



**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 6, 2023

Anthony Rodriguez, AICP
Section Manager
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

**Reference: Application for a Planned Development – Public Hearing
14700, 14780, and 14800 Palm Beach Boulevard, Fort Myers
Lee County S28-T43-R26**

Dear Mr. Rodriguez,

Attached herewith is a completed application and associated support material for a Planned Development Rezoning request. The Applicant has assembled three (3) lots with the intention of developing the land for commercial use. The lots have a variety of zoning districts, including AG-2, IL, C-2 and CPD. The property is in the mixed-use overlay, has a future land use classification of Suburban, and is located within the Caloosahatchee Shores Planning Community.

Please find attached the following items in relation to this application:

1. One (1) copy of the completed Application for Public Hearing;
2. The filing fee of \$5,000.00 (previous credit of \$2,500.00);
3. One (1) copy of the notarized Affidavit of Authorization Form;
4. One (1) copy of the Additional Agents Form;
5. One (1) copy of the notarized Disclosure of Interest Form;
6. One (1) copy of the notarized Authorization to Represent Affidavit;
7. One (1) copy of the Sketch and Legal Description;
8. One (1) copy of the Boundary Survey;
9. One (1) copy of the Attorney's Opinion of Title;

Blue Wave Express Car Wash

Page 2 of 2

10. One (1) copy of the List and Map of surrounding property owners with one set of mailing labels;
11. One (1) copy of the Area Location Map, Exhibit A;
12. One (1) copy of the Future Land Use Map, Exhibit B;
13. One (1) copy of the Surrounding Zoning Map, Exhibit C;
14. One (1) copy of the Mixed-Use Overlay Map, Exhibit D;
15. One (1) copy of the List of Zoning Resolutions;
16. One (1) copy of the Summary of Public Informational Session;
17. One (1) copy of the Request Statement, including Lee Plan Compliance Narrative;
18. One (1) copy of the Traffic Impact Statement;
19. One (1) copy of the Master Concept Plan;
20. One (1) copy of the Schedule of Uses;
21. One (1) copy of the Schedule of Deviations and Written Justification;
22. One (1) copy of the USGS Quadrangle Map, Soils Map, FLUCCS Map, and Existing and Historic Flow-Ways Map;
23. One (1) copy of the Surface Water Management Plan Narrative;
24. One (1) copy of the Protected Species Survey;
25. One (1) copy of the Letter of Availability from LCU; and
26. One (1) copy of the Warranty Deed.

Your time and attention to this matter is greatly appreciated. Should County staff require additional information or have any questions regarding this submittal, please feel free to contact this office.

Sincerely,

TDM CONSULTING, INC.



Veronica Martin
Senior Planner



APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: Blue Wave Express Car Wash

Request: Rezone from: CPD, AG-2, IL, and C-2 To: CPD

Type: ☐ Major PD ☒ Minor PD ☐ DRI w/Rezoning ☐ PRFPD
☐ Major PD Amendment ☐ Minor PD Amendment

Bonus Density included? ☒ NO ☐ YES¹ for: _____ Bonus Units

¹ If **YES**, submit additional fee required by LDC 2-147(A)(3)

Summary of Project:

The applicant is assembling several contiguous lots along Palm Beach Blvd with the intent to rezone them for commercial use – specifically a freestanding automatic car wash.

PART 1 APPLICANT/AGENT INFORMATION

A. Name of Applicant: Ray Sargenti for RAS1 Properties, LLC

Address: PO Box 60746

City, State, Zip: Fort Myers, FL 33906

Phone Number: 732-620-5239

E-mail Address: Raysar19@yahoo.com

B. Relationship of Applicant to owner (check one) and provide [Affidavit of Authorization](#) form:

☐ Applicant is the sole owner of the property. [34-201(a)(1)a.1.]

☒ Applicant has been authorized by the owner(s) to represent them for this action. [34-202(a)(3)]

☐ Application is County initiated. Attach BOCC authorization.

C. Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(a)(4)]

1. Company Name: TDM Consulting, Inc.

Contact Person: Veronica Martin

Address: 43 Barkley Cir, Suite 200

City, State, Zip: Fort Myers, FL 33907

Phone Number: 239-433-4231

Email: vmartin@tdmconsulting.com

2. **[Additional Agent\(s\)](#):** Provide the names of other agents that the County may contact concerning this application. [34-202(a)(4)]

LEE COUNTY COMMUNITY DEVELOPMENT
PO BOX 398 (1500 MONROE STREET), FORT MYERS, FL 33902
PHONE (239) 533-8585

**PART 2
PROPERTY OWNERSHIP**

A. Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-202(a)(2)]

Name: RAS1 Properties, LLC

Address: 12798 Dennis Dr

City, State, Zip: Fort Myers, FL 33908

Phone Number: 732-620-5239

Email: Raysar19@yahoo.com

B. Disclosure of Interest [34-202(a)(2)]:

☒ Attach [Disclosure of Interest](#) Form.

C. Multiple parcels: NA

☐ Property owners list. [34-202(a)(8)]

☐ Property owners map. [34-202(a)(8)]

D. Certification of Title and Encumbrances [34-202(a)(7)]

1. Title certification document, no greater than 90 days old.

2. Date property was acquired by present owner(s): January 9, 2023

**PART 3
PROPERTY INFORMATION**

A. STRAP Number(s): [Attach extra sheets if additional space is needed.] [34-203(a)(5)]

28-43-26-00-00001.0050

28-43-26-00-00003.0010

28-43-26-00-00008.0010

B. Street Address of Property: 14700, 14780, and 14800 Palm Beach Blvd, Fort Myers, FL 33905

C. Legal Description (must submit) [34-202(a)(5)]:

☒ Legal description (metes and bounds) (8½"x11") and sealed sketch of the legal description.

OR

☐ Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. ([Click here](#) to see an example of a legal description with no metes and bounds.)

AND

Boundary Survey [34-202(a)(6)]:

☒ A Boundary survey, tied to the state plane coordinate system.

OR

☐ Not required if the property is located within a subdivision platted per F.S. Chapter 177.

D. Surrounding property owners (within 500 feet of the perimeter of the subject parcel or portion thereof that is subject of the request):

1. ☒ List of surrounding property owners. [34-202(a)(9)]

2. ☒ Map of surrounding property owners. [34-202(a)(9)]

3. ☒ One set of mailing labels. [34-202(a)(9)]

Note: When the case is found complete/ sufficient, a new list and mailing labels must be submitted.

E. Current Zoning of Property: CPD, AG-2, IL, and C-2

☒ Provide a list of all Zoning Resolutions and Zoning Approvals applicable to the subject property.

F. Use(s) of Property:

1. Current uses of property are: Vacant

2. Intended uses of property are: Commercial – car wash

G. Future Land Use Classification (Lee Plan):

Suburban	<u>3.92</u>	Acres	<u>100</u>	% of Total
		Acres		% of Total
		Acres		% of Total

H. Property Dimensions:

1. Width (average if irregular parcel):	<u>372 avg</u>	Feet		
2. Depth (average if irregular parcel):	<u>412 avg</u>	Feet		
3. Total area:	<u>3.92 ac</u>	Acres or square feet		
4. Frontage on road or street:	<u>490 feet</u>	Feet on	<u>Palm Beach Blvd</u>	Street
2 nd Frontage on road or street:		Feet on		Street

I. Planning Communities/Community Plan Area Requirements: If located in one of the following planning communities/community plan areas, provide a meeting summary document of the required public informational session.

- ☐ Not Applicable
☐ Captiva Planning Community (Captiva Island). [33-1612(a)&(b); Lee Plan Policy 13.1.7]
☐ North (Upper) Captiva Community Plan area. [33-1711]
☐ Boca Grande Planning Community. [Lee Plan Policy 22.1.5]
☒ Caloosahatchee Shores Community Plan area. [33-1482(a)&(b); Lee Plan Policy 21.6.3]
☐ Page Park Community Plan area. [33-1203(a) & (b); Lee Plan Policy 27.11.2]
☐ Palm Beach Boulevard Community Plan area. [Lee Plan Policy 23.5.2]
☐ Buckingham Planning Community. [Lee Plan Policy 17.7.2]
☐ Pine Island Planning Community. [33-1004(a) & (b); Lee Plan Policy 14.7.1]
☐ Lehigh Acres Planning Community. [33-1401(a)&(b); Lee Plan Policy 32.12.2]
☐ North Fort Myers Planning Community. [33-1532(a)&(b)]
☐ North Olga Community Plan area. [33-1663(a)&(b)]

J. Waivers from Application Submission Requirements: Attach waivers, if any, approved by the Director of Zoning. [34-201(c)]

PART 4 TYPES OF LAND AREA ON PROPERTY

A. Gross Acres (total area within described parcel)		<u>3.92</u>	Acres
1. Submerged land subject to tidal influence		<u>0</u>	Acres
2. a. Preserved freshwater wetlands	<u>1.35</u>	Acres	
b. Impacted wetlands	<u>0</u>	Acres	
c. Preserved saltwater wetlands	<u>0</u>	Acres	
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)		<u>1.35</u>	Acres
3. R-O-W providing access to non-residential uses		<u>0</u>	Acres
4. Non-residential use areas ^{(1) (2)}			Acres
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.).		<u>2.57</u>	Acres
C. Gross residential acres. (A minus B) ⁽³⁾		<u>0</u>	Acres
D. Gross residential acres (by Land Use Category)			
1. a. Intensive Development – upland		<u>0</u>	Acres
b. Intensive Development – preserved freshwater wetlands		<u>0</u>	Acres
c. Intensive Development – impacted wetlands		<u>0</u>	Acres
2. a. Central Urban – upland		<u>0</u>	Acres
b. Central Urban – preserved freshwater wetlands		<u>0</u>	Acres
c. Central Urban – impacted wetlands		<u>0</u>	Acres
3. a. Urban Community or Suburban – upland		<u>0</u>	Acres
b. Urban Community or Suburban – preserved freshwater wetlands		<u>0</u>	Acres
c. Urban Community or Suburban – impacted wetlands		<u>0</u>	Acres

4.	a.	Suburban – upland	0	Acres
	b.	Suburban – preserved freshwater wetlands	0	Acres
	c.	Suburban – impacted wetlands	0	Acres
5.	a.	Outlying Suburban – upland	0	Acres
	b.	Outlying Suburban – preserved freshwater wetlands	0	Acres
	c.	Outlying Suburban – impacted wetlands	0	Acres
6.	a.	Sub-Outlying Suburban – upland	0	Acres
	b.	Sub-Outlying Suburban – preserved freshwater wetlands	0	Acres
	c.	Sub-Outlying Suburban – impacted wetlands	0	Acres
7.	a.	Rural, Outer Island, Rural Community Preserve – upland	0	Acres
	b.	Rural, Outer Island, Rural Community Preserve – wetlands	0	Acres
8.	a.	Open Lands – upland	0	Acres
	b.	Open Lands – wetlands	0	Acres
9.	a.	Resource – upland	0	Acres
	b.	Resource – wetlands	0	Acres
10.	a.	Wetlands	0	Acres
11.	a.	New Community – upland	0	Acres
	b.	New Community – wetlands	0	Acres
12.	a.	University Community – upland	0	Acres
	b.	University Community – wetlands	0	Acres
13.	a.	Coastal Rural – upland	0	Acres
	b.	Coastal Rural – wetlands	0	Acres

TOTAL (should equal "C" above)

0 Acres

Notes:

- (1) Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included except within the Mixed Use Overlay {see Note (2) below}.
- (2) Within the Mixed Use Overlay, lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses may be included in density calculations {see Lee Plan Objective 4.3}.
- (3) Lands to be used for residential uses including land within the development proposed to be used for streets & street rights of way, utility rights-of-way, public & private parks, recreation & open space, schools, community centers, & facilities such as police, fire & emergency services, sewage & water, drainage, and existing man-made waterbodies.

PART 5 NA

RESIDENTIAL DEVELOPMENT - PRELIMINARY DENSITY CALCULATIONS

- i. Complete only if living units are proposed in a Future Land Use Category.
- ii. If more than one classification, calculations for each classification must be submitted. Attach extra sheets as necessary.
- iii. If wetlands are located on the property, density calculations are considered preliminary pending a wetlands jurisdictional determination.

A. Future Land Use Category: _____

		Lee Plan Table 1(a)		
		Max. standard density		Units
1.	Standard Units			
	a. Total upland acres (from Part 4, D.)	_____ x _____	equals	_____
	b. Total preserved freshwater wetlands acres (from Part 4, D.)	_____ x _____	equals	_____
	c. Total impacted wetlands acres (from Part 4, D.)	_____ x _____	equals	_____
	d. Total Allowed Standard Units ⁽¹⁾			_____
2.	Bonus Units [2-143]			
	a. Site-built Affordable Housing			_____
	b. Transferrable Dwelling Units			_____
	c. Sub-total			_____
3.	Total Permitted Units ⁽¹⁾			_____

Note:

- (1) Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.

**PART 6
COMMERCIAL, INDUSTRIAL, MINING, ASSISTED LIVING FACILITIES, HOTELS & MOTELS
PRELIMINARY INTENSITY CALCUATIONS**

A.	Commercial	Height	Total Floor Area (Square Feet)
	1. Medical		
	2. General Office		
	3. Retail		
	4. Other: <u>Car Wash</u>	24'	5,309
	5. TOTAL FLOOR AREA		
B.	Industrial NA	Height	Total Floor Area (Square Feet)
	1. Under Roof		
	2. Not Under Roof		
	3. TOTAL FLOOR AREA		
C.	Mining NA	Depth	Total Acres
	1. Area to be excavated		
D.	Assisted Living Facilities NA	Height	Total Beds/Units
	1. Dependent Living Units		
	2. Independent Living Units		
	3. TOTAL BEDS/UNITS		
E.	Hotels/Motels (Room Size) NA	Height	Total Rental Units
	1. < 425 sq. ft.		
	2. 426-725 sq. ft.		
	3. 725 < sq. ft.		
	4. TOTAL UNITS		

**PART 7
ACTION REQUESTED**

- A. Request Statement:** Provide a single narrative explaining the nature of the request and how the property qualifies for the rezoning to a planned development. This narrative should include how the proposed development complies with the Lee Plan, the Land Development Code, and the applicable findings/review criteria set forth in LDC section 34-145(d)(4). This narrative may be utilized by the Board of County Commissioners, Hearing Examiner and staff in establishing a factual basis for the granting or denial of the rezoning. **[34-373(a)(5)]**
- B. Traffic Impact Statement.** A traffic impact statement in a format and to the degree of detail required by the County and in conformance with the adopted Lee County Administrative Code. TIS is not required for an existing development. **[34-373(a)(7)]**
- C. Master Concept Plan:**
1. **Master Concept Plan, Non-PRFPD:** A graphic illustration (Master Concept Plan) of the proposed development, showing and identifying the information required by LCLDC Section 34-373(a)(6)a. Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. In addition to the Master Concept Plan, an open space design plan delineating the indigenous preserves and/or native tree preservation areas as required by LDC Section 10-415(b) must be submitted. **[34-373(a)(6)]**
 2. **Schedule of Uses:** A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by LCLDC Section 34-373(a)(8)]. **[34-373(a)(8)]**

3. **Schedule of Deviations and Written Justification:** A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan accompanied by documentation including sample detail drawings illustrating how each deviation would enhance the achievement of the objectives of the planned development and will not cause a detriment to public interests. The location of each requested deviation must be located/shown on the Master Concept Plan. **[34-373(a)(9)]**

D. Bonus Density: [34-202(a)(11)]

- ☒ Not Applicable
☐ Bonus Density will be used. Provide the number of Bonus Density units being requested and a narrative of how the request meets the requirements of LDC Section 2-146.

