



43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com
Certificate of Authorization # 29086

June 24, 2022

Office of the Hearing Examiner
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

Reference: 48-Hour Letter - Additional Exhibits
DCI2021-00014 – Williams Avenue CPD

Dear Madame Hearing Examiner:

TDM and Lee County staff met to review the plans for the proposed pedestrian trail along Able Canal, the plans for the Lehigh Acres Park expansion, traffic issues on Williams Avenue and access to the site, and to resolve the Hearing Examiner's concerns from the June 2, 2022 public hearing. The joint resolution was to reduce the maximum intensity of the development from 30,000 square feet to 20,000 square feet and to eliminate several of the more intensive uses, including fast-food restaurant with drive-thru. The changes to the Master Concept Plans and Schedule of Uses necessitated changes to the Schedule of Deviations. Several deviations are no longer necessary and have been withdrawn. Please see the list of exhibits included with this Letter. In addition, the applicant will be providing a copy of the new power point presentation at the June 28, 2022 public hearing.

List of Exhibits:

1. A Detailed List of Revisions;
2. Revised Master Concept Plans A (Option 1) and B (Option 2);
3. Revised Schedule of Uses for MCP A and MCP B;
4. Revised Schedule of Deviations for MCP A and MCP B;
5. MCP A with pedestrian path exhibit;
6. MCP B with pedestrian path exhibit;
7. Able Canal Pathway Plan;
8. Intersection Details and Signage for Pathway Crossing Williams Avenue;
9. Lehigh Acres Park Master Site Plan; and

10. Lee Tran Civil Plan.

Please feel free to contact this office with any questions or comments.

Sincerely,

TDM CONSULTING, INC.



Veronica Martin
Senior Planner

CC: Alexis Ebra and Yanet Tellez Avila
Anthony Rodriguez
Adam Mendez



43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com
Certificate of Authorization # 29086

REVISIONS FOR HEX HEARING JUNE 28, 2022

MCP A OPTION 1:

Master Concept Plan A

- Amended MCP to show a right-in/right-out only driveway on Williams Avenue;
- Removed the food truck location and drive aisle; and
- Removed extraneous text from MCP

Revised Schedule of Uses

- Added Repair Shops, Group III (limited to reupholstering/mattress renovating); and
- Removed Mobile Food Vendor with outdoor seating, limited to one (1) truck

Revised Schedule of Deviations

- Deviation #2 – Withdrawn

Additional Exhibits

- MCP A with pedestrian trail exhibit

MCP B OPTION 2:

Master Concept Plan B

- Reduced intensity from a maximum of 30,000 sf to a maximum of 20,000 square feet;
- Amended MCP B to show a right-in only driveway on Williams Avenue;
- Removed proposed drive-thru lane; and
- Enhanced the ROW buffer between the food truck park and Magnolia Avenue from a 15-foot wide Type D buffer with 5 trees per 100 lf and double staggered hedge row to a 25-foot wide Type D buffer with 7 trees per 100 lf and double staggered hedge row (indigenous preserve to act as buffer where possible)

Revised Schedule of Uses

- Removed:
Caretaker's Residence
Car Wash
Drive-thru Facility for any permitted use
Medical Office
Pharmacy
Post Office
Restaurants, Fast Food (limited to one and not freestanding)
Truck Stop

Additional info dated 06-24-2022
(Applicant's 48 Hour Letter)

Used Merchandise Store, Group I

Revised Schedule of Deviations

- Amended Deviation #1 to permit 182 feet of connection separation for a right-in only driveway on Williams Avenue. The distance increased with the removal of the right-out portion of the driveway.
- Deviation #2 – Withdrawn
- Deviation #4 – Withdrawn

Additional Exhibits

- MCP B with pedestrian trail exhibit

STREET ADDRESSES

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

STRAP NUMBERS

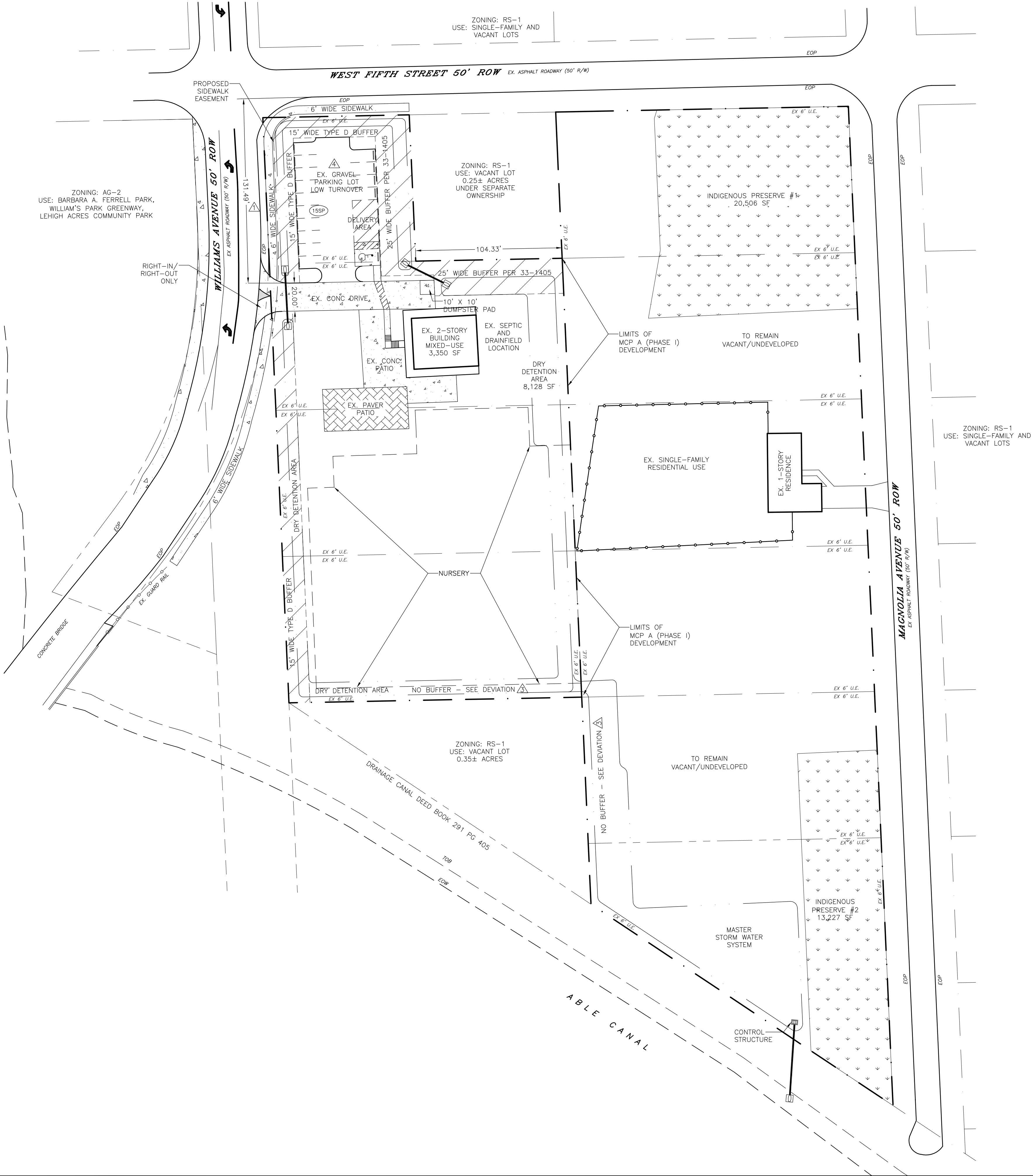
29-44-27-01-00001.0020
29-44-27-01-00001.0190
29-44-27-01-00001.0200
29-44-27-01-00001.0210
29-44-27-01-00001.0220
29-44-27-01-00001.0230
29-44-27-01-00001.0240

