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Certificate of Authorization # 29086

February 28, 2022

Adam Mendez, Planner
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

Reference: Williams Avenue CPD
DCI2021-00014 (3rd Resubmittal)

Dear Mr. Mendez:

We are in receipt of your review letter dated February 18, 2022 for the above referenced project. The following items are submitted for your continued review per this request for additional information:

1. One (1) copy of the revised Master Concept Plans (MCP A and MCP B);
2. One (1) copy of the revised Open Space Exhibit for MCP B only;
3. One (1) copy of the revised Schedule of Deviations for MCP A and MCP B;
4. One (1) copy of the revised Narrative of Request/Lee Plan Compliance;
5. One (1) copy of the Title Certification with corrected Legal Description; and
6. One (1) copy of the revised Boundary Survey with new Title Certification date.

Responses to each individual item/comment are as follows:

Development Services Section Comments:

Brian Roberts – broberts@leegov.com or 239-533-8890

1. Staff recommends relocating the hammer head turn around to the east of the paver/patio. As it is currently configured it will require the food truck to back up, adjacent to the seating area, approximately 25' to turn around.

Response: The applicant respectfully requests that final review of the T-turnaround be conducted at time of local Development Order permitting so Lehigh Acres Fire Department can also weigh in.

Environmental Sciences Section Comments:

Elizabeth Workman – eworkman@leegov.com or 239-533-8793

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2. Both MCPs depict the abutting property to the south as an RS-1 zoned property. The applicant is requesting a deviation to allow no buffer. Please provide Lee Plan analysis to support this deviation and demonstrate how no buffer will provide compatibility.

Response: Please see the revised MCP's and Schedule of Deviations. MCP A continues to request a deviation from the buffer requirement to the RS-1 zoned lot to the south. However, a 25-foot wide buffer per Chapter 33 is proposed for MCP B. The Narrative of Request/Lee Plan Analysis has been revised to address the buffer deviation/compatibility. The revised portion is highlighted in yellow for your convenience.

Legal Description Comment: Rick Burris/Hunter Searson

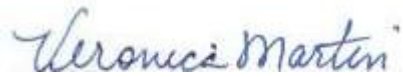
3. Please provide a title certification in accordance with the requirements of Lee County LDC §34-202(a)(7). The metes and bounds description (exhibit A) has a typo in the fifth call and missing distance in the sixth call.

Response: Please see the attached Title Certification with corrected legal description.

This should allow for continued review and a finding of sufficiency of this rezoning request. Your time and attention to this matter is appreciated. Should County staff require additional information or have any questions regarding this submittal, feel free to call this office.

Sincerely,

TDM CONSULTING, INC.



Veronica Martin
Senior Planner



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**Williams Avenue CPD
Schedule of Deviations
Revised 2-3-2022**

MASTER CONCEPT PLAN A – OPTION 1

DEVIATION #1:

Seeks relief from the **LDC §10-285** requirement to provide a minimum connection separation of 245 feet for major collector roads in future urban areas with a speed limit less than 45 miles per hour. Request to permit a minimum connection separation of 131 feet on Williams Avenue.

JUSTIFICATION:

MCP A (Option 1) legitimizes the existing commercial use on site (plant nursery) plus adds a few other low-impact uses. Development is concentrated on those lots facing Williams Avenue. The applicant intends to use the existing driveway on MCP A for the commercial development while the existing single-family residential driveway on Magnolia Avenue will remain.

Due to existing site conditions, it would be very difficult to relocate the driveway to comply with the 245-foot connection separation. There is an existing 2-story structure, an existing paver patio that will be used for outdoor seating for the food truck, an existing septic and drainfield, and the existing plant nursery (see Survey and MCP). The existing site conditions would prove to be problematic when attempting to find an alternative driveway location. There isn't enough room to provide a 15-foot wide buffer plus a driveway/drive aisle along Williams Avenue because it would impact the existing paver patio and proposed food truck location. In addition, the Traffic Impact Study demonstrates that the proposed development will create minimal traffic. The A.M. Peak Hour Vehicle Trip Ends is only 5 and the P.M. Peak Hour Average Vehicle Trip Ends is 12. The applicant believes the deviation enhances the achievements of the objectives of the planned development and is not detrimental to the public interest.

DEVIATION #2:

Seeks relief from the **LDC §34-2016(c)** requirement to provide a 20-foot wide drive aisle for 2-way traffic. Request to permit the drive aisle to the food truck parking location to be 12 feet wide.

JUSTIFICATION:

The applicant is proposing to provide a single food truck parking spot along the existing paver patio. The drive aisle includes a T-turnaround, allowing the food truck to enter the designated parking space, back out into the T-turnaround, and exit in a forward manner. The drive aisle isn't

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intended for 2-way traffic, rather it is ONLY for the single food truck. There are existing mature canopy trees and a paver patio that the drive aisle will be designed to skirt around. In addition, there's a 15-foot wide landscape buffer west of the drive aisle. Providing a 20-foot wide drive aisle would mean the removal of the existing canopy trees and a redesign of the existing paver patio, which seems extreme when the drive aisle is for a single food truck and provisions have been made to allow that food truck to exit in a forward manner.

LDC §33-1432 sets forth the codes and regulations for food vending carts in the Lehigh Acres planning community. As designed, the proposed food truck complies with all applicable codes, including "there must be no more than one temporary food vending cart located within one mile of another temporary food vending cart". In addition, signage can be provided limiting use of the drive aisle to just the food truck. A more detailed design, including signage, will be provided at time of local development order, which will undergo compliance with all regulatory agencies, including the fire department. The applicant believes the deviation enhances the achievements of the objectives of the planned development and is not detrimental to the public interest.

DEVIATION #3:

Seeks relief from the **LDC §33-1405(c)(3)** requirement to provide a 25-foot wide buffer with seven trees, a double hedge row, and 33 ground covers per 100 linear feet between the plant nursery and the abutting RS-1 zoned lot to the south. Request to not provide a buffer to the triangular shaped property along Able Canal (STRAP No. 29-44-27-01-00001.0050).

JUSTIFICATION:

The MCP clearly shows the landscape nursery adjacent to the triangular shaped lot along Able Canal. Although the landscape nursery is existing, it is not permitted in the current zoning district. However, this rezoning application will legitimize the nursery. No structures, parking, retail sales, or other commercial uses are proposed within 180± feet of the RS-1 zoned lot along Able Canal. Only drainage is proposed along the shared property lines. The plant nursery is a low-impact use with minimal impacts to abutting properties. Providing a 25-foot wide buffer with seven trees, double hedgerow, and 33 ground covers per 100 linear feet is redundant. The existing nursery plants, shrubs and trees already buffer and screen the adjacent property. The applicant believes the deviation enhances the achievements of the objectives of the planned development and is not detrimental to the public interest.

DEVIATION #4:

Seeks relief from the **LDC §34-2017(a)** requirement that high turnover parking aisles and parking spaces must be provided with a paved, dust-free, all-weather surface. Request to permit the parking aisles and parking spaces to have an alternative surface such as gravel.

JUSTIFICATION:

There is an existing gravel parking lot in the northwest corner of the property that the applicant would like to continue to utilize. The uses proposed for MCP A are minimal. The plant nursery is existing, even though it is not currently a permitted use. (This application will legitimize the use if approved by the BOCC.) The other low-impact uses are the proposed mixed-use structure and

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single temporary food truck. As stated, the single food truck is temporary in nature, as required by LDC §33-1432 and will not require parking on a daily basis. The other uses, although retail in nature, create minimal vehicular traffic, and therefore, could be classified as low-turnover parking.

LDC §34-2017(e) permits the Director to authorize high turnover parking lots, including parking lot aisles, to meet the surfacing standards for low turnover parking lots under the following circumstances:

- a. The property is not located in the intensive development or central urban land use categories;
- b. The proposed parking lot will contain no more than 25 spaces;
- c. The proposed alternative surface will be adequately drained; and
- d. The proposed alternative surface is consistent with the uses and the parking lot surfaces in the surrounding neighborhood.

The request meets the criteria set forth above: the property is in the urban community land use category, the parking lot contains only 15 spaces, the parking lot is adequately drained as shown on the MCP, and is compatible with the surrounding neighborhood. The applicant believes the deviation enhances the achievements of the objectives of the planned development and is not detrimental to the public interest.

Summary:

The applicant is requesting four deviations for MCP A. The deviation requests take into account that MCP A is a smaller commercial development that is intended to legitimize the existing plant nursery plus add a few other low-impact uses. MCP B is the vision of the applicant for the property at full build-out. The deviations are necessary to address certain existing site conditions plus provide a cohesive plan from MCP A (Option 1) to MCP B (Option II) without completely starting from scratch. The two Master Concept Plans demonstrate the design of the site, how it will be accessed from the surrounding roadway network, where the proposed uses will be located, and how the development relates to and supports the community. The applicant believes the requested deviations enhance the achievement of the objectives of the planned development and that they are not detrimental to the public interest.



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**Williams Avenue CPD
Schedule of Deviations
Revised 2-3-2022**

MASTER CONCEPT PLAN B – OPTION II

DEVIATION #1:

Seeks relief from the **LDC §10-285** requirement to provide a minimum connection separation of 245 feet for major collector roads in future urban areas with a speed limit less than 45 miles per hour. Request to permit a minimum connection separation of 170 feet on Williams Avenue.

JUSTIFICATION:

The subject property is located at the southeast corner of Williams Avenue and West 5th Street. Williams Avenue is identified as a county-maintained major collector road with a speed limit of 35 mph. The property has a future land use classification of Urban Community. The applicant is proposing a right-in/right-out commercial driveway on Williams Avenue, with a connection separation of 170 feet to West 5th Street. A second full-access commercial driveway is located on West 5th Street, a local road.

The proposed uses include a convenience store with gas pumps, restaurant with pick-up window (no fast food), food truck park, and other commercial uses. The applicant owns the majority of the block with the exception of a small 0.35-acre lot to the south and a vacant 0.25-acre residential lot with frontage on West 5th Street. The site has been designed to centrally locate the gas station/convenience store to reduce any potential impacts to the RS-1 zoned lots. The MCP provides adequate and safe traffic circulation and still meets the requirements of the Land Development Code to the maximum extent possible.

The property is located just north of the Williams Avenue bridge over Able Canal. The distance from the existing bridge to the proposed driveway is 195± feet. The applicant is able to locate the driveway further south and comply with the minimum connection separation distance of 245 feet and eliminate this deviation; however that means the driveway is closer to the existing bridge. The Lehigh Acres Architectural & Zoning Review Board (LAAZRB) and Lee County DOT staff have both indicated that traffic on Williams Avenue can back up from the intersection of Lee Boulevard and Williams Avenue at peak times and that it can be difficult to make turning movements at certain times of day. The applicant took that information into consideration and located the driveway at the most appropriate location – 170 feet south of West 5th Street, just where the road widens for the left turn lane. The right-in/right-out driveway prevents motorists from turning against traffic or interfering with the existing turn lane.

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It had been suggested by LCDOT staff that a second access to the 4.81-acre commercial development be located on Magnolia Avenue; however, Magnolia Avenue is a dead-end local street providing access to a few single-family lots. Taking best planning practices into consideration, the applicant is determined to not introduce commercial traffic onto a residential street that provides access to seven lots/single-family homes before it dead-ends at the canal.

Williams Avenue is not a constrained road. It has a Level of Service of "D" near the proposed development. In addition, LDC Section 33-1414 does not limit access on Williams Avenue for new commercial development/redevelopment like it does for Lee Boulevard, State Road 82, or Gunnery Road. The applicant has taken the existing conditions of Williams Avenue and the surrounding neighborhood into consideration and believes the proposed location is the best choice from a planning/site design/internal traffic circulation perspective. The applicant respectfully requests approval of this deviation request.

