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Fort Myers, FL 33919
Phone: 239-433-4231
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Certificate of Authorization # 29086

June 27, 2024

Ms. MarySue Groth, Planner
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

Reference: 2265 Laurel Lane - CPD Amendment
DCI2024-00019 (1st Resubmittal)

Dear Ms. Groth:

We are in receipt of your review letter dated June 11, 2024 for the above referenced project. The following items are submitted for your continued review per this request for additional information:

1. One (1) copy of the revised Application;
2. One (1) copy of the Letter of Availability from FGUA;
3. One (1) copy of the Explanation of Utilities;
4. One (1) copy of the revised Narrative of Request/Lee Plan Compliance;
5. One (1) copy of the revised Schedule of Uses;
6. One (1) copy of the revised Schedule of Deviations;
7. One (1) copy of the revised Boundary Survey;
8. One (1) copy of the revised Master Concept Plan; and
9. One (1) copy of the revised Traffic Impact Statement.

Responses to each individual item/comment are as follows:

Planning Review Comments:

Reviewer: Joseph Sarracino

1. Provide a letter from FGUA verifying the location of the closest connection point for sewer service.

Response: Please see the attached FGUA Letter of Availability, which shows the nearest force main on Zoysia Lane, approximately one-half mile south of the subject property.

2. Explain the source of the calculations of the anticipated GPD of sewage flow.

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Response: F.A.C. 64E-6.008, Table 1 provides the estimated sewage flows for sanitary sewer systems. There are limited options to select from. In this instance the closest commercial establishment is Food Operations – Food Outlets, which requires 10 gpd per 100 square feet of floor space. The proposed building has been revised to 2,240 sf, which calculates to 224 GPD.

3. Provide an analysis of Lee Plan Policy 77.3.7. The property is adjacent to a roadway that is labeled as a Shared-Use Path on the Lee County Greenways Master Plan (Map 4-E).

Response: Please see the revised Narrative of Request/Lee Plan Compliance for the information as requested.

Zoning Review Comments:

Reviewer: MarySue Groth

4. Provide the referenced letter of availability from FGUA that establishes the decision to utilize septic.

Response: Please see the attached Letter of Availability from FGUA as requested.

5. Edit the Schedule of Uses to specify no outdoor seating, as the narrative indicates.

Response: Please see the revised Schedule of Uses for the correction as requested.

6. The narrative states the connection separation distance is 105', and the MCP states 105'9". Please provide consistency on the exact measurement.

Response: Please see the revised MCP and Schedule of Deviations for the correction as requested.

Legal Review Comments:

Reviewer: Richard Burris

7. Please provide a boundary survey in accordance with the requirements of Lee County LDC §34-202(a)(6).
 - The survey must be tied to the state plane coordinate system for the Florida West Zone (the most current adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner.
 - The boundary survey labels section 36-43-24 as section 25-43-24.

Response: Please see the revised Boundary Survey for the corrections as requested.

Development Services Review Comments:

Reviewer: Allyson Hall

8. Staff defers to DOT staff regarding approval of Deviation (1) and Deviation (4) as both Laurel Ln and Hart Dr are county-maintained roadways.

Response: This INFORMATIONAL COMMENT is acknowledged and understood.

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9. Pursuant to LDC Sec. 10-261(b), a minimum 12-foot-wide, unobstructed access opening must be provided to accommodate all refuse and solid waste disposal storage areas/containers.

- a. The MCP indicates an opening width of 11.66' which does not meet this requirement.

Response: Please see the revised MCP for the correction as requested.

10. LDC 34-202(a)(6) requires applicants to submit a boundary survey with public hearing applications. The boundary survey must identify and depict all easements affecting the subject property, whether recorded or unrecorded, and all other physical encumbrances readily identified by a field inspection.

- a. Survey Note #3 specifically exempts freedom of encumbrances and does not meet the referenced LDC requirement.

Response: Please see the revised Boundary Survey - Survey Note #3 has been removed as requested.

