



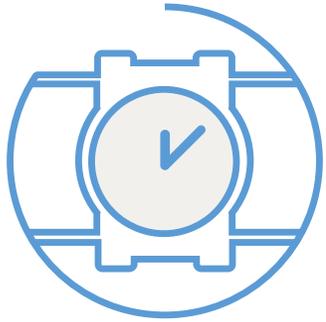
Using Water Quality Improvements to Redevelop Cleveland/U.S. 41 and Midtown

Katherine R. English, Pavese Law Firm
Leigh Scrabis, Fort Myers CRA



SUMMARY POINTS

ROAD MAP FOR OUR JOURNEY



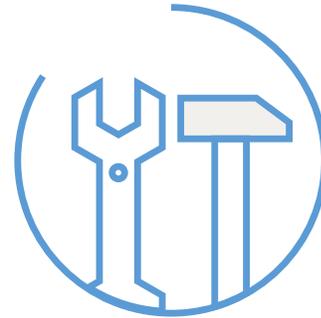
1) REDEVELOPMENT CHALLENGES

Aging commercial corridor with small lots lacking depth after road was six-laned. Difficult to redevelop land still meet new stormwater treatment requirements.



2) GOLF + WQ TREATMENT = GOLD

Golf course renovations and the opportunities that resulted in the development of the nutrient credit bank .



3) THE BORING LEGAL BITS

The Caloosahatchee River is an impaired water body and any new development must provide net improvement to the river's water quality.



4) POWERFUL ECONOMIC TOOL

Stormwater credits serve as flexible economic development incentive. Who needs a one size fits all approach when they can tailor the level of support to the project?

AGING COMMERCIAL CORRIDOR

COMMON PROBLEM ACROSS THE NATION

- FDOT widened U.S. 41 to six-lanes with no thought was given to the negative collateral damage that ensued.
- Cars must back into oncoming traffic.
- Under current code, insufficient space within the parcel itself to treat stormwater.
- Site assembly for larger redevelopment projects isn't necessarily a solution either, because assembled parcels would lack depth causing a developer to be forced to buy a parcel specifically to treat stormwater runoff.
- 65,000 cars travel this road daily (95% pass-through)



Typical shallow parcel on Cleveland Avenue/U.S. 41

CONSTRAINED SITE LEADS TO INSPIRATION

HOSPITAL PLANS EXPANSION TO MEET NEEDS OF LEVEL I TRAUMA CENTER

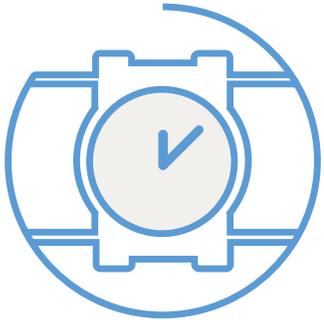
- 01 CRA wants to create a Medical District
- 02 Renovation and expansion planned at Lee Memorial
- 03 Required stormwater treatment limiting site build-out
- 04 Shared stormwater system would alleviate constraint
- 05 CRA looking for ways to encourage revitalization of 41
- 06 The idea sticks! The quest begins!



Lee Memorial Hospital

SUMMARY POINTS

ROAD MAP FOR OUR JOURNEY



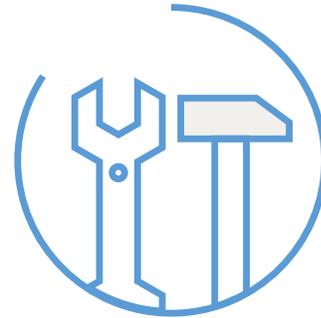
1) REDEVELOPMENT CHALLENGES

Aging commercial corridor with small lots lacking depth after road was six-laned. Difficult to redevelop land still meet new stormwater treatment requirements.



2) GOLF + WQ TREATMENT = GOLD

Golf course renovations and the opportunities that resulted in the development of the nutrient credit bank .



3) THE BORING LEGAL BITS

The Caloosahatchee River is an impaired water body and any new development must provide net improvement to the river's water quality.



4) POWERFUL ECONOMIC TOOL

Stormwater credits serve as flexible economic development incentive. Who needs a one size fits all approach when they can tailor the level of support to the project?