DEVIATION #2:

Seeks relief from the **LDC §10-416(b)** requirement to provide building perimeter plants abutting three sides of the building. Request to permit the 6,000 square foot commercial building with drive-thru to use the 5-foot planting strip between the drive-thru lane and the regular drive aisles as two of the three sides required.

JUSTIFICATION:

The 6,000 square foot commercial building will include a convenience store and restaurant-type business with a drive-thru/pick-up window on the east side of the building. In addition, a small outdoor seating area is proposed on the north side of the building. A 5-foot wide planting strip is provided along the front of the building; however, it's not conducive to the drive-thru design to provide building perimeter plantings between the building and the drive-thru lane. The same can be said for the outdoor seating area. Only five (5) parking spaces are proposed along the north end of the building, with landscape islands on either side. Those landscape islands can be used for additional building perimeter plantings. In addition, the applicant is providing a minimum 5-foot wide planting strip between the drive-thru lane and the regular drive aisle to the south and an 8.5-foot planting strip to the east. Those planting strips will enable the applicant to provide additional plantings to act as building perimeter plantings and soften the hard edges of the building. It will also allow the applicant to exceed the minimum 10% requirement.

The landscape strip between the drive-thru lane and drive aisles to the south and east will be landscaped with trees and shrubs, providing a physical separation between the traffic lanes, and also buffering and shielding the commercial building. The alternatives proposed provide a much larger area for landscaping and meets the intent of the code to soften the edges of the commercial structure. Please see the attached Exhibit. The deviation enhances the planned development and the applicant requests approval of this deviation request.

DEVIATION #3:

WITHDRAWN

DEVIATION #4:

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Seeks relief from the **LDC §33-1432** requirements for Food Vending Carts in Lehigh Acres. Request to permit a permanent Food Truck Park with outdoor seating area instead of temporary food vending carts.

This deviation requests:

- (1) To permit the Food Truck Park to be permanent in nature and not considered temporary;
- (2) To permit more than one food vending cart to be located within one mile of another temporary food vending cart {LDC Sec. 33-1432(1)(f)(5)}; and
- (3) To allow the food vending carts to be left unattended and remain within the food truck park location each evening {LDC Sec. 32-1432(1)(f)(8)}.

JUSTIFICATION:

LDC Sec. 33-1432 sets forth the regulations for food vending cards in Lehigh Acres. However, the LDC does not include a section for permanent food truck parks. The applicant intends to provide a permanent food truck park at the south end of the property adjacent to Able Canal. Conversations with LAMSID have indicated that Lee County Parks & Rec will be constructing a bikeway/pedestrian way along the north side of Able Canal. The path will run from Trailhead Park off Joel Blvd to Harns Marsh along the north side of Able Canal. During the meeting with the LAAPZRB, the Board requested the applicant to locate the food truck park along the canal for ease of access to the community. The applicant has agreed as shown on the Master Concept Plan.

LDC Sec 33-1432 includes regulations regarding temporary permits, setbacks, etc. for Food Vending Carts in Lehigh Acres. The applicant intends to comply with those requirements with the exception of permanence, proximity, and temporary location.

The applicant agrees that a new permit must be applied for every calendar year as set forth in LDC Sec. 33-1432(1)(d) and that the permits must be issued in accordance with section 34-3041; however, would like to deem the Food Truck Park as a permanent use instead of a temporary one.

LDC Sec. 33-1342(1)(f)(5) states that *“There must be no more than one temporary food vending cart located within one mile of another temporary food vending cart.”* The applicant is proposing a permanent food truck park where there will be multiple food vending carts within close proximity to each other. This is common for food truck parks – the most similar one is located at Celebration Park in Naples.

LDC Sec. 33-1342(1)(f)(8) states that *“Food vending carts must not be left unattended and must be removed each evening in accordance with approved hours of operation.”* The applicant is proposing a permanent food truck park where the individual food vending carts are permanently located in the park and left unattended overnight and during non-business hours. This is typical of a permanent food truck park, similar to Celebration Park.

The applicant is proposing a use that is very familiar in Florida and throughout the United States, but not so common in Lee County. Lehigh Acres is so supportive of food trucks, there’s an entire section of the Lehigh Acres Community Plan in Chapter 33 of the LDC providing rules and regulations for food trucks. The proposed use is very similar to the very popular Celebration Park in Naples, which is a permanent facility. The applicant is requesting deviations from the

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regulations that pertain to a temporary food cart as opposed to a permanent food truck park. The two uses are somewhat different. The deviations requested will allow the food truck park to operate as intended and they enhance the objectives of the planned development.

DEVIATION #5:

Seeks relief from the **LDC §34-1353(f)** requirement to separate convenience food and beverage stores and automotive service stations from residentially zoned or developed properties with an 8-foot high wall located a minimum of 25 feet from the property line and landscaped with a minimum of 5 trees and 18 shrubs per 100 linear feet or a 30-foot wide Type F buffer with the hedge planted a minimum of 20 feet from the abutting property. Request to permit the landscape buffer required when commercial uses abut single family residential uses when located in the Lehigh Acres planning community per LDC §33-1405(c)(3).

JUSTIFICATION:

In most instances, the most restrictive code applies to developments, unless otherwise noted. LDC Chapter 33, Article V sets forth the code requirements specific to development in the Lehigh Acres Planning community. LDC §33-1405 sets forth the landscaping requirements, including materials, internal landscaping, and buffers.

LDC §33-1405(c) states that buffers must comply with section 10-416(d), except as modified below:

- (1) Commercial projects that are part of mixed use developments are not required to provide buffers between internal uses.*
- (2) Type "A" buffers required between commercial uses must be designed to allow for pedestrian, bicycle, and automobile connections through adequate spacing between required trees.*
- (3) When commercial, place of worship, industrial, or public active recreational park uses abut single or multiple family residential uses a buffer must be provided. This buffer must be 25 feet in width with seven trees, a double hedge row, and 33 ground covers per 100 linear feet. Palms are limited to a maximum of 25 percent of the buffer tree requirement. The hedge must be 48 inches in height at installation and be maintained at 72 inches high. Ground covers must be a minimum one gallon container size at time of planting.*

The LAAPZRB requested the applicant provide a landscape buffer that is a "living wall" instead of using a physical wall to separate commercial from residential uses, which is the intent of Chapter 33, Article V, the Lehigh Acres planning community. In this instance, the double hedge row is to be planted at 48" high and maintained at 72" high. The 6-foot high double staggered hedge row serves the same purpose as a wall to buffer and screen the residential property from any negative impacts associated with the proposed commercial use.

Also, please note that MCP A proposes the exact same buffer. That way, when the applicant is ready to progress to MCP B, the buffers are already in place. The applicant isn't able to provide a 30-foot wide Type F buffer on MCP A due to the parking lot and other site constraints. In an effort to be uniform, efficient, and cost effective, the applicant is proposing the same buffers to the 0.25-

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acre lot with RS-1 zoning for both MCP A and MCP B. The applicant believes the deviation enhances the achievements of the objectives of the planned development and is not detrimental to the public interest.

DEVIATION #6:

Seeks relief from the **LDC §34-1353(e)** requirement to provide a 25-foot wide buffer when convenience food and beverage stores and automotive service stations abut a street right-of-way. Request to provide a 15-foot wide Type D buffer per LDC §10-416(d) between the proposed dry detention area #1 and the Williams Avenue and West 5th Street rights-of-way in the northwest corner only.

JUSTIFICATION:

In most instances, the most restrictive code applies to developments, unless otherwise noted. In this instance LDC §34-1353(e) is the most restrictive; however, the applicant is requesting to follow the buffer requirement set forth in LDC Chapter 33, Article V, Lehigh Acres Planning community for the particular area of the 4.81-acre development.

LDC §33-1405(c) states that buffers must comply with section 10-416(d), except as modified below:

- (1) Commercial projects that are part of mixed use developments are not required to provide buffers between internal uses.*
- (2) Type "A" buffers required between commercial uses must be designed to allow for pedestrian, bicycle, and automobile connections through adequate spacing between required trees.*
- (3) When commercial, place of worship, industrial, or public active recreational park uses abut single or multiple family residential uses a buffer must be provided. This buffer must be 25 feet in width with seven trees, a double hedge row, and 33 ground covers per 100 linear feet. Palms are limited to a maximum of 25 percent of the buffer tree requirement. The hedge must be 48 inches in height at installation and be maintained at 72 inches high. Ground covers must be a minimum one gallon container size at time of planting.*

The applicant is requesting to comply with LDC §10-416(d), which requires a 15-foot wide Type D buffer along the Williams Avenue and West 5th Street rights-of-way, in the northwest corner of the property only. The northwest corner is intended to be used for dry detention for the commercial development. The actual gas station/convenience store is located further south. (Please note the appropriate buffers are provided to the gas station/convenience store.) The applicant believes a 15-foot wide Type D buffer with 5 trees per 100 linear feet and double hedge row is sufficient to buffer and screen the rights-of-way from the commercial development at this particular area of the site. The 4.81-acre site has been designed to locate the convenience food and beverage store as far as possible from any residentially zoned or developed property in the southwest corner of the property. Other uses, such as commercial retail and office, dry detention areas, and indigenous preserve are located throughout the remainder of the site. Providing a 25-foot wide buffer per LDC §34-1353(e) instead of a 15-foot wide Type D buffer doesn't make a difference at this location. The only thing to be "buffered and screened" from the rights-of-way is the dry detention/green

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open space area. The applicant believes the deviation enhances the achievements of the objectives of the planned development and is not detrimental to the public interest.

Summary:

The applicant is requesting six deviations for MCP B. MCP B is the vision of the applicant for the property at full build-out. The deviations are necessary to address certain existing site conditions plus provide a cohesive plan from MCP A (Option 1) to MCP B (Option II) without completely starting from scratch. The two Master Concept Plans demonstrate the design of the site, how it will be accessed from the surrounding roadway network, where the proposed uses will be located, and how the development relates to and supports the community. The applicant believes the requested deviations enhance the achievement of the objectives of the planned development and that they are not detrimental to the public interest.



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Williams Avenue CPD Narrative of Request/Lee Plan Compliance

Revised 2-28-2022

The Lee Plan describes Lehigh Acres as a “sustainable community of choice”. It further describes Lehigh Acres as “comprised of a collection of unique and inviting neighborhoods with involved citizens, a healthy environment, housing and employment opportunities, a full range of public services, and an efficient multi-modal transportation network connecting adjacent uses and neighboring communities”. The community vision of Lehigh Acres is one where residents are “encouraged to live a healthy and active lifestyle” and where opportunities for residents to “connect to the natural environment and their neighbors” is provided. The Lee Plan states that “Achieving the vision of the Lehigh Acres Planning Community will require improving the pattern of development to reduce dependence on neighboring communities for employment, recreation, and public services. Accomplishing this vision will reduce transportation impacts in neighboring communities and provide benefits to all of Lee County.” A Public Informational Meeting was conducted with the Lehigh Acres Architectural, Planning, and Zoning Review Board (LAAPZRB). The Board was supportive of the proposed rezoning to CPD and the proposed schedule of uses anticipated on the subject property. Rezoning the subject property from RS-1 to Commercial Planned Development will help achieve the vision of the Planning Community.

The subject property has a future land use classification of Urban Community. Lee Plan **Policy 1.1.4** states that these areas are characterized by a mixture of relatively intense commercial and residential uses. And “although the Urban Communities have a distinctly urban character, they should be developed at slightly lower densities”. Predominant land uses in the Urban Communities are residential, commercial, public and quasi-public, and limited light industrial uses. The subject property is adjacent to existing residential and public uses and in close proximity to existing commercial uses.