PART 8 ENVIRONMENTAL REQUIREMENTS

- A. Topography:** Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property. **[34-373(a)(4)b.iv.]**
 The highest elevation is located along the east property line and gets lower further west where the wetlands and existing creek is located. See the USGS Quadrangle Map.
-
- B. Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flowways, creek beds, sand dunes, other unique land forms [see LEE Plan Policy 77.1.1 (2)] or listed species occupied habitat [see LCLDC Section 10-473(f)].
 Mixed wetland hardwoods are located along the west property line near an existing flow-way.
-
- C. Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
 The wetlands will be preserved in their entirety as part of development order permitting.
-
- D. Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:
 NA
-
- E. Soils Map:** Attach maps drawn at the same scale as the Master Concept Plan marked or overprinted to show the soils classified in accordance with the USDA/SCS System. **[34-373(a)(4)b.i.]**
- F. FLUCCS Map:** A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands. **[34-373(a)(4)c.]**
- G. Rare & Unique Upland Habitat Map:** Maps drawn at the same scale as the Master Concept Plan marked or overprinted to show significant areas of rare and unique upland habitat as defined in the LEE Plan Section XII. **[34-373(a)(4)b.iii.] NA**
- H. Existing and Historic Flow-Ways Map:** Map(s) drawn at the same scale as the master concept plan marked or overprinted to show existing and historic flow-ways. **[34-373(a)(4)b.v.]**

PART 9 SANITARY SEWER & POTABLE WATER FACILITIES

- A. Special Effluent:** If the discharge of any special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:
 NA. Discharge from the car wash is self-contained like all other Tommy Car Wash franchise locations.
-
- B. Private On-Site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:
1. Method and degree of treatment:
 NA
 2. Quality of the effluent:
 NA

3. Expected life of the facility:

NA

4. Who will operate and maintain the internal collection and treatment facilities:

NA

5. Receiving bodies or other means of effluent disposal:

NA

C. Spray Irrigation: If spray irrigation will be used, specify:

1. The location and approximate area of the spray fields:

NA

2. Current water table conditions:

NA

3. Proposed rate of application:

NA

4. Back-up system capacity:

NA

**PART 10
ADDITIONAL REQUIREMENTS**

A. Major Planned Developments:

1. **Surface Water Management Plan.** A written description of the surface water management plan as required by LCLDC Section 34-373(b)(1). **[34-373(b)(1)]**
2. **Phasing Program.** If the development is to be constructed in phases or if the Traffic Impact Statement utilized phasing, then a description of the phasing program must be submitted. **[34-373(b)(3)]**
3. **Protected Species Survey.** A protected species survey is required for large developments (as defined in LCLDC Section 10-1) as specified in LCLDC Section 10-473. **[34-373(b)(2)]**

B. Amendments to Built Planned Developments: The consent of the owners of the remainder of the original planned development is not required, but these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property. Attach proof of notice to other property. **[34-373(c)]**

C. Development of Regional Impact: Binding letter of interpretation from DCA or a complete and sufficient ADA. (See also Application for Public Hearing for DRI Form.) **[34-373(d)(9)]**

D. Private Recreational Facility Planned Developments (PRFPDs):

1. **Master Concept Plan, PRFPD.** Master Concept Plan showing and identifying information required by LDC Section 34-941(g)(1). Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. **[34-941(g)(1)]**
2. **Conceptual Surface Water Management Plan.** A Conceptual Surface Water Management Plan must be submitted. The plan must be viable and take into consideration any natural flowway corridors, cypress heads, natural lakes, and the restoration of impacted natural flowway corridors. **[34-941(d)(3)b.i.1]**
3. **Well Drawdown Information.** If within an area identified as an anticipated drawdown area for existing or future well development, demonstration of compliance with LCLDC Section 34-941(d)(3)d.i & ii. must be provided. **[34-941(d)(3)d.]**
4. **Preliminary Indigenous Restoration Plan.** A Preliminary Indigenous Restoration Plan must be provided if on-site indigenous restoration is being used to meet the indigenous native plant community preservation requirement. **[34-941(e)(5)f.iii.]**

5. **Environmental Assessment.** An Environmental Assessment must be provided which includes, at a minimum, an analysis of the environment, historical and natural resources. **[34-941(g)(2)]**
6. **Demonstration of Compatibility.** Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. **[34-941(g)(4)]**
- E. **Potable Water & Central Sewer.** Will the project be connected to potable water and central sewer as part of any development of the property?
- ☒ **YES** (Provide a letter from the appropriate Utility to which the connection(s) are proposed confirming availability of service.) **[34-202(a)(10)]**
- ☐ **NO** (Provide a narrative explaining why the connection is not planned and how the water and sewer needs of the project will be met.) **[34-202(a)(10)]**
- F. **Existing Agricultural Use:** If the property owner intends to continue an existing agricultural use on the property subsequent to the zoning approval, an Existing Agricultural Use Affidavit must be provided. Entitle as "Existing Agricultural Uses at Time of Zoning Application." **[34-202(a)(12)]**
- G. **Flood Hazard:**
- ☐ Not applicable
- ☐ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- ☒ The minimum elevation required for the first habitable floor is AE-EL7 NAVD (MSL)
- H. **Excavations/Blasting:**
- ☒ No blasting will be used in the excavation of lakes or other site elements.
- ☐ If blasting is proposed, provide Information Regarding Proposed Blasting (including soil borings, a map indicating the location of the proposed blasting, and other required information).
- I. **Hazardous Materials Emergency Plan for Port Facilities:** **[12-110(a)(16)]**
- ☒ Not Applicable
- ☐ Provide a Hazardous materials emergency plan.
- J. **Mobile Home Park:** **[34-174(h)]**
- ☒ Not Applicable
- ☐ Request includes rezoning of a Mobile Home Park. Provide facts related to the relocation of dislocated owners that meets the requirements of F.S. § 723.083 (1995).
- K. **Airport Zones & Lee County Port Authority (LCPA) Requirements:**
- ☒ Not Applicable
- ☐ Property is located within _____ Airport Noise Zone: **[34-1104]**
- ☐ Property is located within Airport Runway Protection Zone. Indicate which Zone below. **[34-1105]**
- ☐ Property is located within Airport Residential and Educational Protection Zone: **[34-1106]**
- ☐ Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. **[34-1107]**
- ☐ A Tall Structures Permit is required. **[34-1108]**

PART 5 SUBMITTAL REQUIREMENT CHECKLIST		
<i>Clearly label your attachments as noted in bold below</i>		
Copies Required		SUBMITTAL ITEMS
3	☒	Completed application for Public Hearing [34-202(a)(1)]
1	☒	Filing Fee - [34-201(d)]
1	NA	Bonus Density Filing Fee - (if applicable) [34-202(a)(11)]
3	☒	Affidavit of Authorization (notarized) Form [34-202(a)(3)]
3	☒	Additional Agents [34-202(a)(4)]
3	NA	Multiple Owners List (if applicable) [34-202(a)(2)]
3	☒	Disclosure of Interest Form (multiple owners) [34-202(a)(2)]
3	☒	Legal description (must submit) [34-202(a)(5)]
	☒	Legal description (metes and bounds) and sealed sketch of legal description
		OR
	☐	Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)
3	☒	Boundary Survey – not required if platted lot (2 originals required) [34-202(a)(6)]
3	NA	Property Owners list (if applicable) [34-202(a)(8)]
3	NA	Property Owners map (if applicable) [34-202(a)(8)]
3	☒	Confirmation of Ownership/Title Certification [34-202(a)(7)]
3	NA	STRAP Numbers (if additional sheet is required) [34-202(a)(5)]
1	☒	List of Surrounding Property Owners [34-202(a)(9)]
1	☒	Map of Surrounding Property Owners [34-202(a)(9)]
1	☒	Mailing labels [34-202(a)(9)]
3	☒	List of Zoning Resolutions and Approvals
3	☒	Summary of Public Informational Session (if applicable)
3	NA	Waivers from Application Submission Requirements (if applicable) [34-201(c)]
3	NA	Preliminary Density Calculations (if applicable)
3	☒	Request Statement [34-373(a)(5)]
3	☒	Traffic Impact Statement (TIS) (not required for existing development) [34-373(a)(7)]
3	☒	Master Concept Plan (MCP), Non-PRFPD [34-373(a)(6)]
3	☒	Schedule of Uses [34-373(a)(8)]
3	☒	Schedule of Deviations and Written Justification [34-373(a)(9)]
3	☒	Topography (if available) [34-373(a)(4)b.iv.]
3	☒	Soils Map [34-373(a)(4)b.9.]
3	☒	FLUCCS Map [34-373(a)(4)c.]
3	NA	Rare & Unique Upland Habitat Map [34-373(a)(4)b.iii.]
3	☒	Existing and Historic Flow-Ways Map [34-373(a)(4)b.v.]
3	☒	Surface Water Management Plan (if applicable) [34-373(b)(1)]
3	NA	Phasing Program (if applicable) [34-373(b)(3)]
3	☒	Protected Species Survey (if applicable) [34-373(b)(2)]
3	NA	Proof of Notice (if applicable) [34-373(c)]

3	NA	Binding Letter from DCA (if applicable) [34-373(d)(9)]
3	NA	Master Concept Plan (MCP), PRFPD (if applicable) [34-941(g)(1)]
3	NA	Conceptual Surface Water Management Plan (if applicable) [34-941(d)(3)b.i.1]]
3	NA	Well Drawdown Information (if applicable) [34-941(d)(3)d.]
3	NA	Preliminary Indigenous Restoration Plan (if applicable) [34-941(e)(5)f.iii.]
3	NA	Environmental Assessment (if applicable) [34-941(g)(2)]
3	NA	Demonstration of Compatibility (if applicable) [34-941(g)(4)]
3	☒	Potable Water & Sanitary Sewer. Letter from the appropriate utility entity indicating the utility entity or explanation of how water and sewer needs will be met if connection will not be made. [34-202(a)(10)]
3	NA	Existing Agricultural Use Affidavit (if applicable) [34-202(a)(12)]
3	NA	Information Regarding Proposed Blasting (if applicable).
3	NA	Hazardous Materials Emergency Plan (if applicable)
3	NA	Mobile Home Park Dislocated Owners Information (if applicable) [34-202(b)(4)]
3	NA	Tall Structures Permit (if applicable) [34-1108]

DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME this day appeared Reymond A Sargenti, who, being first duly sworn and deposed says:

1. That I am the record owner, or a legal representative of the record owner, of the property that is located at 14700, 14780, and 14800 Palm Beach Boulevard, Fort Myers, FL and is the subject of an Application for zoning action (hereinafter the "Property").

2. That I am familiar with the legal ownership of the Property and have full knowledge of the names of all individuals that have an ownership interest in the Property or a legal entity owning an interest in the Property.

[OPTIONAL PROVISION IF APPLICANT IS CONTRACT PURCHASER: In addition, I am familiar with the individuals that have an ownership interest in the legal entity that is under contract to purchase the Property.]

3. That, unless otherwise specified in paragraph 6 below, no Lee County Employee, County Commissioner, or Hearing Examiner has an Ownership Interest in the Property or any legal entity (Corporation, Company, Partnership, Limited Partnership, Trust, etc.) that has an Ownership Interest in the Property or that has contracted to purchase the Property.

4. That the disclosure identified herein does not include any beneficial Ownership Interest that a Lee County Employee, County Commissioner, or Hearing Examiner may have in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, whose interest is for sale to the general public.

5. That, if the Ownership Interest in the Property changes and results in this affidavit no longer being accurate, the undersigned will file a supplemental Affidavit that identifies the name of any Lee County Employee, County Commissioner, or Hearing Examiner that subsequently acquires an interest in the Property.

6. Disclosure of Interest held by a Lee County Employee, County Commissioner, or Hearing Examiner.

Name and Address	Percentage of Ownership
NONE	

Under penalty of perjury, I declare that I have read the foregoing and the facts alleged are true to the best of my knowledge and belief.

Property Owner

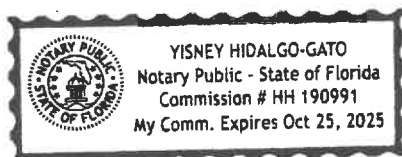
Raymond Sargenti
Print Name

*****NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS*****
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, on 05/24/2023 (date) by Raymond A. Sargenti (name of person providing oath or affirmation), who is personally known to me or who has produced FL DL 5625-721-62-009-0 (type of identification) as identification.

STAMP/SEAL



Signature of Notary Public

AFFIDAVIT OF AUTHORIZATION**APPLICATION IS SIGNED BY INDIVIDUAL OWNER, APPLICANT, CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE**

I, Reymond A Sargenti (name), as Managing Member (owner/title) of RAS1 Properties, LLC (company/property), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

***Notes:**

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trustee, then they must include their title of "trustee."
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.


Signature

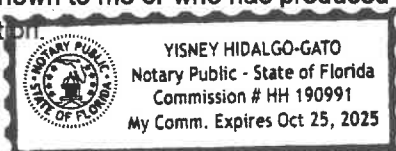
5-24-23
Date

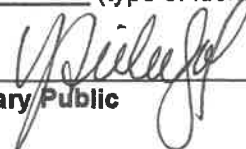
*******NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS*******
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 24th day of May, 2023, by Reymond A. Sargenti (name of person providing oath or affirmation), who is personally known to me or who has produced FLDL S625721620090 (type of identification) as identification.

STAMP/SEAL




Signature of Notary Public

AUTHORIZATION TO REPRESENT

Please be advised that VERONICA MARTIN, SENIOR PLANNER and DEAN MARTIN, P.E., of TDM Consulting, Inc., 43 Barkley Circle, Suite 200, Fort Myers, FL 33907, are hereby authorized to represent RAS1 Properties, LLC, the Applicant and Property Owner, in all applications to Lee County and subsequent public hearings regarding the properties at 14700, 14780, and 14800 Palm Beach Boulevard, Fort Myers, further identified by STRAP Numbers 28-43-26-00-00001.0050, 28-43-26-00-00003.0010, and 28-43-26-00-00008.0010.

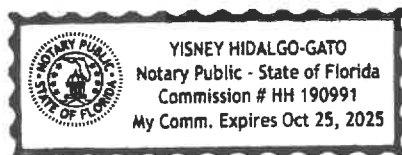

Raymond A Sargenti, Managing Member

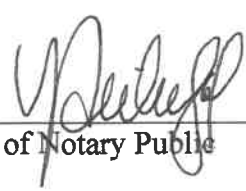
STATE OF FLORIDA

COUNTY OF Lee

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, on 05/24/2023 (date) by Raymond A. Sargenti (name of person providing oath or affirmation), who is personally known to me or who has produced FL DLS625-72162-009-0 (type of identification) as identification.

STAMP/SEAL




Signature of Notary Public

ADDITIONAL AGENTS

Company Name:	Harris-Jorgensen, LLC		
Contact Person:	Phillip M. Mould, P.S.M.		
Address:	3048 Del Prado Blvd. S, Suite 100		
City, State, Zip:	Cape Coral, FL 33904		
Phone Number:	239-257-2624	Email:	hjinc@comcast.net

Company Name:	Landesco		
Contact Person:	Christine Kulsveen		
Address:	18197 Sandy Pines Cir		
City, State, Zip:	North Fort Myers, FL 33917		
Phone Number:	239-246-8706	Email:	christine@landesco.com

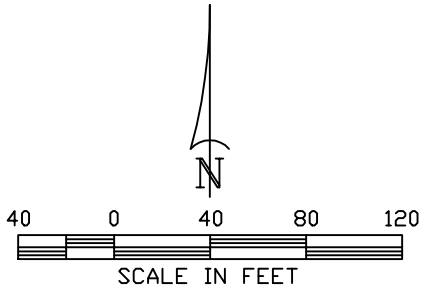
Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

SKETCH TO ACCOMPANY DESCRIPTION
A PARCEL OF LAND LYING
IN THE NE 1/4 OF SECTION 28,
TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA



POINT OF
COMMENCEMENT
N.E. CORNER OF
SECTION 28-43-26

N.W. CORNER SW 1/4
NE 1/4 NE 1/4 OF
SECTION 28-43-26

S.89°08'48"W. 1316.42'

N. LINE SW 1/4 NE 1/4
NE 1/4 OF SECTION 28-43-26

THIS IS NOT A BOUNDARY SURVEY

SEE EXHIBIT "A", SHEET 2 OF 2
FOR DESCRIPTION

D.R. BOOK 397, PAGE 289

N.89°12'53"E. 223.15'

POINT OF BEGINNING

D.R. BOOK 4562, PAGE 2870-2871

N.08°31'00"E. 252.10'

N.15°42'06"E. 250.97'

N. LINE SW 1/4 NE 1/4 OF SECTION 28-43-26

D.R. BOOK 4562,
PAGE 2870-2871

D.R. BOOK 414,
PAGE 232

N. R/W PALM BEACH BOULEVARD

S.77°11'45"W. 490.31'

PALM BEACH BOULEVARD (SR80)
(150' R/W)

SHEET 1 OF 2

D.R. BOOK 2266, PAGES 1968-1969

S.00°48'10"E. 262.82'

D.R. BOOK 4562,
PAGE 2870-2871

N.89°08'55"E.

149.52'

149.14'

S.00°48'04"E. 330.86'
W. LINE SW 1/4 NE 1/4
NE 1/4 OF SECTION 28-43-26

D.R. BOOK 2266, PAGES 1968-1969

S.00°47'07"E. 658.99'
E. LINE SECTION 28-43-26

DESCRIPTION TO ACCOMPANY SKETCH
EXHIBIT "A"

DESCRIPTION:

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE AFORESAID SECTION 28; THENCE RUN S.00°47'07"E. ALONG THE EAST LINE OF SAID SECTION 28 FOR 658.99 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 28; THENCE RUN S.89°08'48"W. ALONG SAID NORTH LINE FOR 1316.42 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) FOR SAID SECTION 28; THENCE RUN S.00°48'04"E. ALONG THE WEST LINE OF SAID FRACTION FOR 330.86 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.00°48'04"E. ALONG SAID WEST LINE FOR 149.14 FEET; THENCE RUN N.89°08'55"E. FOR 149.52 FEET; THENCE RUN S.00°48'10"E. FOR 262.82 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF PALM BEACH BOULEVARD (150 FEET WIDE); THENCE RUN S.77°11'45"W. ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 490.31 FEET; THENCE RUN N.12°48'12"W. FOR 25.00 FEET; THENCE RUN N.15°42'06"E. FOR 250.97 FEET; THENCE RUN N.08°31'00"E. FOR 252.10 FEET; THENCE RUN N.89°12'53"E. FOR 223.15 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 170897.8 SQUARE FEET OR 3.92 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE EAST LINE OF THE AFORESAID SECTION 28 AS BEING S.00°47'07"E.