How the Program Works

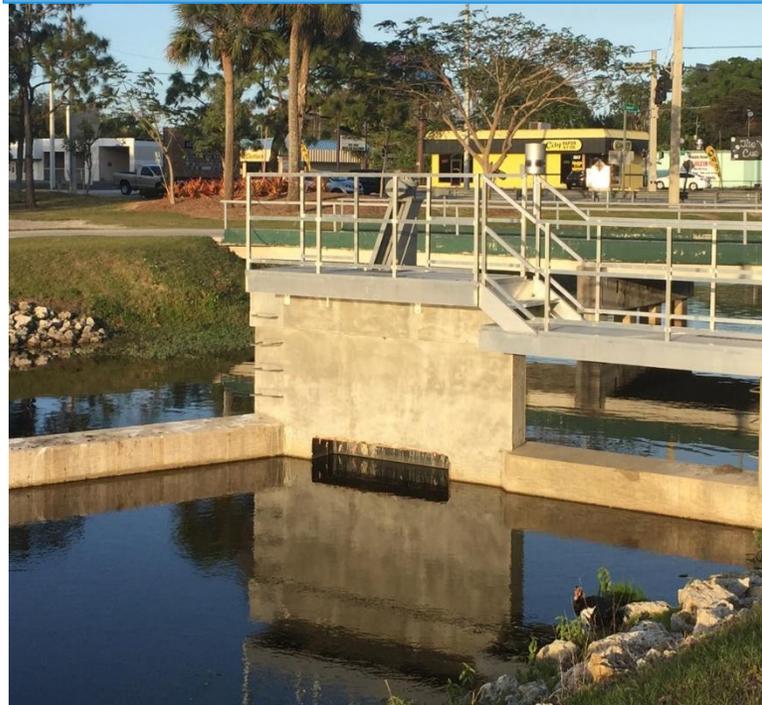
As an economic development incentive, developers can either be sold or given offsite stormwater credits from the treatment system at the golf course that they may use instead of having to build their own onsite water quality treatment system.

When the CRA heard that the City of Fort Myers was planning to redesign the Fort Myers Country Club golf course, the CRA asked to partner with the City so that additional stormwater treatment and volume could be built into the existing system, thereby creating a stormwater “mitigation” bank that could be used to incentivize redevelopment along Cleveland Avenue/U.S. 41.

**Cleveland Avenue
Redevelopment
Parcel**



**Offsite Stormwater Credits
from Golf Course**



New Development



Before



Leap/Pictometry

After



FIRST OUT OF THE GATE

GRAND CENTRAL APARTMENTS SERVES AS THE CATALYTIC PROJECT TO JUMPSTART REVITALIZATION OF U.S. 41

- Puts a vacant site back on the tax roles
- Agreed to reduce tax rebate request from 95% to an average of 80% in exchange for use of offsite stormwater credits
- 280 market rate unit apartment complex
- 15,000 square feet of commercial development
- Dog park, bocce ball courts and pool
- Provides much-needed rentals

OFFSITE TREATMENT ALLOWS FOR **MAXIMIZE BUILDOUT**

Based on a study by the National Resource Network, the City is experiencing a housing shortage.

For example, for every 100 people needing an apartment in Lee County, there are only nine apartments available.

This project will help address that housing shortage by adding market rate units into the rental pool.

Cleveland Redevelopment Plan recommends mixed use projects and providing buffer between U.S. 41 and residential areas near the corridor. This projects serves as a hybrid of those recommendations.



Commercial Development



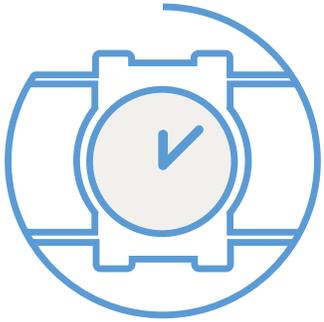
Before – Apartment Complex



After – Apartment Complex

SUMMARY POINTS

ROAD MAP FOR OUR JOURNEY



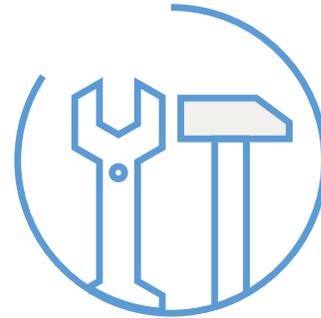
1) REDEVELOPMENT CHALLENGES

Aging commercial corridor with small lots lacking depth after road was six-laned. Difficult to redevelop land still meet new stormwater treatment requirements.



2) GOLF + WQ TREATMENT = GOLD

Golf course renovations and the opportunities that resulted in the development of the nutrient credit bank .



