCL LLC 3350 N KEY DR APT A102 FORT MYERS, FL 33903	23-44-24-P2-01200.0140 2320 MCGREGOR BLVD FORT MYERS FL 33901	PARL IN C S WATSON ADDN NE 1/4 SEC 23 TWP 44 R 24 OC DESC IN OR 1013 P 584	29
FT MYERS HOLDING LLC 500 W FULTON ST SANFORD, FL 32771	23-44-24-P2-0160A.0010 2216/2220 ALTAMONT AVE FORT MYERS FL 33901	ALTAMONT PARK BLK A PB 5 PG 12 LOTS 1 + 2 LESS ELY 12 FT	30
GS1802 FT MYERS LLC 5425 LYONS RD COCONUT CREEK, FL 33073	23-44-24-P2-0160B.0010 1802 VICTORIA AVE FORT MYERS FL 33901	ALTAMONT PARK BLK B PB 5 PG 12 LOT 1	31
POINTE ROYALE CONDO C ASSN 1920 VIRGINIA AVE FORT MYERS, FL 33901	23-44-24-P2-02900.00CE POINTE ROYALE CONDO C/E FORT MYERS FL 33901	POINTE ROYALE CONDO C OR 1851 PG 4503 CPB 14 PG 1 COMMON ELEMENTS	32
FIRST HARBOUR TOWERS CONDO SENTRY MANAGEMENT INC 2180 W SR 434 STE 5000 LONGWOOD, FL 32779	23-44-24-P2-00200.00CE 2352 W FIRST ST FORT MYERS FL 33901	FIRST HARBOUR TOWERS CONDO DESC OR0223 PG 0292 + OR2576 PG 1657 COMMON ELEMENTS	33
WOODBRIAR CONDO ASSN 2135 VIRGINIA AVE APT 15 FORT MYERS, FL 33901	23-44-24-P2-01100.00CE WOODBRIAR CONDO HDR FORT MYERS FL 33901	A CONDOMINIUM LOCATED IN SEC 23 TWP 44 RGE 24 AS DESC IN OR 2025 PG 3203 COMMON ELEMENTS	34
REAL SUB LLC PO BOX 407 LAKELAND, FL 33802	23-44-24-P2-00005.0010 2023 ALTAMONT AVE FORT MYERS FL 33901	PARL IN N E 1/4 AS DESC IN INST#2007-160062	35
REAL SUB LLC PO BOX 407 LAKELAND, FL 33802	23-44-24-P2-00005.0020 2160 MCGREGOR BLVD FORT MYERS FL 33901	PARL IN N E 1/4 AS DESC IN INST#2005-164639 LESS R/W DESC IN INST# 2007-70874	36

