



October 4, 2023

Via email: David Willems willems@estero-fl.gov; Brian Smith brians@en-site.com; Robert Wiley <wiley@estero-fl.gov>

Brian R. Smith
EnSite Inc.
2401 First Street, Suite 201
Fort Myers, FL 33901

Joanne Ribble
Vice Mayor
District One

Larry Fiesel
District Two

Jon McLain
Mayor
District Three

Lori Fayhee
District Four

Rafael Lopez
District Five

Jim Ward
District Six

George Zalucki
District Seven

Steve Sarkozy
Village Manager

Robert M.
Eschenfelder, Esq.
Village Attorney

RE: Estero River Park – Phase 1
DOS2023-E002 - Approval

Dear Brian:

Your application for the above referenced project has been approved in accordance with the plans.

Development order to construct parking, bathroom, utilities, bridge and perimeter fence for a passive recreational park: Civil Plans dated 8-9-23 by Jason Tomassetti, PE of EnSite, Inc.; Landscape Plans dated 8-8-23 by Matthew D. Horton of EnSite, Inc.; and Architectural Plans dated 12/9/22 by Harvard Jolly Architecture. No site lighting was submitted or approved. This Development Order is subject to the following stipulations:

STIPULATION: A No-Rise certification for the bridge must be approved by the Village prior to issuance of a building permit.

Historic/Archeological Sites - The nature & location of known archeological sites listed on the Florida Master Site File & any part of the property located in level 1 or 2 zones (see LCLDC Section 22-106) must be shown on the drawings. A description of proposed improvements which impact on archeological resources must be provided. [2-504.]

STIPULATION: Prior to issuance of a Certificate of Compliance, since the site is in a Level 2 Zone, if any historic resources are found during construction that are deemed to have archaeological significance as determined by the criteria in Section 22 of the LDC, work must cease, and the Village Department of Community Development notified immediately for further action. Applicant must comply with Florida State Statutes §872.05.

Civil Plans

STIPULATION: Sidewalks on County Rd. and Corkscrew Rd. to be included in future phase.

5-4 Landscape Standards

STIPULATION: Existing vegetation at County Rd. and Corkscrew Rd. should meet the standards for a D-buffer at the time of Certificate of Compliance.

Clean Water Requirements, SWP3 [7-205] For all projects one acre and larger, submit a storm water pollution prevention plan (SWP3) meeting the criteria set forth in LDC Section [7-205] et. seq. prior to development order approval. For all projects one acre in size and larger, a notice of intent (NOI) must be filed with FDEP in Tallahassee in accordance with DEP Document No. 62-621, as well as with the Director, at least 48 hours prior to the start of construction. [7-205E2B]

STIPULATION: Prior to commencement of any site work, a Vegetation Removal Permit must be obtained from Village Staff at 239-221-5036. All SWPPP Erosion control measures must be in place.

STIPULATION: Stormwater Pollution Prevention Plan (SWP3). For all projects one acre in size and larger, a notice of intent (NOI) must be filed with FDEP in Tallahassee in accordance with DEP Document No. 62-621.

STIPULATION: Stormwater Pollution Prevention Plan (SWP3). Prior to start of construction activities, the applicant must submit a SWP3 using the FDEP template found on the FDEP website. The map for the project must depict all BMPs called out in the SWP3. A copy of the certification of the form must be signed by all applicable contractors/subcontractors and submitted to the Village. At least 48 hours prior to the start of any construction activity, provide documentation to the Village Community Development Director that the NOI has been filed with DEP and all fees are paid.

STIPULATION: Maintain a copy of the SWP3 on site, at all times, for review by the Village [7-205E2B2]

7-2 Environmental and Natural Resource Standards

Environmental Site Assessment

STIPULATION: A Gopher Tortoise Management Plan must be submitted for review and approval to Village Staff. Gopher Tortoises must be relocated before any land clearing takes place and prior to the issuance of a vegetation permit. The Gopher Tortoise burrows impacted on-site will require a Gopher Tortoise relocation permit, issued by FWC. The relocation permit will allow a FWC qualified Gopher Tortoise agent to trap and relocate Gopher Tortoises to either an approved on-site preserve, or an approved off-site Gopher Tortoise recipient site. A copy of the FWC Gopher Tortoise permit issued by the Florida Fish and Wildlife Conservation Commission (FWC) must be submitted to the Village Staff prior to excavation and moving of any Gopher Tortoise. [7-201C]

Bald Eagle

STIPULATION: No construction (structures or site work) shall occur within 660 feet of the critical nesting habitat during the nesting season, unless this provision is modified in an approved bald eagle management plan.