The properties to the north and east also have a future land use classification of Urban Community. The properties to the south have a Central Urban future land use classification and the properties to the west have a future land use classification of Central Urban and Public Facilities. (See Exhibit C – Future Land Use Map.) The subject property is adjacent to the Central Urban future land use classification, separated only by Able Canal to the south and Williams Avenue right-of-way to the west. Rezoning the land from RS-1 to CPD in order to provide neighborhood commercial uses along a major collector road is consistent with development in the Urban Community future land use category.

OBJECTIVE 2.1: DEVELOPMENT LOCATION. *Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.*

POLICY 2.1.1: *Most residential, commercial, industrial, and public development is expected to occur within the designated future urban areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.*

POLICY 2.1.2: *New land uses will be permitted only if they are consistent with the Future Land Use Map and the goals, objectives, policies, and standards of this plan.*

OBJECTIVE 2.2: DEVELOPMENT TIMING. *Direct new growth to those portions of the future urban areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created.*

POLICY 2.2.1: *Rezoning and Development of Regional Impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.*

POLICY 2.2.2: *Map 1 of the Future Land Use Map series indicates the uses and density ranges that will ultimately be permitted on a given parcel. However, it is not a guarantee that such densities or uses are immediately appropriate, as the map provides for the county's growth beyond the Lee Plan's planning horizon of 2030. During the rezoning process the Board of County Commissioners will balance the overall standards and policies of this plan with three additional factors:*

- 1. Whether a given proposal would further burden already overwhelmed existing and committed public facilities such that the approval should be delayed until the facilities can be constructed; and*
- 2. Whether a given proposal is for land so far beyond existing development or adequate public facilities that approval should be delayed in an effort to encourage compact and efficient growth patterns; and*
- 3. Whether a given proposal would result in unreasonable development expectations that may not be achievable because of acreage limitations contained in the Acreage Allocation Table (see Policy 1.7.6, Map 16 and Table 1(b)). Additional provisions related to mining are provided in Policy 33.1.4.*

In all cases where rezoning is approved, such approval does not constitute a determination that the minimum acceptable levels of service (see Policy 95.1.3) will be available concurrent with the impacts of the proposed development. Such a determination must be made prior to the issuance of additional development permits, based on conditions which exist at that time, as required by Lee County's concurrency management system.

The applicant has assembled seven (7) lots totaling 4.81 acres – almost the entire block – with the intention of rezoning the land for commercial use. **The two (2) remaining vacant lots are under separate ownership.** Although the applicant has reached out to both property owners, neither lot is for sale. At this time, only two single-family homes have been constructed on the entire block, and the applicant owns both of those residences. The remainder of the block is vacant, with the exception of a plant nursery. It should be noted that the plant nursery is not a permitted use in the

current RS-1 zoning district, but is included in the proposed schedule of uses for MCP A. Approval of the CPD will legitimize the use.

The subject property is located near existing commercial, residential, and public facilities, and is located along Williams Avenue, a county-maintained major collector road. Local roads border the property to the north (West 5th Street) and east (Magnolia Avenue) and Able Canal is located to the south. (See Exhibit A – Area Location Map.) Surrounding development includes single-family residential uses, parks, commercial recreation facilities and medical office to the west and northwest, offices and retail centers to the south, and an existing roadway network. In addition, urban services are available and adequate to service the development. This is consistent with Lee Plan **Goal 2, Objective 2.1, Policy 2.1.1, Policy 2.1.2, Objective 2.2, Policy 2.2.1, and Policy 2.2.2.**

The intent of Lee Plan Objective 4.1 is to consider water, sewer, and environmental standards during the rezoning process in order to ensure the standards are met prior to issuing a local development order. The applicant is requesting a maximum of 30,000 square feet of commercial uses on the 4.81-acre property for MCP B, which is full build-out. Please note only 5,000 sf is proposed for MCP A. FGUA has provided a letter of service availability confirming that there is sufficient capacity for both water and wastewater to service the proposed development. In addition, lines are available in proximity to the site. The applicant will connect to potable water and sanitary sewer as part of any commercial development. This is consistent with Lee Plan **Goal 4, Objective 4.1, Standard 4.1.1: Water, and Standard 4.1.2: Sewer.**

The Protected Species Survey/Environmental Report provided by Boylan Environmental Consultants indicates that the existing FLUCCS includes residential uses, disturbed lands, pine flatwoods, and an existing landscape nursery. No listed species were noted, no rookeries were found, and no burrows were found. The report states there are no environmentally sensitive areas on site. This is consistent with **Standard 4.1.4: Environmental Factors.**

***POLICY 5.1.5:** Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments.*

The entire block of land is currently zoned for residential use (RS-1). The applicant owns all but two (2) lots on the block. As previously stated, the two vacant lots are under separate ownership. When contacted, the property owner of the lot along West 5th Street considered selling the property to the Applicant, but then changed their mind. Ownership of the other vacant lot along Able Canal is unknown. As a result, the zoning request doesn't include those two (2) lots and the Master Concept Plans have been designed to limit and reduce any potential impacts to the lots.

Per LDC Sec. 34-2 Definitions:

Compatible means, in describing the relation between two land uses, buildings or structures, or zoning districts, the state wherein those two things exhibit either a positive

relationship based on fit, similarity or reciprocity of characteristics, or a neutral relationship based on a relative lack of conflict (actual or potential) or on a failure to communicate negative or harmful influences one to another.

The Applicant is proposing two Master Concept Plans – MCP A (Option 1) and MCP B (Option II). MCP A limits development to just those lots with frontage on Williams Avenue. The MCP will legitimize the existing plant nursery and add a single food truck with outside dining area. Associated infrastructure including access, parking, sidewalks, landscape buffers, delivery area, vehicular and pedestrian circulation internal to the development, and drainage areas are identified on the MCP. The existing two-story structure is anticipated to have commercial use on the first floor and retain residential use on the second floor as part of MCP A (Option I).

MCP A proposes a 25-foot wide buffer to the vacant lot along West 5th Street. Pursuant to LDC Section 33-1405(c)(3), when commercial uses abut single or multi-family residential uses, a 25-foot wide buffer with seven trees, a double hedge row, and 33 ground covers per 100 linear feet is required. Palms are limited to a maximum of 25 percent of the buffer tree requirement and the hedge must be 48 inches in height at installation and be maintained at 72 inches high. The wide width combined with the amount and size of vegetation required creates a dense barrier to buffer and shield the single-family zoned lot along West 5th Street.

The plant nursery is located along the other RS-1 zoned lot along Able Canal. The applicant is requesting a deviation to not provide a buffer to the that lot. Proposed commercial uses (food truck and seating area) are located 180 feet from said lot. The plant nursery contains rows and rows of trees and shrubs within that 180 feet, effectively buffering and shielding the vacant lot and acting as the buffer.

MCP B (Option II) depicts the development at full build-out. For Option II, the existing nursery and single-family residential uses are replaced with a convenience store and gas station, offices and retail uses, and a food truck park. At full build-out, it is anticipated that the development will exceed the two acres of impervious surface, making this a “large” development. As such, indigenous preserve is provided in addition to general open space. An Environmental Resource Permit will be required for a master storm water system. A right in/right out access is proposed on Williams Avenue and a full access driveway is proposed on West Fifth Street.

MCP B has been designed to protect the vacant lot fronting West 5th Street from any adverse impacts associated with commercial development. The gas station and convenience store are located as far south as possible, away from the vacant RS-1 zoned lot, with a 24-foot wide drive aisle, parking, detention area, and 25-foot wide buffer between the vacant lot and the convenience store. (See the Schedule of Deviations.) The Lehigh Acres Architectural, Planning, and Zoning Review Board (LAAPZRB) indicated a preference for a living vegetative wall/buffer instead of an actual physical wall at that location. As designed, the vacant RS-1 zoned lot is 120± feet north of the proposed convenience store, as shown on MCP B. The applicant has designed both MCP's with the end goal of reducing any impacts associated by the commercial development abutting a residentially zoned lot.

Residential zoning and uses are also located north of West 5th Street ROW and east of Magnolia Avenue ROW. The MCP's have been designed to locate uses with minimal impacts (low-impact parking lot, indigenous preserve, and detention area) along West 5th Street and limits any commercial access onto Magnolia Avenue. The food truck park is located a minimum of 25 feet from the Magnolia Avenue ROW, providing more than 75 feet to the residential lots on the east side of Magnolia. The LAAPZRB requested the food truck park be located along the proposed

Six-Mile Linear Park to be located along the north side of Able Canal. This allows the food truck park to be accessed by vehicles, cyclists, and pedestrians alike. In addition, 15-foot wide Type D buffers are proposed along the rights-of-way to the north and east, which shield the commercial uses from passing traffic and the residential properties across the street. Indigenous preserve areas are also located along Magnolia Avenue, further screening the residential lots from the commercial development.

The applicant believes he has demonstrated that the proposed commercial uses, as shown on the MCP's with buffers and conditions, are compatible with the abutting and nearby residentially zoned lots. The MCP's demonstrate a neutral relationship to the residential properties based on a relative lack of conflict. Any negative or harmful influences to the residentially zoned lots have been minimized. This is consistent with **Objective 5.1** and **Policy 5.1.5**.

POLICY 6.1.1: All applications for commercial development will be reviewed and evaluated as to:

- a. Traffic and access impacts (rezoning and development orders);*
- b. Landscaping and detailed site planning (development orders);*
- c. Screening and buffering (planned development rezoning and development orders);*
- d. Availability and adequacy of services and facilities (rezoning and development orders);*
- e. Impact on adjacent land uses and surrounding neighborhoods (rezoning);*
- f. Proximity to other similar centers (rezoning); and*
- g. Environmental considerations (rezoning and development orders).*

POLICY 6.1.4: Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities.

POLICY 6.1.5: The land development regulations will require that commercial development be designed to protect the traffic-carrying capacity of roads and streets. Methods to achieve this include, but are not limited to: frontage roads; clustering of activities; limiting access; sharing access; setbacks from existing rights-of-way; acceleration, deceleration and right-turn-only lanes; and, signalization and intersection improvements.

POLICY 6.1.6: The land development regulations will require that commercial development provide adequate and appropriate landscaping, open space, and buffering. Such development is encouraged to be architecturally designed so as to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses.

POLICY 6.1.7: Prohibit commercial developments from locating in such a way as to open new areas to premature, scattered, or strip development; but permit commercial development to infill on small parcels in areas where existing commercial development would make a residential use clearly unreasonable.

POLICY 6.1.8: Prohibit commercial development from locating near existing or planned school areas in such a way as to jeopardize the safety of students.

The subject property is located in the Lehigh Acres Planning Community and has a future land use classification of Urban Community. The property has frontage on Williams Avenue to the west, West 5th Street to the north, and Magnolia Avenue to the east. Able Canal runs along the south end of the property along with an access/maintenance parcel owned by LAMSID. Williams Avenue is a county-maintained major collector road with a left turn lane at the intersection of West 5th Street. The applicant is proposing a right-in/right-out driveway on Williams Avenue in an effort to

mitigate traffic concerns by preventing left turning movements across traffic. Both West 5th Street and Magnolia Avenue are county-maintained local roads. No access is proposed on Magnolia, which dead-ends at the canal. A full-access driveway will be provided on West 5th Street.