11. 34-373(a)(6)j. Show proposed access and facilities for public transit in accordance with sections 34-411(e) and 10-442 on the MCP.

Response: Please note Lee Tran/bus stop improvements will be provided per the LDC at time of development order permitting.

12. **INFORMATIONAL COMMENT:** At time of development order, compliance with bicycle parking in accordance with LDC Section 10-610(d)(3) b. is required

Response: This INFORMATIONAL COMMENT is acknowledged and understood.

TIS Review Comments:

Reviewer: Md Rakibul Alam

13. Provide the source of using 51% pass-by rate for land Use Code 851 (convenience store) in TIS.

Response: See the attached revised TIS (Section 3.1) for the requested information.

14. If the property is currently vacant, TIS must not consider deduction of approved CPD trips from the proposed CPD to get the new Trips. In such case, the proposed CPD trips must be used to prepare TIS.

Response: See the attached revised TIS (Level of Service Analyses) for the requested information.

DOT Review Comments:

Reviewer: Md Rakibul Alam

15. Provide cross-access easement for the property to the south as per Lee Plan Policy 12.3.5 and LDC 10-285 and show that in the MCP.

Response: Please see the revised MCP for the proposed cross-access easement for the subject property as requested.

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16. Provide the turning/swept paths for anticipated trucks to demonstrate the site plan with the proposed 20-ft wide driveway will have sufficient width and length for all critical vehicular queuing, stacking, maneuvering, standing, and parking for the expected future traffic to be carried out completely beyond the Hart Dr ROW.

Response: Please see the attached, revised MCP and Schedule of Deviations. The proposed driveway is 24 feet as required by the LDC and the deviation has been withdrawn.

Environmental Sciences Review Comments:

Reviewer: Elizabeth Workman

17. Provide cross sections for the west and south property lines depicting the width and depth of the drainage area, 15-foot-wide buffer, location of eight-foot wall, and the buffer planting area between the property line and the wall.

Response: Please see the attached, revised MCP and Schedule of Deviations. Since only the lot to the south meets the definition of an existing large residential lot (greater than 14,520 sf), the buffer to the west is a standard 15-foot wide Type C buffer with an 8' high solid opaque wall per LDC Sec. 10-416(d). The MCP provides a 14' wide buffer to the south with an 8' high solid opaque wall with buffer vegetation as required by LDC Sec. 33-1543. The buffer wall is set 14 feet from the south property line, which provides sufficient space for the enhanced vegetation plus a narrow drainage swale.

18. Demonstrate how the landscape material per LDC Section 33-1543(c & d) will survive within a ten-foot-wide planting area as the Lee Plan analysis indicates. Buffers are required to be proposed between the property line and wall per LDC Section 10-421(a)(8). Staff has concerns about survivability because the enhanced landscape material required per LDC Section 33-1543(c & d).

Response: Please see the attached, revised MCP and Schedule of Deviations. Only the lot to the south meets the definition of an existing large residential lot (greater than 14,520 sf). The MCP provides a 14' wide buffer to the south with an 8' high solid opaque wall with enhanced buffer vegetation as required by LDC Sec. 33-1543(c and d). The buffer wall is set 14 feet from the south property line, which provides sufficient space for the enhanced vegetation plus a narrow drainage swale.

19. An additional deviation may be needed to allow the landscape material to be located on either side of the wall. Provide more detail of how the alternative buffer to the code will provide screening for compatibility including how the depth of the drainage swale will affect the screening.

Response: Please see the revised MCP and Schedule of Deviations. The proposed buffer wall is set 14 feet from the south property line, which provides sufficient space for the enhanced vegetation plus a narrow drainage swale.

20. Depict all easements on the MCP that may encroach into the proposed buffers.

Response: There aren't any easements on the subject property, as confirmed with the P.S.M.

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Solid Waste Comments:

Reviewer: Justin Lighthall

21. Dumpster enclosure does not appear to meet minimum width. Per LDC 10-261, A minimum overhead clearance of 22 feet is required and a 12-foot-wide, unobstructed access opening must be provided to accommodate all storage areas/containers.