Surface Water Management. All calculations and assumptions involved in the design of the stormwater management system must be submitted with the proposed development plan drawing. [7-206A]

Stormwater System Required. All stormwater management systems shall be designed in accordance with SFWMD requirements, and provide for the attenuation/retention of stormwater from the site. [7-206A]

STIPULATION: Provide a copy of the approved Environmental Resource Permit by the South Florida Water Management District (SFWMD) Application 230116-37195 **prior to start of construction. Final permit may require modification and approval to plans.**

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

STIPULATION: This plan is dependent on utilities not yet constructed. All utilities to be in place prior to issuance of a Certificate of Compliance.

LCU Stipulations:

INFORMATIONAL COMMENT: Comments noted herein are intended to reflect the Lee County LDC requirements as well as LCU requirements as set forth by the LCU Design Manual. The LCU Design Manual is available on our webpage via the following link:

<https://www.leegov.com/utilities/design-manual>

STIPULATION: (Please Read as the contact information has been updated as of 4/19/23). This project will require a separate submittal to LCU. Prior to submitting to LCU, please revise the plans to address the concerns noted herein, complete a Lee County Utilities New Project: Project Information/Submittal Form which is available on our website under General Forms at:

(<https://www.leegov.com/utilities/design-manual/forms>) and submit to LCU-DCAP at lcudcap@leegov.com -- LCU New Development staff will provide a fee quote and checklists identifying what is to be included in your LCU Approval to Construct submittal.

STIPULATION: Please provide LCU with copies of applicable permits prior to any utility construction.

STIPULATION: Please provide LCU with signed and sealed hydraulic computations showing what impact this project may have on our existing sewer facilities. Please Note: These calculations are to be included in your LCU Approval to Construct Submittal.

STIPULATION: Although the plans include the required information, please revise to address the following concerns:

STIPULATED COMMENT: Provide a profile for the public portion of the water main for this project. Section 1.3B9 of the LCU design manual requires plan and profiles showing all potable water, sanitary sewer, reclaim water, and storm water infrastructure. Please address.

STIPULATED COMMENT: On sheet C-15 the following items have been observed:

- A) The 6" gate valve at the terminal hydrant is not required. The 12" gate valve provided for future connection before the hydrant can be used to operate the hydrant.
- B) Provide a 12"x6" reducer before the terminal hydrant.
- C) The pipe section between the potable master meter and roadway crossing shall be constructed of D.I.P. as per LCU detail 6.20A – the plans reflect PVC between the road crossing and assembly. Please address.

STIPULATED COMMENT: On sheet C-19, note the plug valve as being 4".

STIPULATED COMMENT: Include LCU detail 6.15 in the plan set.

Estero Fire Stipulation:

STIPULATION: Prior to Development Order Certificate of Compliance, provide Radio Enhancement: Per the Estero Fire District, the owner or owner's representative shall conduct an assessment model to

determine if the minimum radio signals' strength for the fire department communication is in compliance in accordance with NFPA 1: 11.10, NFPA 1221: 11.3.9, standards for inbound and outbound signal strength and quality. If minimum signal strength is not available, the applicant shall install radio enhancement in the building.

Miscellaneous Stipulations:

1. Prior to issuance of a Certificate of Compliance, all disturbed areas resulting from this project must be restored to the original condition or better.
2. Prior to issuance of a Certificate of Compliance, all erosion control measures/materials must be removed from the site.
3. Streets, parking lots and accessways located within the limits of construction, must remain free of excavated material and debris at all times during construction operations.
4. Trees and shrubs that are damaged by construction operations must be replaced in kind, and in accordance with the Village Land Development Code.
5. No above ground markers approved within 2' of any traveled way including sidewalk unless otherwise approved.
6. All mechanical equipment is required to be landscaped so as to shield from public view.
7. Disturbed existing fencing to be replaced in like-kind.

THIS DEVELOPMENT ORDER WILL BE VALID FOR A PERIOD OF FIVE (5) YEARS AND IS SCHEDULED TO EXPIRE ON OCTOBER 3, 2028.

THIS CERTIFICATE OF CONCURRENCY SHALL BE VALID AND EFFECTIVE UNTIL OCTOBER 3, 2028. DURING THE NEXT THREE (3) YEARS, the Community Development Department is authorized to issue building permits for the construction of the building(s) indicated above without further review of Concurrency requirements. Upon expiration of the Concurrency Certificate, the project will be subject to the concurrency program in effect at the time of expiration. No vested right to a Concurrency Certificate will exist solely due to the existence of an otherwise effective Development Order.

After completion of improvements, please contact the Village of Estero Community Development at 239-319-2838 for a final compliance inspection.

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

Sincerely,

VILLAGE OF ESTERO
DEPARTMENT OF COMMUNITY DEVELOPMENT



Sandy Larsen, PE
Development Review Engineer