PROPERTY DEVELOPMENT REGULATIONS MCP A

MAX. INTENSITY = 5,000 SQUARE FEET
MIN. LOT SIZE = 76,253 SF/1.75 ACRES
MINIMUM FRONTAGE = 150 FEET
MINIMUM DEPTH = 150 FEET
MAX. HEIGHT = 35 FEET
MINIMUM OPEN SPACE = 20%

OPEN SPACE REQUIREMENTS

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%)



LEGEND

- R
EX.
ROW
E.O.P.
CONC.
TYP.
PROP.
SF
LF
E.O.P.
E.O.W.
P.U.E.
D.E.
L.P.
- RADIUS (5' UNLESS OTHERWISE NOTED)
EXISTING
RIGHT-OF-WAY
EDGE OF PAVEMENT
CONCRETE
TYPICAL
PROPOSED
SQUARE FEET
LINEAR FEET
EDGE OF PAVEMENT
EDGE OF WATER
PUBLIC UTILITY EASEMENT
DRAINAGE EASEMENT
LIGHT POLE
- 10SP
INDIGENOUS PRESERVE
EX. AND PROPOSED CONCRETE
- LDC
N.T.S.
C.P.
DEVIATION

1" = 40'

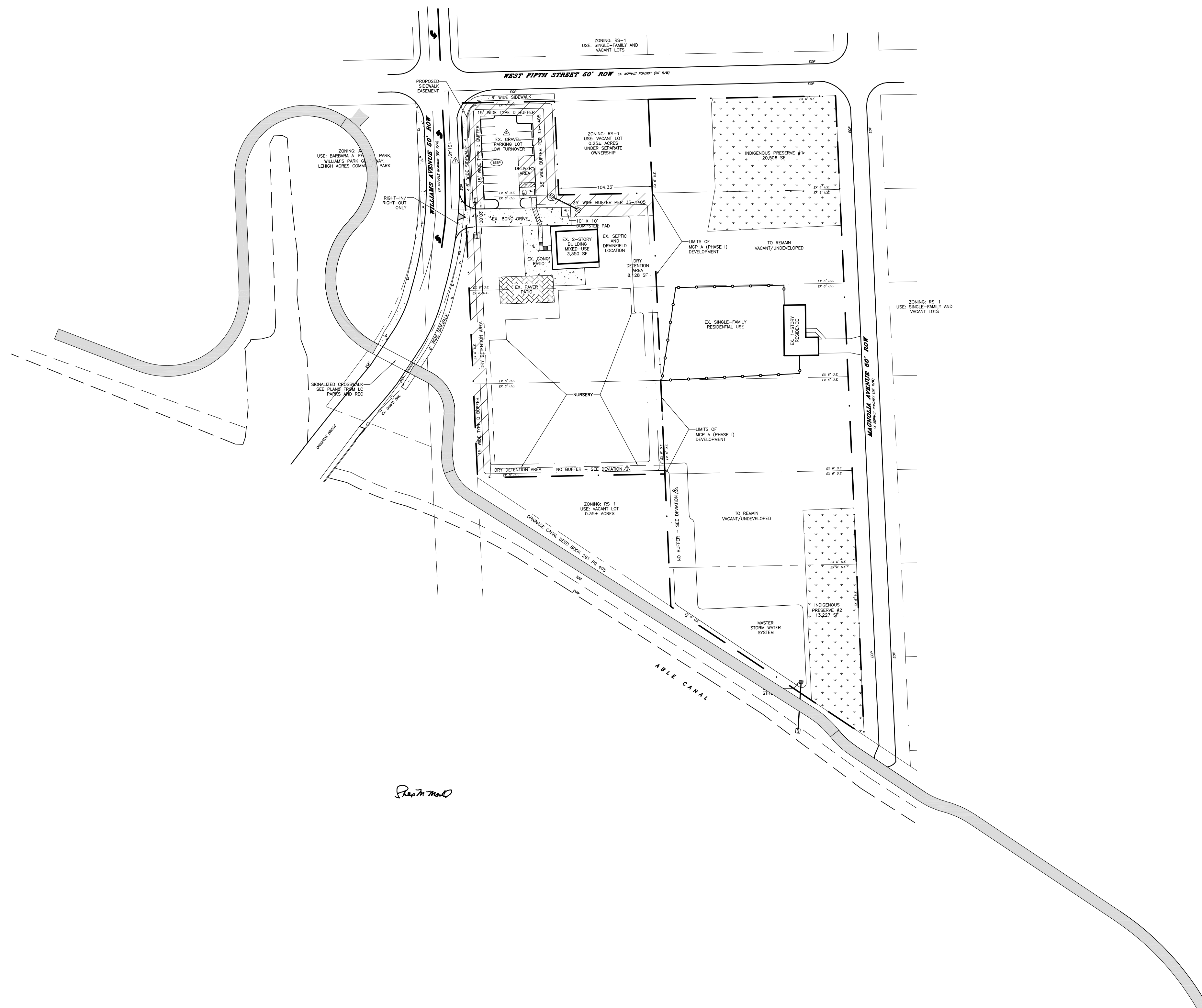
REVISIONS		DATE	DESIGNED BY:	DRAWN BY:	CHECKED BY:	APPROVED BY:
1		6/20/21	PEM	PEM	PEM	TDM
2		12/20/21	REVISOR PER LC COMMENTS	REVISOR PER LC COMMENTS	REVISOR PER LC COMMENTS	REVISOR PER LC COMMENTS
3		2/20/22	REVISOR PER LC COMMENTS	REVISOR PER LC COMMENTS	REVISOR PER LC COMMENTS	REVISOR PER LC COMMENTS
4		6/20/22	REVISOR PER LC COMMENTS	REVISOR PER LC COMMENTS	REVISOR PER LC COMMENTS	REVISOR PER LC COMMENTS
DRAWING NAME: WILLIAMS AVENUE CPD MASTER CONCEPT PLAN A		DRAWING NUMBER: 29086				
NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE, AND DATE.		NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE, AND DATE.				
SHEET #		1 of 1				
SCALE: AS NOTED		SCALE: AS NOTED				