Response: Please see the revised MCP for the correction as requested.

Lee Tran Review Comments:

Reviewer: Clarissa Marino Diaz

22. According to the Lee County Transit Land Development Code, the proposed development is located within one-quarter mile of a LeeTran fixed-route corridor, with the nearest bus stop being #10577. These include installing an 8'x30' landing pad (In this case an extension is sufficient), a bicycle storage rack, necessary curbing, and connection to the existing sidewalk. The developer will be required to adhere to the LDC Section 10-442 (a)(1) requirements.

Response: This INFORMATIONAL COMMENT is acknowledged and understood. Please note Lee Tran/bus stop improvements will be provided per the LDC at time of development order permitting.

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

Sincerely,

TDM CONSULTING, INC.



Veronica Martin
Senior Planner



APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: 2265 Laurel Lane

Request: Rezone from: _____ To: _____

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:

Amend the CPD to revise the MCP, schedule of uses, and schedule of deviations.

PART 1 APPLICANT/AGENT INFORMATION

A. Name of Applicant: Terra Firma Ventures, LLC
 Address: 1193 Laurel Valley Ct
 City, State, Zip: Buford, GA 30519
 Phone Number: _____
 E-mail Address: Terrafirma.v@gmail.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: Same as Applicant

Address: _____

City, State, Zip: _____

Phone Number: _____

Email: _____

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): December 3, 2023

**PART 3
PROPERTY INFORMATION**

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

25-43-24-03-00068.001C

B. Street Address of Property: 2265 Laurel Lane, North Fort Myers, FL 33917

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

☒ 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

G. Future Land Use Classification (Lee Plan):

Suburban	<u>0.33</u>	Acres	<u>100</u>	% of Total
		Acres		% of Total
		Acres		% of Total

H. Property Dimensions:

1. Width (average if irregular parcel):	<u>145</u>	Feet		
2. Depth (average if irregular parcel):	<u>100</u>	Feet		
3. Total area:	<u>0.33 AC</u>	Acres or square feet		
4. Frontage on road or street:	<u>145</u>	Feet on	<u>Laurel Lane</u>	Street
2 nd Frontage on road or street:	<u>100</u>	Feet on	<u>Hart Drive</u>	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)		0.33	Acres
1. Submerged land subject to tidal influence	<u>0</u>	Acres	
2. a. Preserved freshwater wetlands	<u>0</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>0</u>	Acres	
3. R-O-W providing access to non-residential uses	<u>0</u>	Acres	
4. Non-residential use areas ^{(1) (2)}	<u>0.33</u>	Acres	
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.).		0.33	Acres
C. Gross residential acres. (A minus B) ⁽³⁾		0	Acres
D. Gross residential acres (by Land Use Category) NA			
1. a. Intensive Development – upland		Acres	
b. Intensive Development – preserved freshwater wetlands		Acres	
c. Intensive Development – impacted wetlands		Acres	
2. a. Central Urban – upland		Acres	
b. Central Urban – preserved freshwater wetlands		Acres	
c. Central Urban – impacted wetlands		Acres	
3. a. Urban Community or Suburban – upland		Acres	
b. Urban Community or Suburban – preserved freshwater wetlands		Acres	
c. Urban Community or Suburban – impacted wetlands		Acres	

