MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING SECTION

DATE: August 28, 2018

TO: Amanda L. Rivera
Deputy Hearing Examiner

FROM: Alvin Block, AICP
Planner, Principal

SUBJECT: DCI2018-00003, The Pine Island Center 7-11 CPD

The Hearing Examiner issued an Order of Continuance on August 9, 2018 leaving the record open for submittal of written submittals. The items listed for response specifically sought clarification if staff supported or opposed Deviation 4. As a reminder Deviation 4 is:

> A request to deviate from LDC 10-295, Street Stubs to Adjoining Properties, to not require the applicant to construct an interconnection to the adjoining commercial properties to the west that have direct access to Nikkis Lane and are not directly adjacent to Pine Island Road.

The applicant justifies the deviation:

> The applicant will provide an interconnection access easement and pavement to the west and to the east to those properties with frontage on Pine Island Road to facilitate the sharing of the applicants proposed driveway on Pine Island Road. However, the applicant is requesting approval to not provide interconnection to the other seven directly adjacent commercial parcels to the west which have direct access to Nikkis Lane which adequately serves these properties and meets the intent of limiting access to major roadways, such as Pine Island Road. The interconnection to these parcels would severely limit the functionality of both the applicant's property and the adjoining parcels, as well as limit the amount of commercial buffering that can be provided along the west property line.

Staff recommends approval of this requested deviation. This LDC Section provides that a street stubs or an interconnection to adjoining areas must be provided. The proposed Master Concept Plan does provide for proposed interconnections in the northwest (to the adjoining commercial parcel) and southwest (driveway interconnection to Nikkis Lane). Staff offers no objection to the requested deviation. The request helps achieve the planned development while providing for the interconnection of this development to the commercial area located along Nikkis Lane. This also provides for reasonable connection which protects the public health and safety by offering a future alternative means of access to the proposed planned development, which reduces trips on the adjoining arterial roads and provides for traffic circulation consistent with the intent of this Section of the Code.

Attachment: Applicant's Documentation with Master Concept Plan, received on August 24, 2018

cc: Zoning File

Quattrone & Associates, Inc.
Engineers, Planners & Development Consultants
4301 Veronica Shoemaker Blvd. Fort Myers, FL 33916
239.936.5222 | QAINC.NET | f 239.936.7228

August 22, 2018

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Mr. Alvin Block, Principle Planner
Lee County Development Service
1500 Monroe Street
Fort Myers, Fl 33902

RE: DCI2018-00003 The Pine Island 7-11 CPD

Dear Mr. Block

In response to the issues raised at the HEX, please see attached the updated list of deviations, a revised schedule of deviations and an updated Master Concept Plan. We are withdrawing Deviation #1 (driveway separation) and Deviation #3 (relief from right-of-way buffers along Nikkis Lane) and we have eliminated the uses from schedule of use as recommended by staff, but we would still like to leave the Self-Service Fuel Pumps in the list. We are also proposing four new conditions per the discussions at the HEX. Also note the MCP has been revised to reflect the two deviations being withdrawn and the location of the new potential lot line split.

Sincerely,
Quattrone & Associates, Inc.

Al Quattrone, P.E.
President

DCI 2018-00003

P:\2017 Projects\170814 7-ELEVEN PINE ISLAND #38435 (#1042477) [BOKEELIA] - ACTIVE\02-DOCUMENTS\13-ZONING\2018-08-15 Post HEX Submittal\2018-08-22 Post HEX Submittal Cover Letter.docx

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LIST OF DEVIATIONS AND JUSTIFICATION

The Pine Island Center 7-Eleven
A CPD Amendment
Strap#: 28-44-22-00-00039.0000; 28-44-22-01-0000B.0170, .0150, .0120, .0110
5431 Pine Island Road NW, Bokeelia, FL 33922
5.77 ACRES

Deviation #1: - WITHDRAWN

Deviation #2:
A request to deviate from LDC 34-2013 (b) (3) Access, which requires a parking lot to have a distinct parking lot entrance with a maximum width at the property line of 35 feet to allow a width at the property line of 55 feet.