Phillip M
Mould, P.S.M.
6515 State of
Florida

Digitally signed by
Phillip M Mould,
P.S.M. 6515 State of
Florida
Date: 2022.10.26
17:36:16 -04'00'

PHILLIP M MOULD
LS5615
OCTOBER 26, 2022

NOTE:

THIS MAP/PLAT 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; 5J-17.062, FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.

**DUNCAN &
ASSOCIATES, P.A.**

FOXWORTHY PROFESSIONAL BUILDING
1601 JACKSON STREET, SUITE 101
POST OFFICE BOX 249
FORT MYERS, FLORIDA 33902-0249

GORDON R. DUNCAN
ASHLEY D. SEGAL

TELEPHONE (239) 334-4574
FAX (239) 334-3378
EMAIL: info@duncanassociatesfl.com

May 22, 2023

Board of County Commissioners, Lee County, Florida
P.O. Box 398
Fort Myers, FL 33902-0398

Re: Title Opinion Letter for RAS1 Properties, LLC

Dear Chairperson:

The undersigned is counsel for RAS1 Properties, LLC ("Applicant") for the purpose of furnishing the following opinion, consistent with the provision of Florida Statutes, Section 177.041(2) for land as described in Exhibit A submitted with the application package of which this letter is a required part. The opinions below apply as of May 11, 2023.

The undersigned states:

1. **ATTORNEY:** That he is an attorney duly licensed by the Supreme Court of the State of Florida, License #258563 and that he is in good standing with the Florida Supreme Court and The Florida Bar as of the date of this letter opinion.
2. **TITLE:** The record title to the subject land legally described in Exhibit A is in the name of **RAS1 Properties, LLC**, a Florida limited liability company pursuant to that certain warranty deed from Simpson-Kent Properties, Inc. recorded January 11, 2023 as Instrument #2023000013615 of the Public Records of Lee County, Florida. The undersigned has searched Lee County records through the date set forth in the first paragraph of this letter and is of the opinion that no subsequent conveyance of the land described in Exhibit A is of record.
3. **MORTGAGE(S):** Mortgage(s) not satisfied or released of record nor otherwise terminated by law and encumbering the land described on the subject plat consist only of the following mortgages and none other:

None.

4. **EASEMENTS/ENCUMBRANCES:** The land described in Exhibit A is encumbered or benefitted by the following easements and agreements:

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.

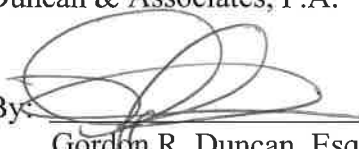
Oil, Gas and Mineral Lease recorded in Miscellaneous Book 23, Page 304, Public Records of Lee County, Florida.

Reservation of Oil, Gas and Mineral Rights set forth in Warranty Deed recorded in Deed Book 228, Page 214, Public Records of Lee County, Florida.

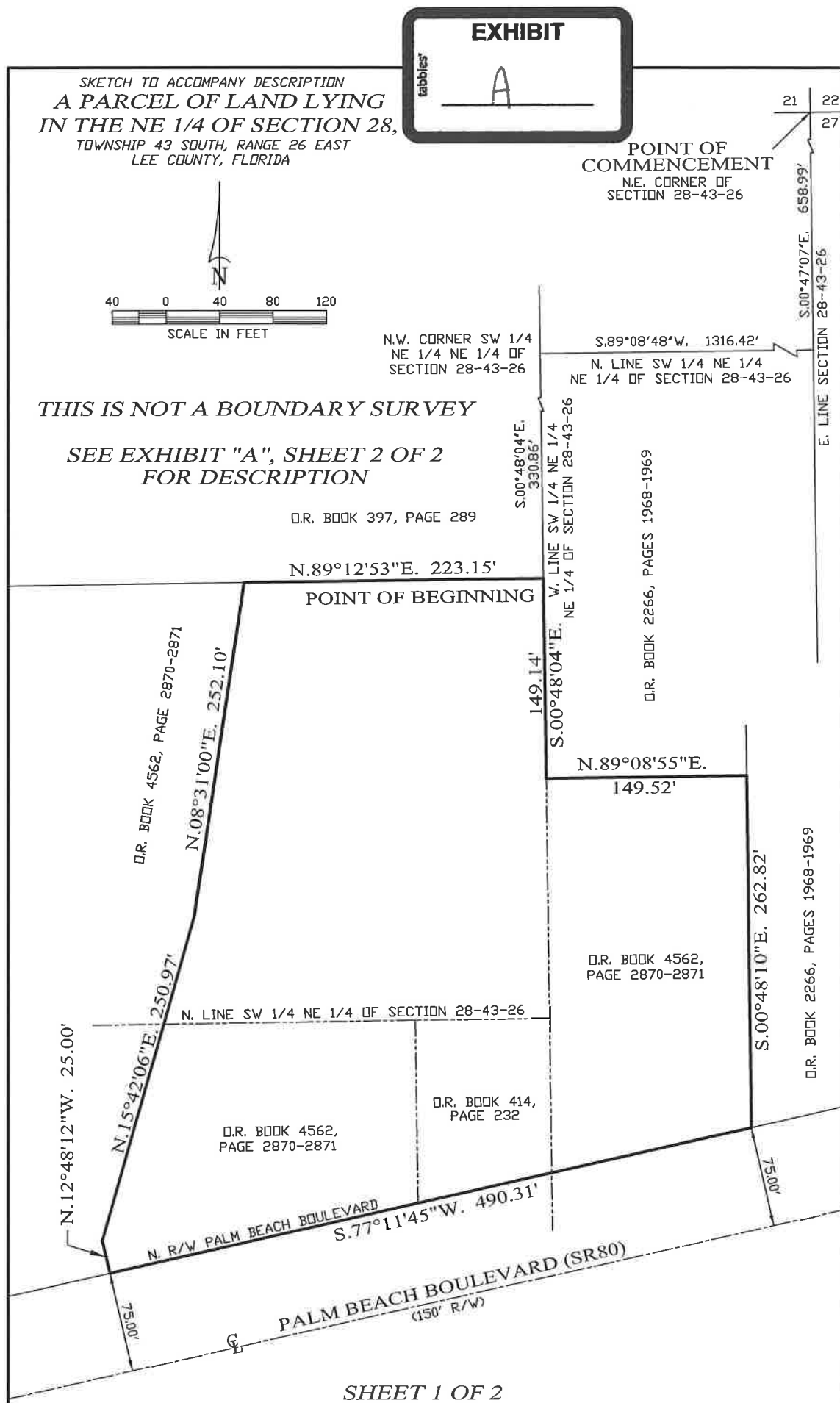
5. **AUTHORITY TO EXECUTE INSTRUMENTS:** Supporting documentation, Exhibit B attached hereto and made a part hereof, provides that Reymond A. Sargenti, is the Authorized Member of RAS1 Properties, LLC and is authorized to execute instruments on behalf of the company.
6. **LEGAL DESCRIPTION:** The legal description, by metes and bounds, of the subject land is as shown on the attached Exhibit A and made a part hereof as if fully rewritten in this letter.

Respectfully,

Duncan & Associates, P.A.

By: 

Gordon R. Duncan, Esquire



DESCRIPTION TO ACCOMPANY SKETCH
EXHIBIT "A"

DESCRIPTION:

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE AFORESAID SECTION 28; THENCE RUN S.00°47'07"E. ALONG THE EAST LINE OF SAID SECTION 28 FOR 658.99 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 28; THENCE RUN S.89°08'48"W. ALONG SAID NORTH LINE FOR 1316.42 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SAID SECTION 28; THENCE RUN S.00°48'04"E. ALONG THE WEST LINE OF SAID FRACTION FOR 330.86 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.00°48'04"E. ALONG SAID WEST LINE FOR 149.14 FEET; THENCE RUN N.89°08'55"E. FOR 149.52 FEET; THENCE RUN S.00°48'10"E. FOR 262.82 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF PALM BEACH BOULEVARD (150 FEET WIDE); THENCE RUN S.77°11'45"W. ALONG SAID NORTH RIGHT-OF-WAY LINE FOR 490.31 FEET; THENCE RUN N.12°48'12"W. FOR 25.00 FEET; THENCE RUN N.15°42'06"E. FOR 250.97 FEET; THENCE RUN N.08°31'00"E. FOR 252.10 FEET; THENCE RUN N.89°12'53"E. FOR 223.15 FEET TO THE POINT OF BEGINNING.

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BEARINGS ARE BASED ON THE EAST LINE OF THE AFORESAID SECTION 28 AS BEING S.00°47'07"E.

Phillip M
Mould, P.S.M.
6515 State of
Florida

Digitally signed by
Phillip M Mould,
P.S.M. 6515 State of
Florida
Date: 2022.10.26
17:36:16 -04'00'

PHILLIP M MOULD
LS5615
OCTOBER 26, 2022

NOTE:

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[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
RAS1 PROPERTIES, LLC

Filing Information

Document Number L18000091682
FEI/EIN Number 82-5220938
Date Filed 04/13/2018
State FL
Status ACTIVE

Principal Address

12798 DENNIS DR
FORT MYERS, FL 33908

Changed: 12/22/2021

Mailing Address

12798 DENNIS DR
FORT MYERS, FL 33908

Changed: 12/22/2021

Registered Agent Name & Address

SARGENTI, REYMOND A
12798 DENNIS DR
FORT MYERS, FL 33908

Address Changed: 01/26/2022

Authorized Person(s) Detail

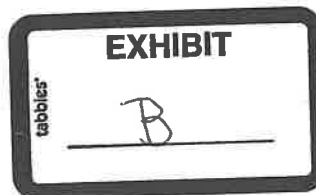
Name & Address

Title AMBR

SARGENTI, REYMOND A
12798 DENNIS DR
FORT MYERS, FL 33908

Annual Reports

Report Year	Filed Date
2021	01/12/2021





Date of Report: May 19, 2023

Buffer Distance: 500 feet

Parcels Affected: 28

Subject Parcels: 28-43-26-00-00001.0050, 28-43-26-00-00003.0010, 28-43-26-00-00008.0010

To change, add or remove subject parcels please change the parcel selection in [GeoView](#)
[Click here to download the map image, mailing labels \(Avery 5161\) and CSV formatted information.](#)

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
DARRAH RICHARD A + 7 MCCORMICK RD NEWPORT RI 02840	28-43-26-00-00001.0000 14350 OLD OLGA RD FORT MYERS FL 33905	N 1/2 OF NW 1/4 OF NE 1/4	1
SOUTHERN MANAGEMENT CORP 11770 CALLA LILLY CT PALM BEACH GARDENS FL 33418	28-43-26-00-00001.0030 14670 PALM BEACH BLVD FORT MYERS FL 33905	PARL IN W1/2 OF NE1/4 N OF SR 80 DESC OR 2931 PG 300	2
ILLINOIS IDEAL ELECTRIC INC 8816 LEPERE SCHOOL RD MILLSTADT IL 62260	28-43-26-00-00003.0000 14300 OLD OLGA RD FORT MYERS FL 33905	N 1/2 OF S 1/2 OF NW 1/4 OF NE 1/4	3
SIMON CHARLES TR THE AEGIS GROUP ATTN WINN DIXIE ACCT MANAGER 1102 18TH AV S NASHVILLE TN 37212	28-43-26-00-00003.0030 14600 PALM BEACH BLVD FORT MYERS FL 33905	PARL IN S 1/2 OF NW 1/4 OF NE 1/4 + IN SW 1/4 OF NE 1/4 LYING N OF SR 80 AS DESC IN OR 2798 PG 3072 LESS OR 3230 PG 1106 + INST#2005000093180	4
REITSMA TILLIE R TR 1604 N PALM AVE UPLAND CA 91784	28-43-26-00-00003.0040 14630 PALM BEACH BLVD FORT MYERS FL 33905	PARL IN THE W 1/2 OF THE NE 1/4 N OF SR 80 AS	5

		DESC IN OR 2962 PG 3160 + AS DESC IN OR 3096 PG 562	
LEE COUNTY DISTRICT SCHOOL BOA 2855 COLONIAL BLVD FORT MYERS FL 33966	28-43-26-00-00004.0000 2369 S OLGA DR FORT MYERS FL 33905	N 1/2 OF NE 1/4 OF NE 1/4 LESS RD + LESS 4.001	6
FLORIDA CONFERENCE ASSOCIATION 351 S STATE ROAD 434 ALTAMONTE SPRINGS FL 32714	28-43-26-00-00008.0000 14830/870 PALM BEACH BLVD FORT MYERS FL 33905	SW 1/4 OF NE 1/4 OF NE 1/4 + PORT OF NW 1/4 OF SE 1/4 OF NE 1/4 LYING N OF SR 80 AS DESC IN OR 1578 PG 1222 + OR 2263 PG 524 LESS OR 4562 PG 2870	7
HOLTONFL LLC 1330 11ST SW NAPLES FL 34117	28-43-26-00-00009.0000 14801 PALM BEACH BLVD FORT MYERS FL 33905	W 1/2 OF S E 1/4 OF N E 1/4 LESS RIVERDALE EST + PARL 9.002 + 9.003	8
LISA WERAB TRUST + 6632 MANGROVE WAY NAPLES FL 34109	28-43-26-00-00009.0020 14881 PALM BEACH BLVD FORT MYERS FL 33905	PARL IN S E 1/4 OF N E 1/4 SEC 28 TWP 43 R 26 DESC IN OR 1207 P 1157	9
LISA WERAB TRUST + 6632 MANGO WAY NAPLES FL 34109	28-43-26-00-00009.0030 14871 PALM BEACH BLVD FORT MYERS FL 33905	PARL IN W 1/2 OF SE 1/4 OF NE 1/4 DESC IN OR 1225 PG 1484	10
ADVANCE STORES CO INC #9333 TAX ACCOUNTING PO BOX 2710 ROANOKE VA 24001	28-43-26-00-00010.003C 14601 PALM BEACH BLVD FORT MYERS FL 33905	PARL IN NE 1/4 SEC AS DESC OR 1967 PG 305	11
RIVERDALE PALM BEACH LLC THE RICHDEN COMPANY 1410 W IRVING PARK RD #1-FRONT CHICAGO IL 60613	28-43-26-00-00010.003D 14661-691 PALM BEACH BLVD FORT MYERS FL 33905	PARL IN W 1/2 AS DESC OR 1967 PG 295 LESS CONDO	12
FAEN INTERNATIONAL LLC 49 OCEANIC DRIVE FLOREAT WA 6014 AUSTRALIA	28-43-26-07-00000.0010 2952/2954 RIBBON CT FORT MYERS FL 33905	RIVERDALE ESTATES PB 29 PG 87 LOT 1	13
GARDNER JOHN 390 PONDELLA RD STE 1 NORTH FORT MYERS FL 33903	28-43-26-07-00000.0020 2956/2958 RIBBON CT FORT MYERS FL 33905	RIVERDALE ESTATE PB 29 PG 87 LOT 2	14
VERBEKE RYAN 3381 12TH AVE NE NAPLES FL 34120	28-43-26-07-00000.0030 2964/2966 RIBBON CT FORT MYERS FL 33905	RIVERDALE ESTATES PB 29 PG 87 LOT 3	15
SLOCHOWSKY VIRGINIA CHACON 2968 RIBBON CT FORT MYERS FL 33905	28-43-26-07-00000.0040 2968 RIBBON CT FORT MYERS FL 33905	RIVERDALE ESTATES PB 29 PG 87 LOT 4	16
SPEAS MYRNA RICHARDS 11761 CANAL GRANDE DR FORT MYERS FL 33913	28-43-26-07-00000.0410 2939/2941 RENEE CT FORT MYERS FL 33905	RIVERDALE ESTATES PB 29 PG 87 LOT 41	17
MONAGAS JOSE & EVELYN 2609 52ND ST W LEHIGH ACRES FL 33971	28-43-26-07-00000.0420 2935/2937 RENEE CT FORT MYERS FL 33905	RIVERDALE ESTATES PB 29 PG 87 LOT 42	18
HAWKS PRESERVE HOMEOWNER ASSN PO BOX 1058 LEHIGH ACRES FL 33970	28-43-26-12-0000B.00CE HAWKS PRESERVE C/E FORT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 TRACT B	19
PALM BEACH PROFESSIONAL PARK	28-43-26-13-00000.00CE 14651 PALM BEACH BLVD FORT MYERS FL 33905	PALM BEACH PROFESSIONAL PARK BUILDING 1 DESC IN INST#2008000166232 COMMON ELEMENTS	20