4.	a.	Suburban – upland	_____	Acres
	b.	Suburban – preserved freshwater wetlands	_____	Acres
	c.	Suburban – impacted wetlands	_____	Acres
5.	a.	Outlying Suburban – upland	_____	Acres
	b.	Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Outlying Suburban – impacted wetlands	_____	Acres
6.	a.	Sub-Outlying Suburban – upland	_____	Acres
	b.	Sub-Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Sub-Outlying Suburban – impacted wetlands	_____	Acres
7.	a.	Rural, Outer Island, Rural Community Preserve – upland	_____	Acres
	b.	Rural, Outer Island, Rural Community Preserve – wetlands	_____	Acres
8.	a.	Open Lands – upland	_____	Acres
	b.	Open Lands – wetlands	_____	Acres
9.	a.	Resource – upland	_____	Acres
	b.	Resource – wetlands	_____	Acres
10.	a.	Wetlands	_____	Acres
11.	a.	New Community – upland	_____	Acres
	b.	New Community – wetlands	_____	Acres
12.	a.	University Community – upland	_____	Acres
	b.	University Community – wetlands	_____	Acres
13.	a.	Coastal Rural – upland	_____	Acres
	b.	Coastal Rural – wetlands	_____	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	35'	2,250 sf
	4. Other: _____		
	5. TOTAL FLOOR AREA		
B.	Industrial	Height	Total Floor Area (Square Feet)
	1. Under Roof		
	2. Not Under Roof		
	3. TOTAL FLOOR AREA		
C.	Mining	Depth	Total Acres
	1. Area to be excavated		
D.	Assisted Living Facilities	Height	Total Beds/Units
	1. Dependent Living Units		
	2. Independent Living Units		
	3. TOTAL BEDS/UNITS		
E.	Hotels/Motels (Room Size)	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 surface elevation is relatively flat ranging from 11.8' along Laurel Lane to 12.2' in the center of the site to 12.7' along the south property line.
- 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)].
No environmentally sensitive lands are located on-site.
- C. **Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
NA
- 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.]
- 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:
No special effluent is currently anticipated.
- 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:
A standard on-site sewage treatment and disposal system will be utilized and permitted per LCDOH & FDEP criteria.
 2. Quality of the effluent:
Baseline system standards for the treated effluent at the base of the 24" unsaturated zone is less than 5 mg/1 CBOD, less than 5 mg/1 TSS, 15-20 mg/1 TN, less than 5 mg/1 TP, and undetectable fecal coliform, as required per LCDOH & FDEP criteria.

3. Expected life of the facility:
15 years with property maintenance.
4. Who will operate and maintain the internal collection and treatment facilities:
The applicant will operate and maintain all on-site collection and treatment facilities.
5. Receiving bodies or other means of effluent disposal:
Effluent disposal will be via an on-site drainfield designed and permitted per LCDOH & FDEP criteria.

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 **NA** 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)] Potable water is available**
- ☒ **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)] Sanitary sewer is not available**
- 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-EL15 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	NA	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]



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2265 Laurel Lane CPD
Narrative of Request/Lee Plan Compliance
Revised 6-19-2024

Narrative of Request

The applicant is requesting to Amend a Planned Development (Z-89-091). The subject property is 14,500 square feet and is located at 2265 Laurel Lane, North Fort Myers. The applicant is proposing to amend the Master Concept Plan, the Schedule of Uses, and the Schedule of Deviations.

The applicant is proposing a 2,240 square foot building that will contain a food store/market with a small restaurant/prepared food for carry-out service only. No seating, indoor or outdoor, is proposed. All standard infrastructure is proposed, including parking, buffers, surface water management, utilities, dumpster, pedestrian facilities, etc. The applicant is requesting six (6) deviations with this CPD Amendment; otherwise, all requirements of the Land Development Code will be complied with at time of local Development Order permitting.

The property is located in Suncoast Estates, which is identified as an Opportunity Zone. The purpose of Opportunity Zones is to spur economic growth and job creation in low-income communities by incentivizing investment in these economically distressed communities that need revitalization. There are numerous small businesses along Laurel Lane, a major collector road, including convenience stores, with and without gas pumps, restaurant's/food markets, car repair, and contractors and builders. The Applicant believes that amending the Commercial Planned Development to revise the Schedule of Uses to permit a food market with restaurant, limited to carry-out only, is a better use of this lot that will serve the surrounding neighborhood than what is currently approved in the original zoning resolution.

