

Rezoning from RM-2 to CFPD



Water Treatment Plant No. 2

913 Bolivia Drive

Lehigh Acres, FL 33974

Lehigh Acres Architectural Planning &
Zoning Review Board
May 23, 2024

Rezoning from RM-2 to CFPD

Lehigh Acres Water Treatment Plant No. 2

Applicant / Owner:

Florida Governmental Utility
Authority (FGUA)

Mike Currier
South Region Area Manager



Representative:

Christine M. Fisher, AICP
Principal Planner



Applicant / Owner:

Florida Governmental Utility
Authority (FGUA)

Mike Currier
South Region Area Manager

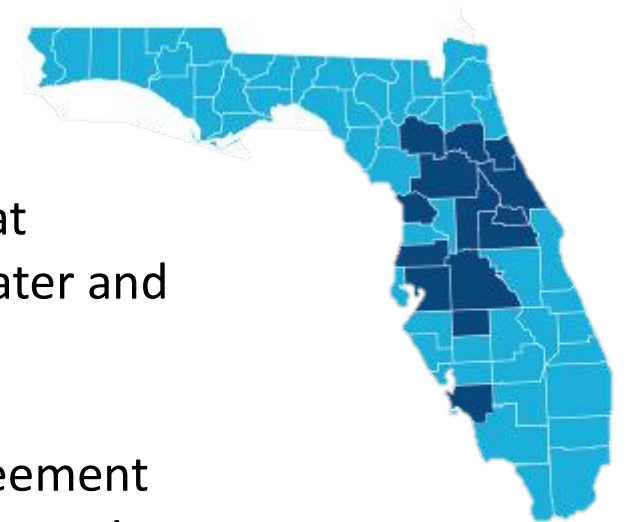


About FGUA

FGUA is a special purpose government that acquires, owns, improves and operates water and wastewater utilities

Formed in 1999 through an interlocal agreement between Brevard, Lee, Polk and Sarasota counties

Today, provides water and wastewater services to approximately 120,000 customers over 98 systems in 14 counties across Florida



Applicant / Owner:

Florida Governmental Utility
Authority (FGUA)

Mike Currier
South Region Area Manager



About FGUA – Lehigh Acres Water System

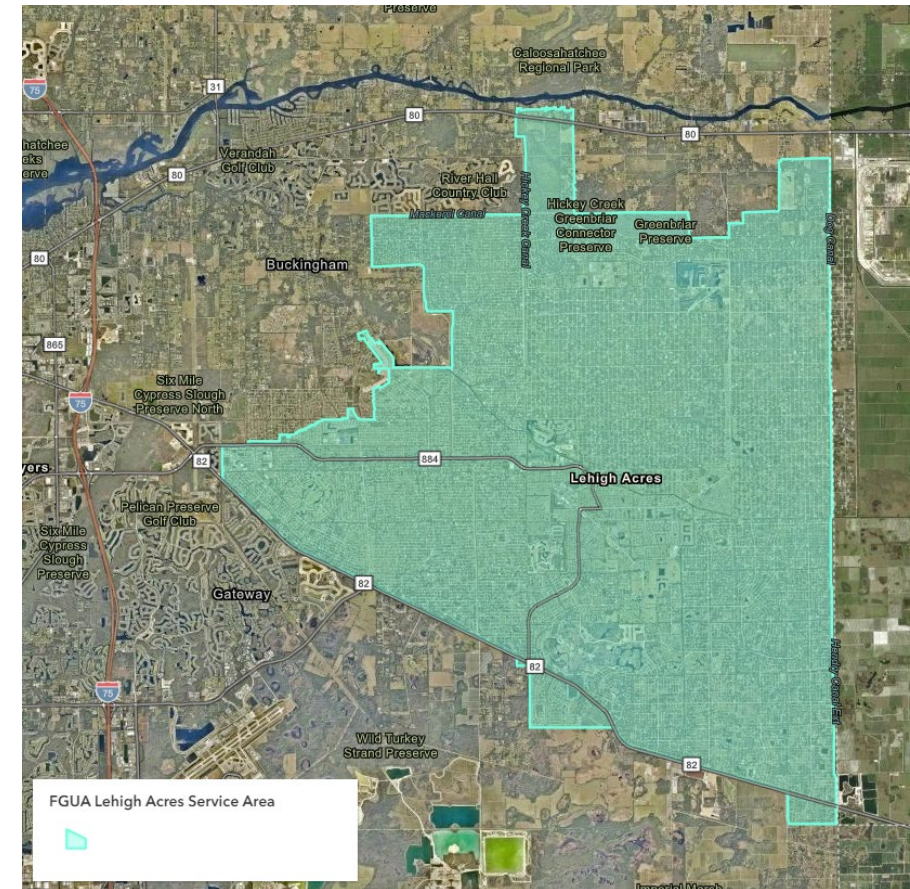
Consists of one 3.87 MGD WTP at 305 Coolidge Ave, 16 production wells and 2 booster stations, including 913 Bolivia Drive