BUCKINGHAM PROFESSIONAL PLAZA 2625 LEE BLVD STE 105 LEHIGH ACRES FL 33971	28-43-26-13-00001.0100 14651 PALM BEACH BLVD #100 FORT MYERS FL 33905	PALM BEACH PROFESSIONAL PARK BLDG 1 DESC IN INST#2008000166232 BLDG 1 UNIT 100	21
MDRA LLC 25 CARROTWOOD CT FORT MYERS FL 33919	28-43-26-13-00001.0101 14651 PALM BEACH BLVD #101 FORT MYERS FL 33905	PALM BEACH PROFESSIONAL PARK BLDG 1 DESC IN INST#2008000166232 BLDG 1 UNIT 101	21
BUCKINGHAM PROFESSIONAL PLAZA 2625 LEE BLVD STE 105 LEHIGH ACRES FL 33971	28-43-26-13-00001.0102 14651 PALM BEACH BLVD #102 FORT MYERS FL 33905	PALM BEACH PROFESSIONAL PARK BLDG 1 DESC IN INST#2008000166232 BLDG 1 UNIT 102	21
BUCKINGHAM PROFESSIONAL PLAZA 2625 LEE BLVD STE 105 LEHIGH ACRES FL 33971	28-43-26-13-00001.0103 14651 PALM BEACH BLVD #103 FORT MYERS FL 33905	PALM BEACH PROFESSIONAL PARK BLDG 1 DESC IN INST#2008000166232 BLDG 1 UNIT 103	21
BUCKINGHAM PROFESSIONAL PLAZA 2625 LEE BLVD STE 105 LEHIGH ACRES FL 33971	28-43-26-13-00001.0104 14651 PALM BEACH BLVD #104 FORT MYERS FL 33905	PALM BEACH PROFESSIONAL PARK BLDG 1 DESC IN INST#2008000166232 BLDG 1 UNIT 104	21
BUCKINGHAM PROFESSIONAL PLAZA 2625 LEE BLVD STE 105 LEHIGH ACRES FL 33971	28-43-26-13-00001.0105 14651 PALM BEACH BLVD #105 FORT MYERS FL 33905	PALM BEACH PROFESSIONAL PARK BLDG 1 DESC IN INST#2008000166232 BLDG 1 UNIT 105	21
BUCKINGHAM PROFESSIONAL PLAZA 2625 LEE BLVD STE 105 LEHIGH ACRES FL 33971	28-43-26-13-00001.106A 14651 PALM BEACH BLVD #106A FORT MYERS FL 33905	PALM BEACH PROFESSIONAL PARK BLDG 1 DESC IN INST#2008000166232 BLDG 1 UNIT 106A	21
BUCKINGHAM PROFESSIONAL PLAZA 2625 LEE BLVD STE 105 LEHIGH ACRES FL 33971	28-43-26-13-00001.106B 14651 PALM BEACH BLVD #106B FORT MYERS FL 33905	PALM BEACH PROFESSIONAL PARK BLDG 1 DESC IN INST#2008000166232 BLDG 1 UNIT 106B	21

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NEWPORT RI 02840

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11770 CALLA LILLY CT
PALM BEACH GARDENS FL 33418

ILLINOIS IDEAL ELECTRIC INC
8816 LEPERE SCHOOL RD
MILLSTADT IL 62260

SIMON CHARLES TR
THE AEGIS GROUP
ATTN WINN DIXIE ACCT MANAGER
1102 18TH AV S
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REITSMA TILLIE R TR
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UPLAND CA 91784

LEE COUNTY DISTRICT SCHOOL BOA
2855 COLONIAL BLVD
FORT MYERS FL 33966

FLORIDA CONFERENCE ASSOCIATION
351 S STATE ROAD 434
ALTAMONTE SPRINGS FL 32714

HOLTONFL LLC
1330 11ST SW
NAPLES FL 34117

LISA WERAB TRUST +
6632 MANGROVE WAY
NAPLES FL 34109

LISA WERAB TRUST +
6632 MANGO WAY
NAPLES FL 34109

ADVANCE STORES CO INC #9333
TAX ACCOUNTING
PO BOX 2710
ROANOKE VA 24001

RIVERDALE PALM BEACH LLC
THE RICHDEN COMPANY
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CHICAGO IL 60613

FAEN INTERNATIONAL LLC
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GARDNER JOHN
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NAPLES FL 34120

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FORT MYERS FL 33905

SPEAS MYRNA RICHARDS
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PALM BEACH PROFESSIONAL PARK

BUCKINGHAM PROFESSIONAL PLAZA
2625 LEE BLVD STE 105
LEHIGH ACRES FL 33971

MDRA LLC
25 CARROTWOOD CT
FORT MYERS FL 33919

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LEHIGH ACRES FL 33971

BUCKINGHAM PROFESSIONAL PLAZA
2625 LEE BLVD STE 105
LEHIGH ACRES FL 33971

Blue Wave Express Car Wash
Area Location Map
Exhibit A

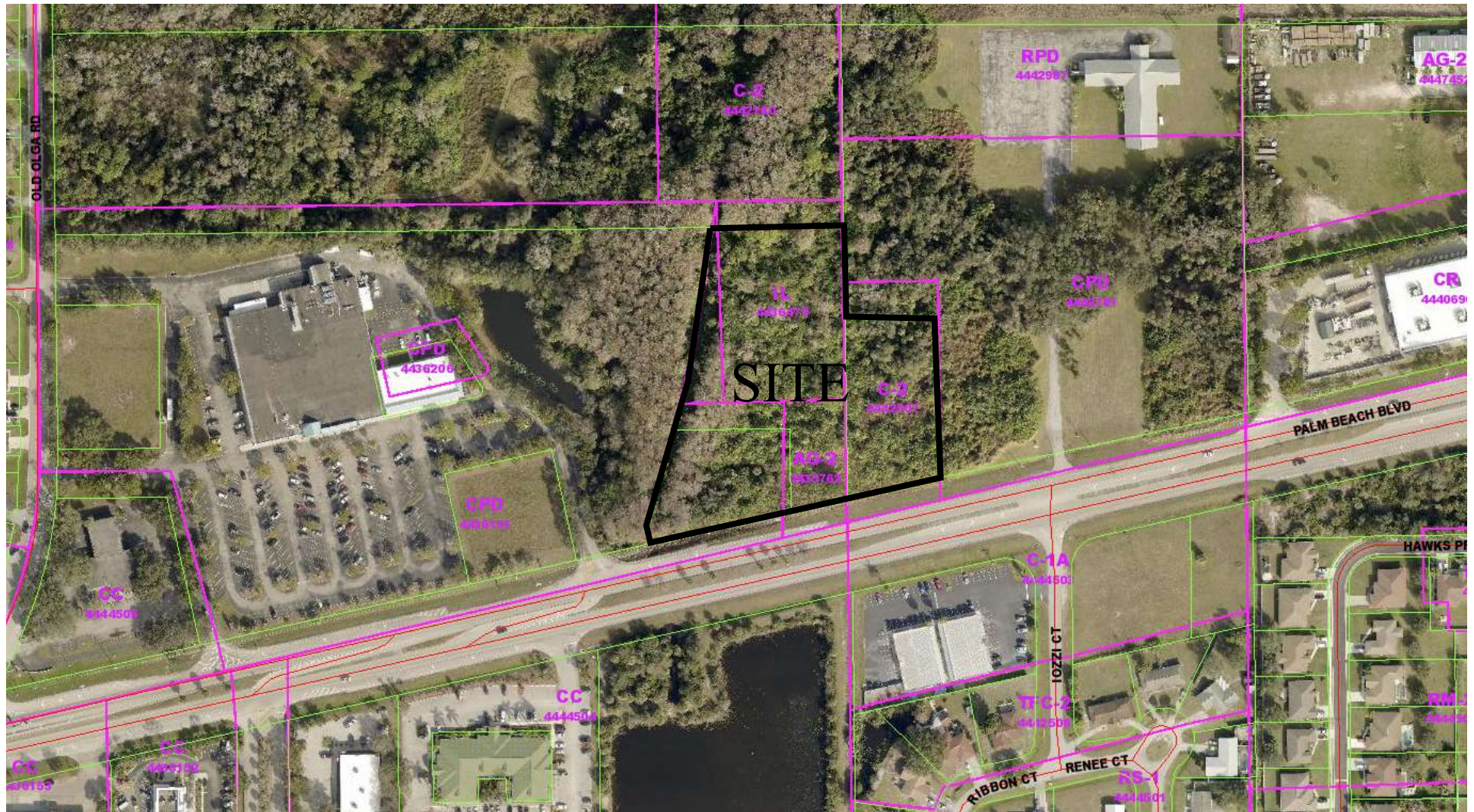


Blue Wave Express Car Wash
Future Land Use Map
Exhibit B



■ Suburban

Blue Wave Express Car Wash
Zoning Map
Exhibit C



Blue Wave Express Car Wash
Mixed-Use Overlay Map
Exhibit D



Mixed-Use Overlay



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

Blue Wave Express Car Wash
14700, 14780, and 14800 Palm Beach Boulevard
List of Zoning Resolutions

CPD ZONED LOT

Z-92-020
PD-96-016
PD-96-016A
PD-96-059
Z-98-002

ALL 3 LOTS

REZ2022-00029 - WITHDRAWN



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Blue Wave Express Car Wash
14700, 14780 and 14800 Palm Beach Blvd.
Summary of Public Information Meeting

A public information meeting was held on Thursday, January 19, 2023 at the Olga Community Center, located at 2325 S. Olga Drive. The meeting was publicly advertised in the News-Press as required by the Lee Plan.

Veronica Martin, Senior Planner with TDM Consulting represented the applicant, Palm Beach Boulevard Properties, LLC, to the public. The proposed rezoning request was presented along with a copy of the Area Location Map and Mixed-Use Overlay Map. Uses permitted in the Commercial zoning district were discussed along with the fact that there are existing wetlands on site.

Although only one (1) person showed up at the meeting, she was representing Alva, Inc., a community organization. She had the following comments and questions:

1. Do you know there are homeless people on site? In the wetlands?
No, but TDM will advise the property owner.
2. How will the wetlands be impacted?
The applicant had an environmental report done and understands there are existing wetlands that connect to the wetland preserve to the west. It is his plan to preserve those existing wetlands in their entirety and only develop the uplands. He doesn't want to pay any wetland mitigation fees.
3. There's already existing commercial uses to the east and west along Palm Beach Blvd, so this is probably a good location.
This comment was acknowledged.

The News-Press
media group
news-press.com A GANNETT COMPANY

Attn:

MARTIN VERONICA
43 BARKLEY CIR, SUITE 200
FORT MYERS, FL 33907

NOTICE OF PUBLIC MEETING. TDM Consulting, Inc. will hold a Public Informational Meeting on January 19, 2023 at 6:30 pm at the Olga Community Center located at 2325 S. Olga Drive, Fort Myers. The applicant, Palm Beach Blvd Properties, LLC, is requesting a Conventional Rezoning of the properties at 14700, 14780, and 14800 Palm Beach Boulevard from IL, CPD and AG-2 to the C-2 zoning district. For additional information you may contact: Veronica Martin, TDM Consulting, Inc. at 239-433-4231.
1/9/2023 No. 5547292s

State of Wisconsin, County of Brown:

Before me the undersigned authority personally appeared Shelly Hora, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

NOTICE OF PUBLIC MEETING. TDM Consulting, Inc. will hold a Public Informational Meeting on January 19, 2023 at 6:30 pm at the Olga Community Center located at 2

In the Twentieth Judicial Circuit Court was published in said newspaper editions dated in the issues of or by publication on the newspaper's website, if authorized, on :

01/09/2023

Affiant further says that the said News-Press is a paper of general circulation daily in Lee County and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper editions dated:

Sworn to and Subscribed before me this 9th of January 2023, by legal clerk who is personally known to me.

Affiant

Notary State of Wisconsin, County of Brown

My commission expires

of Affidavits 1

This is not an invoice

NICOLE JACOBS
Notary Public
State of Wisconsin

Public Information Meeting

Th. Jan. 19th 6:30pm

Olyx Community Center

1. Veronica Martin, TDM Consulting
2. Ashley Genois, TDM Consulting
3. HOLLY SCHWARTZ, ALVA, INC.



**43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
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Blue Wave Express Car Wash Narrative of Request/Lee Plan Compliance

Narrative of Request

The applicant assembled three lots at 14700, 14780, and 14800 Palm Beach Boulevard with the intention of developing the land for commercial use – specifically a free-standing car wash. The lots have a mix of zoning districts including AG-2, IL, C-2 and CPD. The applicant is requesting to rezone the lots to Commercial Planned Development (CPD) for a consistent zoning district for all three lots.

As stated above, the lots have multiple zoning districts. The lot at 14780 Palm Beach Boulevard is zoned AG-2 and IL as identified by Lee County GIS. The lot at 14700 Palm Beach Boulevard is zoned CPD. The CPD zoned lot was rezoned from AG-2 to CPD via Zoning Resolution Z-88-035 (Palm Beach Center). A Development Order was issued for the property (88-08-015.00D) identifying the portion that is the subject of this zoning application as Out Parcel 2.

The CPD zoned property was rezoned again from CPD and AG-2 to CPD via Zoning Resolution Z-92-020 Food Lion Center CPD. There were several subsequent amendments including PD-96-016, PD-96-016A, PD-96-059, and Z-98-002. However, somewhere between the original zoning resolution Z-88-035 and Z-92-020, the boundary of the CPD property changed and Out Parcel 2 (the lot a 14700 Palm Beach Boulevard) was no longer included in the Food Lion Center CPD.

Land Development Code Compliance

The applicant intends to comply with the Land Development Code at time of Development Order permitting unless deviations are granted with this planned development application.

Lee Plan Compliance

POLICY 1.1.5: The Suburban future land use category will consist of predominantly residential areas that are either on the fringe of the Central Urban or Urban Community future land use categories or in areas where it is appropriate to protect existing or emerging residential neighborhoods. This category provides housing near the more urban areas but does not provide the full mix of land uses typical of urban areas. Industrial land uses are not permitted. This category has a standard density range from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre). The maximum total density may only be increased to eight dwelling units per acre (8 du/acre) utilizing Greater Pine Island Transfer of Development Units except in areas that specifically prohibit bonus density. Other forms of bonus densities are not allowed.

The property is located within the Suburban future land use category with frontage on Palm Beach Boulevard (SR 80). It is also located in the Mixed-Use Overlay. The subject property has

Narrative of Request/Lee Plan Compliance

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a mix of zoning districts including AG-2, IL, C-2 and CPD. Industrial zoning is inconsistent with the Suburban future land use category. The applicant is requesting to rezone the property to Commercial Planned Development (CPD) to permit a consistent zoning district for commercial development. This is consistent with **Lee Plan Policy 1.1.5**.

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 DRI 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: *The Future Land Use Map 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 2045 planning horizon. 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 Table 1(b)).*

The property to the west of the subject parcel is zoned CPD and is developed as a commercial shopping plaza. The property to the east is zoned CPD and RPD with an existing place of worship and planned commercial uses along the SR 80 frontage. Land south of SR 80 is zoned C-1A and CC and has a variety of commercial uses. The land to the north is vacant. Urban services are available and adequate to service the development as outlined below. Rezoning the subject property to CPD for commercial use creates contiguous growth patterns and minimizes

Narrative of Request/Lee Plan Compliance

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urban sprawl. This is consistent with **Lee Plan Objective 2.1, Policies 2.1.1 and 2.1.2, Objective 2.2, and Policies 2.2.1 and 2.2.2.**

Fire:	Fort Myers Shores Fire District, Station # 1, located at 12345 Palm Beach Blvd., is approximately 2.5 miles away.
Police:	Lee County Sheriff's Department, located at 1301 Homestead Rd N, is approximately 11.7 miles away.
EMS:	Fort Myers Shores Fire District, Station # 1, located at 12345 Palm Beach Blvd., is approximately 2.5 miles away.
Solid Waste:	The property is within Lee County Solid Waste Franchise Area 4 and is served by Advanced Disposal.
Public Transit:	Lee Tran does not service this segment of Palm Beach Blvd (SR 80).
Public Schools:	The property is within the Lee County School District East Zone, District Area 2.
Public Parks:	The property is approximately 1.1 miles south from Olga Community Park and approximately 3.7 miles west from Hickey Creek Mitigation Park.

OBJECTIVE 4.1: WATER, SEWER, AND ENVIRONMENTAL STANDARDS. *Consider water, sewer, and environmental standards during the rezoning process. Ensure the standards are met prior to issuing a local development order.*

Lee County Utilities provided a Letter of Availability confirming that potable water and sanitary sewer lines are in operation adjacent to the subject property; however, there are no reuse mains in the vicinity of the site. The applicant will connect to potable water and sanitary sewer at time of development order permitting. This is consistent with **Objective 4.1, Standard 4.1.4: Potable Water and Standard 4.1.2: Sanitary Sewer.**

STANDARD 4.1.4: ENVIRONMENTAL FACTORS.

