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May 24, 2024

Michael H. Metcalf, MHM Lee BLVD, LLC
2670 Horseshoe Drive North, Suite 201
Naples, FL 34104

RE: Application for Special Exception
Lee Boulevard Convenience Store
5541 Brookfield Street
Lehigh Acres, FL 33971
SEZ2024-00001

Dear Mr. Metcalf,

The Zoning Section has reviewed the submission package for the above-referenced zoning application. Staff has found that the application is insufficient. Please provide the following items in order for staff to find the application sufficient for public hearing:

Zoning:

-Please provide a more complete analysis of the review criteria in LDC §34-145.

-LDC Section 33-1401 requires the applicant to conduct a publicly advertised public information meeting within the community. Please provide proof of the advertisement of the meeting as well as the meeting summary document listing the attendees, any questions or input they provided, and your response to those questions.

Site Plan:

-The submitted site plan labels the refueling area as "7 pumps." Please clarify the site plan to show that there are 14 proposed fueling stations.

-The site plan does not show the entire parcel. Please indicate if the property will be split off from the remainder of the parcel or if the remainder of the parcel will be left undeveloped.

Planning:

-Please provide an analysis of Lee Plan Policies 2.1.1, 2.1.2, and 5.1.5.

-Staff recognizes the applicant's response to Lee Plan Policy 25.8.1 regarding access to Lee Boulevard. Provide justification for the proposed access point to Lee Boulevard on the subject property.

Legal Description:

-Please provide a boundary survey of the subject property in accordance with the requirements of Lee County LDC §34-202(a)(6). The survey is missing the subject property boundary and the legal description for the perimeter of the subject property. If a different legal description is used in the Title Opinion, both legal description(s) should appear on the boundary survey. The perimeter boundary must be clearly marked with a heavy line and must include the entire area to be developed. The boundary survey does not indicate the tie to the Title Certification. The boundary survey must identify and depict all easements affecting the subject property, listed on the Title Certification.

Certification of Title and Encumbrances:

Please provide a title certification for the property subject to zoning approval in accordance with the requirements of Lee County LDC §34-202(a)(7). This document needs to be one of the forms listed in LDC §34-202(a)(7)(a) with required content included.

Traffic Impact Study:

- Accurate information, including page numbers or line numbers in the Trip Generation Manual, should be provided stating that the presence of a car wash does not have a demonstrative effect on trip generation rates for land uses such as Gas station/Convenience Store. Otherwise, the proposed car wash must be included in the analysis.

-The parcel is vacant and currently not generating any trips. What is the logical reasoning behind using the trip difference between the proposed and permitted development (non-existing) in Roadway Segment LOS analysis (Table 1A, Table 2A) The Roadway Segment LOS analysis must be performed using the trip count from the proposed development.

DOT:

- According to LDC Sec 10-285(a), the proposed right-in only access point at Lee Blvd. (Arterial, Urban) must be separated by 440 ft (minimum) from the nearest roadway/ connection on Lee Blvd. A deviation regarding driveway separation must be requested.

- According to LDC Sec 10-285(a), All lots in urban areas with access alternatives will not be permitted direct motor vehicle access to an arterial

or major collector. A deviation regarding driveway separation must be requested for the proposed right-in only access point at Lee Blvd.

LeeTran:

-The proposed development is within one-quarter mile of a fixed-route corridor and the closest bus stop is # 10994. If this becomes a DO or LDO type D, the developer must provide an 8' x 30', landing pad within the road right-of-way or dedicated easement, however, there is a sidewalk that can be considered within these dimensions; the only improvement needed is a bicycle storage rack. Therefore, the developer would be required to make the necessary improvement based on the current Lee County Transit LDC section 10-442 (a)(1) and 10-296 (4)(a) but will be reassessed at the time of DO/LDO. "

Natural Resources:

-The property is within the 5yr Wellfield Protection Zone travel time. Please provide an analysis of Lee Plan policies 60.1.1, 125.1.2 and 125.1.4 as well as Lee Plan goal 63. Please provide a groundwater monitoring plan to ensure compliance with above policies and protection of the public supply wellfield.

-Please detail how the proposed project intends to comply with the Wellfield Protection Ordinance. The intended use will exceed the regulated substance thresholds outlined in LDC 14-208.

Environmental:

-Please provide a 5-foot Type A buffer along the east property line per LDC 10-416(d).

-Please note that a minimum of 20% open space is required for the subject property. The uses of open space are clarified in LDC 10-415(C&D).

Development Services:

- Pursuant to LDC Sec. 34-2013(a), parking lots must be designed to permit vehicles exiting the parking lot to enter the street right-of-way or easement in a forward motion. The site plan provided proposes parking spaces which back into the proposed cross-access easement.

- Pursuant to LDC Sec. 34-2013 Parking Lot Access. Parking lots must be designed with a distinct entrance that complies with the requirements specified in LCLDC Section 34-2013. The proposed access points on Brookfield St are shown to be 36.75' wide at the property line which exceeds the maximum width of 35' at the property line.

- Please indicate on the Special Exception Exhibit if the parking lot aisle are one-way or two-way by providing directional arrows.

- INFORMATIONAL COMMENT: At time of Development Order, a draft Cross Access Easement and draft Sidewalk Easement will be required, along with the legal description & sketch of the easement area(s), for sufficiency review by the County Attorney's Office per LDC Section 10-610(e). Staff can provide templates upon request.

Please respond to the enclosed sufficiency review comments within thirty (30) calendar days of the date of this letter. This application will be considered withdrawn if no response is received within this timeframe.

Please feel free to contact me at (239) 533-8312 or blackwpc@leegov.com if you have any questions.

Sincerely,

Electronically signed on 5/24/2024 by
Peter Blackwell, Planner
Lee County DCD

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section