The Traffic Impact Study (TIS) is based on the most intense uses identified in the proposed schedule of uses. Per Table 5: Raw Trip Generation – Total Proposed Development with Pass-By, the A.M. peak hour vehicle trip ends is 139 and the P.M. peak hour vehicle trip ends is 253. According to the TIS, the proposed commercial development will not degrade the level of service of Lee Boulevard or Williams Avenue at full build-out. In addition, an Intersection Analysis and Level of Service Analysis conducted by TR Transportation. The Traffic Memo dated Jan. 19, 2022 states that “The results of the Intersection Analysis at the proposed site access drives on Williams Avenue and West 5th Street indicate all movements to operate at acceptable Level of Service with the project in the 2025 AM and PM peak hour traffic conditions.” The LOS Service Analysis determined that “Williams Avenue is projected to operate at a poor Level of Service in 2025 both with and without the proposed development”. As outlined in the Traffic Memo, the proposed development will not degrade the LOS on Williams Road beyond what is already anticipated.

There are several sections in the LDC that provide landscaping/buffer requirements. LDC Sec. 34-1353 applies to convenience stores, LDC Sec. 33-1405 is specific to Lehigh Acres, and LDC Sec. 10-416 sets forth general buffer requirements. The MCP’s show a variety of uses, including the convenience store. Several different types of buffers are shown on the MCP’s, depending on the proposed and abutting use. The most critical buffer is the one between the convenience store and the vacant RS-1 zoned lot along West Fifth Street. A 30-foot wide buffer Type F buffer with hedge planted 20 feet from the property line is proposed on all three sides of the lot. This will buffer and screen the residential lot from any adverse impacts associated with the convenience store, including light trespass, noise, glare, fumes, etc.

Urban services are available and adequate to service the proposed commercial development.

Fire/EMS:	Lehigh Acres Fire Control District, Station #102, located at 636 Thomas Sherwin Ave. S, ±5.9 miles away.
Police:	Lee County Sheriff’s Office, located at 1301 Homestead Rd. N, ±1.1 miles away.
Solid Waste:	The property is within the Lee County Solid Waste Franchise Area 4 and is serviced by Advanced Disposal.
Public Transit:	Public Transit is not available on Williams Avenue; however, Lee Tran Route 110 services Lee Blvd. to the south.
Public Parks:	Lehigh Acres Community Park and the Barbara A. Ferrell Park are located on the west side of Williams Avenue.
Public Schools:	The rezoning is for a commercial development, so no impacts are anticipated to public schools.
Water:	FGUA has provided a letter of availability to serve the commercial development.
Wastewater:	FGUA has provided a letter of availability to serve the commercial development.

Surrounding zoning districts include RS-1 to the north and east, C-2 to the south, AG-2 and CF to the west, and CPD to the northwest. (See Exhibit B – Zoning Map.) West of Williams Avenue is

the Lehigh Acres Community Park and the Barbara A. Ferrell Park. Further north on the west side of Williams Avenue is property zoned CPD with existing uses including Mini Golf, tennis courts, a self-storage warehouse, a medical office, and a fraternal club (Eagles). These existing commercial uses are directly across from existing single-family homes with RS-1 zoning. The land north of West 5th Street is zoned RS-1 and is currently used for single-family homes. A full-access driveway will be provided on West 5th Street. The land east of Magnolia Avenue is zoned RS-1 and is currently used for single-family homes. The properties south of Able Canal, along Lee Boulevard, consist of a variety of commercial uses with C-2 zoning. Rezoning almost an entire block of land for commercial uses that support the surrounding neighborhood is compatible with existing uses in the area.

A Sunoco gas station is located at 1360 Lee Boulevard, across from Homestead Road, approximately 3,100 feet from the subject property. A Speedway and Circle K are located further south on Homestead Road. No gas stations or convenience stores are located within proximity to the subject parcel on Williams Avenue.

The existing uses along this section of Williams Avenue (just north of Able Canal) is mixed. Uses include parks and recreation (Lehigh Acres Community Park and the Barbara A. Ferrell Park), medical office (Florida Skin Center), commercial recreation (Pelicans SnoBalls and Mini Golf), commercial schools (Roman's Submission School/martial arts), self-storage/mini-warehouse (Storage Rentals of America), single-family residential, and vacant lots. Lee Boulevard, immediately to the south, is the primary commercial corridor. However, existing nearby uses indicate that commercial development is starting to be located along the frontage of Williams Avenue. This is consistent with Lee Plan Policy 6.1.7.

As previously mentioned, the Protected Species Survey/Environmental Report provided by Boylan Environmental Consultants indicates that the existing FLUCCS includes residential uses, disturbed lands, pine flatwoods, and an existing landscape nursery. In addition, no listed species were noted, no rookeries were found, and no burrows were found. There are no environmentally sensitive areas on site.

The proposed commercial development is compatible with existing and proposed land uses, the proposed uses will not degrade the level of service of the surrounding roadway network, urban services are available and adequate to service the site, screening and buffering to abutting and adjacent uses is proposed, no schools are existing or planned in the nearby vicinity, and similar uses (gas station/convenience store) are over a half mile away. This is consistent with Lee Plan **Goal 6, Objective 6.1, Policy 6.1.1, Policy 6.1.4, Policy 6.1.5, Policy 6.1.6, Policy 6.1.7, and Policy 6.1.8.**

GOAL 25: LEHIGH ACRES COMMUNITY PLAN. Ensure that continued development and redevelopment converts this largely single use, antiquated pre-platted area into a vibrant residential and commercial community consisting of: safe and secure single family and multi-family neighborhoods; vibrant commercial and employment centers; pedestrian friendly mixed use activity centers and neighborhood nodes; and, adequate green space and recreational opportunities.

Objective 25.1 of the Lee Plan creates mixed use nodes that contribute the uses needed to support Lehigh Acres Community Plan area as shown on Map 1, Page 7. The subject property is not located in one of the identified Specialized Mixed Use Nodes. According to Lee Plan Map 1, Page 7, the existing commercial properties at the intersection of Williams Avenue and Lee Boulevard are located in the Commercial Overlay Zone. In addition, the existing commercial properties located

at the intersection of Williams Avenue and Village Lakes Boulevard north of the subject property are also located in the Commercial Overlay Zone. (See Exhibit D – Lehigh Acres Commercial Overlay Study.) The subject property is not located in a Specialized Mixed Use Node or in the Commercial Overlay Zone; however, the location lends itself to commercial use, given the proximity of existing commercial uses.

POLICY 25.6.2: *Because of the shortage of suitable undivided tracts, commercial uses may also be appropriate on certain other lands that might otherwise be used for residential lots.*

1. Many such lands are designated as part of the Lot Assembly Overlay. These lands are platted for single-family lots and are under multiple ownerships. Commercial uses on individual lots or small assemblies of lots would generally be intrusive to existing or emerging neighborhoods. However, the assembly of entire blocks would provide suitable commercial parcels. Major lot assemblies could qualify for commercial zoning whether assembled by government action, private sector purchases, cooperative arrangements between individual lot-owners, or similar arrangements.

2. Other tracts or combinations of platted lots in Lehigh Acres may also be considered for commercial rezoning (even if they are outside any of the three overlays) through the planned development zoning processes or by requesting the CN-3 conventional commercial zoning district that was created to address Lehigh Acres conditions. Lands suitable for such rezoning would include:

a. Tracts that are assembled from vacant lots at the intersection of future collector or arterial roads in sparsely developed areas where there are very limited or no suitable commercial locations in any of the commercial overlays; or

b. Tracts that separate existing commercial and residential land uses where some commercial uses may be appropriate if they provide a substantial buffer and reasonably protect the privacy of existing dwellings. Landowners seeking commercial zoning under this subsection should expect a minimal level of commercial uses and/or to provide extra levels of buffering.

The applicant has created a 4.81-acre tract of land assembled from seven (7) lots at the intersection of a major collector and local road. Lee Plan Policy 25.6.2.2 states that “Other tracts or combinations of platted lots in Lehigh Acres may also be considered for commercial rezoning (even if they are outside any of the three overlays) through the planned development zoning process or by requesting the CN-3 conventional commercial zoning district that was created to address Lehigh Acres conditions”. The applicant is requesting a planned development rezoning. The proposed Schedule of Uses include most of those uses permitted in the CN-3 zoning district; however, several additional uses are proposed including: convenience food and beverage store, self-service gas pumps, drive-thru facility, food truck park, plant nursery, and consumption on premises. The proposed food truck park is an ideal use for the subject property since it’s in close proximity to the Lehigh Acres Community Park and Barbara A. Ferrell Park on the west side of Williams Avenue. At the suggestion of LAMSID, the food truck park will be located at the south end of the property along the canal. According to Mike Cook with LAMSID, Lee County Parks and Rec will be constructing a bike/pedestrian path along the north side of Able Canal from Trailhead Park off Joel Blvd to Harns Marsh. The LAAPZRB and LAMSID thought the food truck park would be an asset to the community at that location, especially for those walking and biking along the new trail. The applicant, who has lived on the property for several years, intends to develop the property for uses that support the surrounding residential neighborhood, which is why the gas station/convenience store and drive-thru are proposed. It should be noted that the

LAAPZRB supports the proposed schedule of uses for the subject property with the exception of gas pumps.

Per LDC Sec. 34-1353, MCP B provides substantial 30-foot wide Type F buffers around the vacant RS-1 zoned lot with frontage on West 5th Street. In addition, a 25-foot wide buffer is also proposed along Williams Avenue along with an undulating berm. Standard Type D buffers per LDC Sec. 10-416 are proposed along West 5th Street and Magnolia Avenue. MCP A (no convenience store) complies with the standard buffer requirements, except where deviations are requested due to existing site constraints.

The applicant is proposing a commercial development with uses that will be an asset to the surrounding community and also meet the vision of the Lehigh Acres community plan. The request has the support of the LAAPZRB and is consistent with Lee Plan **Objective 25.1** and **Policy 25.6.2**.

OBJECTIVE 25.8: TRANSPORTATION, PARKING, AND TRAFFIC CIRCULATION. *To improve transportation, parking, and circulation within the Lehigh Acres Community Plan area.*

POLICY 25.8.4: *All new commercial development must provide parking lot interconnections to adjacent properties and must not prevent pedestrian or vehicular access from adjacent residential areas.*

A full-access driveway is proposed on West 5th Street and a right-in/right-out driveway is proposed on Williams Avenue. The right-in/right-out driveway on Williams Avenue is a compromise with the LAAPZRB. They preferred not to have a driveway on Williams Avenue due to traffic concerns. A right-in/right-out driveway prevents traffic from making left turning movements against traffic. The MCP provides internal sidewalks leading to the surrounding roadway network and there are several areas proposed for parking. Vehicular and pedestrian access is provided to both Williams Avenue and West 5th Street. This is consistent with Lee Plan **Objective 25.8** and **Policy 25.8.4**.

POLICY 125.1.2: *New development and additions to existing development must not degrade surface and ground water quality.*

POLICY 125.1.3: *The design, construction, and maintenance of artificial drainage systems must provide for retention or detention areas and vegetated swale systems that minimize nutrient loading and pollution of freshwater and estuarine systems.*

The proposed development will be Phased. Phase I (MCP-A) is largely to legitimize the existing nursery. Standard requirements for a landscape nursery require all herbicides, pesticides, and fertilizers to be stored in an enclosed storage building with impermeable floor (such as concrete). Also, any horticultural, landscaping, or garden service business must comply with Florida Statutes Chapters 482 and 487 and Florida Administrative Code Chapters 5E-2 and 5E-9.

The proposed development will ultimately have over two acres of impervious surface. As a result, it is considered a large project and an Environmental Resource Permit (ERP) will be required at time of local development order. In addition, a Stormwater Pollution Prevention Plan (SWP3) will be required by Lee County at time of local development order. There are safeguards in place through both Lee County and the State of Florida that will ensure compliance with Lee Plan **Policies 125.1.2 and 125.1.3**.

