



Three Oaks School Site - Comprehensive Plan Amendment
Staff Report
For Planning & Zoning Board Public Hearing

PROJECT NAME: Lee County School – Three Oaks Parkway

CASE TYPE: Comprehensive Plan Amendment

CASE NUMBER: CPA 2020-E001

PLANNING & ZONING BOARD DATE: December 15, 2020

SUMMARY OF REQUEST

The School District of Lee County (School District) is requesting to amend the Comprehensive Plan Future Land Use Map for a 68.5 acre site on Three Oaks Parkway from Wetlands and Village Neighborhood 2 to Public Facilities. This change is necessary to construct an elementary and middle school and related facilities to serve approximately 2,350 students at this location.

STAFF RECOMMENDATION

Staff has reviewed the request and recommends approval of the Map Amendment, but also recommends that a Text Amendment be included.

GENERAL INFORMATION

OWNER/APPLICANT

School District of Lee County, Kathie Ebaugh

AUTHORIZED AGENT

Dana Hume, P.E., Johnson Engineering, Inc.

LOCATION

The 68.5 acre subject property is on east side of Three Oaks Parkway approximately 1,500 feet north of the Corkscrew Road intersection. The STRAP number is 24-46-26-E4-U2186.2435.

PROJECT HISTORY

The proposed school site was purchased by the School District in 2003 and was previously planned for a high school. A portion of the site, at the corner, was sold to the U.S. Post Office and the remainder of the property is vacant.