Land Development Code Compliance

The Applicant has requested six (6) deviations from the requirements of the Land Development Code. The deviations are necessary due to existing site conditions. The site is only 14,500 square feet in size - 145 feet wide by 100 feet deep. The subject property is also located in the North Fort Myers Planning Community, which has greater setbacks and buffers than other areas of unincorporated Lee County. The Master Concept Plan has been designed to comply with the Land Development Code to the maximum extent possible, taking all aspects of the surrounding uses, zoning districts, and community into consideration.

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*

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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 at the intersection of Laurel Lane and Hart Drive in the North Fort Myers Planning Community in the Suncoast Estates community. Although residential uses are predominant in the Suburban future land use category, commercial uses are permitted to serve the local community. Nearby zoning and uses include both commercial and residential. The subject property is currently zoned CPD to permit lawnmower and small engine repair. The schedule of uses for the proposed CPD are limited to food market and restaurants, groups I and II – carryout only. The proposed CPD with limited uses that serve the surrounding community 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 a 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.*

The subject property is located in an area that is developed with both commercial and residential uses. The lots to the west are zoned MH-1, then C-1A and developed with mobile homes, then retail. The lot to the south is zoned MH-1 and is vacant. Mobile homes are located on lots south of the vacant lot along Hart Drive and have MH-1 and MH-3 zoning. East of the lot is Hart Drive followed by a lot with MH-3 zoning and mobile home use, followed by CPD and C-1A zoning contractors and builders uses. Laurel Lane is located to the north, then property with MH-3 zoning and an automotive repair business.

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The property is located at the intersection of two major collector roads. Both Laurel Lane and Hart Drive are two-lane county-maintained major collector roads. Other urban services such as potable water, fire/EMS, police protection, public parks and public transportation are available and adequate to serve the development as outlined below. The proposed CPD rezoning is consistent with **Lee Plan Objectives 2.1 and 2.2 and Policies 2.1.1, 2.1.2, and 2.2.1.**

Potable Water:	Lee County Utilities provides potable water
Sanitary Sewer:	FGUA has sanitary sewer lines on Zoysia Lane to the south, approx. 2,500 feet to the south. The developer intends to utilize private septic
Fire/EMS:	North Fort Myers Fire Department, Station # 3, located at 16290 Slater Road, is approximately 2.8 miles away.
Police:	Lee County Sheriff's Department, 1 st Precinct, located at 121 Pondella Road, is approximately 3.9 miles away.
Solid Waste:	The property is within Lee County Solid Waste Franchise Area 5 and is served by Waste Pro.
Public Transit:	Lee Tran Route 590 services Laurel Lane.
Public Parks:	The property is approximately 3.3 miles northeast of North Fort Myers Community 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.*

STANDARD 4.1.1: WATER.

- 1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Fla. Admin. Code R. 62-550).*
- 2. If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 4-A), then the development must be connected to that utility.*
- 3. The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.*
- 4. All waterline extensions to new development will be designed to provide minimum fire flows, as well as adequate domestic services as required by Fla. Admin. Code R. 62-555.*

Lee County Utilities (LCU) has provided a Letter of Availability confirming that potable water lines are in operation adjacent to the subject property and that LCU presently has sufficient capacity to provide potable water service. Another letter of availability and utility permitting will be required at the time of local development order permitting. This is consistent with **Lee Plan Objective 4.1 and Standard 4.1.1: Water.**

STANDARD 4.1.2: SEWER.

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1. *Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.*
2. *If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within 1/4 mile from any part of the development.*
3. *If there is not sufficient capacity nor adequate infrastructure within 1/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.*
4. *If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and the utility cannot provide the service, or cannot provide the service except at a clearly unreasonable cost to the developer, the developer may establish on a temporary basis a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may also petition the appropriate regulatory agency to contract the service area of the utility in order that another utility may be invited to provide the service.*
5. *If a development lies outside any service area as described above, the developer may:*
 - *request that the service area of Lee County Utilities or an adjacent sewer utility be expanded to incorporate the property;*
 - *establish a self-provided sanitary sewer system for the development;*
 - *develop at an intensity that does not require sanitary sewer service; or*
 - *if no more than 5000 gallons of effluent per day per parcel is produced, an individual sewage disposal system per Fla. Admin. Code R. 64E-6 may be utilized, contingent on approval by all relevant authorities.*
6. *Lee County Utilities may provide sanitary sewer service to properties not located within the future sewer service area when such sanitary sewer service is found to benefit public health, safety, and welfare, including protection of Lee County's natural resources.*