The intent of this section of the code is to make sure two-way driveways have a minimum throat width of 24 feet and a maximum throat width of 35-feet. In addition, it is typically recommended to have a minimum driveway radius of 25-feet off a public road into a parking lot. Per the proposed design, we are proposing a 25-foot radius into the project off the proposed Pine Island Road turn lane and a 30-foot radius out of the project onto Pine Island Road. Since the proposed and existing edge of pavement of Pine Island Road is so close to the R/W line, the driveway radii's overlap the property line resulting in a much wider driveway opening as measured at the property line to meet the necessary driveway throat width. Therefore, to achieve a throat width of 35 feet to accommodate one in-bound lane and two out-bound lanes we need a driveway width of 55' at the property line.

Deviation #3: - WITHDRAWN

Deviation #4:
A request to deviate from LDC 10-295, Street Stubs to Adjoining Properties, to not require the applicant to construct an interconnection to the adjoining commercial properties to the west that have direct access to Nikkis Lane and are not directly adjacent to Pine Island Road.

The applicant will provide an interconnection access easement and pavement to the west and to the east to those properties with frontage on Pine Island Road to facilitate the sharing of the applicants proposed driveway on Pine Island Road. However, the applicant is requesting approval to not provide interconnection to the other seven directly adjacent commercial parcels to the west which have direct access to Nikkis Lane which adequately serves these properties and meets the intent of limiting access to major roadways, such as Pine Island Road. The interconnection to these parcels would severely limit the functionality of both the applicant's property and the adjoining parcels, as well as limit the amount of commercial buffering that can be provided along the west property line.

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DEVELOPMENT PARAMETERS AND SCHEDULE OF USES

THE PINE ISLAND CENTER 7-11 CPD
CPD REZONING
5.77 ACRES
STRAPS#: 28-44-22-00-00039.0000 & 28-44-22-01-0000B.0110, 0120, 0150, & 0170
5431 PINE ISLAND RD NW, BOKEELIA, FL 33922

PROJECT SUMMARY

Future Land Use	Urban Community
Existing Zoning/Requested Zoning	CPD to CPD
Development Program	18,454 sf Commercial
Watershed	Pine Island Sound
Planning Community	Pine Island
Water Utilities	Pine Island Water Co.
Sanitary Sewer Utilities	Lee County Utilities

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PINE ISLAND CENTER 7-11 CPD PROPERTY DEVELOPMENT REGULATIONS

Minimum Area Dimensions:	
Min. Lot Size	20,000 square feet
Min. Lot Depth	100 feet
Min. Lot Width	100 feet
Maximum Height	35 feet 2-story
Building Separation	One-half the sum of the heights of both buildings or 20 feet, whichever is greater per LDC Section 34-935e (4)
Maximum Lot Coverage	40%
Minimum Open Space	In accordance with the LDC 10-415
Minimum Setbacks:	
Street	25 feet / 50 feet Uses Listed Under 34-1353
Side	15 feet
Rear	20 feet
Water body	25 feet
Accessory Structures	In accordance with LDC
Minimum Development Parcel Perimeter Setback	25 feet

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SCHEDULE OF USES

Accessory Uses and Structures
Administrative Offices
Animals: Clinic or Kennel (No Outdoor Runs)
Auto Parts Store (No Installation)
Banks and Financial Establishments: Groups I & II
Business Services: Groups I & II, excluding bail bonding and armored car services
Car Wash
Clothing Stores, general
Clubs, commercial, fraternal, membership organizations and private
Consumption on Premises
Convenience Food and Beverage Store
Drug Store, Pharmacy, limited to 4,500 sf
Essential Services
Essential Service Facilities: Group I
Excavation: Water Retention, not to include the removal of excavated material
Fences and Walls
Food Stores: Group 1
Gift and Souvenir Shop
Hardware Store
Health Care Facilities: Groups I
Hobby, Toy and Game Shops
Household and Office Furnishings: Groups I & II, no outdoor display
Insurance Companies
Laundry or Dry Cleaning: Group I
Medical Office
Package Store
Paint Glass and Wallpaper
Parking Lot: Accessory
Personal Services: Groups I, II, III & IV, excluding massage establishments, massage parlors, steam or Turkish baths, dating services, escort services, palm readers, fortune tellers, card readers and tattoo parlors
Pet Services, no outdoor runs
Pet Shop, no outdoor runs
Place of Worship
Post Office
Printing and Publishing
Real Estate Sales Offices
Recreation Facilities Commercial: Groups I & IV