3) THE BORING LEGAL BITS

The Caloosahatchee River is an impaired water body and any new development must provide net improvement to the river's water quality.



4) POWERFUL ECONOMIC TOOL

Stormwater credits serve as flexible economic development incentive. Who needs a one size fits all approach when they can tailor the level of support to the project?

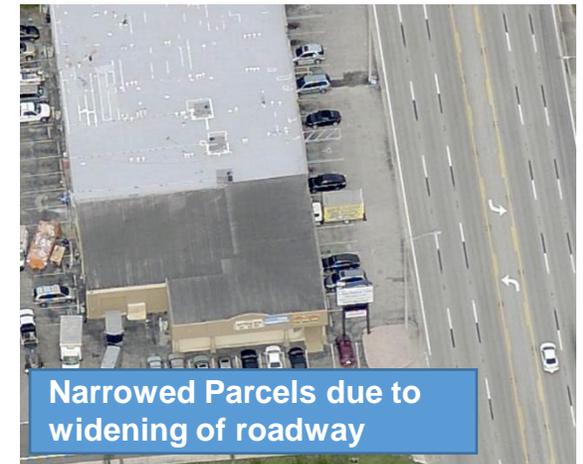
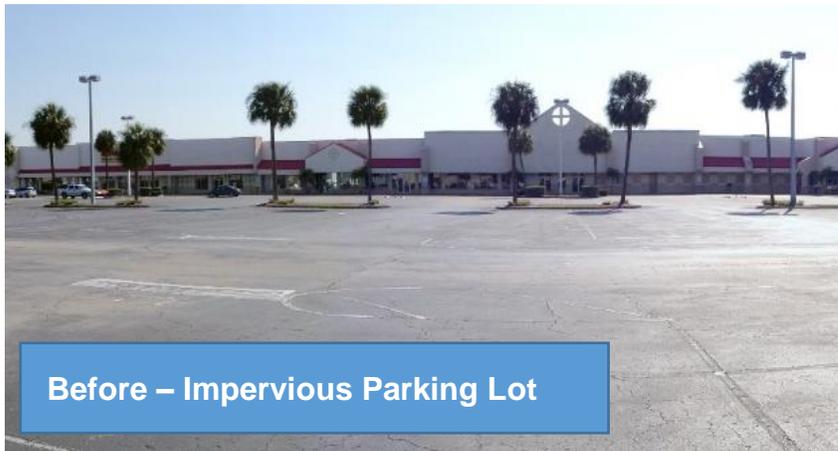
SETTING THE “STORMWATER” STAGE

Prior to the mid-1970s, development in Florida wasn't regulated to protect water quality. After the adoption of the Florida Water Resources Act, new projects were required to install surface water management systems to provide water quality treatment for stormwater leaving the new project. Prior to those requirements, projects typically did not treat stormwater leaving the project. Stormwater left the project site, either through a pipe or a ditch and took any pollutants on the project site, including excess nutrients into a water body, in this case the Caloosahatchee River.

Fifty years down the road, the Caloosahatchee River is a protected water body and we now have the necessary environmental standards in place to restore its water quality. Those standards are very important for our area's environmental and economic health, but these standards also can be an economic impairment to redevelopment.

Redeveloping the commercial corridor is challenging when the available properties do not have the space to effectively treat stormwater to meet the standards and, in fact provide for net improvement of the river's water quality. Since onsite stormwater treatment can require a large area, only a few large shopping centers in the corridor have enough space to meet the standards. For example, the company redeveloping a dark shopping center as a furniture store, the required stormwater retrofit changed the site from a big black, impervious “sea of asphalt” to a beautifully-landscaped parking lot with pervious green space.