Florida Governmental Utility Authority (FGUA) has provided a Letter of Availability confirming that sanitary sewer lines are in operation near the subject property; however, developer funded extensions may be required. The existing sanitary sewer lines are located on Zoysia Lane, approximately 2,500 linear feet to the south. The Applicant intends to utilize a private septic system on site at time of Development Order permitting per **Lee Plan Objective 4.1 and Standard 4.1.1: Sewer.**

STANDARD 4.1.3: REUSE.

1. *Any development that requires a development order, on a property that is adjacent to public reuse infrastructure with sufficient capacity, must connect to the reuse system for irrigation needs.*

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3. If there is not sufficient capacity or adequate infrastructure within 1/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.

4. If a development has been rejected for reuse service, the proposed source of irrigation water must be identified consistent with Policy 61.1.6.

Lee County Utilities provided a Letter of Availability stating that there are no reuse mains in the vicinity of the parcel. The proposed development will be required to provide irrigation water at the time of local development order permitting. This is consistent with **Standard 4.1.3: ReUse.**

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 was conducted on the subject property and included with the application. No protected or endangered species or environmentally sensitive areas were found on-site. This is consistent with **Lee Plan Objective 4.1 and Standard 4.1.4: Environmental Factors.**

OBJECTIVE 5.1: *All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan.*

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

The subject property is currently zoned for commercial use to permit lawnmower and small engine repair. The Applicant is requesting to amend the schedule of uses to permit a food market with carryout only restaurant. The amendment includes revising the Master Concept and requesting deviations based on the requirements of the current Land Development Code. The site is small, only 14,500 square feet in size, and located at the intersection of two streets. In addition, the zoning districts to the south and west are residential (MH-1). The setback and buffer

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requirements for commercial uses abutting residential lots in the North Fort Myers community planning area are larger than other areas in unincorporated Lee County. The master concept plan has been designed with the existing residential uses/zoning districts in mind along with other development regulations including access, setbacks, buffers, parking, traffic circulation, etc. The result is a small building with minimal deviations.

The applicant is requesting a deviation from the LDC Sec. 33-1542 requirement to provide a minimum setback of 50 feet between the proposed building and an existing large lot subdivision to permit a 29-foot setback to the south. The code required 15-foot setback is provided to the west. In addition, the applicant is requesting a deviation from LDC Sec. 33-1543(a), which requires a 30-foot buffer width when high intensity developments abut an existing large lot subdivision. The applicant is proposing a 14-foot wide buffer to the south property line with an 8-foot high solid, opaque fence with all required vegetation on the residential side of the wall. LDC Sec. 33-1543(c) and (d) requires enhanced landscaping when high intensity development abuts residential property lines. The 8-foot solid, opaque wall plus the enhanced vegetation will buffer and shield the residential lots from any potential impacts associated with the proposed use.

Due to the size of the lot, 145 feet wide x 100 feet deep, it isn't possible to comply with the 50-foot setbacks to the south and west and the 25-foot street setbacks to the north and east. Doing so makes the existing lot undevelopable for commercial use. Relief from those two requirements of the Land Development Code allow the development to comply with the other regulations, including parking, access, pedestrian connections, open space, surface water management, etc. The applicant believes the deviations enhance the planned development and protect the health, safety, and welfare of the abutting property owners and surrounding community and that the proposed use will not be destructive to the character of the residential environment. Amending the CPD to uses that are more compatible with the community and revising the MCP to a plan that takes into consideration all aspects of design is consistent with **Lee Plan Objective 5.1 and Policy 5.1.5.**

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

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 6.1.6: *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.*

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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.