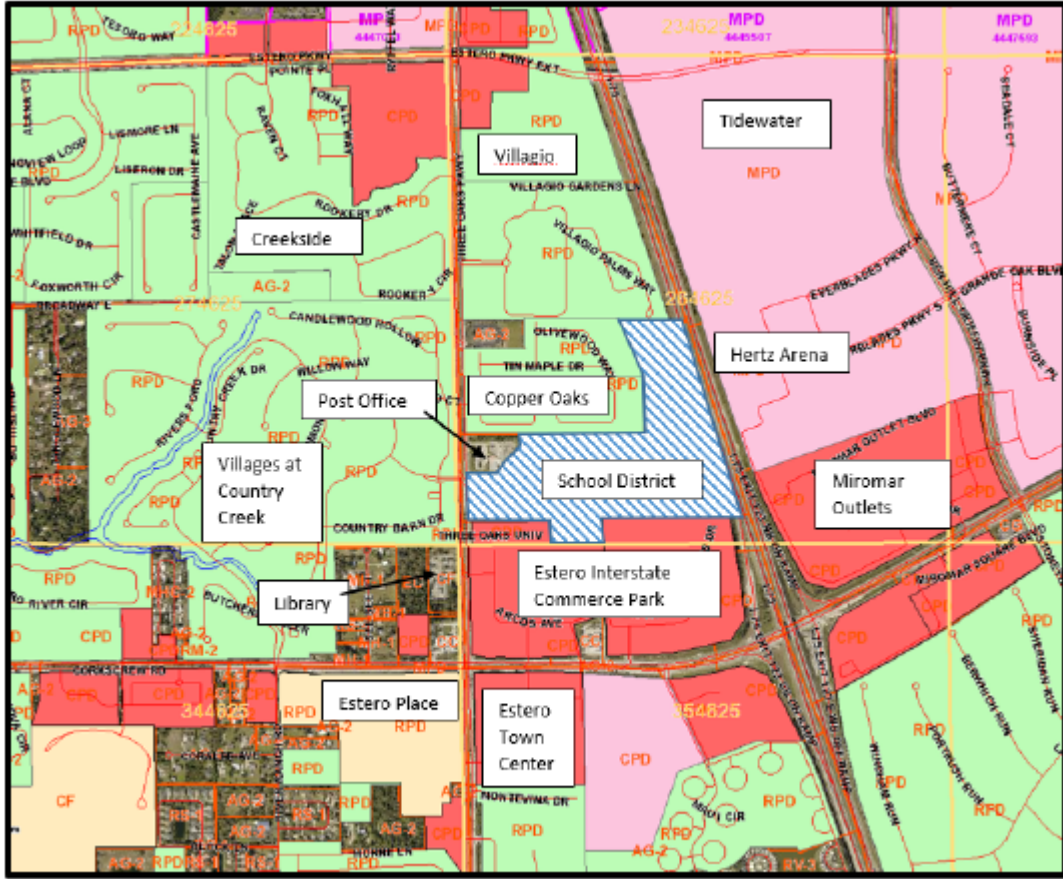


Figure 1 - Vicinity Map with PD Zone Districts shown

SURROUNDING ZONING AND FUTURE LAND USE

- North U.S. Post Office – AG-2, Public Facilities Future Land Use; Copper Oaks - Residential Planned Development (RPD), Village Neighborhood 2 Future Land Use (VN2)
- East Interstate 75 / Miromar Outlets - Commercial Planned Development (CPD), Hertz Arena - MPD, Transitional Mixed Use
- South Calvary Chapel Gulf Coast church – CPD, Transitional Mixed Use and Wetland Future Land Use; Plaza Del Sol / Estero Interstate Commerce Park – CPD, Transitional Mixed Use and Conservation
- West Three Oaks Parkway / Villages at Country Creek – RPD, Village Neighborhood 1 Future Land Use; Lee County South Regional Library – Community Facilities (CF), Public Facilities

COMPREHENSIVE PLAN AMENDMENT REQUEST AND BACKGROUND

The School District intends to construct a school facility for Elementary and Middle students, as well as related facilities on 68.5 acres. They justify this request due to current and anticipated capacity issues in the South 2 Subzone area that includes South Fort Myers, San Carlos Park, and Estero. The School District states that the subzone is currently operating at 107% of capacity.

The proposed schools would serve 2,350 students and 175 employees. School hours are proposed as 8:55 a.m. to 3:55 p.m. Access to the site is from Three Oaks Parkway.

The School District and the Village of Estero have held several meetings over the past year to discuss the potential location for an Elementary School and Middle School. Two sites were considered, the current Three Oaks Parkway site as well as a 15 acre site on Williams Road. A majority of the Village Board preferred the Three Oaks Parkway location.

The proposed school site is categorized as Wetlands and Village Neighborhood 2 on the Future Land Use Map. Schools are specifically prohibited in the Wetlands land use category, and the Village Neighborhood 2 category is characterized by predominantly residential uses with the potential for commercial uses of a minor or neighborhood scale. Schools are an allowable use in the Village Neighborhood 2 land use category, subject to a standard that traffic shall not travel through significantly lower density or intensity areas.

The School District requests a Map Amendment to the Future Land Use Map to categorize the property as Public Facilities, a category that 'include publicly owned lands within the Village that are developed or anticipated for development to serve purposes such as public schools, library, post offices, fire stations, utility sites, and other governmental facilities.' There is no maximum density or intensity floor area ratio (FAR) standard for public schools located in the Public Facilities land use category.

COMPREHENSIVE PLAN LAND USE CATEGORY

EXISTING (per land use map)