STREET ADDRESSES

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

STRAP NUMBERS

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



LEGEND

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

INDIGENOUS PRESERVE
EX. AND PROPOSED CONCRETE

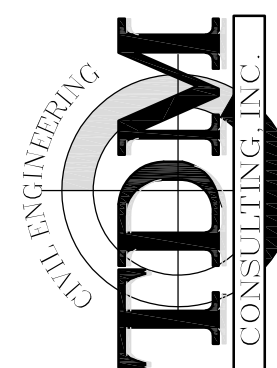
LDC	LAND DEVELOPMENT CODE
N.T.S.	NOT TO SCALE
C.P.	CONCRETE PAD
	DEVIATION

$$1'' = 40'$$

	DATE	REVISIONS	DATE:
			DESIGNED BY:
			FEM
			DRAWN BY:
			FEM
			CHECKED BY:
			TDM
			APPROVED BY:
			TDM

WILLIAMS AVENUE CPD
PARKS AND REC EXHIBIT
MCP A

Civil Engineering
and
Planning



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

dean@tdmconsulting.com
www.tdmcivilengineering.com

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 electronic copies.

SCALE: AS NOTED

STREET ADDRESSES

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

STRAP NUMBERS

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

PROPERTY DEVELOPMENT REGULATIONS

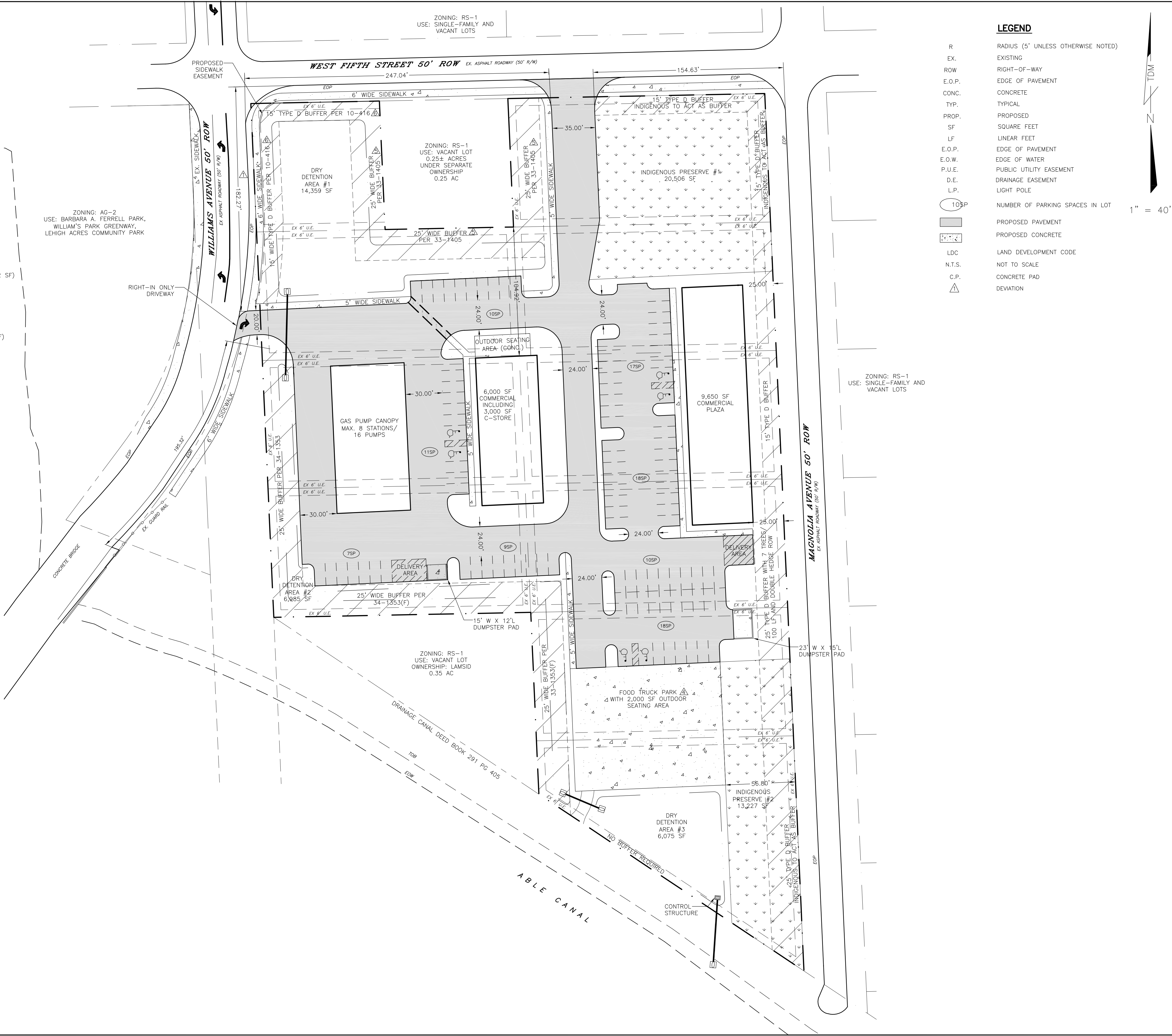
MIN. LOT SIZE = 209,638 SF/4.81 ACRES
MAX. INTENSITY = 20,000 SQUARE FEET
MINIMUM FRONTAGE = 150 FEET
MINIMUM DEPTH = 150 FEET
MAX. HEIGHT = 35 FEET
MINIMUM OPEN SPACE = 30%