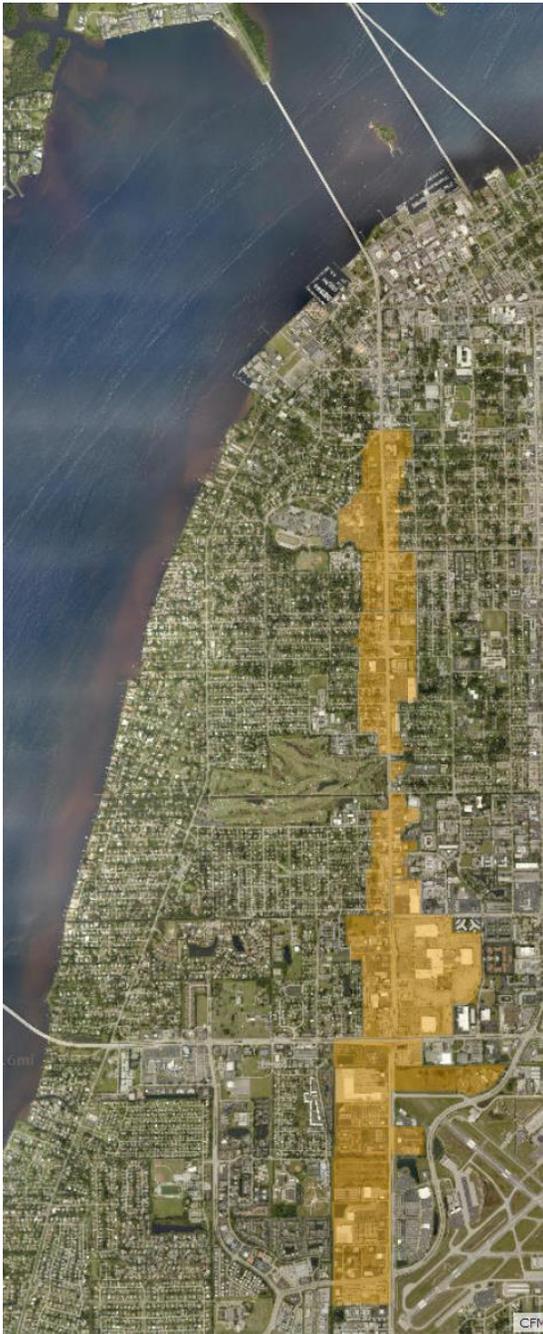
However, what happens to the small, shallow lots such as the one shown in the picture on the bottom right?



Nutrient-Removal System Improves Impaired **Caloosahatchee River**

What really sets the Nutrient Removal System apart from others is that it removes excess nutrients when it treats runoff and provides an accounting mechanism to establish and verify the exchange of effective nutrient removal actions. This nutrient credit bank actually encourages re-development and improves the Caloosahatchee River's water to help support to Fort Myers' water-oriented tourism economy.

The project provides a net improvement in the Tidal Caloosahatchee drainage basin, where the CRA has already invested heavily in the water quality of the riverfront and the downtown. Regardless of which of the three sub-basins discharge the water, all of them flow into the same water body making the effects of the project and the corresponding offsite credits a huge driver for revitalization efforts.



Fort Myers Riverfront



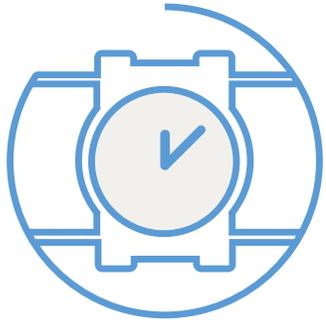
Golf Course Nutrient-Removal System



**Downtown Detention Basin also improves Runoff
Water Quality into Caloosahatchee River**

SUMMARY POINTS

ROAD MAP FOR OUR JOURNEY



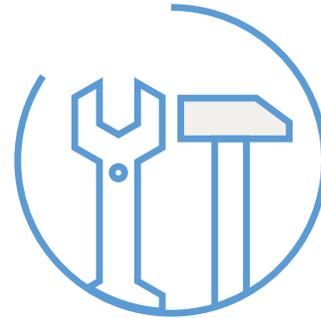
1) REDEVELOPMENT CHALLENGES

Aging commercial corridor with small lots lacking depth after road was six-laned. Difficult to redevelop land still meet new stormwater treatment requirements.



2) GOLF + WQ TREATMENT = GOLD

Golf course renovations and the opportunities that resulted in the development of the nutrient credit bank .



3) THE BORING LEGAL BITS

The Caloosahatchee River is an impaired water body and any new development must provide net improvement to the river's water quality.



4) POWERFUL ECONOMIC TOOL

Stormwater credits serve as flexible economic development incentive. Who needs a one size fits all approach when they can tailor the level of support to the project?

WHAT KIND OF INCENTIVE

OPTION 1 – BUSINESS DEVELOPMENT

Incentivize a specific type of use to relocate into the redevelopment area or into a particular geographic location.