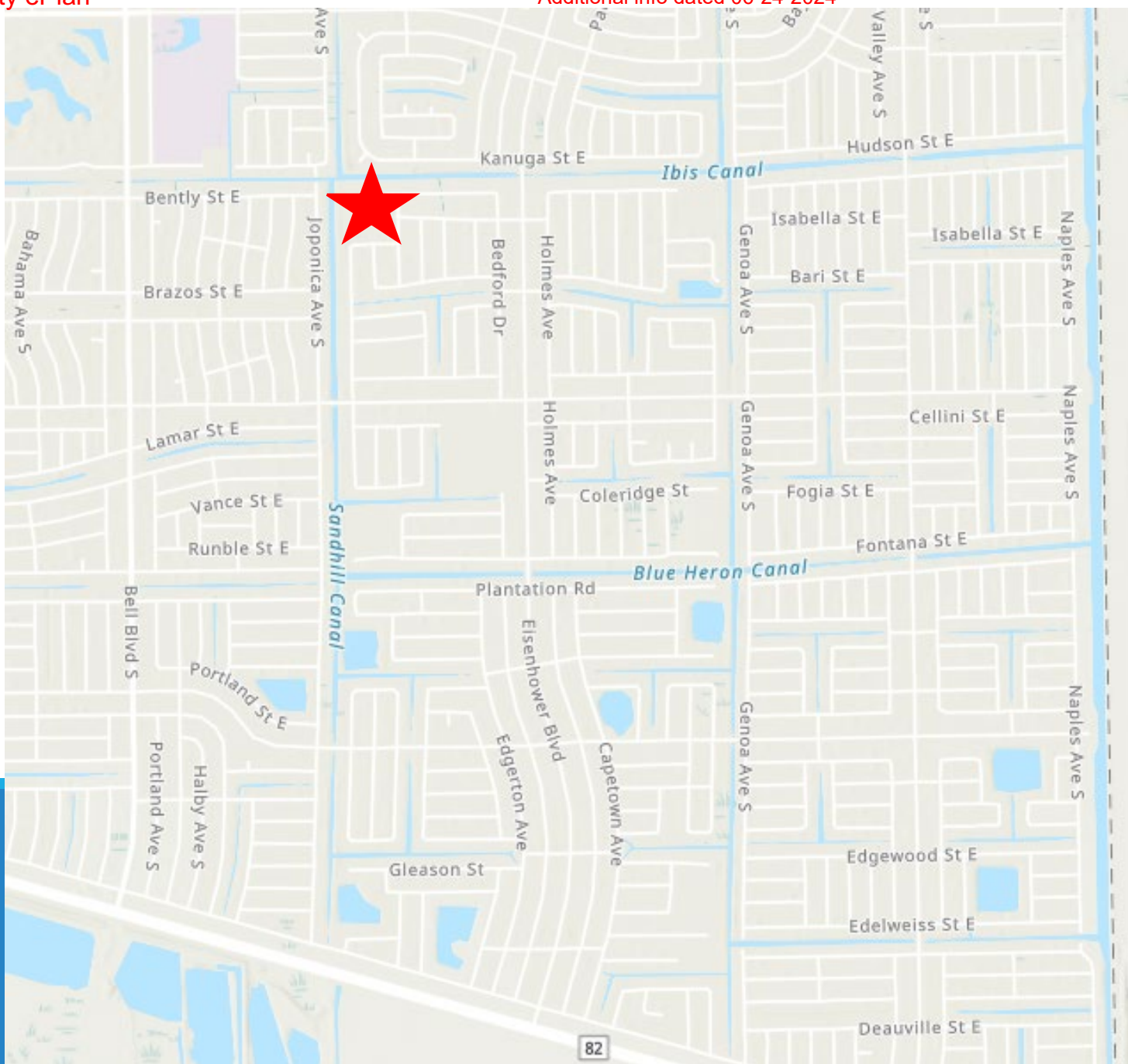
Service area is about 95 sq. miles

Serves over 14,000 water customers (approx. 50% of service area)

Lee County has grown significantly

Must expand to meet current and 20-year demands





Subject Property:

- ±9.97 acres located at the western terminus of Bolivia Drive in southeast Lehigh Acres
- Address
913 BOLIVIA DR
LEHIGH ACRES FL 33974

- 2002 - Special Exception [SEZ2002-00033]
Essential Service Facilities, Group 2 water treatment plant use in the Residential Multiple-Family 2 (RM-2) district
- 2006-2008 – Permitting and construction of water treatment plant
- 2008 – Special Exception [SEZ2008-00015]
Essential Service Facilities, Group 2 water treatment plant use with deep injection well (DIW)

DIW was not constructed
- 2013 - Water treatment plant was converted to a booster pump station

Background



Subject Property:

- Existing Use: Potable water storage & booster pump station
- Proposed Use: Convert to reverse osmosis water treatment facility (Essential Services, Group 2)