OPEN SPACE REQUIREMENTS

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%)

INDIGENOUS PRESERVE REQUIREMENTS

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%)



SHEET #		DATE:		REVISIONS	
1		10/2020		DESIGNED BY:	
of		6/2021		REVISED PER LEE COUNTY COMMENTS	
1		12/2021		REVISED PER LEE COUNTY COMMENTS	
		02/2022		DRAWN BY:	
		06/2022		REVISED BY APPLICANT	
				CHECKED BY:	
				TDM	
				APPROVED BY:	
				DRAWING NAME: JPRS Southern Inspection Navigator Road	
				DRAWING NUMBER: C:\TDM\Shi	
				TDM	

WILLIAMS AVENUE CPD

MASTER CONCEPT PLAN B

Civil Engineering and Planning





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

dean@tdmconsulting.com
www.tdmcivilengineering.com

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE, AND DATE.

Dean Martin, P.E.
Florida #52022

DATE:

This form has been digitally signed and sealed by Dean Martin on the code adjacent to the seal. Printed copies of this document are not considered signed and sealed for electronic copies.

SHEET #

1

of

1

SCALE: AS NOTED

[illegible]

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

USE: BARBARA A. FERRELL PARK,
WILLIAM'S PARK GREENWAY,
LEHIGH ACRES COMMUNITY PARK

SIGNALIZED CROSSWALK
SEE PLANS FROM LC
PARKS AND REC

ZONING: RS
USE: VACANT
OWNERSHIP: L
0.35 AC

ZONING: RS-1
USE: SINGLE-FAMILY AND
VACANT LOTS

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE, AND DATE.

SHEET # 133HS

1 of 1

SCALE: AS NOTED

Dean Martin, P.E. DATE:
Florida #52022

dean@tdmconsulting.com
www.tdmcivilengineering.com



Fort Myers, FL 33907
Phone: (239) 433-4231
Fax: (239) 433-9632
rt. of Authorization # 290866

dean@tdmconsulting.com
www.tdmcivilengineering.com

	DATE	REVISIONS	DATE:
1	6/20/21	REVISED PER LEE COUNTY COMMENTS	10/26/20
2	12/20/21	REVISED PER LEE COUNTY COMMENTS	DESIGNED BY:
3	02/20/22	REVISED BY APPLICANT	PEM
			DRAWN BY:
			PEM
			CHECKED BY:
			TDM
			APPROVED BY:
			TDM

WILLIAMS AVENUE CPD
MASTER CONCEPT PLAN B

$$1'' = 40'$$

Additional info dated 06-24-2022
(Applicant's 48 Hour Letter)



43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com
Certificate of Authorization # 29086

Williams Avenue CPD
Proposed Schedule of Uses
Revised 6/23/2022

MASTER CONCEPT PLAN A (OPTION 1)

Accessory Uses and Structures
Administrative Offices
Caretaker's Residence (limited to one)
Dwelling Unit, Single-Family (Existing Only)
Essential Services
Essential Service Facilities, Group I
Fences, Walls
~~Mobile Food Vendor with outdoor seating, limited to one (1) truck~~
Home Occupation
Lawn and Garden Supply Store
Parking Lot, Accessory, Temporary
Plant Nursery
Repair Shops, Group III (limited to reupholstering/mattress renovating)
Residential Accessory Uses
Signs in Accordance with Ch. 30
Storage, Indoor Only
Temporary Uses

MASTER CONCEPT PLAN B (OPTION 2)

Accessory Uses and Structures
Administrative Offices
ATM (Automatic Teller Machine)
Business Services, Group I
~~Caretaker's Residence~~
~~Car Wash~~
Consumption on Premises, Indoor Only (only in conjunction with Restaurant, Groups II and III)
Contractors and Builders, Group I
Convenience Food and Beverage Store, limited to 3,000 sf maximum
Day Care Center, Child, Adult
~~Drive-thru Facility for any permitted use~~
~~Drugstore, Pharmacy~~
EMS, Fire or Sheriff's Station
Essential Services
Essential Service Facilities, Group I
Fences, Walls
Food Stores, Group I

Additional info dated 06-24-2022
(Applicant's 48 Hour Letter)