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OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
TOY SAM + AIDA LUZ 1 RITA RD RIDGEFIELD, CT 06877	23-44-24-P2-03100.0030 2165 W FIRST ST #103 FORT MYERS FL 33901	FSV PHASE 1B DESC IN INST#2008000315646 LOT 3	37
CONNELLY CELESTINE M TR 1920 VIRGINIA AVE APT 1301 FORT MYERS, FL 33901	23-44-24-P2-03100.0040 2165 W FIRST ST #104 FORT MYERS FL 33901	FSV PHASE 1B DESC IN INST#2008000315646 LOT 4	38
TOWNHOMES AT FIRST STREET PO BOX 1848 FORT MYERS, FL 33902	23-44-24-P2-0310B.00CE W FIRST ST FORT MYERS FL 33901	FSV PHASE 1B DESC IN INST#2008000315646 TRACT B	39
SALCEDO MANUEL + FANNIE B 431 VAN BUREN ST #F8 FORT MYERS, FL 33916	23-44-24-P2-01100.0010 2135 VIRGINIA AVE #1 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 1	40
DAVID BONNIE 3244 NW 45TH PL CAPE CORAL, FL 33993	23-44-24-P2-01100.0020 2135 VIRGINIA AVE #2 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3205 UNIT 2	40
CASHIERS GROUP INC 5581 BURNHAM CT NORTH FORT MYERS, FL 33903	23-44-24-P2-01100.0030 2135 VIRGINIA AVE #3 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 3	40
FTAMPA LLC 2055 TRADE CENTER WAY NAPLES, FL 34109	23-44-24-P2-01100.0040 2135 VIRGINIA AVE #4 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 4	40
KARIC PROPERTIES LLC 7985 SANDALWOOD CIR W FORT MYERS, FL 33908	23-44-24-P2-01100.0050 2135 VIRGINIA AVE #5 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 5	40
COX BARBARA 2135 VIRGINIA AVE #6 FORT MYERS, FL 33901	23-44-24-P2-01100.0060 2135 VIRGINIA AVE #6 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 6	40
DAVID BONNIE 3244 NW 45TH PL CAPE CORAL, FL 33993	23-44-24-P2-01100.0070 2135 VIRGINIA AVE #7 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 7	40
KARIC PROPERTIES LLC 7985 SANDALWOOD CIR W FORT MYERS, FL 33908	23-44-24-P2-01100.0080 2135 VIRGINIA AVE #8 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 8	40
DUSCHANE TYLER VAUGHAN 681 NE 121ST ST NORTH MIAMI, FL 33161	23-44-24-P2-01100.0090 2135 VIRGINIA AVE #9 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 9	40
DUSCHANE TYLER 681 NE 121ST NORTH MIAMI, FL 33161	23-44-24-P2-01100.0100 2135 VIRGINIA AVE #10 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 10	40
KAMYAB HOSSAIN 12164 RICHLAND LN HERNDON, VA 20171	23-44-24-P2-01100.0110 2135 VIRGINIA AVE #11 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 11	40
DUSCHANE TYLER 681 NE 121ST ST NORTH MIAMI, FL 33161	23-44-24-P2-01100.0120 2135 VIRGINIA AVE #12 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 12	40
REEN THOMAS + 177 SPRINGFIELD ST SPRINGFIELD, MA 01107	23-44-24-P2-01100.0130 2135 VIRGINIA AVE #13 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 13	40
KARIC PROPERTIES LLC 7985 SANDALWOOD CIR W FORT MYERS, FL 33908	23-44-24-P2-01100.0140 2135 VIRGINIA AVE #14 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 14	40
HOWLAND DANIEL TR 5403 5TH AVENUE DR NW BRADENTON, FL 34209	23-44-24-P2-01100.0150 2135 VIRGINIA AVE #15 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 15	40
ERHARDT THOMAS F & DONNA M + 19287 POTOMAC CIR NORTH FORT MYERS, FL 33917	23-44-24-P2-01100.0160 2135 VIRGINIA AVE #16 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 16	40
KARIC PROPERTIES LLC 7985 SANDALWOOD CIR W FORT MYERS, FL 33908	23-44-24-P2-01100.0170 2135 VIRGINIA AVE #17 FORT MYERS FL 33901	WOODBRIAR CONDO OR 2025 PG 3203 UNIT 17	40

23-44-24-P2-00006.0000
WEST FIRST PROPERTIES GRP LLC
5621 STRAND BLVD STE 211C
NAPLES, FL 34110

23-44-24-P2-00800.0070
NEW YORK TOWERS CORP
3103 SE 22ND PL
FORT MYERS, FL 33901

23-44-24-P2-00006.0010
2180 WEST FIRST STREET LLC
1500 COLONIAL BLVD #200
FORT MYERS, FL 33907

23-44-24-P2-0100A.0030
FOUR OAKS PROPERTIES LLC
PO DRAWER 2800
FORT MYERS, FL 33902

23-44-24-P2-00007.0000
2220 WEST FIRST STREET
ISTAR FINANCIAL-DAWN ZUKOWSKI
180 GLASTONBURY BLVD STE 201
GLASTONBURY, CT 06033