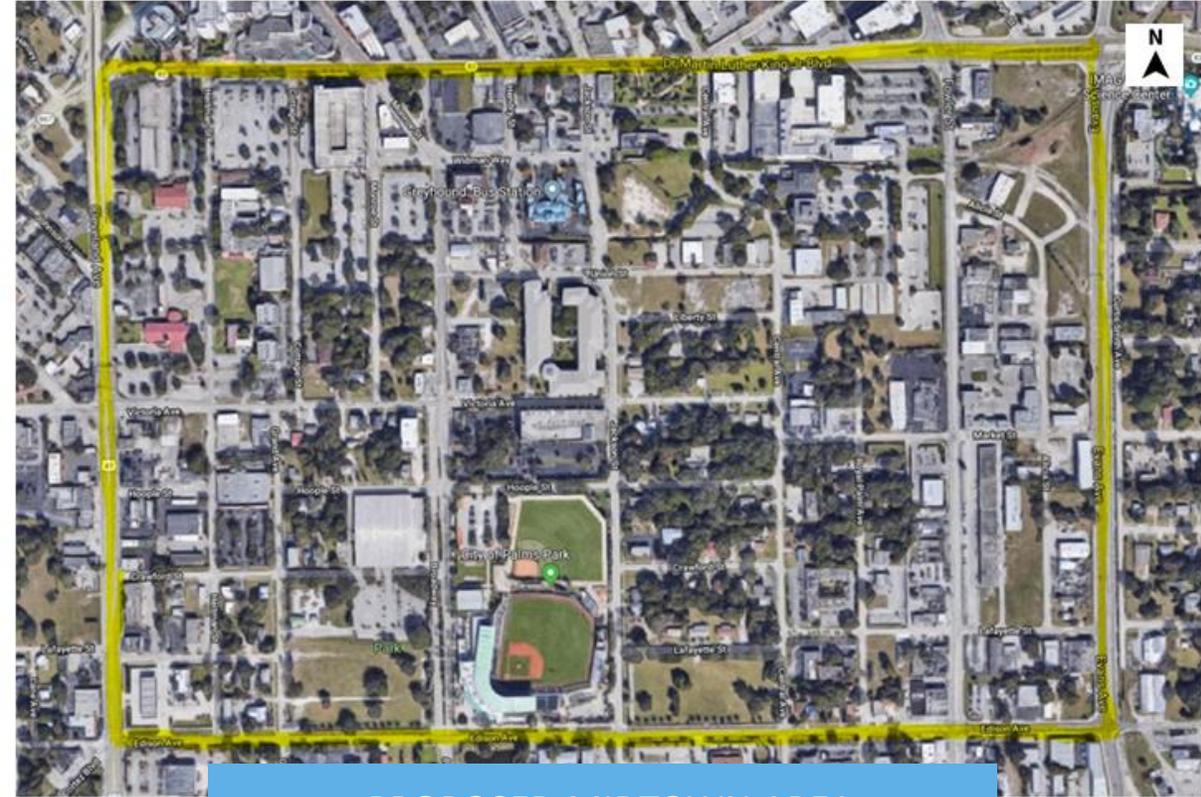
OPTION 2 – EXCEPTIONAL STANDARD

Used to incentivize a developer to go above and beyond code requirements. Credits could be given for exceeding landscaping requirements, exceptional architecture, or incorporating sustainable practices.

OPTION 3 – FIRST COME, FIRST SERVE

Used to incentivize a developer to go above and beyond code requirements. Credits could be given for exceeding landscaping requirements, exceptional architecture, sustainable practices, etc.

Credits could be sold to a property owner or they provided at a reduced cost or even no cost as part of an incentive package. Annual maintenance costs could be addressed similarly.



PROPOSED MIDTOWN AREA



Cleveland Avenue Offsite
Stormwater Credits

Leveraging Project Funding

- **Shifts responsibility.** By using the offsite credits, the developer is able to shift the responsibility of maintenance to the City/CRA.
 - While they will be asked for annual operating costs, the developer will not be responsible for the day-to-day upkeep.
- **Avoids lost opportunity costs.** The project can leverage the CRA/City's investment of time and money to obtain the Environmental Resource Permit (ERP).
 - A modification will enjoy no design costs, lower permitting fees and a huge saving in time. It will also preserve the developer's ability to use 100% of land for the building(s) and supporting infrastructure that can serve as amenities.
 - For example, in the case of Grand Central Luxury Apartments, the project can now include a dog park and car wash area.



Questions?

Leigh Scrabis, E.I., FRA-RA

Executive Director

Fort Myers CRA

LScrabis@CityFtMyers.com

239.321.7100

Katherine R. English, Esq.

Partner

Pavese Law Firm

KatherineEnglish@PaveseLaw.com

239.336.6249