- 1. In any case where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District (SFWMD), or other applicable regulatory agency), the developer/applicant must prepare an environmental assessment that examines the existing conditions, addresses existing or anticipated environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources.*
- 2. Ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site.*
- 3. Ensure development minimizes the need for expansion and construction of street and utility improvements.*

A Protected Species Survey/Environmental Assessment with FLUCFCS Map is included with this planned development rezoning request due to the presence of wetlands on-site. According to the FLUCFCS Map, 1.35 acres of the land to be rezoned is Mixed Wetland Hardwoods while the remaining 2.30 acres is Pine-Mesic Oak. The Master Concept Plan shows that 1.25-acres of the mixed wetland hardwoods along the west property line will be preserved in its entirety.

Narrative of Request/Lee Plan Compliance

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Development is concentrated along the east property line, giving adequate space to avoid impacts to the preserve. The applicant will be required to obtain an Environmental Resource Permit from SFWMD at time of Development Order permitting. This is consistent with **Lee Plan Objective 4.1 and Standard 4.1.4: Environmental Factors.**

GOAL 6: COMMERCIAL LAND USES. *To permit orderly and well-planned commercial development at appropriate locations within the County.*

OBJECTIVE 6.1: *Development approvals for commercial land uses must be consistent with the following policies, the general standards under Goal 4 and other provisions of this plan.*

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

- 1. Traffic and access impacts (rezoning and development orders);*
- 2. Landscaping and detailed site planning (development orders);*
- 3. Screening and buffering (planned development rezoning and development orders);*
- 4. Availability and adequacy of services and facilities (rezoning and development orders);*
- 5. Impact on adjacent land uses and surrounding neighborhoods (rezoning);*
- 6. Proximity to other similar centers (rezoning); and*
- 7. 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 6.1.6: *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.*

As previously noted, the subject property is located between two commercially zoned properties. The property to the west is zoned CPD and developed as a commercial shopping plaza and the property to the east is zoned CPD along Palm Beach Boulevard and RPD to the north to permit a mixed-use development. The subject property is also in the mixed-use overlay and is considered an infill property on the north side of Palm Beach Boulevard. Urban services are available and adequate to service the site, the Traffic Impact Statement demonstrates that the addition of the commercial development does not degrade the level of services of Palm Beach Boulevard, appropriate buffers are proposed, and the existing wetlands will be preserved. The proposed rezoning is/will be consistent with the Land Development Code regarding availability of urban services, environmental concerns and impacts on surrounding uses. A Development Order will be required for future commercial development, which will be consistent with traffic, access, screening and buffering, landscaping, and environmental considerations. The rezoning request is consistent with **Lee Plan Goal 6, Objective 6.1, Policies 6.1.1, 6.1.4, 6.1.6, and 6.1.7.**

Narrative of Request/Lee Plan Compliance

Page 5 of 8

OBJECTIVE 11.2: MIXED USE OVERLAY. *The County will maintain an Overlay in the future land use map series identifying locations appropriate for mixed use located in proximity to: public transit routes; education facilities; recreation opportunities; and, existing residential, shopping and employment centers. Mixed Use, Traditional Neighborhood, and Transit Oriented development patterns are encouraged and preferred within the Mixed Use Overlay.*

POLICY 11.2.5: *Lee County will maintain land development regulations for properties within the Mixed Use Overlay that allow for urban forms of development and a variety of uses.*

The subject property is located in the mixed-use overlay. Urban services are available and adequate to service the site. Nearby commercial uses include the Winn-Dixie shopping plaza to the west and a Place of Worship and the Tractor Supply to the east. Land to the north is generally used for single-family residential and agricultural use or vacant. The applicant is requesting to rezone the subject property from AG-2, IL, C-2 and CPD to a consistent CPD zoning district to permit limited commercial uses. Properties in the mixed-use overlay are permitted reduced parking, buffers and open space. This will be beneficial at time of development order permitting as it will allow development to be concentrated within the uplands so the existing wetlands can be preserved. This is consistent with **Lee Plan Objective 11.2 and Policies 11.2.4 and 11.2.5.**

OBJECTIVE 17.3: PUBLIC INPUT. *To provide opportunities for public input as part of the comprehensive plan and land development code amendment process.*

POLICY 17.3.3: *Public information meetings required pursuant to the provisions of this sub-element must be held within the established community plan area boundary that is affected by the amendment.*

POLICY 17.3.4: *For required public information meetings, the applicant must provide the following:*

- *Adequate meeting space to accommodate projected attendance and security measures (as needed).*
- *Advance notice of the meeting in a publication of local distribution provided at least ten calendar days prior to the meeting, unless otherwise specified herein.*
- *At the meeting, a general overview of the text or map amendment and effect thereof.*
- *After the meeting, a meeting summary document submitted to the County that contains the following information: the date, time, and location of the meeting; a list of attendees.*

The property is located in the Caloosahatchee Shores and Olga planning communities. The applicant held one public information meeting that was advertised in the News Press; however, only one person from the public attended. This is consistent with **Lee Plan Objective 17.3 and Policies 17.3.3 and 17.3.4.**

GOAL 21: CALOOSAHATCHEE SHORES COMMUNITY PLAN. *Protect the existing character, natural resources and quality of life in the Caloosahatchee Shores Community Plan area, while promoting new development, redevelopment and maintaining a more rural identity for the neighborhoods east of I-75 by establishing minimum aesthetic requirements, planning the location and intensity of future commercial and residential uses, and providing incentives for redevelopment, mixed use development and pedestrian safe environments.*

OBJECTIVE 21.1: COMMUNITY CHARACTER. *To create a visually attractive community.*

Narrative of Request/Lee Plan Compliance

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POLICY 21.1.1: *Maintain LDC regulations that provide for enhanced landscaping, signage and architectural standards consistent with the goal of maintaining an old Florida rural identity. The preferred architectural style for all buildings in commercial developments is Florida vernacular.*

OBJECTIVE 21.2: COMMERCIAL LAND USES. *New commercial uses will be limited to properties already zoned for commercial uses as well as properties located at the intersection of I-75 and S.R. 80, the intersection of S.R. 31 and S.R. 80, the State Route 80 Corridor Overlay, the Verandah Boulevard commercial node, and the Commercial, Central Urban and Suburban future land use categories adjacent to S.R. 80. New commercial zoning must be approved through the planned development rezoning process. Commercial redevelopment and increased commercial opportunities on properties adjacent to SR 80 to service the needs of the Caloosahatchee Shores Community Plan area and surrounding areas are encouraged.*

POLICY 21.2.1: *To service the retail needs of Caloosahatchee Shores and the surrounding rural communities, the intersection of SR 80 and SR 31, north of SR 80 and east and west of SR 31 are designated as commercial nodes to allow for greater commercial intensity. Commercial nodes are intended for development or redevelopment at Community Commercial levels as defined in the Glossary.*

The Verandah Boulevard commercial node is intended for Minor Commercial levels as defined in the Glossary. Office and residential uses consistent with the Suburban designation are also allowed in this Minor Commercial node.

The subject property is located on the north side of SR 80 between Old Olga Road and South Olga Drive in the Suburban future land use category. The applicant assembled 3 lots with a mix of zoning districts including AG-2, IL, C-2 and CPD with the intent to rezone to a consistent commercial zoning of CPD. The property to the west is zoned CPD and is developed as a commercial shopping plaza. The land to the east is zoned CPD and RPD and is developed as a place of worship. The property is located within a commercial node. The industrial (IL) zoning district is inconsistent with the Suburban future land use category. Providing a consistent commercial zoning district at this location is consistent with **Lee Plan Goal 21, Objective 21.1, Policy 21.1.1, Objective 21.2 and Policy 21.2.1.**

GOAL 22: OLGA COMMUNITY PLAN. *Maintain Olga's heritage and rural character.*

POLICY 22.1.5: *Heritage trees will be preserved or, when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.*

The subject property is also located in the Olga Community Plan Overlay. As the subject property is located on the north side of SR 80 between properties with existing commercial zoning districts and uses, it is reasonable to rezone the AG-2, IL, C-2 and CPD lots to a consistent commercial zoning district that is appropriate for the area. As stated previously, the industrial (IL) zoned lot is inconsistent with the Suburban future land use and the Olga Community Plan. Rezoning the land for a uniform zoning district of CPD with a limited schedule of uses is consistent with **Lee Plan Goal 22 and Policy 22.1.5.**

POLICY 60.4.1: *Encourage new developments to design surface water management systems with Best Management Practices, including, but not limited to, filtration marshes, grassed swales*

Narrative of Request/Lee Plan Compliance

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planted with native or Florida Friendly Landscaping vegetation, retention/detention lakes with enlarged littoral zones, preserved or restored wetlands, and meandering flow-ways.

POLICY 60.4.2: *The County encourages new developments to design their surface water management system to incorporate existing wetland systems.*

The applicant intends to preserve the 1.25 acres of wetlands along the west property line. Those wetlands are connected to other wetlands to the west and north, then spreading east as well. The MCP shows a preliminary drainage plan; however, full paving, grading, and drainage plans won't be provided until development order permitting. A surface water management narrative providing a description of the preliminary drainage system is included with this application. This is consistent with **Policy 60.4.1** and **Policy 60.4.2**.

GOAL 124: WETLANDS. *To maintain and enforce a regulatory program for development in wetlands that is cost-effective, complements federal and state permitting processes, and protects the fragile ecological characteristics of wetland systems.*

OBJECTIVE 124.1: *Protect and conserve the natural functions of wetlands and wetland systems by maintaining wetland protection regulations.*

POLICY 124.1.2: *The County's wetlands protection regulations will be consistent with the following:*

- 1. The County will not undertake an independent review at the development order stage of the impacts to wetlands resulting from development in wetlands that is specifically authorized by a DEP or SFWMD dredge and fill permit or exemption.*
- 2. No development in wetlands regulated by the State of Florida may be commenced without the appropriate state agency permit or authorization. Development orders and development permits authorizing development within wetlands or lands located within the Wetlands future land use category may be issued subject to a condition that construction may not commence until issuance of the required state permits.*
- 3. Lee County will incorporate the terms and conditions of state permits into County permits and will prosecute violations of state regulations and permit conditions through its code enforcement procedures.*
- 4. Every reasonable effort will be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. On- or off-site mitigation will only be permitted in accordance with applicable state standards.*
- 5. Mitigation banks and the issuance and use of mitigation bank credits will be permitted to the extent authorized by applicable state agencies.*
- 6. The density on wetlands that have been impacted, or will be impacted, in accordance with a state agency permit will be calculated at a density of one dwelling unit per 20 acres. Nonresidential uses on wetlands that have been impacted, or will be impacted, in accordance with a state agency permit must be consistent with the non-residential uses permitted in the immediately adjacent, least intense, upland future land use category.*

The applicant had a protected species survey/environmental assessment completed during his due diligence phase of the property. According to the FLUCFCS Map, 1.35± acres identified as mixed wetland hardwoods. The applicant is aware the existing on-site wetlands connect to the north, east, and western properties and doesn't intend to impact the wetlands during

Narrative of Request/Lee Plan Compliance

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development. If the rezoning is approved, the applicant will be required to obtain a local development order and possibly a SFWMD ERP prior to construction. Development will be located on the uplands portion of the subject property only so the wetlands can be preserved in their entirety. The proposed development is consistent with **Goal 124, Objective 124.1, and Policy 124.1.2.**

POLICY 126.1.4: *Development designs must provide for maintaining or improving surface water flows, groundwater levels, and lake levels at or above existing conditions.*

The applicant will be required to obtain a local Development Order prior to construction. Lee County Land Development Code Section 10-328 requires the applicant to provide a drainage easement whenever a proposed development abuts a watercourse, stream, etc. The requisite easement/upland buffer to the existing creek will maintain and preserve it, without altering the existing offsite flows. This is consistent with **Lee Plan Policy 126.1.4.**

As demonstrated throughout this Narrative of Request/Lee Plan Compliance, 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.

In addition, the applicant has demonstrated that:

- (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) Each requested deviation:
 - (1) Enhances the achievement of the objectives of the planned development; and
 - (2) Preserves and promotes the general intent of this code to protect the public health, safety and welfare.

TRAFFIC IMPACT STATEMENT
FOR A
PROPOSED AUTOMATED CAR WASH
BLUE WAVE EXPRESS CAR WASH

PREPARED FOR:

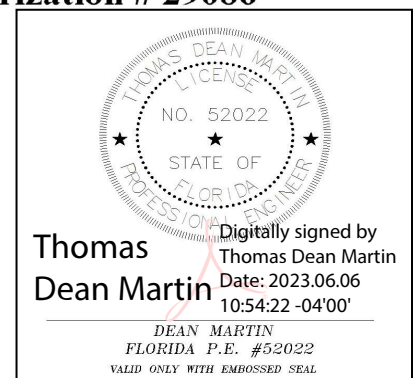
Mr. Raymond Sargenti, Authorized Member
RAS1 Properties, LLC.
12798 Dennis Drive
Fort Myers, FL 33908

PREPARED BY:



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 2023



1. PURPOSE

OBJECTIVE

This report has been prepared in accordance with Florida Department of Transportation (F.D.O.T.) criteria as outlined in the 2008 Driveway Information Guide for projects seeking access approval. This report analyzes the anticipated traffic conditions of the proposed development in order to determine any adverse roadway impacts associated with **Blue Wave Express Car Wash**.

The subject parcel as surveyed by Harris-Jorgensen is 3.92 acres.

This Traffic Impact Statement is based on the assumption that the proposed development will be completed in 2024.

2. SITE DESCRIPTION

SITE LOCATION

Blue Wave Express Car Wash is a 3.92-acre project located at 14700, 14780 and 14800 Palm Beach Boulevard (SR 80) in Section 28, Township 43 South, Range 26 East, Lee County, Florida. The applicant proposes to construct an automated car wash with one (1) tunnel and 5,309 square feet of gross floor area on the site.

Access to the proposed development is provided by one (1) proposed right-in right-out driveway connection to Palm Beach Boulevard (SR 80).

3. OBSERVATIONS

3.1 TRIP GENERATION CALCULATIONS

Vehicular trips generated by the proposed development were calculated by using the equations provided by the Institute of Transportation Engineers, 11th Edition of the Trip Generation Manual, Land Use Code 948 (Automated Car Wash) using the average rates shown in the tables.

Table 1. Raw Trip Generation – Proposed Automated Car Wash (LUC 948)

<u>5,309 Square Feet of Gross Floor Area:</u> * - Use LUC 949 Pro-Rated for Tunnel	
A.	A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street) $T = 8.60 (13.60/77.50) (5.309) = 8$ (5 entering, 3 exiting)
B.	P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street) $T = 14.20 (5.309) = 75$ (38 entering, 37 exiting)

Source: TDM, 2023

Table 2. Raw Trip Generation – Proposed Automated Car Wash (LUC 948)

<u>1 Tunnel:</u>		* - Use LUC 949
A.	A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)* $T = 8.60 (1) = 9$ (6 entering, 3 exiting)	
B.	P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street) $T = 77.50 (1) = 78$ (39 entering, 39 exiting)	

Source: TDM, 2023

3.2 TRIP DISTRIBUTION

As stated previously herein, traffic will enter and exit the proposed development at the one (1) proposed right-in right-out driveway connection to Palm Beach Boulevard (SR 80).

3.3 EXISTING TRAFFIC CONDITIONS

Palm Beach Boulevard (SR 80) is the nearest arterial road being accessed and is a four-lane divided arterial road. It has a posted speed limit of forty-five (45) miles per hour near the proposed development. Per 2022 F.D.O.T. Florida Traffic Online, it has an existing annual average daily traffic count of 33,000 near the proposed development with a 50/50 directional split.

3.4 TURN LANE ANALYSIS (PALM BEACH BOULEVARD)

A. Traffic conditions on Palm Beach Boulevard (arterial)

- A.M. Peak Hour Vehicle Trip Ends - 9
- P.M. Peak Hour Vehicle Trip Ends - 78
- Posted Speed Limit - 45 mph

B. Deceleration and Left Turn Lane

This turning movement is not currently proposed.

C. Separate Left Turn Lane on the Access Point Connection

This turning movement is not currently proposed.