The applicant has proven entitlement to the rezoning as set forth in LDC Sec. 34-145(d)(4). The request:

- (a) Complies with the Lee Plan;
- (b) Meets the Land Development Code and other applicable County regulations or qualifies for deviations;
- (c) Is compatible with existing and planned uses in the surrounding area;
- (d) Will provide access sufficient to support the proposed development intensity;
- (e) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;
- (f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and
- (g) Will be served by urban services.

Additional findings for planned developments:

- (a) The proposed use or mix of uses is appropriate at the proposed location;
- (b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development;
- (c) The requested deviations enhance the achievement of the objectives of the planned development and preserves and promotes the general intent of the LDC to protect the public health, safety, and welfare.

416 WILLIAMS AVENUE
AND
409, 411, 413, 415, 417, AND 419 MAGNOLIA AVENUE
LEHIGH ACRES, FL 33971

29-44-27-01-00001.0020
29-44-27-01-00001.0190
29-44-27-01-00001.0200
29-44-27-01-00001.0210
29-44-27-01-00001.0220
29-44-27-01-00001.0230
29-44-27-01-00001.0240

CURRENT ZONING	= RS-1 (SINGLE-FAMILY RESIDENTIAL)
PROPOSED ZONING	= COMMERCIAL PLANNED DEVELOPMENT (CPD)
FUTURE LAND USE	= URBAN COMMUNITY
MIN. LOT SIZE	= 76,253 SF/1.75 ACRES
MAX. LOT SIZE	= 5,000 SQUARE FEET
MINIMUM FRONTAGE	= 150 FEET
MINIMUM DEPTH	= 150 FEET
MAX. HEIGHT	= 35 FEET
MINIMUM OPEN SPACE	= 20%
MAX. LOT COVERAGE	= 40%
MIN. BUILDING SEPARATION	= 20 FEET

COMMERCIAL BUILDINGS/CPD ZONING PER LDC SECTION 34-935

STREET SETBACK	= 25 FEET
PERIMETER	= BUFFER WIDTH OR 15', WHICHEVER IS GREATER

STREET (ALL) = 50 FEET
SIDE YARD = 15 FEET
REAR YARD = 15 FEET

EX. SINGLE-FAMILY RESIDENCE

STREET	= 25 FEET
SIDE YARD	= 7.5 FEET
REAR YARD	= 20 FEET

NORTH = RS-1/ROW (WEST FIFTH STREET)
SOUTH = RS-1/VACANT LOT AND CANAL
EAST = RS-1/ROW (MAGNOLIA AVENUE)
WEST = AG-2/ROW (WILLIAMS AVENUE)

PER LDC SEC. 33-1405(C)(3)
COM TO SFR: 25' WIDE BUFFER

PER LDC SEC. 10-416(D)
COM TO ROW: 15' WIDE TYPE D BUFFER

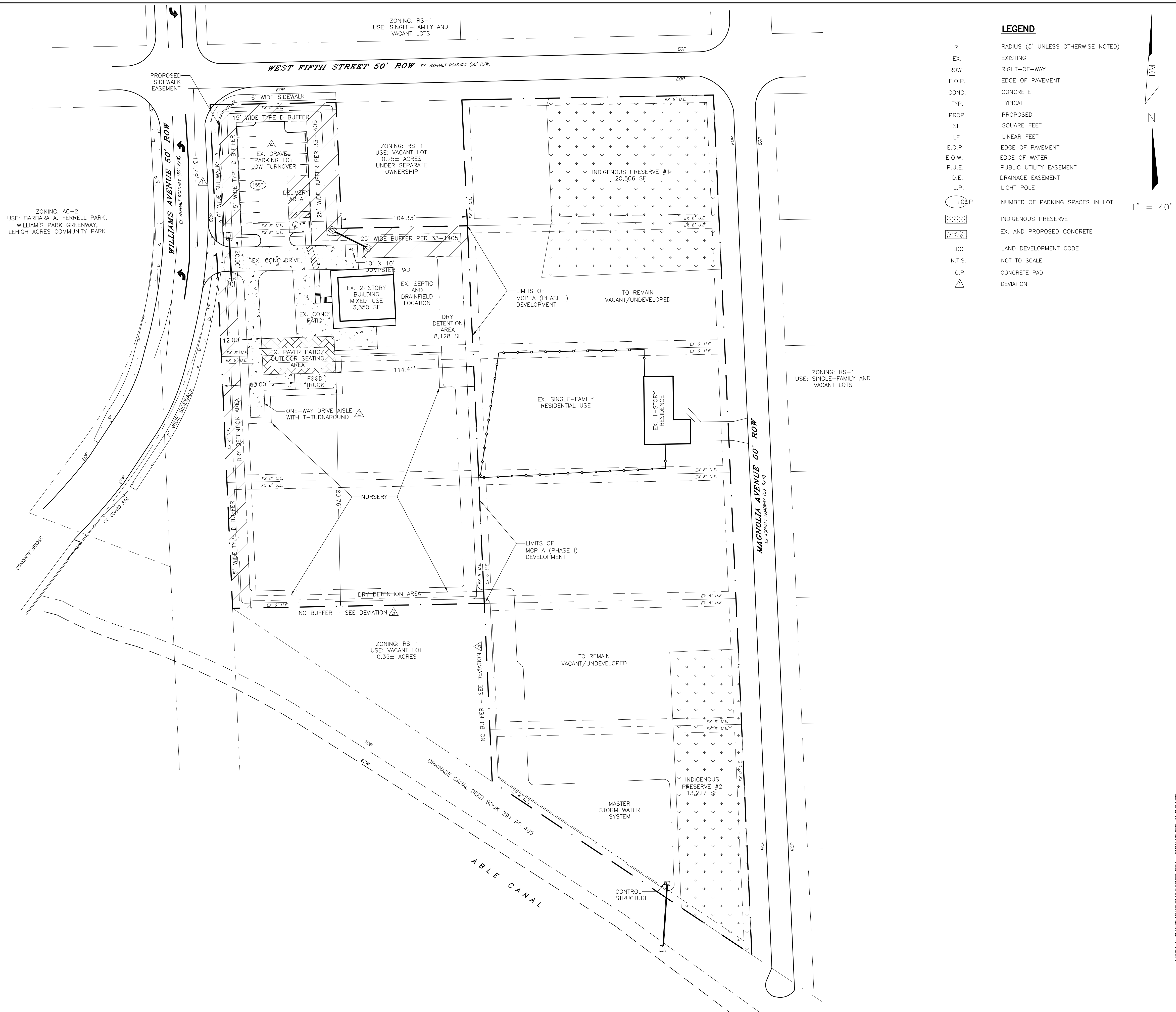
LIMITS OF PHASE 1 DEVELOPMENT (76,253 SF/1.75 AC)
MIN. REQUIRED: 76,253 SF X 20% = 15,250 SF
PROVIDED: 11,360 SF (BUFFERS) + 8,128 SF (DETENTION AREA)
= 19,488 SF (25%)

FOOD TRUCK (800 SF OUTDOOR SEATING AREA):
 = 12.5 SPACES PER 1,000 SF
 = 800 SF/1,000 SF = 0.8 X 12.5 = 10 SPACES
 REQUIRED PARKING = 10 SPACES

COMMERCIAL RETAIL AND OFFICE (1,500 SF)
= 1 SPACE PER 350 SF
= 1,500 SF/350 SF = 4.3 SPACES
REQUIRED PARKING = 4.3 SPACES

REQUIRED PARKING = 10 + 4.3 = 15 SPACES (MIN. 1 HC SPACES)
 PROVIDED PARKING = 15 SPACES INCLUDING 1 HC SPACE

SIX-FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS ARE LOCATED ALONG THE INTERNAL LOT LINES PER PLAT BOOK 15, PAGE 44.



R	RADIUS (5' UNLESS OTHERWISE NOTED)
EX.	EXISTING
ROW	RIGHT-OF-WAY
E.O.P.	EDGE OF PAVEMENT
CONC.	CONCRETE
TYP.	TYPICAL
PROP.	PROPOSED
SF	SQUARE FEET
LF	LINEAR FEET
E.O.P.	EDGE OF PAVEMENT
E.O.W.	EDGE OF WATER
P.U.E.	PUBLIC UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
L.P.	LIGHT POLE

10\$P NUMBER OF PARKING SPACES IN LOT 1" = 40'

EX. AND PROPOSED CONCRETE

LDC LAND DEVELOPMENT CODE

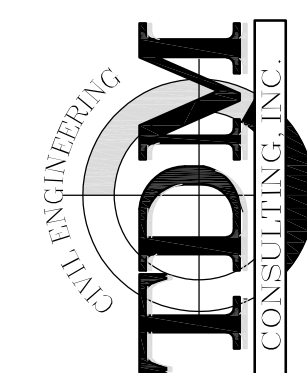
N.T.S. NOT TO SCALE

C.P. CONCRETE PAD

DATE	REVISIONS	DATE	REVISIONS	DATE:
6/20/21	REVISED PER LG COMMENTS	1		10/20/20
12/20/21	REVISED PER LG COMMENTS	2		DESIGNED BY:
				PEM
2/20/22	REVISED BY APPLICANT	3		DRAWN BY:
				PEM
				CHECKED BY:
				TDM
				APPROVED BY:
				TDM
DRAWING NAME: JOBS Southern Impression Navigator Road Drawings/CHM/TDM Site				

WILLIAMS AVENUE CPD
MASTER CONCEPT PLAN A

Civil Engineering
and
Planning



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Fort Myers, FL 33907
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Cert. of Authorization # 29086

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Dean Martin, P.E.
Florida #52022

This item has been digitally signed and sealed by Dean Martin on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any

1	SCALE: AS NOTED
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NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE, AND DATE.

416 WILLIAMS AVENUE
AND
409, 411, 413, 415, 417, AND 419 MAGNOLIA AVENUE
LEHIGH ACRES, FL 33971

29-44-27-01-00001.0020
29-44-27-01-00001.0190
29-44-27-01-00001.0200
29-44-27-01-00001.0210
29-44-27-01-00001.0220
29-44-27-01-00001.0230
29-44-27-01-00001.0240

CURRENT ZONING	= RS-1 (SINGLE-FAMILY RESIDENTIAL)
PROPOSED ZONING	= COMMERCIAL PLANNED DEVELOPMENT (CPD)
FUTURE LAND USE	= URBAN COMMUNITY
MIN. LOT SIZE	= 209,638 SF/4.81 ACRES
MAX. INTENSITY	= 30,000 SQUARE FEET
MINIMUM FRONTAGE	= 150 FEET
MINIMUM DEPTH	= 150 FEET
MAX. HEIGHT	= 35 FEET
MINIMUM OPEN SPACE	= 30%
MAX. LOT COVERAGE	= 40%
MIN. BUILDING SEPARATION	= 20 FEET

COMMERCIAL BUILDINGS/CPD ZONING PER LDC SECTION 34-935

STREET SETBACK	= 25 FEET
PERIMETER	= 15 FEET OR BUFFER WIDTH, WHICHEVER IS GREATER

CONVENIENCE STORE ONLY PER LDC 34-1353

STREET (ARTERIAL OR COLLECTOR)	= 50 FEET
STREET (LOCAL)	= 25 FEET
SIDE YARD	= 15 FEET
REAR YARD	= 20 FEET

FOOD VENDING CARTS PER LDC 33-1432

STREET (ALL)	= 50 FEET
SIDE YARD	= 15 FEET
REAR YARD	= 15 FEET
CANAL	= 20 FEET

NORTH = RS-1/ROW (WEST FIFTH STREET)
SOUTH = RS-1/VACANT LOT AND CANAL
EAST = RS-1/ROW (MAGNOLIA AVENUE)
WEST = AG-2/ROW (WILLIAMS AVENUE)