Wetlands 4.3-acres

Village Neighborhood 2 (VN2) 64.2-acres

PROPOSED

Public Facilities 68.5-acres

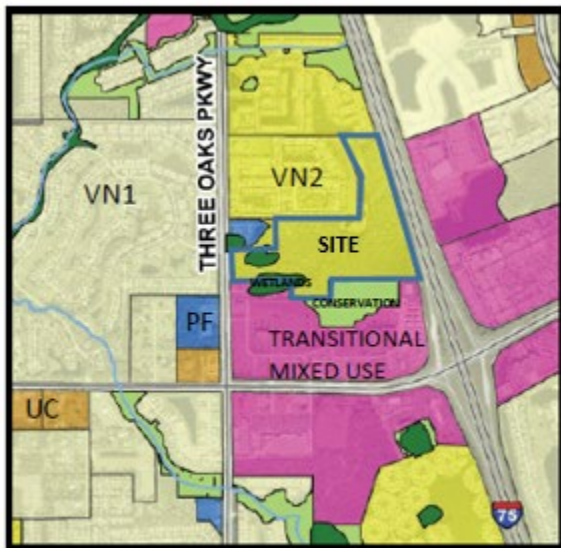


Figure 2 - Land Use

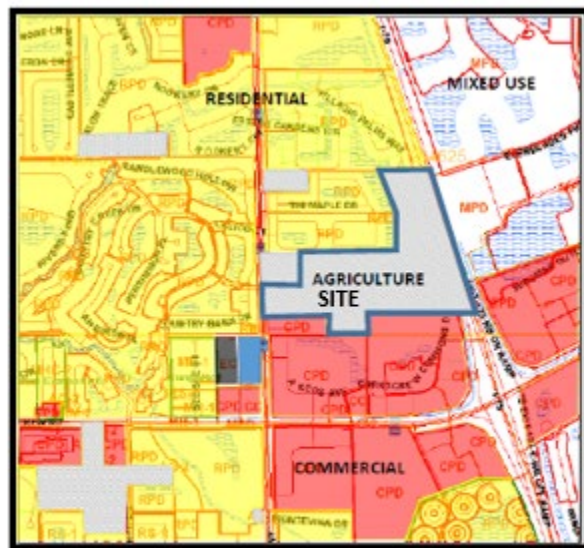


Figure 3 - Zoning

ZONING

The site is zoned AG-2 which allows public schools (by-right) with the following standards:

Sec. 34-2381. Noncommercial schools.

- (a) Permitted districts. All noncommercial schools constructed by the district school board on land owned by the district school board are permitted by right in any zoning district. Also permitted by right in any zoning district is Florida Gulf Coast University, located in the Lee Plan University Campus category, including all facilities normally associated with a public university. Development of Florida Gulf Coast University will be in accord with a campus master plan adopted pursuant to F.S. § 240.155. All other noncommercial schools are permitted in accordance with the applicable zoning district use regulations for the property.

- (b) Access. Access requirements for new schools are as follows:
 - (1) Whenever possible, elementary schools will have access to local or collector streets;
 - (2) Secondary schools must have access to a collector or arterial street.

- (b) Location. No school site will be approved which, in the opinion of the Hearing Examiner, is exposed to physical constraints, hazards or nuisances which are detrimental to the health and safety of students and to the general operation of the school.

PUBLIC INFORMATION MEETING

A Public Information Meeting was held on October 27, 2020 with the Planning and Zoning Board. Minutes of the meeting are in Attachment D. Specific issues identified by adjacent property owners in Copper Oaks included traffic and stormwater management

STAFF DISCUSSION AND ANALYSIS

ENVIRONMENT AND WETLANDS

The site is located between I-75 and Three Oaks Parkway north of Corkscrew Road and south of Estero Parkway, and is located primarily in the AE Flood Zone, a Special Flood Hazard Area with base flood elevations determined. A narrow strip of X Flood Zone designation is located in the northeastern part of the site adjacent to I-75.

Wetlands and a small area of Surface Waters comprise 48.6 acres of the 68.5 acres, approximately 71% of the site. The Environmental Analysis completed by Johnson Engineering states that the “The onsite wetlands are degraded by exotic vegetation, included melaleuca, Brazilian pepper, and Old World climbing fern.” Documentation from South Florida Water Management District (SFWMD) suggests that prior to infestation the onsite wetlands appear to have consisted of pine-cypress communities.

Environmental permitting was completed with the U.S. Army Corps of Engineers (ACOE) and SFWMD, permitting which allows filling of the wetlands with purchase of credits for wetland mitigation. The School district has completed the purchase of credits for this mitigation.