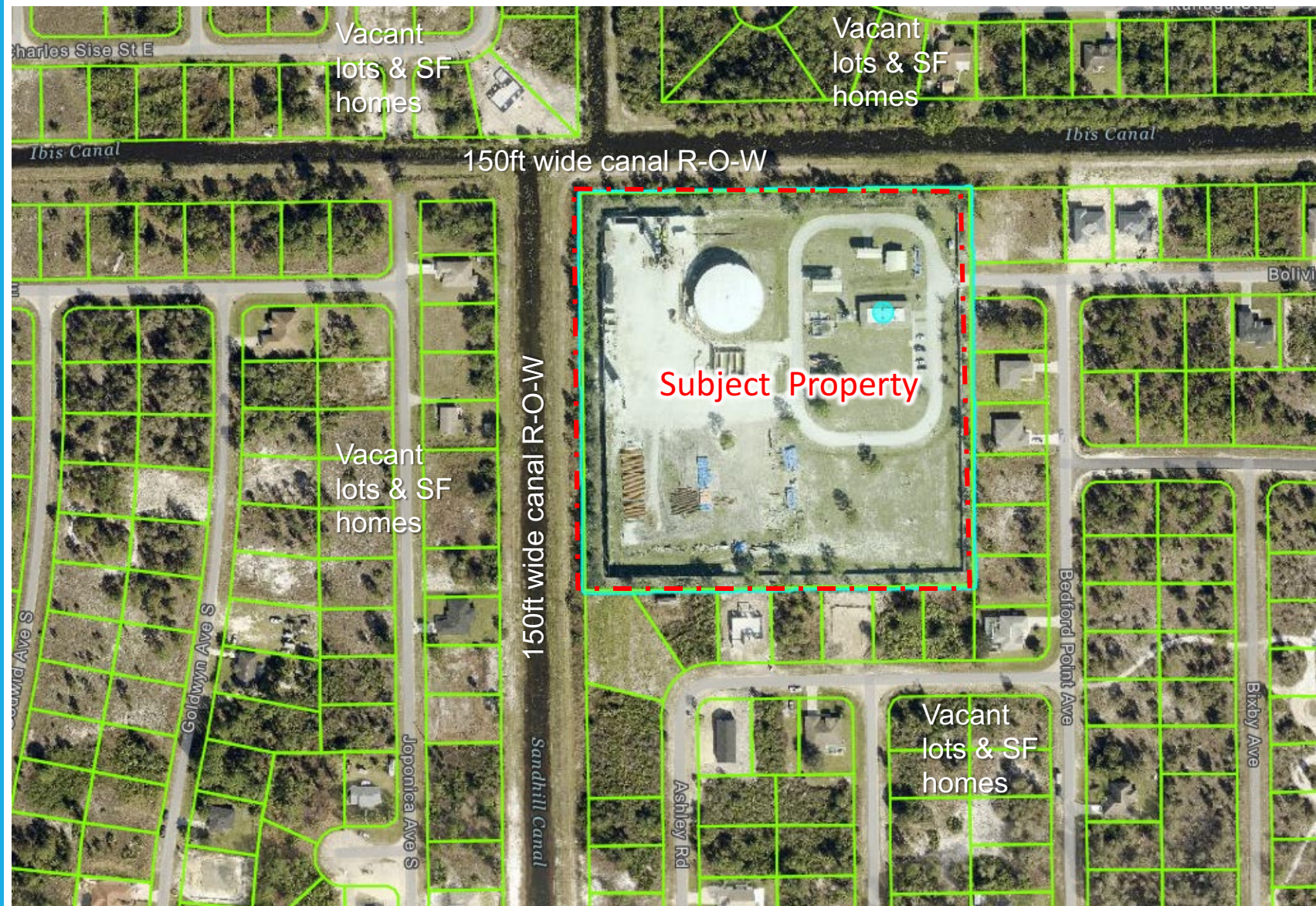
Property Information

- Convert to a reverse osmosis treatment system with deep injection well to improve water quality and meet current and future potable water demands in its service area
- To expand the use, must rezone as a planned development - LDC Sec. 34-934, note (45)
- Rezone from RM-2 to Community Facility Planned Development (CFPD)
- Planned Development zoning actions in Lehigh Acres are subject to community review (Lehigh Acres Architectural Planning and Review Board) - LDC Sec. 33-1401

Rezoning Request

Current Uses

- Surrounding Parcels:
 - North & West –
Canal (150ft R-O-W);
vacant lots and single
family homes
 - South & East –
Vacant lots and single
family homes