D. Deceleration and Right Turn Lane

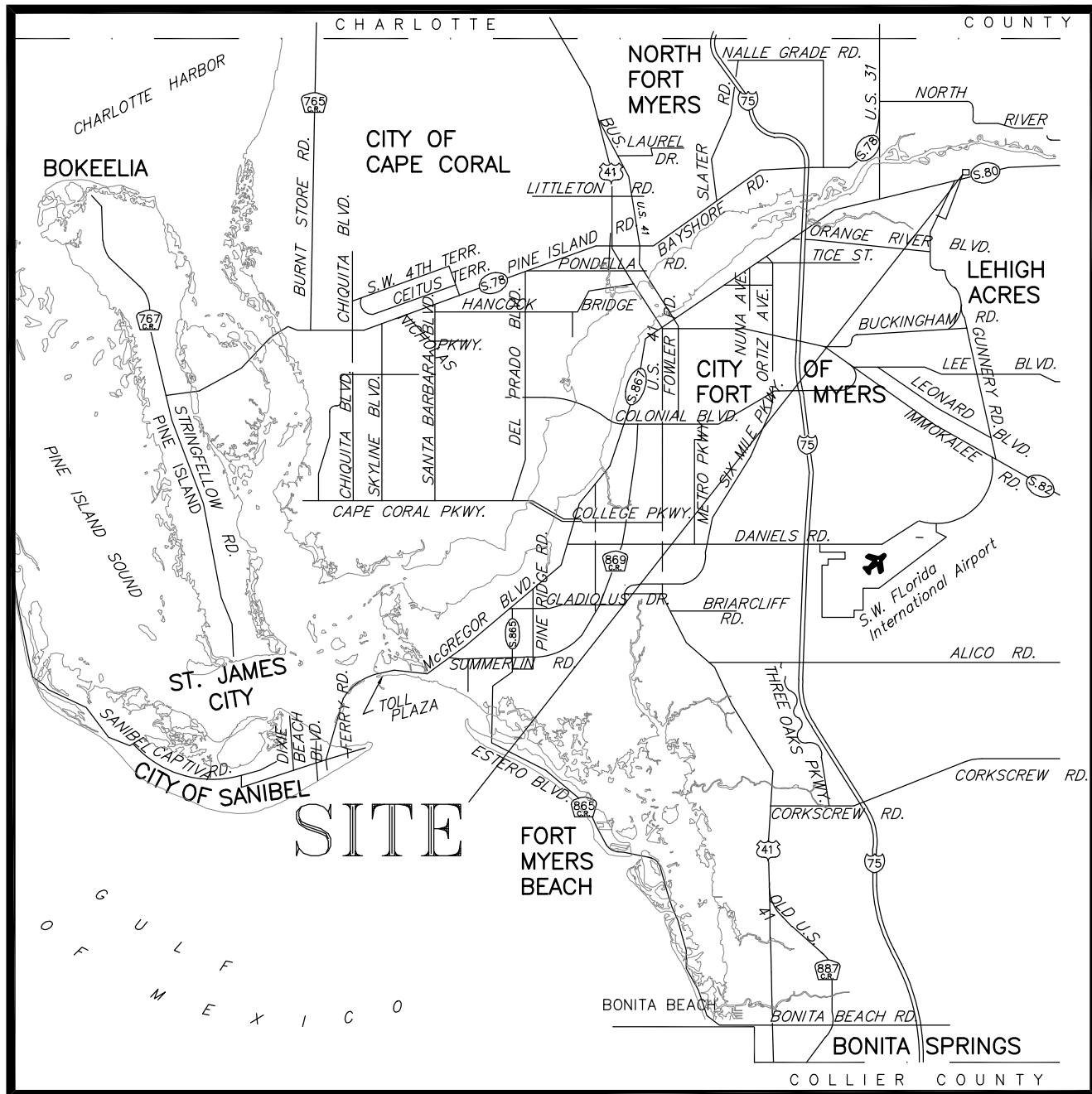
Based on Exhibit 44 of the FDOT Driveway Information Guide, a deceleration and right turn lane is not required. The turn-lane warrant for the posted speed limit of the arterial street is 80-125 right-turning movements from the arterial street during the peak hour of the arterial street. This project does not meet that threshold.

E. Separate Right Turn Lane on the Access Point Connection

FDOT does not provide turn-lane warrants for driveways; therefore, the Lee County Turn Lane Policy will determine the need for a separate right turn lane on the access point connection. Per the Policy, this turn lane is not required. Only one (1) of the required warrants is satisfied. The posted speed limit of the arterial street is equal to the threshold. However, the number of right-turning vehicles from the access point connection during the peak hour of the arterial street is below the threshold, the arterial street being entered has not been designated as a controlled access facility, and the access point connection is not controlled by a traffic signal.

3.5 RECOMMENDED IMPROVEMENTS (PALM BEACH BOULEVARD)

One (1) typical right-in right-out driveway connection is proposed with one (1) entrance lane and one (1) exit lane each. No other improvements are required or proposed.



LOCATION SKETCH
N.T.S.

EXHIBIT 1
TRAFFIC IMPACT STATEMENT
LOCATION MAP
14700-14800 PALM BEACH BLVD,
FORT MYERS, FL 33905

SOURCE: TDM, 06/23



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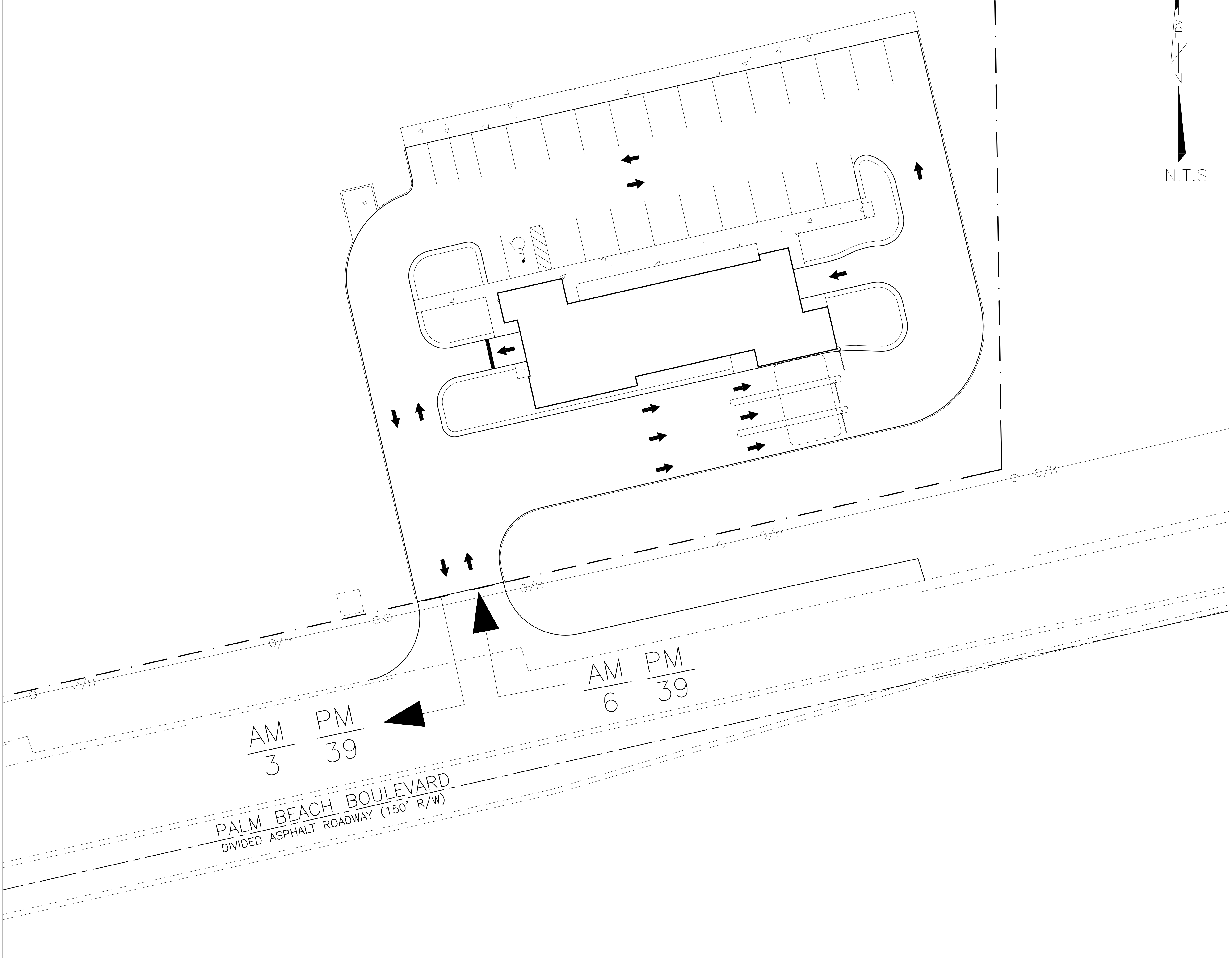
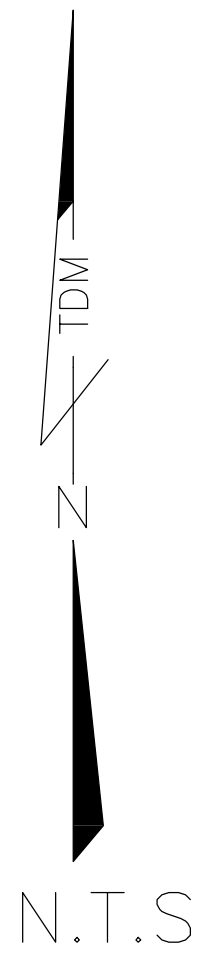


EXHIBIT 2
TRAFFIC IMPACT STATEMENT
PEAK HOUR TRAFFIC DISTRIBUTION
14700-14800 PALM BEACH BLVD,
FORT MYERS, FL 33905
SOURCE: TDM, 06/23

CIVIL ENGINEERING

TDM

CONSULTING, INC.

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Fort Myers, FL 33907
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Email: dean@tdmconsulting.com
Certificate of Authorization # 29086

Original application dated 06-07-2023

STREET ADDRESS

14700, 14780, AND 14800 PALM BEACH BLVD
FORT MYERS, FL 33905

STRAP NUMBERS

28-43-26-00-00001.0050
28-43-26-00-00003.0010
28-43-26-00-00008.0010

PROJECT INFORMATION

LOT SIZE = 3.92 AC
CURRENT ZONING = C-2 - COMMERCIAL
= CPD - COMMERCIAL PLANNED DEVELOPMENT
= IL - LIGHT INDUSTRIAL
= AG-2 - AGRICULTURAL
PROPOSED ZONING = COMMERCIAL PLANNED DEVELOPMENT (CPD)
FUTURE LAND USE = SUBURBAN
PLANNING COMMUNITY = CALOOSAHATCHEE SHORES
MIXED USE OVERLAY = YES
PROPOSED USE = COMMERCIAL - CAR WASH
EXIST. FLORIDA LAND = #414 - PINE - MESIC OAK
USE CLASSIFICATIONS = #617 - MIXED WETLAND HARDWOODS
EXIST. SOIL TYPES = #13 - CYPRESS LAKE FINE SAND
= #45 - COPELAND SANDY LOAM DEPRESSIONAL
IRRIGATION SERVICE = WELL
ARCHAEOLOGICAL SENSITIVITY LEVEL = NONE

ZONING/ACTUAL USE

PROJECT SITE = CPD/CAR WASH
NORTH = C-2/VACANT
SOUTH = PALM BEACH BLVD ROW
EAST = CPD/VACANT
WEST = CPD/SHOPPING PLAZA

BUILDING SETBACK REQUIREMENTS

PER LDC SECTION 34-1353(D)
STREET SETBACK (SOUTH) = 50 FEET
SIDE YARD SETBACKS (EAST AND WEST) = 15 FEET
REAR YARD SETBACK (NORTH) = 20 FEET

BUFFER REQUIREMENTS

PER LDC SECTION 34-1353(E)(1) AND 10-425(F)
NORTH = CPD TO C-2/CPD: NO BUFFER REQUIRED
SOUTH = COM TO ROW: 25' WIDE BUFFER REQUIRED
EAST = CPD TO CPD: NO BUFFER REQUIRED
WEST = CPD TO CPD: NO BUFFER REQUIRED

OPEN SPACE REQUIREMENTS

PER SECTION 10-415 LEE COUNTY LAND DEVELOPMENT CODE.
COMMERCIAL DEVELOPMENT: SMALL PROJECT
REQUIRED OPEN SPACE = 20% OF DEVELOPABLE PARCEL AREA
= 0.20 X 170,898 SF
= 34,180 SF REQUIRED
PROVIDED OPEN SPACE = 11,347 SF (BUFFERS) + 37,500 SF
(DETENTION AREA) + 54,450 SF (WETLAND
PRESERVE) = 103,297 SF (2.37 AC) PROVIDED

PARKING REQUIREMENTS

PER LDC SECTION 34-2020(B)
1.5 SPACES PER CAR STALL FOR CAR WASH
1 PROPOSED STALL = 1.5 SPACES
TOTAL REQUIRED SPACES: 2 SPACES (INCLUDING 1 HANDICAP SPACE)
TOTAL PROVIDED SPACES: 5 (INCLUDING 1 HANDICAP SPACE)
PLUS 22 VACUUM STALLS

ZONING: C-2
USE: VACANT

ZONING: CPD
USE: VACANT

R
EX.
R/W
E.O.P.
CONC.
TYP.
PROP.
SF
LF
E.O.P.
P.U.E.
D.E.
LC
LP
CLF
10SP
LDC
N.T.S.
C.P.
MUO
RADIUS (5' UNLESS OTHERWISE NOTED)
EXISTING
RIGHT-OF-WAY
EDGE OF PAVEMENT
CONCRETE
TYPICAL
PROPOSED
SQUARE FEET
LINEAR FEET
EDGE OF PAVEMENT
PUBLIC UTILITY EASEMENT
DRAINAGE EASEMENT
LEE COUNTY
LIGHT POLE
EXISTING CHAIN LINK FENCE
NUMBER OF PARKING SPACES IN LOT
PROPOSED PAVEMENT
PROPOSED CONCRETE
LAND DEVELOPMENT CODE
NOT TO SCALE
CONCRETE PAD
MIXED USE OVERLAY
DEVIATION

1" = 30'

BLUE WAVE EXPRESS
CAR WASH
MASTER CONCEPT PLAN

Civil Engineering
and
Planning



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Fax: (239) 433-9632
Cert. of Authorization # 29086

sclark@tdmconsulting.com
www.tdmcivilengineering.com

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: 1" = 30'

NOT VALID WITHOUT EMBOSSED SEAL SIGNATURE AND DATE

PALM BEACH
DIVIDED ASPHALT

PALM BEACH BOULEVARD
DIVIDED ASPHALT ROADWAY (150' R/W)

ZONING: CC
USE: VACANT (WETLANDS)

ZONING: C-1A
USE: COMMERCIAL PLAZA

PROPOSED
INDIGENOUS PRESERVE
FLUCCS 617
1.25 AC

FLUCCS 617
0.10 AC

DRY DETENTION AREA
34,274 SF

PROPOSED
12' X 10'
DUMPSTER

5,309 SF CAR
WASH FACILITY

SPREADER SWALE

CONTROL
STRUCTURE



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Blue Wave Express Car Wash
Proposed Schedule of Uses

Accessory Uses and Structures
Car Wash
Drive-thru Facility for any permitted use
Essential Services
Essential Service Facilities, Group I
Fences, Walls
Parking Lot, Accessory
Signs in Accordance with Chapter 30
Storage, Indoor and Open
Temporary Uses



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Blue Wave Express Car Wash

Schedule of Deviations

DEVIATION #1:

Seeks relief from the **LDC §10-285** requirement to provide a minimum connection separation of 660 feet for a principal arterial roadway in a future Suburban area. Request to permit the minimum connection separation of the proposed driveway to be located 343 feet to the existing driveway to the west and 387 feet to the existing driveway to the east along Palm Beach Boulevard.

JUSTIFICATION:

The nearest driveway to the west is a right in/right out driveway that leads to the back of the Winn Dixie shopping plaza. The main entrance to Winn Dixie is from Old Olga Road. The nearest driveway to the east leads to a church. There's a full cut median at this location. The applicant has located the car wash as far east as possible to preserve the existing wetlands in their entirety. The driveway is located approximately midway between the two existing driveways to the east and west, which the applicant thought was the most appropriate location, given the proposed use and surrounding uses. The applicant believes the requested deviation enhances the achievement of the objectives of the planned development and that it is not detrimental to the public interest.

DEVIATION #2:

Seeks relief from the **LDC §10-256(a)** requirement that all development proposed within future urban areas or future suburban areas, as defined by the Lee Plan, or along trails depicted on the Greenways Master Plan (Lee Plan Map 22), or along walkways and bikeways depicted on the Lee County Walkways and Bikeways Map (Lee Plan Map 3D) are required to provide for bikeways and pedestrian ways. Request to not provide a bikeway and pedestrian way along Palm Beach Boulevard.

JUSTIFICATION:

Palm Beach Boulevard is an FDOT maintained road. FDOT recently completed construction of a 10-foot shared use path and 8-foot sidewalk on the north side of Palm Beach Boulevard from Shoreland Drive to Old Olga Road. Those improvements did not extend east to the subject property and there aren't any plans to make similar improvements in the near future. According to the survey, there's a guard rail separating the existing wetlands from the roadway plus existing overhead power lines and poles and other utility infrastructure between the edge of pavement and the property line that create obstacles to the construction of a sidewalk. The other nearby properties to the east and west are developed and have not made similar improvements. It would be pointless to provide segments of a sidewalk and shared use path along the property frontage when there isn't

Schedule of Deviations

Page 2 of 3

anything to connect to east or west of the property. The sidewalk would also impact the existing wetlands to the west. This deviation protects environmentally sensitive areas and preserves and promotes the general intent of the LDC to protect the public health, safety and welfare. The applicant respectfully requests approval of this deviation.