The SFWMD Environmental Resource Permit (ERP) was issued for the site which included authorization to impact all of the onsite wetlands, with wetland impacts offset by the required purchase of 20.04 credits from Big Cypress Mitigation Bank which, as noted above, has been completed.

The Environmental Analysis does not identify any endangered species on the site, nor was evidence found of listed species usage of the site. It was determined by SFWMD that the site “does not contain preferred habitat for wetland-dependent endangered or threatened wildlife

species...and submitted information indicates that potential user of the site by such species is minimal.”

A Protected Species Survey will be required at the time of Development Order.

TRAFFIC CIRCULATION ANALYSIS

The applicant has provided an analysis of traffic circulation for the proposed elementary and middle school.

The School District has proposed school hours from 8:55 a.m. until 3:55 p.m. in order to mitigate the morning and late afternoon/evening peak hour impacts.

Traffic Circulation Analysis

The traffic shows that 66% of the trips will travel south, and 34% will travel north, on Three Oaks Parkway to access the school facilities in the a.m. and p.m. peak hour based upon the home location of students.

The type of traffic analysis done for a Comprehensive Plan amendment is more long-range than that done at the time of Development Order (site plan) review and looks at a larger area. A short-term (5 year) analysis is provided as well as a long-term (2040) analysis.

The analysis indicates that some roadway segments and intersections may exceed capacity without the development of the school in both the short and long term. While transportation concurrency is no longer mandatory by state law, the long range traffic analysis is useful to identify problem areas so that solutions can be identified in capital improvement plans.

Traffic impacts will be reviewed in more detail when the development order is submitted. The traffic study will evaluate both roads and intersections to determine if any will fail, and what type of improvements may be necessary.

UTILITIES

Potable water and sanitary sewer utilities are available from Lee County. Utility reclaimed water is not available due to capacity issues.

LETTERS OF ADEQUACY

The submittal documents include letters of service availability from the Estero Fire Rescue, Lee County EMS, Lee County Sheriff, Lee County Solid Waste, and Lee County Transit. Copies of these letters are in Attachment F.

SURFACE WATER/DRAINAGE

The Environmental Analysis includes a statement that site runoff flows to Three Oaks Parkway then to Corkscrew Road to the Estero River. SFWMD has issued an Environmental Resource Permit (ERP) No. 36-05254-P (and subsequent modification) which includes authorization for onsite wetlands to be impacted.

Village staff review of the proposal resulted in comments from the Public Works Director, that the Lee County Southwest Florida Department of Transportation document “Ditch Pavement and Berm Improvements Three Oaks Parkway, Lee County School Board Property” shows a berm was built around the property so that it would appear all water is contained on-site.

Further analysis of the stormwater management will occur at the time of development order review.

COMPREHENSIVE PLAN CONSIDERATIONS

Staff has indicated that, due to the wetlands onsite, there is an inconsistency with two plan policies, as shown below:

PSF-1.5.10 Public educational facilities shall be considered for location within all future land use categories except Wetlands, Conservation, and Public Parks and Recreation.

FLU-1.3.7 Location of churches and schools may be considered in all future land use categories except for Wetlands, Conservation and Public Parks and Recreation, provided they shall not be established where traffic is required to travel through areas with significantly lower densities or intensities, except where adequate mitigation can be provided as determined acceptable through the public hearing process.

Staff Comment: The site has both Village Neighborhood 2 and Wetlands Future Land Use. Schools are allowed in Village Neighborhood 2; however, the site also consists of Wetlands. The above two policies specifically prohibit location of schools (education facilities) in Wetlands.

Staff recommends that the policies be revised to recognize that public schools may be appropriate to be considered in a wetland category subject to certain restrictions.