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Religious Facilities
Rental or Leasing Establishment: Groups I, II & III (no Construction Equipment and Trucks)
Repair Shops: Groups I & II
Restaurants: Groups II & III; Group IV by Special Exception
Schools: Commercial & Non-commercial
Self-service Fuel Pumps
Signs (in accordance with chapter 30)
Social Services: Groups I & II
Specialty Retail, all Groups
Storage: Indoor accessory only

CONDITIONS:

1. Code required shrubs associated with the Type 'F' Buffer along the southern portion of the east property line must be planted outside of the Indigenous Area so as to not disturb the Indigenous Area.

2. Removal of tortoises from the Indigenous Area must not disturb the existing native vegetation understory or trees.

3. Removal of exotic vegetation from the Indigenous Area must not disturb the existing native vegetation understory or trees.

4. If the property is split into two parcels, each parcel must contain is prorated share of indigenous area, open space and drainage and be buffered in accordance with the Master Concept Plan and the Land Development Code.

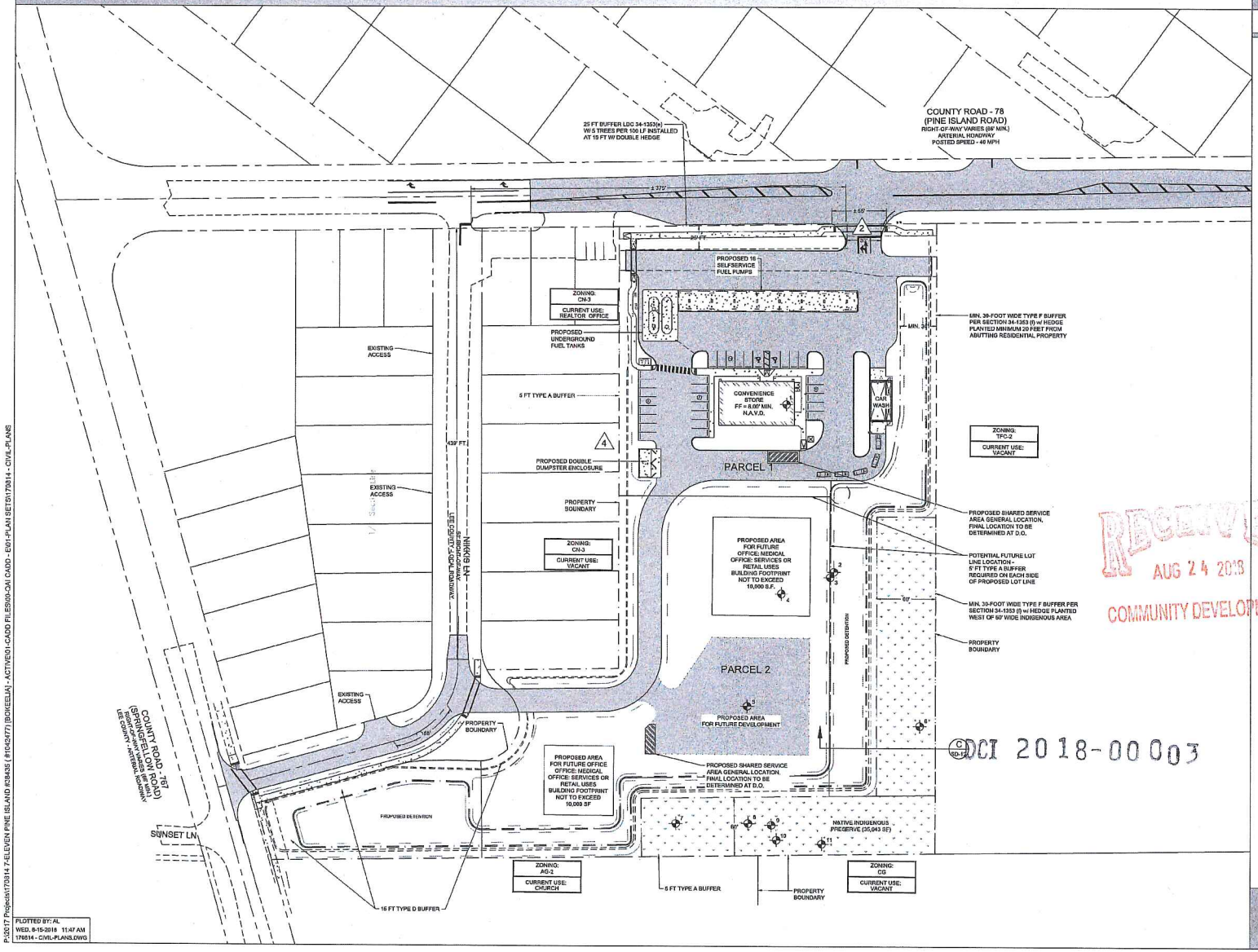
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THE PINE ISLAND CENTER 7-ELEVEN CPD