DEVIATION #3:

Seeks relief from the **LDC §10-296(e) Table 11** requirement that commercial developments along Suburban principal arterial roadways must provide a 5-foot bike lane, 6-foot planting strip, and 8-foot pedestrian facility. The applicant is requesting to not provide those items at this location.

JUSTIFICATION:

Palm Beach Boulevard is an FDOT maintained road. FDOT recently completed construction of a 10-foot shared use path and 8-foot sidewalk on the north side of Palm Beach Boulevard from Shoreland Drive to Old Olga Road. Those improvements did not extend east to the subject property and there aren't any plans to make similar improvements in the near future. According to the survey, there's a guard rail separating the existing wetlands from the roadway plus existing overhead power lines and poles and other utility infrastructure between the edge of pavement and the property line that create obstacles to the construction of a sidewalk. The other nearby properties to the east and west are developed and have not made similar improvements. The applicant is providing a 25-foot wide landscape buffer along the right-of-way, essentially providing landscaping along the right-of-way. It would be pointless to provide segments of a sidewalk and shared use path along the property frontage when there isn't anything to connect to east or west of the property. The sidewalk would also impact the existing wetlands to the west. This deviation protects environmentally sensitive areas and preserves and promotes the general intent of the LDC to protect the public health, safety and welfare. The applicant respectfully requests approval of this deviation.

DEVIATION #4:

Seeks relief from the **LDC §33-1496** requirement that the Florida Vernacular architectural style must be displayed through the inclusion of building materials, roof overhangs, porches, columns, covered corridors walkways, and pitched roofs (where applicable). Request to permit the Blue Wave Express Car Wash to retain its original architectural theme as required by the franchise.

JUSTIFICATION:

The Blue Wave Express Car Wash is a franchise operation with specific design requirements. The applicant/developer is unable to deviate from those requirements. The proposed design doesn't meet the definition of Florida Vernacular; however, the façade treatments vary in articulation, the roof heights vary, there are roof overhangs, and a variety of building materials, textures, and colors. Please see the attached architectural renderings of a similar facility to be built on Alico Road. Granting this deviation enhances 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.

Schedule of Deviations

Page 3 of 3

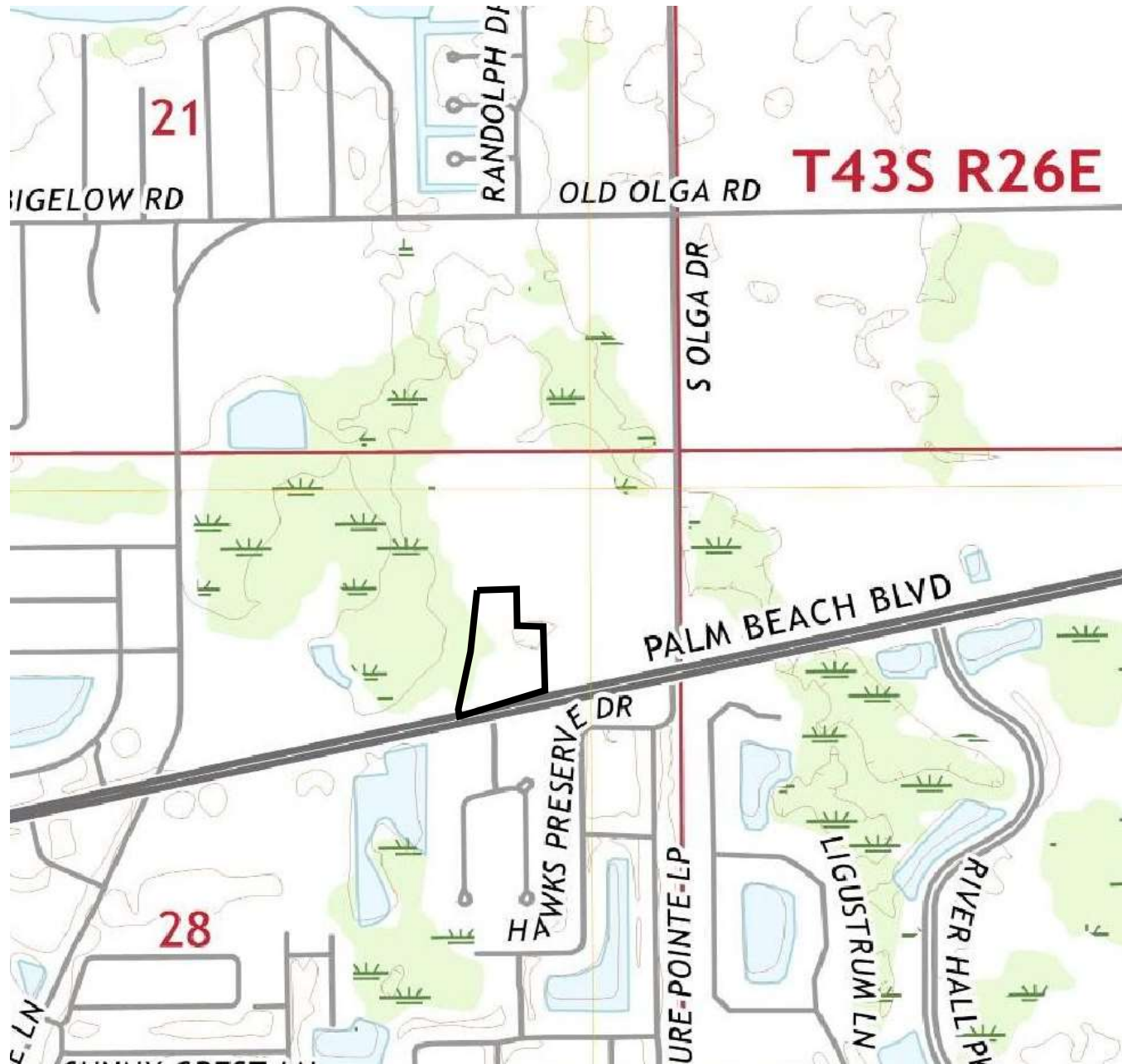
DEVIATION #5:

Seeks relief from the LDC §10-416(c)(2)d requirement that no more than an average of ten parking spaces must occur in an uninterrupted row with a maximum of 13 parking spaces between landscape areas when ten-foot wide landscape islands are used. Request to not provide landscape islands for the vacuum stall spaces.

JUSTIFICATION:

The applicant is proposing four (4) typical parking spaces and one (1) handicap space. In addition, there are 22 vacuum stall spaces. Those vacuum stall spaces shouldn't be required to provide landscape islands. The applicant is able to terminate the end of the rows of parking with landscape islands that are wide enough for canopy trees. In addition, there's enough room on the north side of the parking area/vacuum stalls for additional canopy trees if required. This deviation enhances the achievement of the objectives of the planned development.

Blue Wave Express Car Wash
USGS Quadrangle Map





Scale: 1" = 200'



PALM BEACH BLVD.

IOZZI CT.

NRCS Soils Legend

Soil No.	Description	Acres	Status
13	Cypress Lake fine sand	3.39 ±	Hydric
45	Copeland fine sand loam	0.56 ±	Hydric
Total		3.95 ± Ac.	

DRAWN BY:
CEKDATE:
06/13/2022S/T/R
28/43/26ECOUNTY:
LEE

NRCS SOILS MAP

PAGE
11EXHIBIT
D



Scale: 1" = 200'



FLUCFCS Code	Community Description	Acres
414	Pine - Mesic Oak	2.30 ± Ac.
617	Mixed Wetland Hardwoods	1.35 ± Ac.
	Total	3.65± Ac.

Notes:

1. Property boundary is approximate; aerial photographs were acquired through Lee County Property Appraiser's office with flight date of January, 2022.
2. Mapping based on photointerpretation of 2022 aerial photography, ground truthing in June 2022.

DRAWN BY:
CEKDATE:
06/13/2022S/T/R
28/43/26ECOUNTY:
LEE**FLUCFCS MAP**PAGE
9EXHIBIT
C

Blue Wave Express Car Wash
Existing and Historic Flow-Ways Map





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Fort Myers, FL 33907
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Blue Wave Express Car Wash Surface Water Management Plan Narrative

Water quality will be provided by one (1) large dry detention area prior to discharge to the indigenous preserve area (wetlands). Stormwater runoff from the impervious areas will be directed to the dry detention areas via catch basins and culverts. The parcel will require an FDOT Drainage Connection Exemption by virtue of its adjacency to Palm Beach Boulevard (SR 80).

The property in its existing state has no defined drainage pattern and appears to sheetflow to the existing wetland area without benefit of any water quality treatment or attenuation. The property is 100% pervious, with most rainfall likely infiltrating the soil prior to discharge to the wetlands.

Post-development stormwater discharge from the property will be to the indigenous preserve area to maintain the wetland's hydroperiod, mimicking pre-development drainage patterns. There is no noticeable drainage flow from adjacent properties entering the property.

The proposed dry detention area, culverts, catch basins, and control structure will be owned and maintained by the property owner in perpetuity.

The property is in an AE Flood Zone. The finished floor elevation of the proposed building on the property will be elevated to at least 1' above the flood elevation.

PROTECTED SPECIES SURVEY

Site Address:

14700, 14800, 14780 Palm Beach Blvd.
Fort Myers, FL 33905

Commercial Development

STRAP # 28-43-26-00-00001.0050

Unincorporated Lee County

Prepared For:

TDM C T , C.

43 Barkley Circle, Suite 200
Fort Myers, FL 33907

Prepared by:



18197 Sandy Pines Circle
North Fort Myers, FL 33917
(239) 246-8706

Introduction

An environmental scientist from Landesco, pllc conducted a field investigation on a 3.65 ± acre parcel on June 8, 2022. The project site is located in portions of Section 28, Township 43, Range 26E, in Fort Myers, Florida, North of Palm Beach Boulevard, East of I-75. See attached project location map (Exhibit A).

The purpose of this survey was to inspect the property for potential listed species that could inhabit the site. These listed (endangered, threatened, etc.) species are regulated by the United States Fish & Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).

This report is for the exclusive use of TDM Consulting Inc., and their consultants. No other person or agency may rely upon the information, analysis, or conclusions contained herein without their consent.

Survey Method

The field investigation of the property was performed on June 8, 2022. Table 1 below shows date, time and weather conditions during the survey. A series of North/South and East/West pedestrian transects were completed across the parcel in compliance with Lee County and Florida Fish and Wildlife Conservation Commission (FWC) guidelines. Transects were spaced approximately 20-30 feet apart. In addition, periodic “stop-look-listen” and quiet stalking methods were also conducted. Any evidence of protected species were obtained through direct observation, and signs such as tracks, nests, and scat were noted. Table 3 shows listed species that could potentially occur on-site.

The location of listed species nests and/or burrows were recorded with a handheld GPS unit with an estimated accuracy of five to ten feet. The Protected Species Survey Map (Exhibit E) depicts the approximate location of the survey transects and the results of the survey.

Table 1. Field time & conditions

Date	Weather Conditions	Time of Day
June 8, 2022	Sunny, & 88 °F	Early morning hours

Existing Site Conditions

Site Description - The boundary is approximate and is based on Lee County Property Appraiser information. The undeveloped project site is assumed to be roughly 3.65 ± acres. In general, the majority of the undisturbed wooded land with a creek running along side the western property line. Please refer to the enclosed FLUCFCS map (Exhibit C).

Soil Type - Soils on this property have been mapped by the National Resources Conservation Service, United States Department of Agriculture. These mappings are general in nature, but can provide a certain level of information about the site as to the possible extent of a wetland area. According to these mappings, the parcel is underlain by (13) Cypress Lake fine sand, hydric; (45) Copeland fine sand loam, hydric. Please see attached NRCS Soil Map (Exhibit D).

Vegetative Classifications - Predominant vegetation association was determined during a site inspection on June 8, 2022. Vegetation is one parameter utilized in determining the presence of potential wetlands. These mappings are general in nature, but could reflect whether an area would be considered as wetlands by the regulatory agencies. Wetland communities generally include the presence of wetland hydrology, wetland vegetation, and hydric soils. Vegetation association was identified using the Florida Land Use, Cover and Forms Classification System (FLUCFCS) Florida Department of Transportation (FDOT 1999). The following descriptions of the FLUCFCS association are provided below, and correspond with the attached FLUCFCS Map (Exhibit C).

Table 1. FLUCFCS Community Table

FLUCFCS Code	Community Description	Acres
414	Pine - Mesic Oak	2.30 ± Ac.
617	Mixed Wetland Hardwoods	1.35 ± Ac.
	Total	3.65 ± Ac.

FLUCFCS Code 414, Pine Mesic Oak (2.30 ± acres)

The canopy consists of primarily of Slash Pine (*Pinus elliottii*), Bald Cypress (*Taxodium distichum*), Sabal Palm (*Sabal palmetto*), Melaleuca (*Melaleuca quinquenervia*). Sub-canopy scattered Brazilian Pepper (*Schinus terebinthifolia*), Wax Myrtle (*Myrica*). Ground cover consists of scattered Saw Palmetto (*Serenoa repens*), Creeping-oxeye (*Sphagneticola*), Panicgrasses (*Panicum oligosanthos*) and other various opportunistic weedy species.

FLUCFCS Code 617, Mixed Wetland Hardwoods (1.35 ± acres)

The canopy consists of primarily of Bald Cypress, Slash Pine (*Pinus elliottii*), Ear Leaf Acacia (*Acacia auriculiformis*), Sabal Palm, Brazilian Pepper (*Schinus terebinthifolia*). Sub-canopy colonists of Wild Coffee (*Psychotria nervosa*), Red Maple (*Acer rubrum*), Melaleuca (*Melaleuca quinquenervia*), Wax Myrtle (*Myrica*), Laurel Oak (*Quercus laurifolia*). Ground cover consists of scattered, Leather Fern (*Acrostichum aureum*) Boston Fern (*Nephrolepis exaltata*), Creeping-oxeye (*Sphagneticola*), and other various opportunistic weedy species.

Potential Listed Species

The protected species survey was conducted by an environmental scientist from Landesco, pllc on June 8, 2022. Locations of any trees containing cavities, discovered on-site, were added to the Protected Species Survey Map (Exhibit E). Table 3 below shows the potential listed species that could occur on-site.

Table 3. Listed Species That Could Potentially Occur On-site

FLUCFCS CODE	Species Names	Scientific Name	Present	Absent	Percent Survey Coverage
414	Eastern Indigo Snake	<i>Drymarchon corais couperi</i>	-	X	85
	Florida Panther	<i>Felis concolor coryi</i>	-	X	85
	Florida Black Bear	<i>Ursus americanus floridanus</i>	-	X	85
617	Limpkin	<i>Aramus guarauna</i>	-	X	85
	Florida Panther	<i>Felis concolor coryi</i>	-	X	85
	Florida Black Bear	<i>Ursus americanus floridanus</i>	-	X	85

Bald Eagle (*Haliaeetus leucocephalus*)

The U.S. Fish and Wildlife Service (USFWS) and the Florida Fish and Wildlife Conservation Commission no longer list the bald eagle as a threatened or endangered species. However, the bald eagle is still protected by the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act.

The USFWS regulates construction activities with 660' of a Bald Eagle nest. After reviewing the Florida Fish and Wildlife Conservation Commission (FWC) website, there is not any recorded Bald Eagle nest located with 660' of the subject property. The closest Bald Eagle Nest (LE-039) to the project site is approximately 1.63 miles to the Northwest. This nest was active for 2021 nesting season, not all eagle nests in Florida have been documented by FWC.

Florida Bonneted Bat (*Eumops floridanus*)

The Florida Bonneted Bat (also know as the Florida Mastiff Bat) is the largest species of bat in Florida. The Florida Bonneted Bat is protected as an Endangered Species by the Federal Endangered Species Act and as a Federally-designated Endangered species. This bat species can reach a length of 6.5 inches with a wingspan of 20 inches. The pelage (hair) color can vary from black to brown to a grayish or cinnamon brown.

Survey Results

The site is considered to be undisturbed land. There is a creek that runs along the western property line. There is also another creek/stream that comes in along the Northeastern property corner. No protected species were found on-site during time of inspection. No burrows, cavities, nests or nest-like structures were found during inspection.