Food Truck Park with outdoor seating, limited to a maximum of 10 trucks
Hardware Store
Hobby, Toy and Game Shops
Insurance Companies
Laundry or Dry Cleaning, Group I
~~Medical Office~~
Paint, Glass and Wallpaper
Parking Lot, Accessory, Temporary
Personal Services, Groups I, II, and III (excluding Massage Establishments/Massage Parlors)
Pet Services
~~Pharmacy~~
~~Post Office~~
Recreational Facilities, Commercial
 Group IV, limited to Heath Clubs
Real Estate Sales Office
Rental or Leasing Establishments, Groups I and II
Repair Shops, Groups I and II plus Group III (limited to reupholstering/mattress renovating)
~~Restaurants, Fast Food (limited to one and not freestanding)~~
Restaurants, Group I, II, and III
Schools, Commercial
Self-Service Fuel Pumps, limited to 16 pumps/8 stations
Signs in Accordance with Ch. 30
Specialty Retail Shops, Groups I, II and III
Storage, Indoor Only
Studios
Temporary Uses
~~Used Merchandise Store, Group I, indoor only (excludes Pawn Shops)~~
Variety Store

Additional info dated 06-24-2022
(Applicant's 48 Hour Letter)



43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com
Certificate of Authorization # 29086

**Williams Avenue CPD
Schedule of Deviations
Revised 6-23-2022**

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; however, the driveway will be redeveloped as a right-in/right-out only driveway at time of Development Order permitting. This will allow safe ingress and egress to the commercial property and has the support of LCDOT. The existing single-family residential driveway on Magnolia Avenue will also 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 gravel parking lot, an existing septic and drain field, 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 and safe and efficient traffic circulation through the development. 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 only 12. The minimal uses, minimal vehicle peak hour trips, and the conversion to a right-in/right-out only driveway support this deviation request for a reduced connection separation. 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:

WITHDRAWN

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 plants, shrubs and trees in the nursery 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.) Other uses include the mixed-use building with the caretaker's residence and retail sales for the nursery. The 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

Additional info dated 06-24-2022
(Applicant's 48 Hour Letter)

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.



43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com
Certificate of Authorization # 29086

**Williams Avenue CPD
Schedule of Deviations
Revised 6-23-2022**

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~~ 182 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 only commercial driveway on Williams Avenue, with a connection separation of ~~170~~ 182 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, 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, which reduces the safe sight distance for motorists. 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~~ 182 feet south of West 5th Street, just where the road widens for the left turn lane. The right-in only driveway prevents motorists from turning against traffic or interfering with the existing north bound left turn lane.

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:

WITHDRAWN

DEVIATION #3:

WITHDRAWN

DEVIATION #4:

WITHDRAWN

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-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.*

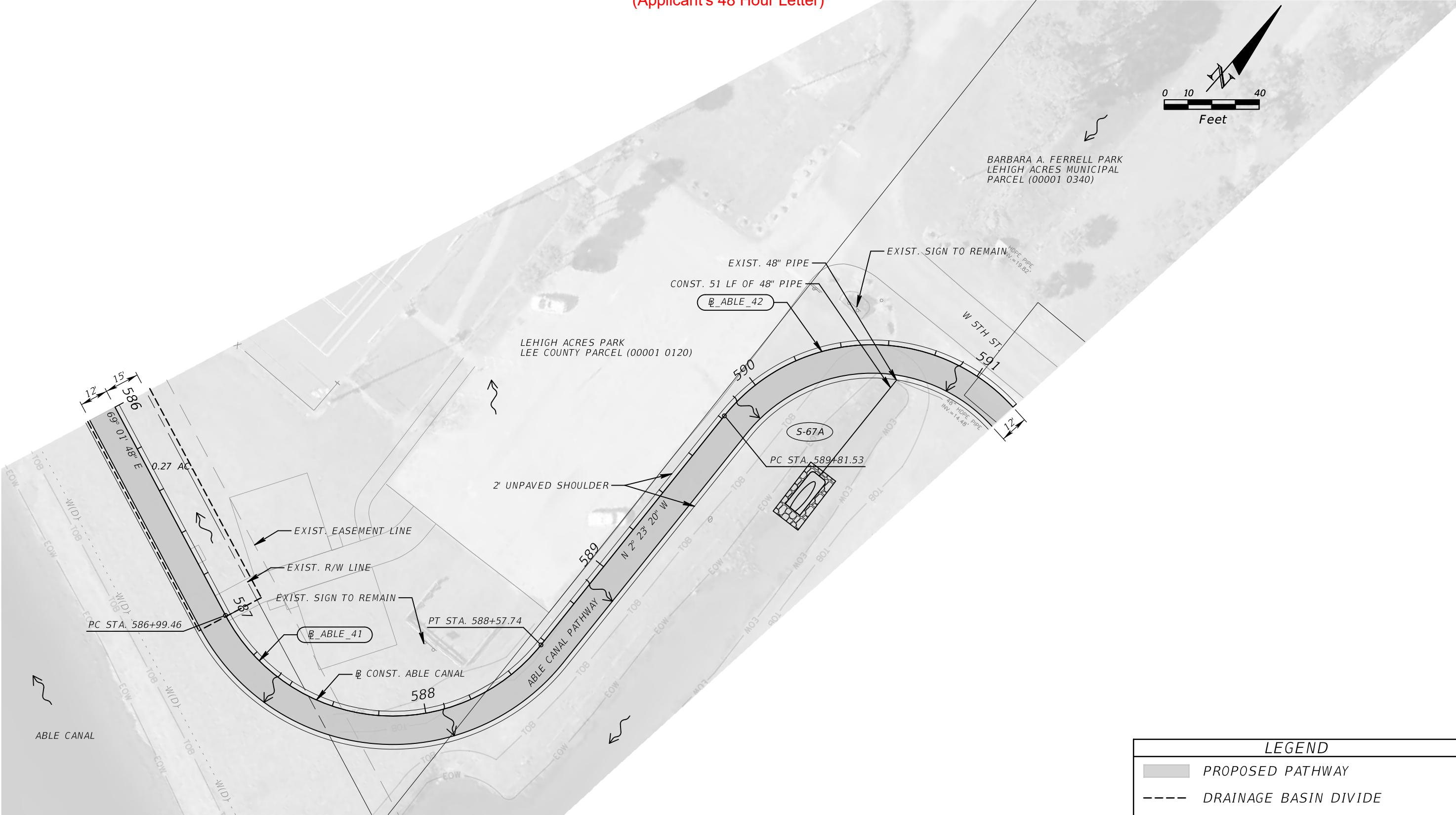
- (2) Type “A” buffers required between commercial uses must be designed to allow for pedestrian, bicycle, and automobile connections through adequate spacing between required trees.*
- (3) When commercial, place of worship, industrial, or public active recreational park uses abut single or multiple 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 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.