PER LDC SEC. 34-1353(E)
C-STORE TO ROW: 25' WIDE BUFFER WITH 5 CANOPY TREES PER 100 LF

PER LDC SEC. 33-1405(C)(3)
COM TO SFR: 25' WIDE BUFFER WITH 7 TREES, DOUBLE HEDGE ROW
AND 33 GROUND COVERS PER 100 LF

PER LDC SEC. 10-416(D)
COM TO ROW: 15' WIDE TYPE D BUFFER

MIN. REQUIRED: 209,638 SF X 30% = 62,892 SF

PROVIDED: PRESERVE AREA #1 (20,506 SF) + PRESERVE AREA #2 (13,227 SF)
+ DETENTION AREA #1 INCLUDING BUFFERS (24,392 SF) + WEST BUFFER (5,592 SF)
+ SOUTH BUFFER (10,590 SF) = 73,745 SF (35.2%)

MIN. REQUIRED: 62,892 SF X 50% = 31,446 SF
 PROVIDED: INDIGENOUS PRESERVE #1 (20,506 SF) + INDIGENOUS PRESERVE #2 (13,227 SF)
 = 33,733 SF (53.6%)

CONVENIENCE STORE (3,000 SF):
 = 1 SPACE PER 200 SF
 = 3,000 SF/200 = 15 SPACES
 REQUIRED PARKING = 15 SPACES

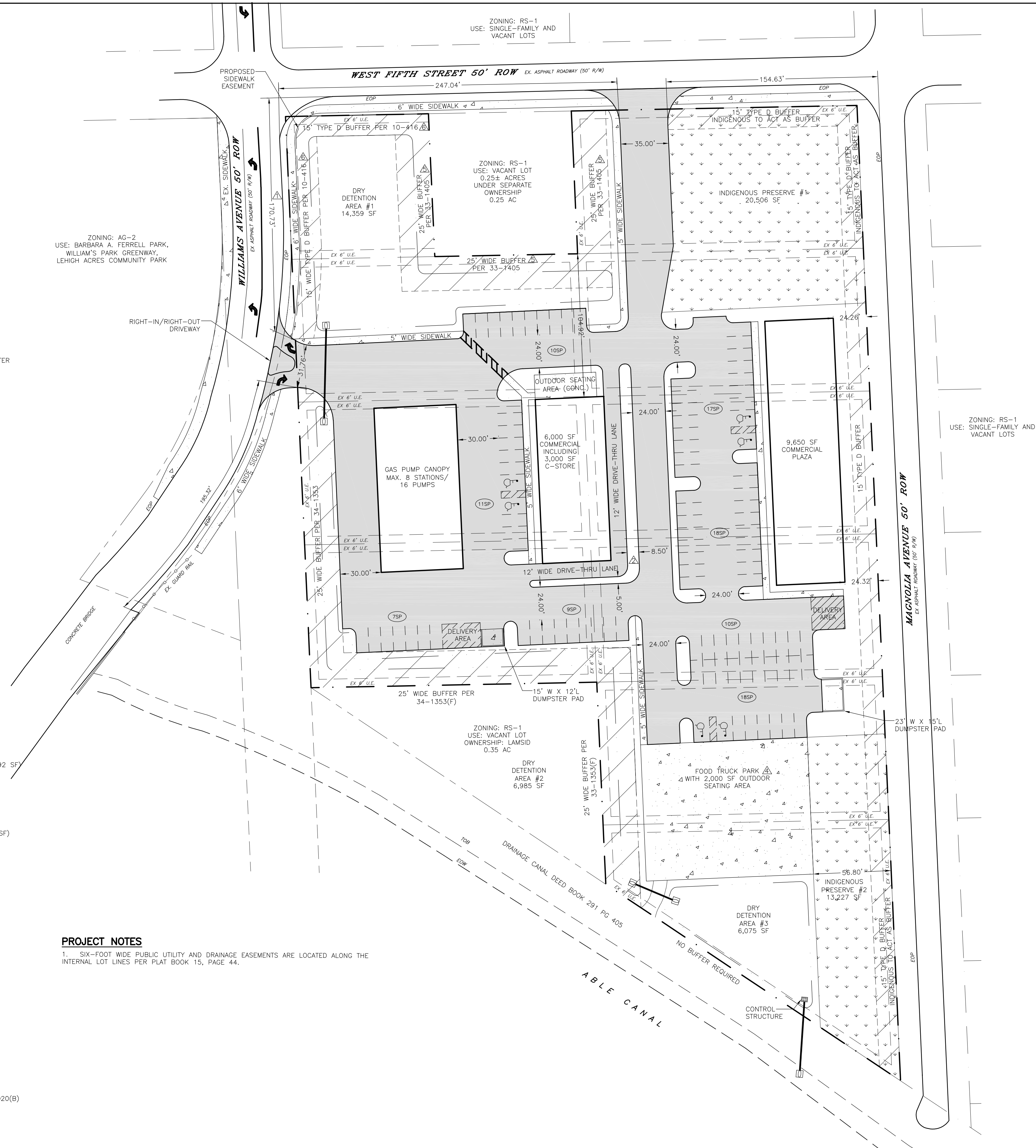
RESTAURANT (2,000 SF + 700 SF OUTDOOR SEATING AREA):
 = 12.5 SPACES PER 1,000 SF
 = 2,700 SF/1,000 SF = 2.7 X 12.5 = 34 SPACES
 REQUIRED PARKING = 34 SPACES

RESTAURANT/FOOD TRUCK PARK (2,000 SF OUTDOOR SEATING AREA):
 = 12.5 SPACES PER 1,000 SF
 = 2,000 SF/1,000 SF = 2 X 12.5 = 25 SPACES
 REQUIRED PARKING = 25 SPACES

COMMERCIAL RETAIL AND OFFICE (11,685 SF):
 = 1 SPACE PER 350 SF
 = 9,650 SF/350 SF = 28 SPACES
 REQUIRED PARKING = 28 SPACES

REQUIRED PARKING = 15 + 34 + 25 + 28 = 102 SPACES (MIN. 5 HC SPACES)
 PROVIDED PARKING = 100 SPACES + 5 SPACES PROVIDED AT GAS PUMPS (TABLE 34-2020(B))
 = 105 SPACES (INCLUDING 5 SPACES FOR HC)

1. SIX-FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS ARE LOCATED ALONG THE INTERNAL LOT LINES PER PLAT BOOK 15, PAGE 44.



R	RADIUS (5' UNLESS OTHERWISE NOTED)
EX.	EXISTING
ROW	RIGHT-OF-WAY
E.O.P.	EDGE OF PAVEMENT
CONC.	CONCRETE
TYP.	TYPICAL
PROP.	PROPOSED
SF	SQUARE FEET
LF	LINEAR FEET
E.O.P.	EDGE OF PAVEMENT
E.O.W.	EDGE OF WATER
P.U.E.	PUBLIC UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
L.P.	LIGHT POLE
10SP	NUMBER OF PARKING SPACES IN LOT
	PROPOSED PAVEMENT
	PROPOSED CONCRETE
LDC	LAND DEVELOPMENT CODE
N.T.S.	NOT TO SCALE
C.P.	CONCRETE PAD
	DEVIATION

$$1'' = 40'$$

	DATE	REVISIONS	DATE:
1	6/20/21	REVISED PER LEE COUNTY COMMENTS	DESIGNED BY: PEM
2	12/20/21	REVISED PER LEE COUNTY COMMENTS	DRAWN BY: PEM
3	10/22/22	REVISED BY APPLICANT	CHECKED BY: TDM
			APPROVED BY: TDM

WILLIAMS AVENUE CPD
MASTER CONCEPT PLAN B

Civil Engineering
and
Planning



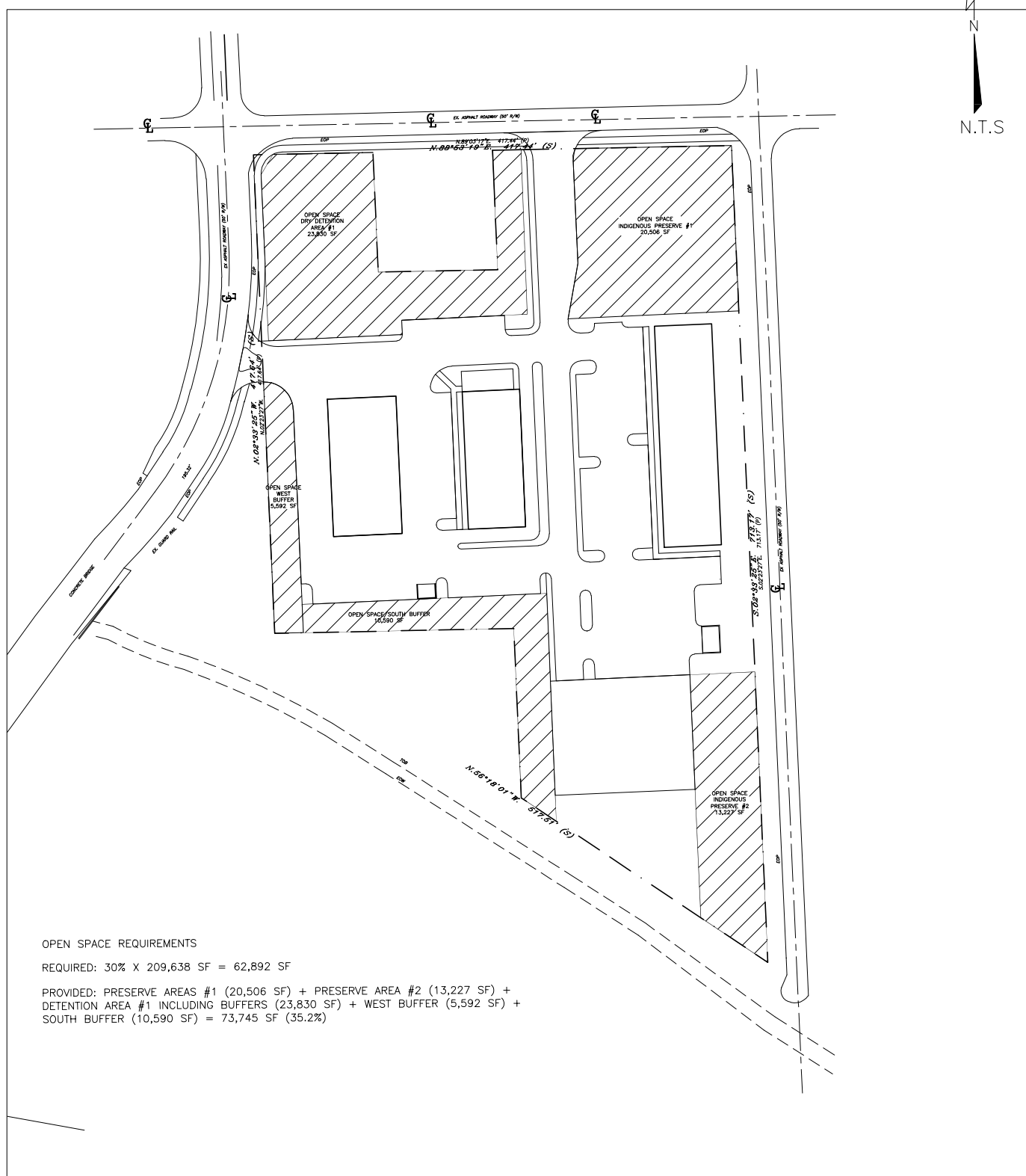
dean@tdmconsulting.com
www.tdmcivilengineering.com

33 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone: (239) 433-4231
Fax: (239) 433-9632
Cert. of Authorization # 29086