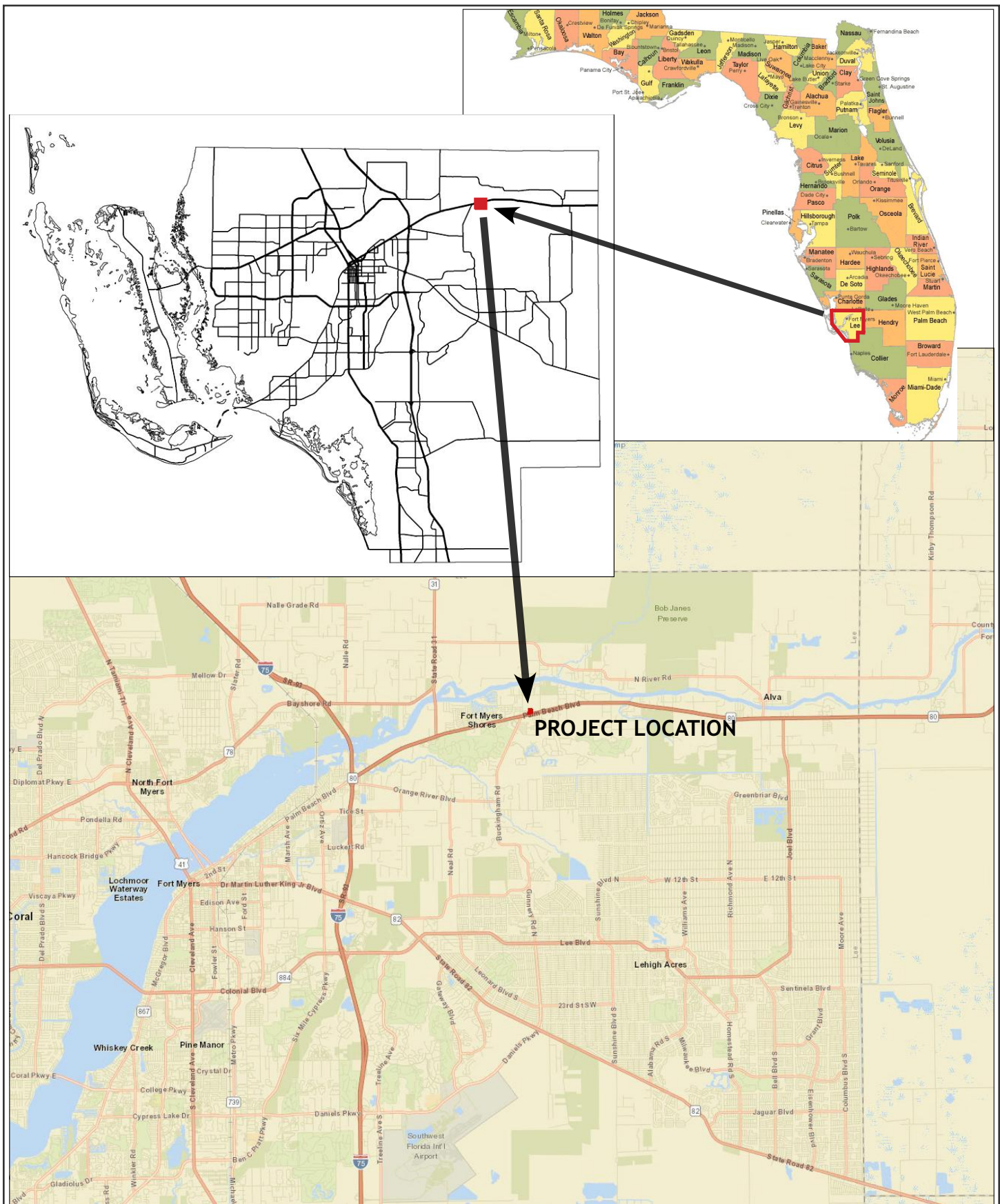
Wetland indicators were discovered throughout the site. These areas could be considered Jurisdictional Wetlands and may require permitting with the Florida Department of Environmental Protection (FDEP), verification will be needed with South Florida Water Management District (SFWMD). Approximately 1.35 acres of wetland were found on-site, there is potential for the area of wetland to increase after on-site meetings with SFWMD and/or FDEP.

14700, 14800, 14780 Palm Beach Blvd.
Protected Species Survey



Exhibit A

Project Location Map



DRAWN BY:
CEK

DATE:
06/13/2022

S/T/R
28/43/26E

COUNTY:
LEE

PROJECT LOCATION MAP



PAGE
5

EXHIBIT
A

14700, 14800, 14780 Palm Beach Blvd.
Protected Species Survey



Exhibit B

Project Boundary with Aerial Map



DRAWN BY:
CEK

DATE:
06/13/2022

S/T/R
28/43/26E

COUNTY:
LEE

PROJECT BOUNDARY WITH AERIAL MAP



PAGE
7

EXHIBIT
B

PERMIT USE ONLY, NOT FOR CONSTRUCTION

14700, 14800, 14780 Palm Beach Blvd.
Protected Species Survey

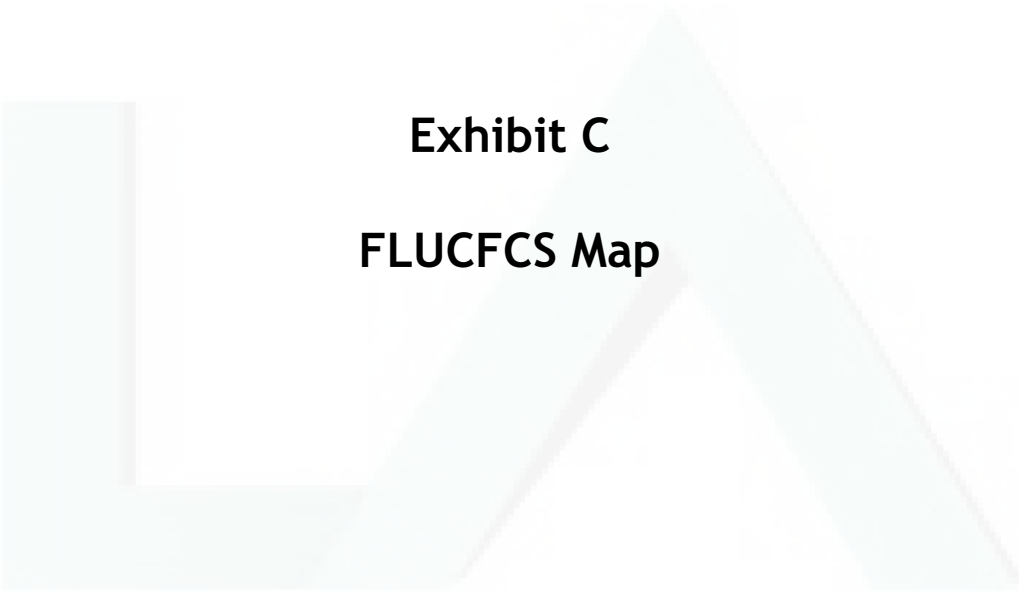


Exhibit C

FLUCFCS Map



Scale: 1" = 200'



FLUCFCS Code	Community Description	Acres
414	Pine - Mesic Oak	2.30 ± Ac.
617	Mixed Wetland Hardwoods	1.35 ± Ac.
	Total	3.65± Ac.

Notes:

1. Property boundary is approximate; aerial photographs were acquired through Lee County Property Appraiser's office with flight date of January, 2022.
2. Mapping based on photointerpretation of 2022 aerial photography, ground truthing in June 2022.

DRAWN BY:
CEKDATE:
06/13/2022S/T/R
28/43/26ECOUNTY:
LEE**FLUCFCS MAP**PAGE
9EXHIBIT
C



Exhibit D

NRCS Soils Map



Scale: 1" = 200'

**NRCS Soils Legend**

Soil No.	Description	Acres	Status
13	Cypress Lake fine sand	3.39 ±	Hydric
45	Copeland fine sand loam	0.56 ±	Hydric
Total		3.95 ± Ac.	

DRAWN BY:
CEKDATE:
06/13/2022S/T/R
28/43/26ECOUNTY:
LEE**NRCS SOILS MAP**PAGE
11EXHIBIT
D

14700, 14800, 14780 Palm Beach Blvd.
Protected Species Survey

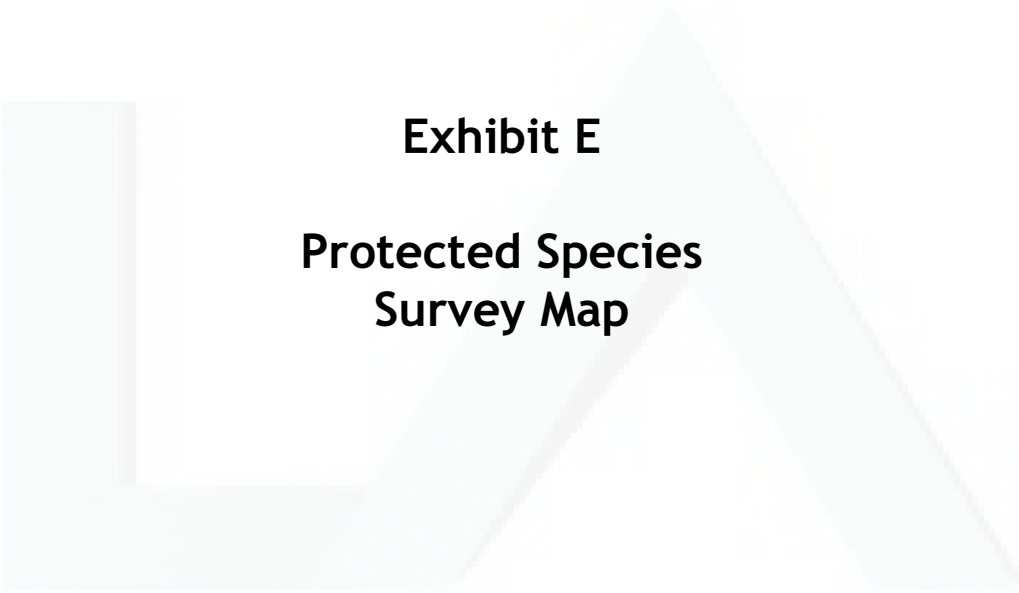


Exhibit E

Protected Species Survey Map

DRAWN BY:
CEKDATE:
06/13/2022S/T/R
28/43/26ECOUNTY:
LEE**PROTECTED SPECIES SURVEY MAP**PAGE
14EXHIBIT
E

**BOARD OF COUNTY COMMISSIONERS**

Kevin Ruane
District One

May 31, 2023

Via E-Mail

Cecil L Pendergrass
District Two

Raymond Sandelli
District Three

Brian Hamman
District Four

Michael Greenwell
District Five

Roger Desjarlais
County Manager

Richard Wm Wesch
County Attorney

Donna Marie Collins
*County Chief
Hearing Examiner*

Veronica Martin
TDM Consulting
43 Barkley Circle, Suite 200
Fort Myers, FL 33907

RE: **Potable Water and Wastewater Availability
14800 Palm Beach, 14780 Palm Beach, 14700 Palm Beach Boulevard
STRAP # 28-43-26-00-00001.0050; 28-43-26-00-00008.0010;
28-43-26-00-00003.0010**

To whom this may concern:

The subject property is located within Lee County Utilities Future Service Area as depicted on Maps 4A and 4B of the Lee County Comprehensive Land Use Plan. Potable water and sanitary sewer lines are in operation adjacent to the property mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of 1 commercial units with an estimated flow demand of approximately 8,750 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our Olga Water Treatment Plant.

Sanitary sewer service will be provided by the City of Fort Myers - Central Water Reclamation Facility. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

There are no reuse mains in the vicinity of these parcels.

Prior to beginning design work on this project, please meet with LCU Staff to determine the best point of connection and discuss requirements for construction.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate

Tommy's Car Wash (AKA 14800 Palm Beach Boulevard) - TDM - Letter.Docx

May 31, 2023

Page 2

connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, this letter of availability of potable water and sanitary sewer service is to be utilized for Zoning only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

LEE COUNTY UTILITIES

Ashanti Shahriyar

Ashanti Shahriyar

Plan Reviewer

239-533-8531

UTILITIES ENGINEERING

Prepared By and Return To:
Safe Harbor Title Company
12734 Kenwood Lane Ste #93
Ft. Myers, FL 33907

File No. 22-0392

Property Appraiser's Parcel I.D. (folio) Number(s)
28-43-26-00-00008.0010

WARRANTY DEED

THIS WARRANTY DEED dated January 9, 2023, by Simpson-Kent Properties, Inc., a Florida Corporation, whose post office address is 13102 Palm Beach Blvd. Ste C, Fort Myers, FL 33905, hereinafter called the grantor, to RAS1 Properties, LLC a Florida Limited Liability Company, whose post office address is 12798 Dennis Dr., Fort Myers, FL 33908, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of \$775,000.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the grantee, all the certain land situated in Lee County, Florida, to wit:

As shown on Exhibit A which is attached hereto and incorporated herein by reference.

Subject to easements, restrictions, reservations and limitations of record, if any.

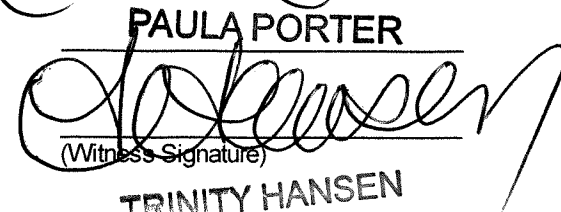
TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: December 31, 2022.

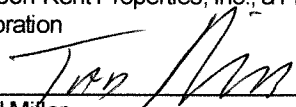
WARRANTY DEED
(Continued)

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:


(Witness Signature)
PAULA PORTER

(Witness Signature)
TRINITY HANSEN

Simpson-Kent Properties, Inc., a Florida Corporation

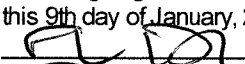
BY: 
Tad Miller
President

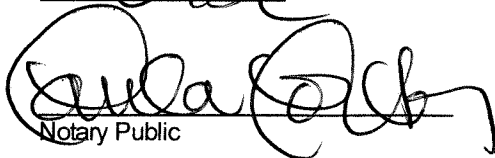
13102 Palm Beach Blvd. Ste C
(Address)

Fort Myers, FL 33905
(Address)

STATE OF Florida

COUNTY OF Lee

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 9th day of January, 2023 by Tad Miller, who is personally known to me or who has produced  as identification.


Notary Public

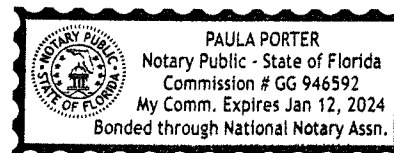
PAULA PORTER

Name typed, printed or stamped

My Commission Expires:

01/12/2024

(SEAL)



WARRANTY DEED

(Continued)

EXHIBIT A

Parcel 1:

South half of the South half of the Northwest quarter of the Northeast quarter of Section 28, Township 43 South, Range 26 East, Lee County, Florida, Less and Excepting the following:

Commencing at the Northwest corner of the Northwest quarter of the Southwest quarter of the Northeast quarter of Section 28, Township 43 South, Range 26 East, Lee County, Florida, run North 89 degrees 12' 13" East for 15.00 feet to the Point of Beginning of the herein described parcel; thence run North 00 degrees 49' 00" West for 329.87 feet; thence run North 89 degrees 11' 22" East for 1078.40 feet; thence run South 08 degrees 31' 00" West for 253.68 feet; thence run South 15 degrees 41' 00" West for 83.22 feet; thence run South 89 degrees 12' 13" West for 1013.63 feet to the Point of Beginning.

Together with the East 100 feet of the Southwest quarter (SW 1/4) of the Northeast quarter (NE 1/4) of Section 28, Township 43 South, Range 26 East, lying North of Palm Beach Boulevard (State Road NO. 80).

Said 100 feet being measured along perpendicular to the East line of the hereinabove mentioned quarter-quarter section.

Parcel 2:

Commencing at the Northwest corner of the Northwest quarter of the Southwest quarter of the Northeast quarter of Section 28, Township 43 South, Range 26 East, Lee County, Florida, run North 89 degrees 12' 13" East for 1028.63 feet to the Point of Beginning of the herein described parcel; thence continue North 89 degrees 12' 13" East for 187.93 feet; thence run South 00 degrees 48' 00" East for 135.40 feet to the North Right-of-Way line of Palm Beach Boulevard (SR-80) 150 feet wide; thence run South 77 degrees 11' 00" West along said North Right-of-Way line of Palm Beach Boulevard (SR-80) for 235.20 feet; thence run North 12 degrees 49' 00" West for 25.00 feet; thence run North 15 degrees 41' 00" East for 166.78 feet to the Point of Beginning.

And

Parcel 3:

From a concrete monument marking the Northwest corner of the Southwest quarter of the Northeast quarter of the Northeast quarter of Section 28, Township 43 South, Range 26 East, Lee County, Florida, run South along the West line of the Northeast quarter of the Northeast quarter of said section, a distance of 480 feet to the Point of Beginning; thence continuing on the same course, a distance of 294.48 feet to the Northerly Right-of-Way line of SR 80; thence deflect 102 degrees 01' to the left and run 152.87 feet in a Northeasterly direction along said Northerly Right-of-Way line; thence deflect 77 degrees 59' to the left and run North 262.74 feet; thence deflect 90 degrees 04' to the left and run 149.54 feet in a Westerly direction to the Point of Beginning.