23-44-24-P2-0100C.0010
ISLAND COAST AIDS NETWORK INC
6255 SUNSET BLVD 21ST FLOOR
LOS ANGELES, CA 90028

23-44-24-P2-00007.0010
VISTA POINT INVESTMENT LLC
9100 S DADELAND BLVD STE 912
MIAMI, FL 33156

23-44-24-P2-0100C.0030
KELLEY CARLA ERICKSON TR
4114 DALE AVE
TAMPA, FL 33609

23-44-24-P2-00007.001A
VISTA POINT INVESTMENT LLC
9100 S DADELAND BLVD STE 912
MIAMI, FL 33156

23-44-24-P2-0100C.0040
KELLEY CARLA ERICKSON TR
4114 DALE AVE
TAMPA, FL 33609

23-44-24-P2-00007.0020
FORT MYERS PRESBYTERIAN
1050 BURLINGTON AVE N
SAINT PETERSBURG, FL 33705

23-44-24-P2-0100D.0010
LWM HOLDINGS LLC
2205 MCGREGOR BLVD
FORT MYERS, FL 33901

23-44-24-P2-00011.0010
SOUTH FLA WATER MGMT DIST
LAND MANAGEMENT
PO BOX 24680
WEST PALM BEACH, FL 33416

23-44-24-P2-0100D.0030
JONES DAVID M JR + JONI G
2221 MCGREGOR BLVD STE 23
FORT MYERS, FL 33901

23-44-24-P2-00018.0000
FORT MYERS FCL LLC
3350 N KEY DR APT A102
FORT MYERS, FL 33903

23-44-24-P2-0100D.0050
ISLAND COAST AIDS NETWORK INC
6255 SUNSET BLVD 21ST FLOOR
LOS ANGELES, CA 90028

23-44-24-P2-00800.0020
CITY OF PALMS LLC
COOKIE + DAVE DOUGLAS
13300-56 S CLEVELAND AVE
FORT MYERS, FL 33907

23-44-24-P2-0100D.0070
HOWARD FREIDIN PROF ASSN
2245 MCGREGOR BLVD
FORT MYERS, FL 33901

23-44-24-P2-00800.0050
DRUM JAMES A II
PO BOX 1260
FORT MYERS, FL 33902

23-44-24-P2-01200.0010
FORT MYERS FCL LLC
3350 N KEY DR APT A102
FORT MYERS, FL 33903

23-44-24-P2-01200.0030
ROBERT HARRIS LAW FIRM LLC
2052 VIRGINIA AVE
FORT MYERS, FL 33901

23-44-24-P2-02900.00CE
POINTE ROYALE CONDO C ASSN
1920 VIRGINIA AVE
FORT MYERS, FL 33901

23-44-24-P2-01200.0040
2040 VIRGINIA AVENUE FM LLC
RANDY KRISE
2040 VIRGINIA AVE
FORT MYERS, FL 33901

23-44-24-P2-00200.00CE
FIRST HARBOUR TOWERS CONDO
SENTRY MANAGEMENT INC
2180 W SR 434 STE 5000
LONGWOOD, FL 32779

23-44-24-P2-01200.0060
SAND LOU B TR
1412 WINKLER AVE
FORT MYERS, FL 33901

23-44-24-P2-01100.00CE
WOODBRIAR CONDO ASSN
2135 VIRGINIA AVE APT 15
FORT MYERS, FL 33901

23-44-24-P2-01200.0070
ROYAL PALM MARINA LLC
11216 TAMiami TRAIL NORTH
SUITE 120
NAPLES, FL 34110

23-44-24-P2-00005.0010
REAL SUB LLC
PO BOX 407
LAKELAND, FL 33802

23-44-24-P2-01200.0110
2369 W FIRST STREET LLC
1680 NE 135TH ST
NORTH MIAMI, FL 33181

23-44-24-P2-00005.0020
REAL SUB LLC
PO BOX 407
LAKELAND, FL 33802

23-44-24-P2-01200.0120
2369 W FIRST STREET LLC
1680 NE 135TH ST
NORTH MIAMI, FL 33181

23-44-24-P2-03100.0030
TOY SAM + AIDA LUZ
1 RITA RD
RIDGEFIELD, CT 06877

23-44-24-P2-01200.0130
FIRST CHURCH OF CHRIST
2390 W FIRST ST
FORT MYERS, FL 33901

23-44-24-P2-03100.0040
CONNELLY CELESTINE M TR
1920 VIRGINIA AVE APT 1301
FORT MYERS, FL 33901

23-44-24-P2-01200.0140
FORT MYERS FCL LLC
3350 N KEY DR APT A102
FORT MYERS, FL 33903

23-44-24-P2-0310B.00CE
TOWNHOMES AT FIRST STREET
PO BOX 1848
FORT MYERS, FL 33902

23-44-24-P2-0160A.0010
FT MYERS HOLDING LLC
500 W FULTON ST
SANFORD, FL 32771

23-44-24-P2-01100.0010