The request to amend the current Commercial Planned Development zoning resolution, including the Master Concept Plan, Schedule of Uses, and Schedule of Deviations, is appropriate at this location. The original zoning resolution was approved in 1989, but never built. The Land Development Code and Lee Plan have been amended many times since 1989. This amendment brings the site/resolution up to current code requirements, includes uses that are more appropriate along Laurel Lane (which can be considered a commercial node), and is compatible with existing and planned uses.

Urban services such as potable water, fire, EMS and police protection, public parks and public transit are available to serve the proposed commercial development. The proposed CPD Amendment is consistent with **Lee Plan Goal 6, Objective 6.1, and Policies 6.1.1, 6.1.6, and 6.1.7.**

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 North Fort Myers planning community. A public information meeting was held on May 7, 2024 at the North Fort Myers Recreation Center at the monthly meeting of the North Fort Myers Design Review Panel. A meeting summary of questions and concerns from the public is included with this rezoning application. This is consistent with **Lee Plan Objective 17.3 and Policies 17.3.3 and 17.3.4.**

GOAL 30: NORTH FORT MYERS COMMUNITY PLAN. Improve the livability and economic vitality in the North Fort Myers Community Plan area by: promoting compact, mixed use development in the form of town and neighborhood centers; attracting appropriate investment to revitalize older neighborhoods and commercial corridors; stabilizing and enhancing, existing neighborhoods; and preserving natural resources.

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The goal of the North Fort Myers community plan is to “improve the livability and economic vitality in the North Fort Myers Community Plan area by promoting compact, mixed-use development, attracting appropriate investment to revitalize older neighborhoods, stabilizing and enhancing existing neighborhoods, and preserving natural resources. The property is located in Suncoast Estates in an older neighborhood with a mix of residential and commercial uses. Laurel Lane has become to be known as a “commercial node” due to the number of commercial uses and commercial zoning districts along this major collector road. Suncoast Estates has also been identified as an Opportunity Zone, whose purpose is to spur economic growth and job creation in low-income communities by incentivizing investments in economically distressed communities. The proposed amendment revitalizes an older neighborhood and creates employment opportunities for the surrounding community, which is consistent with **Lee Plan Goal 30**.

GOAL 60: COORDINATED SURFACE WATER MANAGEMENT AND LAND USE PLANNING ON A WATERSHED BASIS. *To protect or improve the quality of receiving waters and surrounding natural areas and the functions of natural groundwater aquifer recharge areas while also providing flood protection for existing and future development.*

POLICY 60.1.1: *Require design of surface water management systems to protect or enhance the groundwater.*

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

The subject property is cleared and routinely mowed. The property is not located in a flow-way, nor does it contain wetlands. The subject property itself is only 14,500 square feet, so will be developed as a “small” project, which will not require permitting through SFWMD. However, a local development order will be required prior to construction. Paving, grading, and drainage plans, consistent with the LDC and the Lee Plan, will be required at that time. This is consistent with **Lee Plan Goal 60, Policy 60.1.1, and Policy 60.4.1**.

GOAL 61: PROTECTION OF WATER RESOURCES. *To protect the County's water resources through the application of innovative and sound methods of surface water management and by ensuring Community Facilities and Services that the public and private construction, operation, and maintenance of surface water management systems are consistent with the need to protect receiving waters.*

POLICY 61.2.4: *Encourage surface water management plans that mimic the functions of natural systems.*

OBJECTIVE 61.3: GENERAL SURFACE WATER MANAGEMENT STANDARDS. *Lee County will continue to provide sufficient performance and/or design standards for development protective of the function of natural drainage systems.*

POLICY 61.3.1: *Provide sufficient performance and design standards to require post-development runoff to approximate the total characteristics of the natural flow prior to development.*

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POLICY 61.3.6: *Require developments to provide surface water management systems, acceptable programs for operation and maintenance, and post-development runoff conditions that reflect the natural surface water flow rate, direction, quality, hydroperiod, and drainage basin.*