Dean Martin, P.E.
Florida #52022

SCALE: AS NOTED

N.T.S



WILLIAMS AVENUE CPD

OPEN SPACE EXHIBIT — MCP B (OPTION 2)

SOURCE: TDM, 02/22



43 Barkley Circle, Suite #200
 Fort Myers, FL 33907
 Phone: (239) 433-4231
 Fax: (239) 433-9632
 Email: dean@tdmconsulting.com
 Certificate of Authorization # 29086

PAVESE LAW FIRM

CHARLES MANN
Board Certified Real Estate Attorney
Board Certified Condominium and
Planned Development Law Attorney
Direct dial: (239) 336-6242
Email: CharlesMann@paveselaw.com

1833 Hendry Street, Fort Myers, Florida 33901 | P.O. Drawer 1507, Fort Myers, Florida 33902-1507 | (239) 334-2195 | Fax (239) 332-2243

TITLE CERTIFICATION

Pavese Law Firm (as Agent/Title Company)

Plat Number:

Development Order Number:

Effective Date of Title Certification: February 21, 2022 at 11:00 PM

Certified To: Lee County Board of County Commissioners

I have searched the Public Records of Lee County, Florida and have examined the title to the real property more particularly described in the metes and bounds description attached hereto as Exhibit "A." I have made a careful examination of the Public Records of Lee County, Florida, with respect to the real property described in attached Exhibit "A." Based on the foregoing, we hereby certify Record Title to the above described real property, as of the Effective Date of the Title Certification set forth above, is vested in:

Title to the property is vested in:

Alexis Ebra (West ½ of Lot 1 and all of Lots 2, 3, and 4); Yanet Tellez (Lots 19, 20, and 21); Yanet Tellez Avila and Alexis Ebra (Lots 22 and 23); and Yanet Tellez Avila (Lot 24) by virtue of those Deeds recorded in Instrument Number 2008000015801 (W ½ of Lot 1), Instrument Number 2007000195174 (Lots 2 and 3), Instrument Number 2015000106543 (Lot 4), Instrument Number 2020000009226 (Lot 4), Instrument Number 2017000220366 (Lots 19 and 20), Instrument Number 2017-87126 (Lot 21), Instrument Number 2018000133629 (Lot 22), Instrument Number 20190002494445 (Lot 23), Instrument Number 201600140418 (Lot 24), Public Records of Lee County, Florida.

The following are all of those persons or entities holding a mortgage secured by the property:

1. Mortgage to Mortgage Electronic Registration Systems, Inc. as nominee to GMAC Mortgage, LLC fka GMAC Mortgage Corporation, mortgagee(s), recorded in Instrument Number 2007000195175, and assignments in Instrument Number 200900036907, Instrument Number 2010-70668, Instrument Number 2019000210043, and Instrument Number 2020000276095, Public Records of Lee County, Florida. (Lots 2 and 3)
2. Mortgage to JPMorgan Chase Bank, mortgagee(s), recorded in Instrument Number 2007000195185, Public Records of Lee County, Florida. (For Informational Purposes Only: This appears to be a Wild Instrument.) (Lot 2)
3. Mortgage to Fred Elliott and Lisa Elliott, mortgagee(s), recorded in Instrument Number 2007000204041, Public Records of Lee County, Florida. (Lots 2 and 3)

4. Mortgage to Pedro Curbelo, mortgagee(s), recorded in Instrument Number 2008000015802, Public Records of Lee County, Florida. (W 1/2 of Lot 1)
5. Mortgage to Mortgage Electronic Registration Systems, Inc., as nominee to CrossCountry Mortgage, LLC recorded in Instrument Number 2021000355580, Public Records of Lee County, Florida. (Lot 22)

All property taxes, due and owing, have not been paid on all of the land described herein as of the date of this opinion, as follows:

1. General or special taxes and assessments for the years 2020 and 2021 are paid. (W 1/2 of Lot 1, and Lots 2, 3, 4, and 22)
2. General or special taxes and assessments required to be paid for the year 2021. (Taxes for the year 2020 are paid.) (Lots 19, 20, 23, and 24)

The following are all easements and rights of way affecting the property to be platted, whether recorded or unrecorded:

1. Code Enforcement Order recorded in Instrument Number 2021-379028, Public Records of Lee County, Florida.
2. All matters contained on the Plat of Section 29, Township 44 South, Range 27 East, Lehigh Acres, as recorded in Plat Book 15, Page 44 and Deed Book 254, Page 20, and Instrument Number 2019-18554, Public Records of Lee County, Florida.
3. Sewer and water covenants in Miscellaneous Book 58, Page 266; O.R. Book 10, Page 695; and O.R. Book 41, Page 264, Public Records of Lee County, Florida.
4. Restrictions, covenants and conditions as contained in Deed Book 254, Page 18, Public Records of Lee County, Florida.
5. Easement Agreement between Lehigh Acres Development Corp., and Community Television Cable Corporation of Lee County, dated September 19, 1964, recorded October 9, 1964, in O.R. Book 269, Page 704, Public Records of Lee County, Florida.
6. Agreement by and between Gerald H. Gould, Harold W. Wolfram, Howard M. Lawn and Alexander R. Hamilton, the surviving Trustees of Lee County Land and Title Company, a Florida corporation, and Lehigh Utilities, Inc., a Florida corporation recorded in O.R. Book 327, Page 119, Public Records of Lee County, Florida.
7. East County Water Control District as recorded in C.O. Book 38, Page 330, Final Judgment validating Bonds in O.R. Book 2173, Page 469, Public Records of Lee County, Florida.
8. Stipulated Final Judgment recorded August 7, 1992 in O.R. Book 2319, Page 1488, amended in O.R. Book 2332, Page 148 and re-recorded in O.R. Book 2385, Page 857, Public Records of Lee County, Florida.
9. Developer's Agreement by and between Lehigh Corporation and Cliffside Properties, Inc. and Lehigh Utilities, Inc. recorded in O.R. Book 2357, Page 2973, and Modification to Developer's Agreement

recorded in O.R. Book 2551, Page 833, Assignments recorded in O.R. Book 3632, Page 1562, O.R. Book 3632, Page 1699, Public Records of Lee County, Florida.

10. Lee County Ordinance No. 86-14 recorded November 30, 1990, in O.R. Book 2189, Page 3281; and amended by Ordinance No. 86-38 in O.R. Book 2189, Page 3334, Public Records of Lee County, Florida.
11. Notice of subsurface interests recorded in O.R. Book 1856, Page 144, Public Records of Lee County, Florida. No determination has been made as to the current record owner for the interest excepted herein.
12. Oil, gas, mineral, or other reservations as set forth in deed by Consolidated Naval Stores Company, a Florida corporation recorded in Deed Book 149, Page 399, O.R. Book 553, Page 114, Notice recorded in O.R. Book 1100, Page 525, Warranty Deed recorded in O.R. Book 4516, Page 2118, as assigned in Instrument Number 2016-54865, Public Records of Lee County, Florida. No determination has been made as to the current record owner for the interest excepted herein. Florida Form 9 not available for this matter.
13. Oil, gas, mineral, or other reservations as recorded in O.R. Book 1854, Page 2266, Public Records of Lee County, Florida. No determination has been made as to the current record owner for the interest excepted herein.
14. Oil, gas, mineral, or other reservations as recorded in O.R. Book 520, Page 845, Public Records of Lee County, Florida. No determination has been made as to the current record owner for the interest excepted herein. (Lot 23).
15. Surveyor's Affidavit recorded in Instrument Number 2022000013205, Public Records of Lee County, Florida.

[Remainder of page intentionally left blank]

All Recording references are to the public records of Lee County, Florida.

Note, this is not a certification of ownership of any oil, gas, and mineral rights or interests.

This certification is provided pursuant to the requirements of § 177.041, Florida Statute, for the uses and purposes specifically stated therein and is not to be used as the basis for the issuance of a title insurance commitment or policy. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

By: _____

Charles Mann
Managing Partner

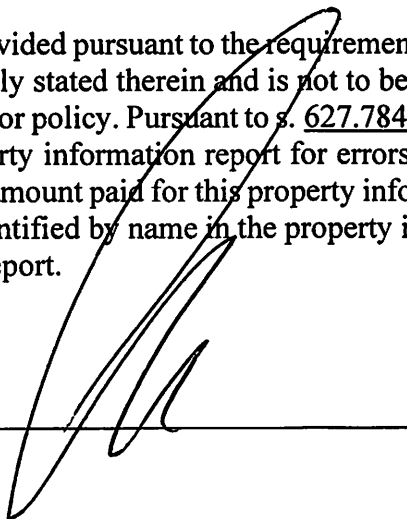
A handwritten signature in black ink, appearing to be 'Charles Mann', is written over a horizontal line. The signature is stylized with a large loop at the top and a long, sweeping underline.

EXHIBIT "A"

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, LEHIGH ACRES, UNIT 1, AS RECORDED IN PLAT BOOK 15, PAGE 44, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.88°53'19"E. ALONG THE SOUTH RIGHT OF WAY LINE OF WEST FIFTH STREET (50 FEET WIDE) FOR 104.36 FEET; THENCE RUN S.02°33'25"E. TO A POINT ALONG THE SOUTH LINE OF THE AFORESAID LOT 1 FOR 104.41 FEET; THENCE RUN N.88°53'19"E. TO THE SOUTHEAST CORNER SAID LOT 1 FOR 104.36 FEET; THENCE RUN N.02°33'25"W. TO A POINT ALONG THE AFORESAID SOUTH RIGHT OF WAY LINE OF WEST FIFTH STREET (50 FEET WIDE) FOR 104.41 FEET; THENCE RUN N.88°53'19"E. TO THE NORTHEAST CORNER OF LOT 24, SAID BLOCK 1, FOR 208.72 FEET; THENCE RUN S.02°33'25"E. ALONG THE WEST RIGHT OF WAY LINE OF MAGNOLIA AVENUE (50 FEET WIDE) TO THE SOUTHEAST CORNER OF LOT 19, BLOCK 1, LEHIGH ACRES, UNIT 1, AS RECORDED IN PLAT BOOK 15, PAGE 45, PUBLIC RECORDS OF LEE COUNTY, FLORIDA FOR 713.17 FEET; THENCE RUN N.56°18'01"W. TO THE SOUTHWEST CORNER OF LOT 19, BLOCK 1, SAID LEHIGH ACRES, UNIT 1, AS RECORDED IN PLAT BOOK 15, PAGE 44, PUBLIC RECORDS OF LEE COUNTY, FLORIDA FOR 258.75 FEET; THENCE RUN N.02°33'25"W. TO NORTHWEST CORNER OF LOT 20, BLOCK 1, SAID LEHIGH ACRES, UNIT 1, AS RECORDED IN PLAT BOOK 15, PAGE 45, PUBLIC RECORDS OF LEE COUNTY, FLORIDA FOR 147.76 FEET; THENCE RUN S.88°53'19"W. TO A POINT ALONG THE EAST RIGHT OF WAY LINE OF WILLIAMS AVENUE FOR 208.72 FEET, BEING THE SOUTHWEST CORNER OF LOT 4, BLOCK 1, SAID LEHIGH ACRES, UNIT 1, AS RECORDED IN PLAT BOOK 15, PAGE 44, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.02°33'25"W. ALONG THE EAST RIGHT OF LINE OF WILLIAMS AVENUE TO THE AFORESAID NORTHWEST CORNER OF LOT 1, BLOCK 1, LEHIGH ACRES, UNIT 1, AS RECORDED IN PLAT BOOK 15, PAGE 44, FOR 417.64 FEET TO THE POINT OF BEGINNING.