Proposed revision to the two policies:

PSF-1.5.10 Public educational facilities shall be considered for location within all future land use categories except Wetlands, Conservation, and Public Parks and Recreation. Notwithstanding the foregoing restriction, public educational facilities may be considered in Wetlands, only if the Village Council determines that:

- A. The public educational facility provides a needed public school facility within the Village of Estero; and
- B. The site is appropriate for and receives a comprehensive plan amendment to Public Facilities category; and
- C. Prior to the comprehensive plan amendment, the site has received valid permits to fill the wetlands from the South Florida Water Management District and U.S. Army Corps of Engineers, as applicable; and
- D. No high or medium quality wetlands will be impacted; and
- E. Mitigation (in addition to other agency requirements) will include providing a public benefit additional to the provision of a needed school facility, such as additional open space or recreational facilities on site that are available for use by the public, when approved by the Village Council at a public hearing.

FLU-1.3.7 Location of churches and schools may be considered in all future land use categories except for Wetlands, Conservation and Public Parks and Recreation, provided they shall not be established where traffic is required to travel through areas with significantly lower densities or intensities, except where adequate mitigation can be provided as determined acceptable through the public hearing process. Notwithstanding the above, schools may be considered in Wetlands subject to policy PSF 1.5.10.

Other Plan Policies

TRA-1.2.4 *During the review of comprehensive plan amendments, rezonings, zoning amendments, and development order applications, applicants must provide an evaluation addressing potential for addition of new interconnections between communities, creation of pedestrian and vehicular interconnection, and addition of new connections to the surrounding road network.*

Staff Comment: The Traffic Analysis reviews the circulation and potential impacts from the proposed use and analyzes the interconnecting roadway and intersection systems. No improvements were proposed, including any that would include new connections. Typically, this level of information is provided at Development Order. Staff has evaluated a road connection to the south which did not meet school criteria, and a connection to the north was not desirable due to existing residences.

ICE-1.7.1 *Cooperate with the School District of Lee County to ensure that schools are located consistent with Village growth policies and the needs of the future populations and developed with co-located public recreation facilities and services.*

ICE-1.7.2 *To the maximum extent possible, the Village shall participate in school facility planning to co-locate public facilities with an emphasis on recreation facilities, libraries, community centers, and other similar facilities with schools.*

Staff Comment: The School District and Village staff are coordinating on this issue.

PSF-1.1.1 *Work in collaboration with The School District of Lee County, representatives of private, charter and parochial school associations, and other interested institutions, for the location and development of educational facilities consistent with Florida Statute Chapter 235, and the policies of this plan.*

Staff Comment: Village staff has been and is coordinating with the School District staff on this issue.

PSF-1.1.4 *Promote smaller, neighborhood oriented school campuses to the extent possible to increase access for Estero students to attend school in proximity to home.*

Staff Comment: The school site is centrally located and will be located in proximity to homes of Estero students.

CONCLUSION

The School District has indicated a need for additional education facilities in the South 2 Zone, which necessitates a Map Amendment for the proposed site.

The Village of Estero values wetlands as demonstrated by policies in the Comprehensive Plan

Staff review concludes that proposed Map Amendment could be appropriate with Text Amendments to the policies that prohibit schools from being located in Wetlands, as proposed by staff.

Traffic impacts will be analyzed in greater detail at the time of site plan review, as well as stormwater impacts.

The staff conclusion, that the Map Amendment is appropriate, is based upon the following conclusions:

- The site is adequately sized and centrally located within the Village;
- Adequate infrastructure exists or is available to support the use;
- A demonstrated need has been provided for the use;
- The Comprehensive Plan supports locating schools within the Village;
- The proposed facilities will relieve school capacity issues in the Estero area, which is supported by policies in the Comprehensive Plan.

The text amendments are recommended for approval as they will provide criteria and opportunity for public use.

ATTACHMENTS

- A. Future Land Use Map
- B. Zoning Map
- C. Comprehensive Plan Text Amendment Language
- D. Minutes of Public Information Meeting
- E. Applicant Comprehensive Plan Compliance Narrative
- F. Letters of Adequacy
- G. Applicant Justification for the Proposed Amendment