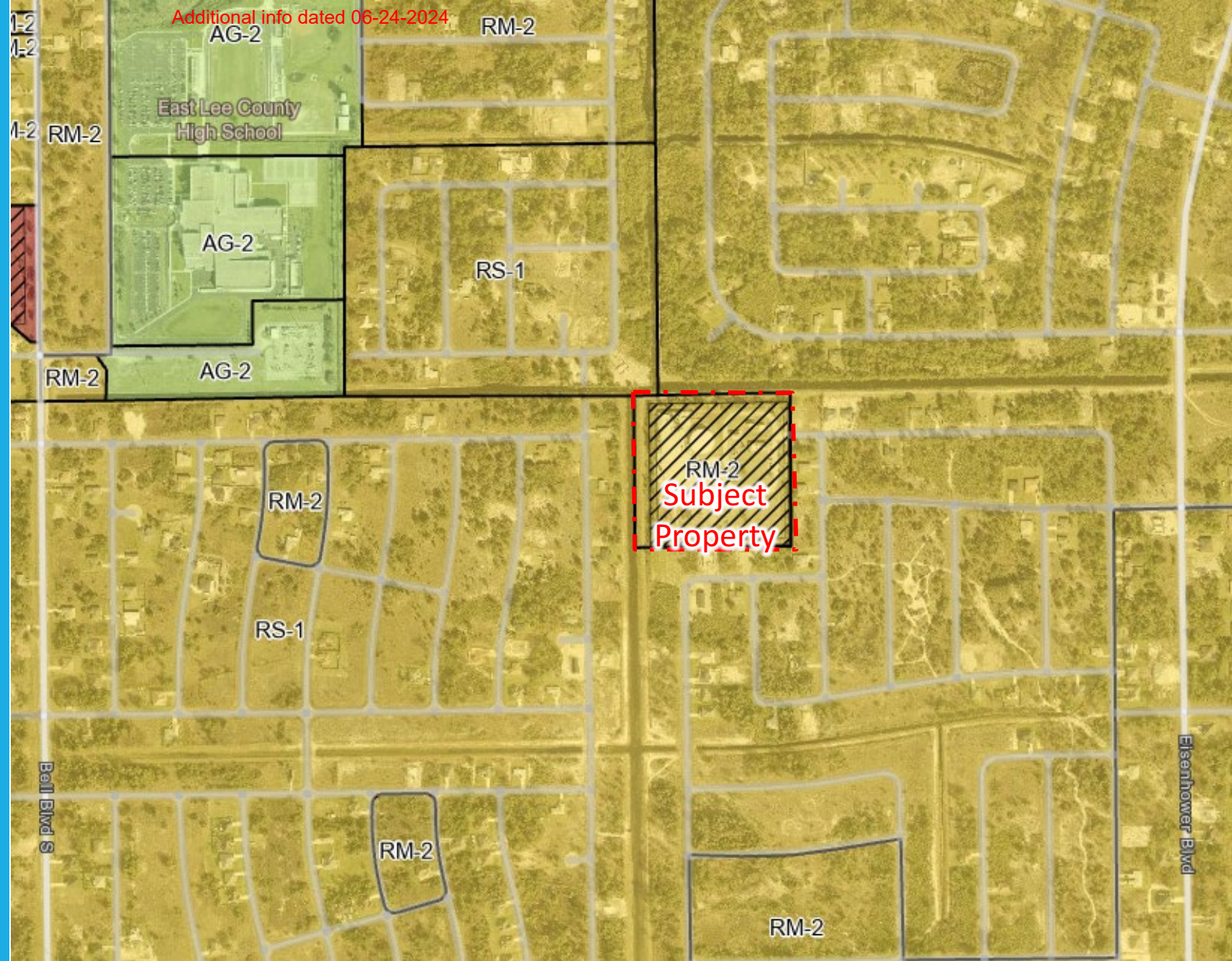
Lee County Future Land Use Map

- Lee County Designations:
 - Subject property -
Urban Community
 - North, South, East & West –
Urban Community
 - Northwest –
Central Urban



Lee County Zoning Map

- Lee County Districts:
 - Subject property
RM-2
 - North, South, East & West
RS-1



OPEN SPACE REQUIRED: (LDC SECTION 10-416)	
9.97 AC * 20% = 1.99 AC	
OPEN SPACE PROVIDED =	
DESCRIPTION	ACRES (AC)
PERIMETER BUFFERS	1.6
INTERNAL OPEN SPACE	6.3
TOTAL	7.9

LEGEND	
	PROPERTY BOUNDARY
	PROJECT INGRESS/EGRESS
	EXISTING
	FUTURE
	LDC 34-1748(1)D. & E., ENTRANCE GATE LOCATION

OPEN SPACE REQUIRED: (LDC SECTION 10-416)	
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KEY DEVELOPMENT STANDARDS

1. Provide enhanced setbacks [LDC Section 10-351]
2. Must meet minimum landscape standards [LDC Sec. 10-416(d)(4) & 33-1405]
3. Must preserve existing native trees located outside the impact areas [LDC Sec. 10-415(b)(1)b.]
4. Lighting shall be adequately shield and directed inward or downward [SEZ2002-00033]
5. Proposed 35-ft max. height consistent with code and current zoning district [LDC Sec. 33-1417]

DEVIATION REQUEST

One deviation requests relief from LDC Section 34-1748(1)d. & e. and (5) regarding entrance gates that control access to any commercial or industrial facility to:

- reduce the 100-foot minimum distance between the entrance gate and existing intersecting street right-of-way to 20 foot, and
- eliminate the requirement that right and left turn auxiliary lanes be provided on the intersecting street at the project entrance, and
- eliminate the requirement for a turn-around on the ingress side of the gate.