5431 PINE ISLAND ROAD NW

MASTER CONCEPT PLAN



PROJECT SUMMARY:

EXISTING ZONING: COMMERCIAL PLANNED DEVELOPMENT
PROPOSED ZONING: COMMERCIAL PLANNED DEVELOPMENT

LAND BREAKDOWN:

TOTAL AREA	= 5.78 AC.
COMMERCIAL INTENSITY	= 18,454 S.F.
• OPEN SPACE REQUIRED (30%)	= 1.73 AC.
• OPEN SPACE PROVIDED: BUFFERS, DRY DETENTION INDIGENOUS AREA, OTHER	= 1.73 AC,
• INDIGENOUS AREA REQ. (15%)	= 0.87 AC.
• INDIGENOUS AREA PROVIDED:	= 0.80 AC.
10% INDIGENOUS CREDIT	= 0.08 AC.
• TOTAL INDIGENOUS OPEN SPACE	= 0.88 AC.

1. DEVIATION #1 - WITHDRAWN
2. DEVIATION #2 - LDC:34-2013(b)(3) ACCESS, TO INCREASE MAXIMUM DRIVEWAY WIDTH AT THE PROPERTY LINE FROM 35 FEET TO 55 FEET.
3. DEVIATION #3 - WITHDRAWN
4. DEVIATION #4 - LDC:10-295 STREET STUBS TO PROVIDE INTERCONNECTION TO PARCELS ADJACENT TO PINE ISLAND ROAD BUT NOT COMMERCIAL LOTS ON NIKKIS ROAD.

IN ACCORDANCE WITH SECTIONS 34-411(e), 10-442 & 10-443, APPLICANT SHALL PROVIDE THE REQUIRED IMPROVEMENTS OR PROVIDE A FEE-IN-LIEU AS DIRECTED BY LEE TRAN