Additional info dated 06-24-2022
(Applicant's 48 Hour Letter)

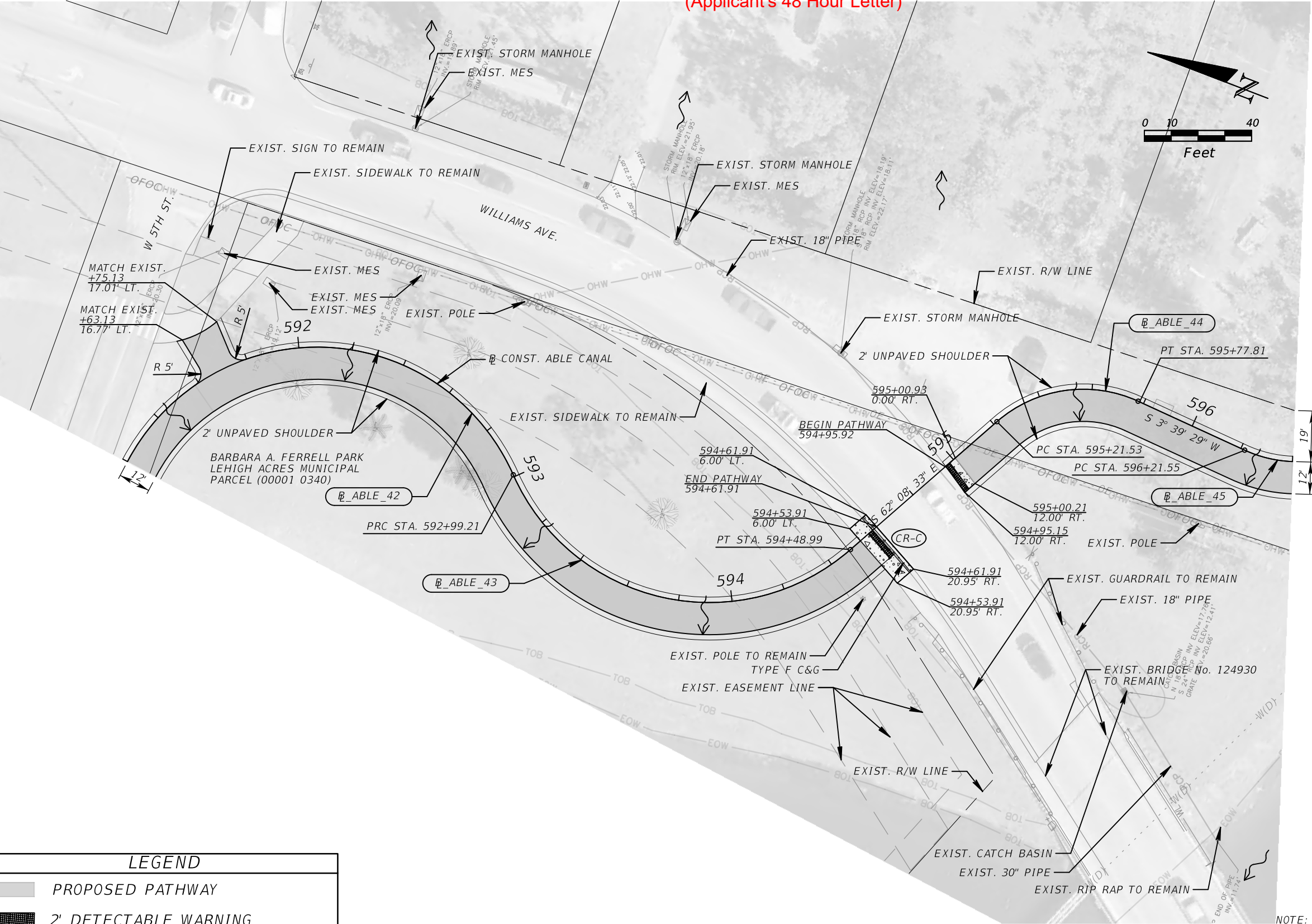


NOTE:
FOR ADDITIONAL GEOMETRY INFORMATION
SEE CURVE AND COORDINATE DATA SHEET.

LEGEND	
	PROPOSED PATHWAY
	DRAINAGE BASIN DIVIDE
	RIP RAP

REVISIONS				KCA 13461 Parker Commons Blvd, Suite 104 Fort Myers, Florida 33912 Engineer of Record: Adrienne A. Wisdom & ASSOCIATES P.E. No.: 78492	LEE COUNTY DEPARTMENT OF TRANSPORTATION		PATHWAY PLAN (37) STA. 586+00 TO 591+20	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION		PROJECT	FINANCIAL PROJECT ID		
					ABLE CANAL PATHWAY	435351-2-58-01		

Additional info dated 06-24-2022
(Applicant's 48 Hour Letter)



LEGEND

- PROPOSED PATHWAY
- 2' DETECTABLE WARNING
- 6" CONCRETE

NOTE:
FOR ADDITIONAL GEOMETRY INFORMATION SEE CURVE AND
COORDINATE DATA SHEET.
FOR PATHWAY INTERSECTION SIGNING AND PAVEMENT
MARKING LAYOUT SEE THE INTERSECTION DETAIL SHEETS

REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION

KCA
KISINGER CAMPO
& ASSOCIATES P.E. No.: 78492

13461 Parker Commons Blvd, Suite 104
Fort Myers, Florida 33912
Engineer of Record: Adrienne A. Wisdom

LEE COUNTY DEPARTMENT OF TRANSPORTATION	
PROJECT	FINANCIAL PROJECT ID
ABLE CANAL PATHWAY	435351-2-58-01

PATHWAY PLAN (38)
STA. 591+20 TO 596+40

SHEET
NO.