Justification:

The existing entrance gate, which was approved and constructed more than 18 years ago, does not meet these standards. The existing site design layout does not offer enough space for these items to be provided on-site. As the use generates minimal traffic and is at the terminus of Bolivia Drive, these items should not be needed.

In summary, the proposed Rezoning Request:

Allows for the expansion of a public purpose use

Supports the Goals, Objectives and Policies of the Lee Plan

Complies with the Land Development Code as set forth in LDC Section 34-145(d)(4)a.

Meets the applicable standards required under Chapter 33

LEHIGH ACRES ARCHITECTURAL PLANNING & ZONING REVIEW BOARD

**LEHIGH ACRES ARCHITECTURAL PLANNING AND
ZONING REVIEW BOARD APPLICATION**

Date Received: _____

File Name : _____

LAAPZRB Date: _____

(1) GENERAL INFORMATION (Use additional sheets if necessary)

1. Name of Project: Lehigh Acres Water Treatment Plant No. 2
2. Street Address of Project: 913 Bolivia Drive
3. Strap No. 23-45-27-L1-01000.30A0
4. Application Request: (i.e.: Zoning change, Variance, Site/Project Approval)
Rezone a +/- 9.97 acre site with existing potable water storage and booster pump station from Residential Multiple Family-2 (RM-2) to Community Facilities Planned Development (CFPD) district to allow a water treatment facility including RO treatment system with raw water wells and deep injection well, RO Bldg/Admin Office, associated equipment and piping.
5. Applicant Name / Title: Florida Governmental Utility Authority (FGUA)/Scott Towler, P.E., System Manager
Address: c/o Accenture, 9400 Southpark Center Loop, Suite 400, Orlando, FL 32819
Phone: (407)629-6900 Email: scott.towler@fgua.com
6. Date of LAAPZRB meeting requested for presentation May 23, 2024
(Applicant shall be notified to confirm placement on the agenda) *Mike Currier FGUA*
Cristine Fisher
7. Primary Firm/Person Presenting Project to LAAPZRB:
Name / Title: Johnson Engineering Inc/Christine M. Fisher, AICP, Principal Planner
Address: 2122 Johnson Street, Ft Myers, FL 33901
Phone: (239)461-2456 Email: cfisher@johnsoneng.com
8. Provide name and contact information of additional persons to receive correspondence from the LAAPZRB.
John Carlson, P.E., Capital Program Manager, Florida Governmental Utility Authority (FGUA): john.carlson@fgua.com
Scott Towler, P.E., System Manager, Florida Governmental Utility Authority (FGUA): scott.towler@fgua.com
9. County staff Reviewer: Dirk Danley, Jr, AICP
10. Has project been presented to Community Development or Lee County Hearing Examiner or other public presentations: Yes ☒ No ☐ Dates: pre-app 3/13/2023
Application No.: DCI2024-00009

LEHIGH ACRES ARCHITECTURAL PLANNING & ZONING REVIEW BOARD**11. Direction to the project site:**

The subject property is at the western terminus of Bolivia Drive (f.k.a. Bedford Drive) in the Lehigh Estates subdivision.

12. Proposed Use:

Conversion of existing water booster pump station to a reverse osmosis water treatment plant (Essential Services, Group 2)

13. Adjacent Zoning and Land Uses:

North: RS-1: canal (150ft r-o-w) and scattered single family homes and vacant lots

South: RS-1: scattered single family homes and vacant lots

East: RS-1: scattered single family homes and vacant lots

West: RS-1: canal (150ft r-o-w) and scattered single family homes and vacant lots

14. Project summary. Provide information of how the project will provide for, achieve and maintain a unified and pleasing aesthetic quality as defined by the community standards set forth in Chapter 33 and other similar projects previously approved and built:

Approval for the current facility was conditioned on enhanced setbacks and 30-foot "Type F" landscape buffers along the northern and western property lines abutting the 150-foot canal right-of way, and 25-foot "Type E" landscape buffers with an 8-ft masonry wall along the southern and eastern property lines that abut residentially zoned property. Landscape buffers will comply with LDC Sec. 33-1405. If it is determined at the time of development order that existing landscaping conditions are not adequate, buffers will be enhanced. Existing native trees are located outside the impact area, within the perimeter buffers and total +/-1.6 acres of the site, which exceeds LDC standards. Lighting shall be adequately shielded and directed inward or downward. Above-ground structures will be painted natural or earth tone colors. The project will not exceed the height regulations set forth in LDC Section 33-1417. These conditions will remain through rezoning and future on-site improvements. Any other applicable standards required under Chapter 33 will be provided prior to local development order approval.

15. Project Checklist submitted: ☒ Yes ☐ No

16. Application Fee Submitted: Type 1 \$50.00 ☐ Type 2: \$150.00 ☒

PROPERTY OWNER/APPLICANT

I hereby certify that I am the owner of record or authorized agent for the property described in Section 1 above and that I approve of the requested action herein.

Signature: Christine M. Fisher

Date: 4/30/24

Print Name: Christine M. Fisher, AICP

Title: Principal Planner, Johnson Engineering Inc

☒ **ACTION TAKEN**
LAAPZRB

DATE
5/23/24

DECISION
Approved

Initials: B

Attachments: _____

Sign IN Sheet 5/23/24

D.W. SCHANUTH

Tom Sacharski, RVI Planning

Mike Cavin / RVI

Christine Fisher Johnson Esq.

Carlos R. Garza Jr.

Diego Penaloza

ISRAEL penaloza

tsacharski@rviplanning.com

Debbie Vernon

Mohamed J. Yassin

LEHIGH ACRES ARCHITECTURAL, PLANNING & ZONING REVIEW BOARD

Meeting Minutes – May 23, 2023

5:30 pm

In Person Meeting

Lehigh Acres Municipal Services Improvement District

601 East County Lane, Lehigh Acres, FL 33936

Call To Order: 5:30 pm

Roll Call: Tami Baker, Thomas Pfuner, Mike Cook, Derek Felder, Laurie Sternowski, Mohamed Yasin
(arrived at 5:45 pm)

Excused: Inke Schirrmacher

Consulting: Janis Williams – Lehigh Acres Fire and Rescue District

Minutes: Melissa Barry

Public Comments on Non-agenda Items: None

Approval of Agenda: Tabled

Approval of Minutes: Tabled

**need to approve the minutes from December to now

New Project Reviews:**A. 2631 1st Street**

Presented by This is .27 acres by Alva and Lee Blvd. It is currently RS1 central urban and mixed-use overlay. We are wanting to change it to CN3 for an office building. There is a canal at the rear of the site. The CN3 will limit the hours are night.

Board Member Comments:

Laurie – 1) what type of entities are you looking to put in there? 2) how about traffic? Do you have a buffer?

Response to Laura – 1) It will be a small office building? More like a doctor so that it won't be too high traffic. There are not end users as of right now. The parking will have to be constrained

Tami – No comment

Response to Tami -

Derek – 1) this is a small parcel with everything it is.

Response to Derek-

Mike – 1) I agree with Derek – you haven't submitted drainage. I can't see how you can have a building, drainage, parking, storage, and septic all on this small parcel.

Response to Mike –

Thomas – 1) what about utilities?

Response to Thomas – 1) We will not have direct FGUA but it is small so it won't be too much.

Mohomed – 1) I am concerned about not knowing the end use. This has gotten us into trouble before.

Response to Mohamed

Public Comment: none

NO Motion was presented – they weren't against it, but they were worried about the size of the lot.