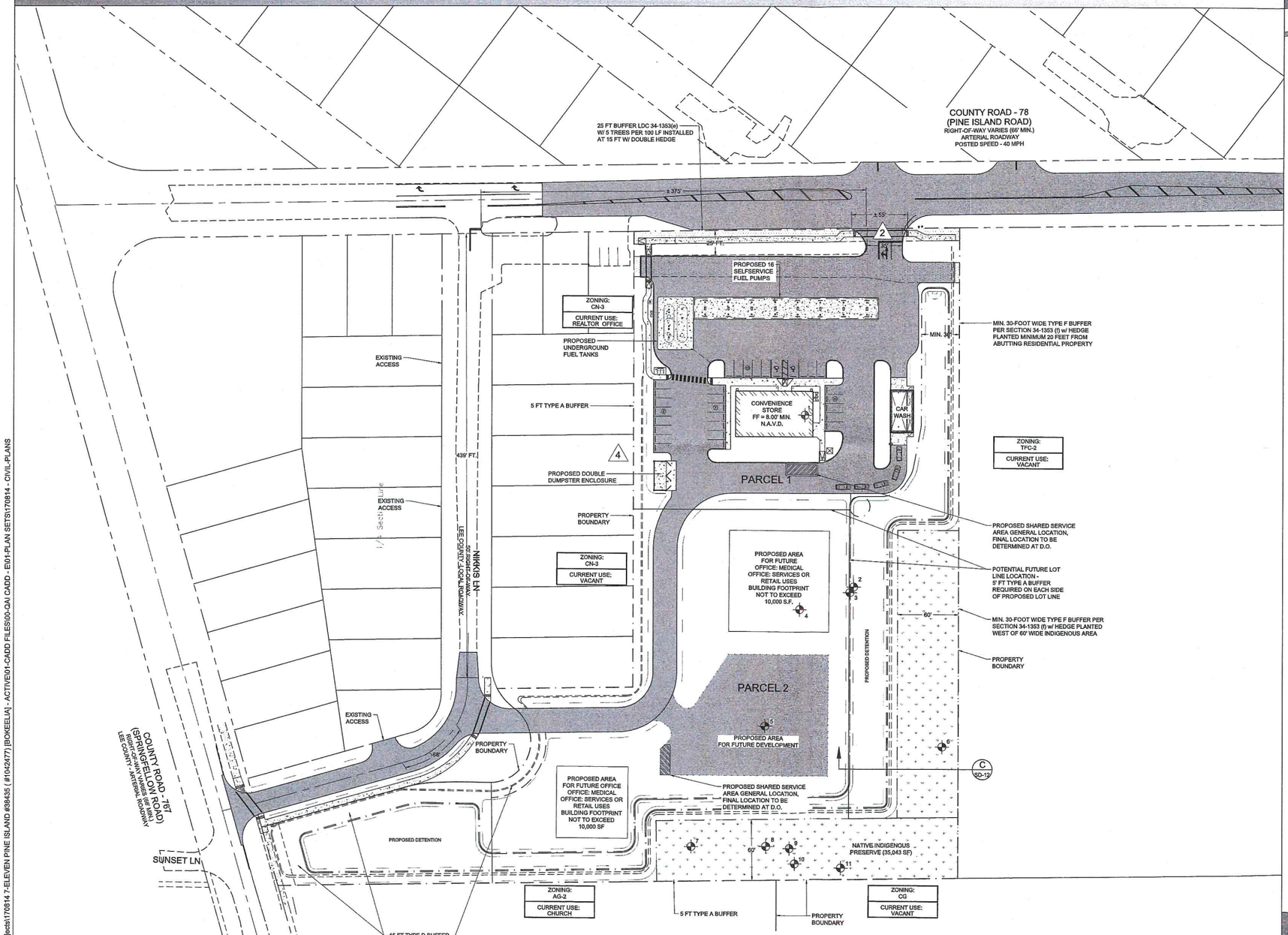
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THE PINE ISLAND CENTER 7-ELEVEN CPD

5431 PINE ISLAND ROAD NW

MASTER CONCEPT PLAN



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PROPOSED ZONING: COMMERCIAL PLANNED DEVELOPMENT

LAND BREAKDOWN:

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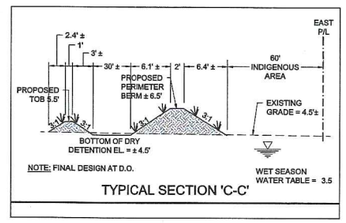
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INDIGENOUS OPEN SPACE

GOPHER TORTOISE BURROW



TYPICAL SECTION 'C-C'

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50' 100'

PLAN VIEW SCALE

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