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

Additional info dated 06-24-2022
(Applicant's 48 Hour Letter)



NOTE:
FOR ADDITIONAL GEOMETRY INFORMATION
SEE CURVE AND COORDINATE DATA SHEET.

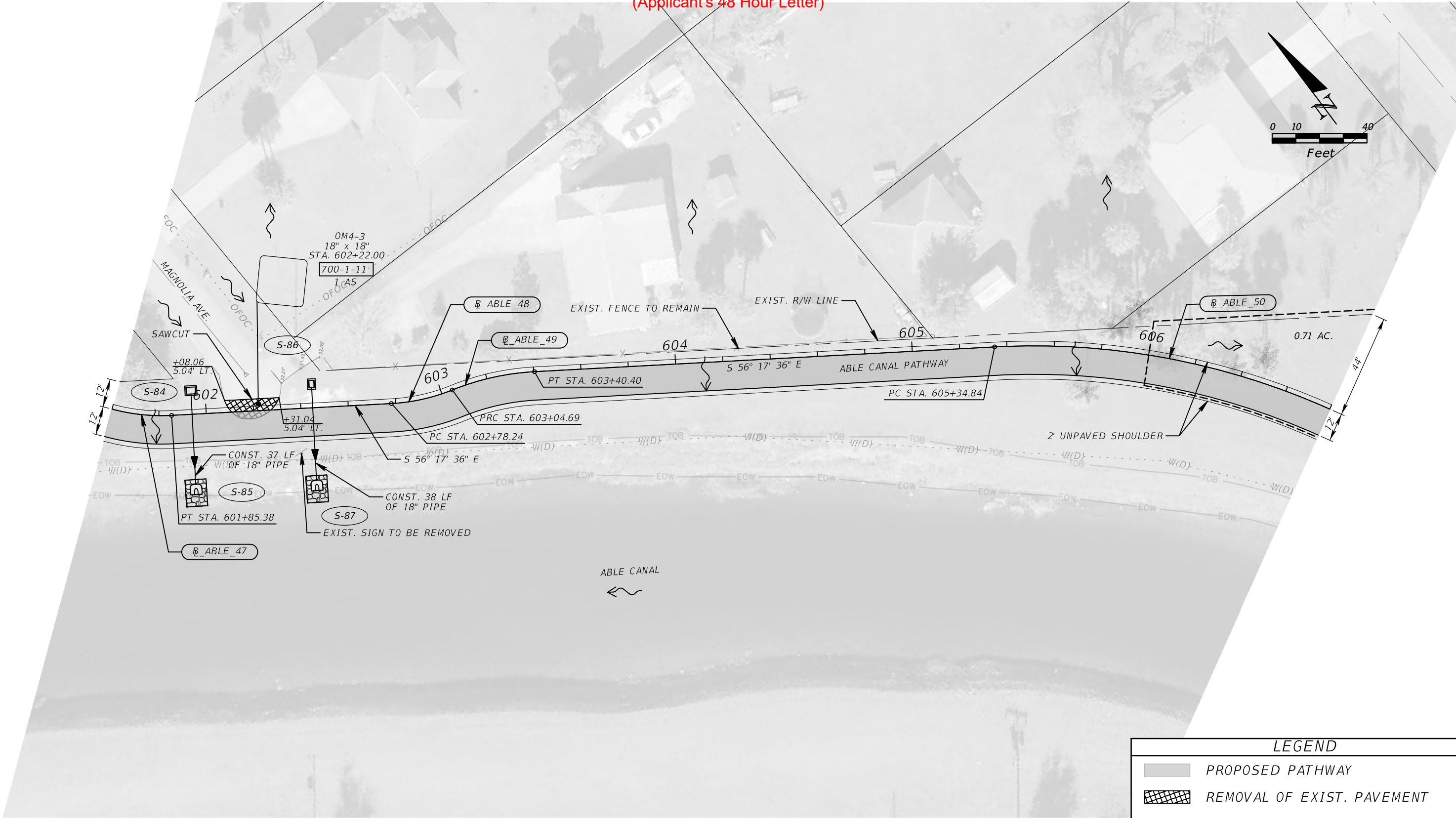
LEGEND

PROPOSED PATHWAY

REVISIONS				KCA 13461 Parker Commons Blvd, Suite 104 Fort Myers, Florida 33912 Engineer of Record: Adrienne A. Wisdom & ASSOCIATES P.E. No.: 78492	LEE COUNTY DEPARTMENT OF TRANSPORTATION		PATHWAY PLAN (39) STA. 596+40 TO 601+60	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION		PROJECT	FINANCIAL PROJECT ID		
					ABLE CANAL PATHWAY	435351-2-58-01		

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

Additional info dated 06-24-2022
(Applicant's 48 Hour Letter)