SALCEDO MANUEL + FANNIE B
431 VAN BUREN ST #F8
FORT MYERS, FL 33916

23-44-24-P2-0160B.0010
GS1802 FT MYERS LLC
5425 LYONS RD
COCONUT CREEK, FL 33073

23-44-24-P2-01100.0020
DAVID BONNIE
3244 NW 45TH PL
CAPE CORAL, FL 33993

23-44-24-P2-01100.0030
CASHIERS GROUP INC
5581 BURNHAM CT
NORTH FORT MYERS, FL 33903

23-44-24-P2-01100.0130
REEN THOMAS +
177 SPRINGFIELD ST
SPRINGFIELD, MA 01107

23-44-24-P2-01100.0040
FTAMPA LLC
2055 TRADE CENTER WAY
NAPLES, FL 34109

23-44-24-P2-01100.0140
KARIC PROPERTIES LLC
7985 SANDALWOOD CIR W
FORT MYERS, FL 33908

23-44-24-P2-01100.0050
KARIC PROPERTIES LLC
7985 SANDALWOOD CIR W
FORT MYERS, FL 33908

23-44-24-P2-01100.0150
HOWLAND DANIEL TR
5403 5TH AVENUE DR NW
BRADENTON, FL 34209

23-44-24-P2-01100.0060
COX BARBARA
2135 VIRGINIA AVE #6
FORT MYERS, FL 33901

23-44-24-P2-01100.0160
ERHARDT THOMAS F & DONNA M +
19287 POTOMAC CIR
NORTH FORT MYERS, FL 33917

23-44-24-P2-01100.0070
DAVID BONNIE
3244 NW 45TH PL
CAPE CORAL, FL 33993

23-44-24-P2-01100.0170
KARIC PROPERTIES LLC
7985 SANDALWOOD CIR W
FORT MYERS, FL 33908

23-44-24-P2-01100.0080
KARIC PROPERTIES LLC
7985 SANDALWOOD CIR W
FORT MYERS, FL 33908

23-44-24-P2-01100.0090
DUSCHANE TYLER VAUGHAN
681 NE 121ST ST
NORTH MIAMI, FL 33161

23-44-24-P2-01100.0100
DUSCHANE TYLER
681 NE 121ST
NORTH MIAMI, FL 33161

23-44-24-P2-01100.0110
KAMYAB HOSSAIN
12164 RICHLAND LN
HERNDON, VA 20171

23-44-24-P2-01100.0120
DUSCHANE TYLER
681 NE 121ST ST
NORTH MIAMI, FL 33161

23-44-24-P2-00006.0000
WEST FIRST PROPERTIES GRP LLC
5621 STRAND BLVD STE 211C
NAPLES, FL 34110

23-44-24-P2-00800.0070
NEW YORK TOWERS CORP
3103 SE 22ND PL
FORT MYERS, FL 33901

23-44-24-P2-00006.0010
2180 WEST FIRST STREET LLC
1500 COLONIAL BLVD #200
FORT MYERS, FL 33907

23-44-24-P2-0100A.0030
FOUR OAKS PROPERTIES LLC
PO DRAWER 2800
FORT MYERS, FL 33902

23-44-24-P2-00007.0000
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MIAMI, FL 33156

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FORT MYERS, FL 33903

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NORTH FORT MYERS, FL 33903

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NAPLES, FL 34109

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FORT MYERS, FL 33908

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KARIC PROPERTIES LLC
7985 SANDALWOOD CIR W
FORT MYERS, FL 33908

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FORT MYERS, FL 33901

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ERHARDT THOMAS F & DONNA M +
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NORTH FORT MYERS, FL 33917

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3244 NW 45TH PL
CAPE CORAL, FL 33993

23-44-24-P2-01100.0170
KARIC PROPERTIES LLC
7985 SANDALWOOD CIR W
FORT MYERS, FL 33908

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KARIC PROPERTIES LLC
7985 SANDALWOOD CIR W
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