SURVEY NOTES:

1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE WEST RIGHT-OF-WAY LINE OF MAGNOLIA AVENUE, AS BEING ASSUMED S.02°33'25"E.
2. FIELD NOTES IN SECTION 29-44-27.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
5. THIS SURVEY IS BASED ON TITLE CERTIFICATION BY PAVESSE LAW FIRM DATED FEBRUARY 21, 2022 AT 11:00PM.
6. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
7. THIS MAP/PLAN IS CONSIDERED SIGNED USING A DIGITAL SEAL IN ACCORDANCE WITH THE APPLICABLE STATE LAWS AND STATUTES FS 668.001-006; FS 668.50; FS 472.025; SJ-17.062, FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.
8. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
9. THIS SURVEY IS INTENDED TO BE VIEWED AS AN 24X36, 30 SCALE DRAWING.
10. DEED BOOK 254, PAGE 20, EASEMENTS AND RIGHTS-OF-WAY ARE HEREBY EXPRESSLY RESERVED FOR THE CREATIONS, CONSTRUCTION AND MAINTENANCE OF UTILITIES 5' FOR EVERY LOT, AND 5' ALONG THE SIDES AND REAR OF EVERY BUILDING PLAT AND ALONG EVER STREET OF THE SUBDIVISION.
11. ELEVATIONS ARE NORTH AMERICAN VERTICAL DATUM OF 1988 (N.A.V.D.).

FLOOD ZONE: "X" ELEVATION: N/A.
COMMUNITY No: 125124 PANEL No: 0475
SUFFIX --- F REVISION DATE: 8/28/08
MAP NUMBER: 12071C0475F

THIS SURVEY IS CERTIFIED TO:
TDM CONSULTING, INC.

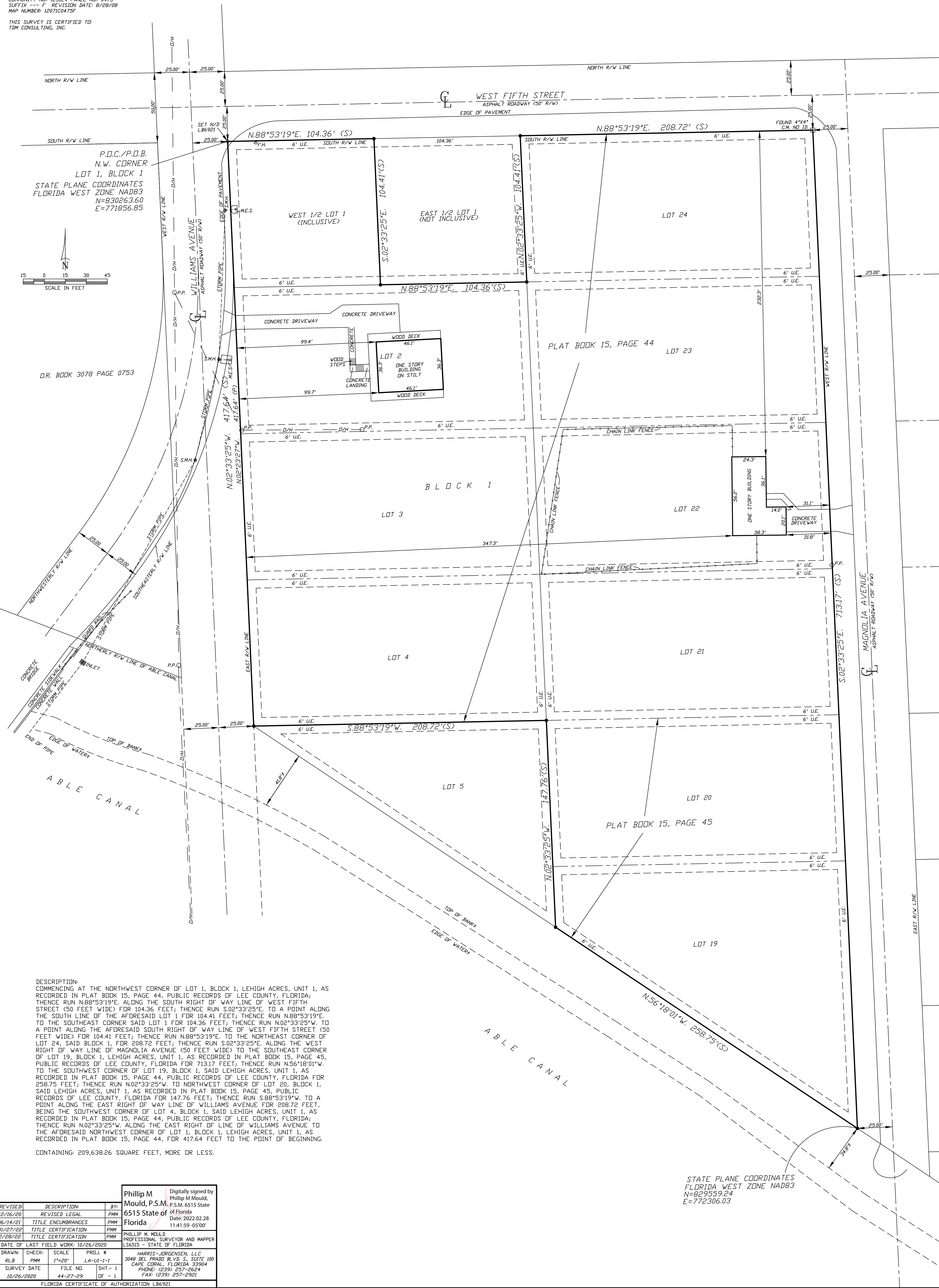
AS-BUILT SURVEY OF:

**WEST 1/2 OF LOT 1 AND ALL OF LOTS 2, 3, 4,
19, 20, 21, 22, 23 AND 24, BLOCK 1,
SECTION 29, TOWNSHIP 44 SOUTH, RANGE 27 EAST, LEHIGH ACRES,**

ACCORDING TO THE PLAT THEREOF RECORDED IN
DEED BOOK 254, PAGE 20, AND PLAT BOOK 15, PAGE 44,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA

LEGEND:

- SET #4 IRON ROD (CAP LB #6921)
- FOUND IRON ROD (C.R.)
- CONCRETE MONUMENT (C.M.)
- PERMANENT REFERENCE MONUMENT
- PERMANENT CONTROL POINT
- PUBLIC UTILITY EASEMENT
- BRAINAGE EASEMENT
- LAKE MAINTENANCE EASEMENT
- UTILITY EASEMENT
- POINT OF CURVATURE
- POINT OF TANGENCY
- OFFICIAL RECORDS BOOK
- AS PER SURVEY
- AS MEASURED
- (P) AS PER PLAT
- (D) AS PER DEED
- (C) CURVE NUMBER
- LINE NUMBER
- RIGHT-OF-WAY
- CENTERLINE
- S.M.H.
- STORM MANHOLE
- R.W.B.
- WATER METER
- FIRE HYDRANT
- OVERHEAD POWER
- POWER POLE
- GUY ANCHOR & WIRE
- E.B.
- CABLE TELEVISION BOX
- T.S.B.
- TELEPHONE SERVICE BOX
- N/D
- NAIL & TINTAB
- ELEVATION
- B.M.
- TYPICAL ELEVATION
- AIR CONDITIONER
- WATER SYSTEM
- POOL EQUIPMENT
- CONCRETE
- MITERED END SECTION



DESCRIPTION:
COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, LEHIGH ACRES, UNIT 1, AS RECORDED IN PLAT BOOK 15, PAGE 44, PUBLIC RECORDS OF LEE COUNTY, FLORIDA;
THENCE RUN N.88°53'19"E. ALONG THE SOUTH RIGHT OF WAY LINE OF WEST FIFTH STREET (50 FEET WIDE) FOR 104.36 FEET; THENCE RUN S.02°33'25"E. TO A POINT ALONG THE SOUTH LINE OF THE AFORESAID LOT 1 FOR 104.41 FEET; THENCE RUN N.88°53'19"E. TO THE SOUTHEAST CORNER SAID LOT 1 FOR 104.36 FEET; THENCE RUN N.02°33'25"W. TO A POINT ALONG THE AFORESAID SOUTH RIGHT OF WAY LINE OF WEST FIFTH STREET (50 FEET WIDE) FOR 104.41 FEET; THENCE RUN N.88°53'19"E. TO THE NORTHEAST CORNER OF LOT 24, SAID BLOCK 1, FOR 208.72 FEET; THENCE RUN S.02°33'25"E. ALONG THE WEST RIGHT OF WAY LINE OF MAGNOLIA AVENUE (50 FEET WIDE) TO THE SOUTHEAST CORNER OF LOT 19, BLOCK 1, LEHIGH ACRES, UNIT 1, AS RECORDED IN PLAT BOOK 15, PAGE 45, PUBLIC RECORDS OF LEE COUNTY, FLORIDA FOR 713.17 FEET; THENCE RUN N.56°18'01"W. TO THE SOUTHWEST CORNER OF LOT 19, BLOCK 1, SAID LEHIGH ACRES, UNIT 1, AS RECORDED IN PLAT BOOK 15, PAGE 44, PUBLIC RECORDS OF LEE COUNTY, FLORIDA FOR 258.75 FEET; THENCE RUN N.02°33'25"W. TO NORTHWEST CORNER OF LOT 20, BLOCK 1, SAID LEHIGH ACRES, UNIT 1, AS RECORDED IN PLAT BOOK 15, PAGE 45, PUBLIC RECORDS OF LEE COUNTY, FLORIDA FOR 147.76 FEET; THENCE RUN S.88°53'19"W. TO A POINT ALONG THE EAST RIGHT OF WAY LINE OF WILLIAMS AVENUE FOR 208.72 FEET, BEING THE SOUTHWEST CORNER OF LOT 4, BLOCK 1, SAID LEHIGH ACRES, UNIT 1, AS RECORDED IN PLAT BOOK 15, PAGE 44, PUBLIC RECORDS OF LEE COUNTY, FLORIDA;
THENCE RUN N.02°33'25"W. ALONG THE EAST RIGHT OF LINE OF WILLIAMS AVENUE TO THE AFORESAID NORTHWEST CORNER OF LOT 1, BLOCK 1, LEHIGH ACRES, UNIT 1, AS RECORDED IN PLAT BOOK 15, PAGE 44, FOR 417.64 FEET TO THE POINT OF BEGINNING.

CONTAINING: 209,638.26 SQUARE FEET, MORE OR LESS.

REVISED	DESCRIPTION	BY
12/16/20	REVISED LEGAL	PM
06/14/21	TITLE ENCUMBRANCES	PM
01/27/22	TITLE CERTIFICATION	PM
2/28/22	TITLE CERTIFICATION	PM
DATE OF LAST FIELD WORK: 10/26/2020		
DRAWN	CHECK	SCALE
RLB	PM	1"=20'
SURVEY DATE	FILE NO.	SHT. - 1
10/26/2020	44-27-29	OF - 1
FLORIDA CERTIFICATE OF AUTHORIZATION LB6921		
Phillip M. Mould, P.S.M. 6515 State of Florida		
Digitally signed by Phillip M Mould, P.S.M. 6515 State of Florida		
Date: 2022.02.28 11:41:59 -0500		
Phillip M. Mould, P.S.M. 6515 State of Florida		
PROFESSIONAL SURVEYOR AND MAPPER		
LS6515 - STATE OF FLORIDA		
HARRIS-JORGENSEN, LLC		
3048 DEL PRADO BLVD. S., SUITE 100		
CAPE CORAL, FLORIDA 33904		
PHONE: (239) 257-2624		
FAX: (239) 257-2921		

STATE PLANE COORDINATES
FLORIDA WEST ZONE NAD83
N=829559.24
E=772306.03