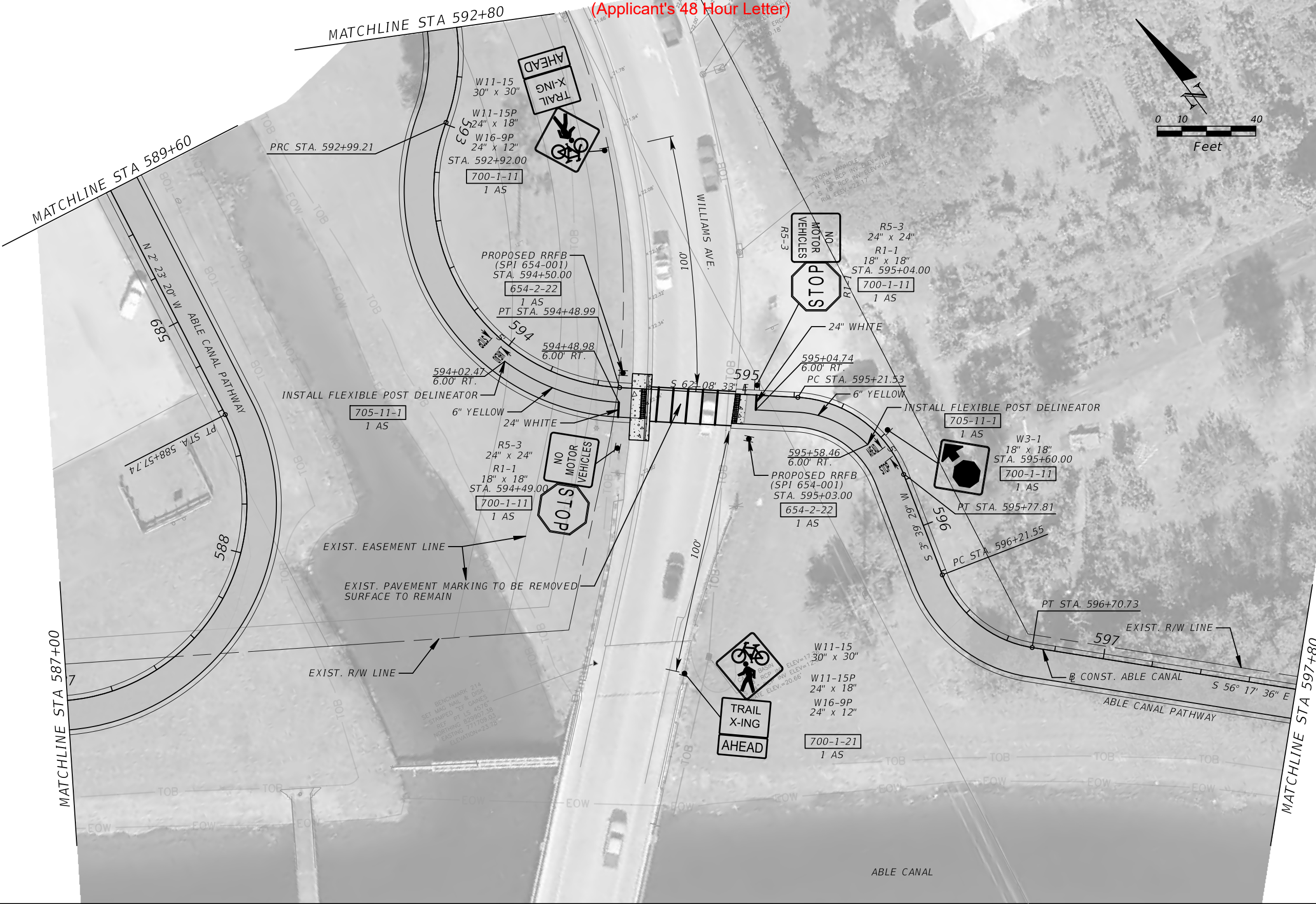
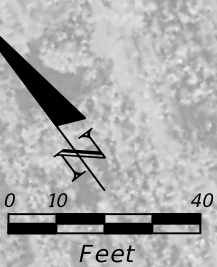
NOTE:
FOR ADDITIONAL GEOMETRY INFORMATION
SEE CURVE AND COORDINATE DATA SHEET.

LEGEND	
	PROPOSED PATHWAY
	REMOVAL OF EXIST. PAVEMENT
	DRAINAGE BASIN DIVIDE
	RIP RAP

REVISIONS				KCA KISINGER CAMPO & ASSOCIATES P.E. No.: 78492 13461 Parker Commons Blvd, Suite 104 Fort Myers, Florida 33912 Engineer of Record: Adrienne A. Wisdom	LEE COUNTY DEPARTMENT OF TRANSPORTATION		PATHWAY PLAN (40) STA. 601+60 TO 606+80		SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION		PROJECT	FINANCIAL PROJECT ID			
					ABLE CANAL PATHWAY	435351-2-58-01			

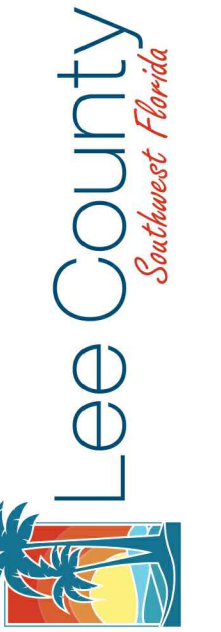
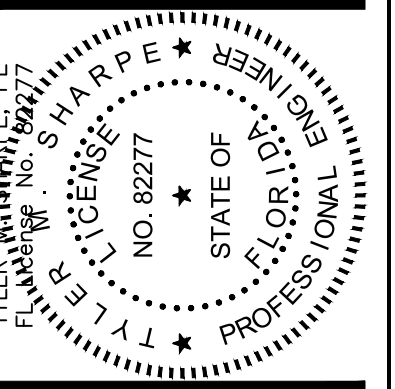
THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

Additional info dated 06-24-2022
(Applicant's 48 Hour Letter)



REVISIONS				KCA KISINGER CAMPO & ASSOCIATES 13461 Parker Commons Blvd, Suite 104 Fort Myers, Florida 33912 Engineer of Record: Adrienne A. Wisdom P.E. No.: 78492	LEE COUNTY DEPARTMENT OF TRANSPORTATION		INTERSECTION DETAILS (4) WILLIAMS AVE.	SHEET NO.
DATE	DESCRIPTION	DATE	DESCRIPTION					
					PROJECT	FINANCIAL PROJECT ID		
					ABLE CANAL PATHWAY	435351-2-58-01		

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.



LEHIGH ACRES PARK EXPANSION
LEHIGH ACRES, FLORIDA

[illegible]MASTER
SITE PLAN

SHEET NUMBER

C09