B. Lehigh Water Treatment for FGUA – Mike Currier

Christine Fisher with Johnson Engineering. Mike Currier explained how the water treatment works and the purpose of it. Christine – 14,000 water customers. There are 19.97 acres at this site. It was approved in 2008 for a special exception for a deep injection well but it was not constructed. Back in 2013, we put a portable water storage. Now we would like to update. We are asking to rezone from RNA to CFPD. It is surrounded by urban community. We are looking at doing this in phases including recommission reverse osmoses system, deep injections wells, constructing offices, and storage tanks, there are 50-foot setbacks from the residential for saline concentrate. There is a 30-foot buffer and a buffer with a wall with a tree preserve. The lighting is down. We need a deviation for the entrances gate. There is no way to move it and it is only 20 feet from the road.

Board Member Comments:

Laurie – No questions

Response to Laura –

Tami – 1) Do you purchase and update then sell? 2) what about noise pollution? And Flooding?

Response to Tami - 1) No 2) There is a wall for noise pollution. And the wells are construction for flooding

Derek – 1) What about septic to sewer? How soon? 2) The existing well – what is the depth 3) Where does it pull from? 4) In Phase 3, what is the compacity?

Response to Derek- 1) we are working on making that trade o sewer. Within a year. 2) The sandstone well is deeper than then a residential well. 3) The only one putting down is deep water injection well. The others are pull out. 4) When we fall under the 75% with the rate of 3.86 we have to start working on it.

Mike – Have received drainage and they will have comments. How does the entrance work?

Response to Mike – 1) FGUA owns the south east side and trucks can us that for turning around.

Thomas – 1) Are you going to explained in Lehigh? 2) in Phase 3 what is the time line for that?
Response to Thomas – 1) Yes, but only by contacts. There is no mandate to tie into the water line like there is a for the sewer line. 2) we are looking at greater to 5 years.

Public Comment – None

Motion to approve as presented: First – 1st by Derek and 2nd by Laurie

Motion: Passes

C. This is a simple rezoning. I am looking to rezone from single family dwelling to multifamily dwelling.

Board Member Comments:

Laurie – 1) Is there multifamily around? 2) what is the access
Response to Laura –) yes 2) the driveways are on opposite sides

Tami – No Comment
Response to Tami -

Derek – 1) It is showing that it is zoned RN-2
Response to Derek-

Mike – 1) the single-family dwellings do not need drainage. There are not any duplexes in that area.
Response to Mike – 2) the future land use will stop the building of more and there are rules for this.

Thomas – 1) when were these lots bought? 2) What about the traffic – are you doing anything to improve it? 3) What about the water and sewer.
Response to Thomas – 1) about 6 years ago 2) I will pay impact fees. There will be two wells and septic to help with the impact.

Mohamed – 1) there is multifamily about 6 blocks away from this lots. We have plenty of duplexes and I don't think I is right to rezone single family lots for multifamily. We are doing a disservice to the single families.
Response to Mohamed 1) the future land use meets the multifamily units.

Public Comment – None

Motion to deny based on not wanting to rezone from a single-family lot when there multifamily lots available.: First – 1st by Laurie and 2nd by Thomas

Motion: Passed

C. 839

Presenting – the same as the last presentation

Board Member Comments:

Laurie – Same comments as last presentation
Response to Laura –

Tami –
Response to Tami -

Derek – this is the same as the last presentation. Has this been submitted to the county
Response to Derek- 1) It does fall in to the comprehensive plan

Mike – It looks like the closest Multifamily units are off of Bell Blvd and that is not close to this
Response to Mike –

Thomas – same comments as last presentation
Response to Thomas –

Mohamed – Same as before.
Response to Inke

Public Comment – None

Motion to deny based on not wanting to rezone from a single-family lot when there multifamily lots available.: First – 1st by Laurie and 2nd by Thomas

Motion Passes

Old Business:

- a. Please make sure the minutes are approved. Make sure there is a motion for the approval of all the minutes since December.

New Business:

- a) Board Members Comments
 - a. Mohamed – have a safe Memorial Day and remember to observe Freedom
 - b.

Motion to Adjourn – 1st by Derek and 2nd by Laurie

Adjourn: 6:31 pm

Next LAAPZRB Meeting on June 27, 2024 (if projects are submitted)

Project Submittal Deadline is June 17, 2024