POLICY 61.3.11: *Runoff must be routed through retention or detention areas and vegetated swales in order to reduce flow velocity, allow for percolation, and trap and remove suspended solids and pollutants.*

The subject property is not located in a flow-way, nor does it contain wetlands. The subject property itself is only 14,500 square feet, so will be developed as a “small” project. A local development order will be required prior to construction, including paving, grading, and drainage plans. Best Management Practices will be observed and surface water management will comply with the requirements of the LDC, the Lee Plan, and any other regulatory agencies as required. This is consistent with **Lee Plan Goal 61, Policy 61.2.4, Objective 61.3, and Policies 61.3.1, 61.3.6, and 61.3.11.**

POLICY 77.3.7: *New development and redevelopment in areas containing a component of the greenways trail system, as identified by the Lee County Greenways Master Plan, must incorporate the greenway trail into their development design. In addition to counting towards the project's general open space requirements, developments constructing the onsite portions of the greenway trail will be eligible for community and regional park impact fee credit.*

Laurel Lane is identified as a Shared-Use Path on the Lee County Greenways Master Plan (Map 4-E). **Lee Plan Objective 77.3** requires new developments to use innovative open space design to preserve existing native vegetation, provide visual relief, and buffer adjacent uses and proposed and/or existing rights-of-way. **Policy 77.3.7** requires those new developments to incorporate the greenway trail into their development design. The existing shared use path is 8 feet in width and located along the north property line within the 100-foot right-of-way of Laurel Lane. A 15-foot wide buffer providing open space and vegetation is proposed along Laurel Lane and the shared use path. A 5-foot wide pedestrian facility is also proposed to provide direct access between the building and the shared use path for public connectivity. In addition, the applicant is proposing a 5-foot wide sidewalk along Hart Drive to connect to the shared use path on Laurel Lane. This is consistent with **Lee Plan Policy 77.3.7.**

The applicant has proven entitlement to this rezoning request as set forth in LDC Sec. 34-145(d)(4)(a)1. 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

Narrative of Request/Lee Plan Compliance

Page 10 of 10

(g) Will be served by urban services.

The applicant has also proven entitlement to a planned development rezoning request as set forth in LDC Sec. 34-145(d)(4)(a)2. The request:

- (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) If the application includes deviations pursuant to section 34-373(a)(9), that 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.



1520 Royal Palm Square Blvd, Suite 100
Fort Myers, FL 33919
Phone: 239-433-4231
www.tdmcivilengineering.com
Certificate of Authorization # 29086

2265 Laurel Lane CPD
Proposed Schedule of Uses
Revised 6-18-2024

Accessory Uses and Structures
ATM (Automatic Teller Machine)
Essential Services
Essential Service Facilities, Group I
Fences, Walls
Food Stores, Group I
Parking Lot, Accessory
Restaurants, Groups I and II (Carryout Only – No Indoor or Outdoor Seating Provided)
Signs in Accordance with Chapter 30



1520 Royal Palm Square Blvd, Suite 100
Fort Myers, FL 33919
Phone: 239-433-4231
www.tdmcivilengineering.com
Certificate of Authorization # 29086

Laurel Lane CPD
Schedule of Deviations
Revised 6-25-2024

DEVIATION #1 (AMENDED):

Seeks relief from the **LDC §10-285** requirement to provide a minimum connection separation of 330 feet on major collector roads in a future suburban area. Request to permit a minimum connection separation of 101 feet between the proposed driveway and the edge of pavement of Laurel Lane.

JUSTIFICATION:

The subject property is only 100 feet wide by 145 feet deep. Laurel Lane, a county-maintained major collector road, is located along the north property line and Hart Drive, a county-maintained major collector road is located along the east property line. The minimum connection separation required for a major collector road in a future suburban area is 330 feet. Due to the size of the property, it isn't possible to comply with the minimum connection separation of 330 feet on either road frontage. The applicant is proposing to locate the driveway as far south on Hart Road as possible, which is ± 101 feet south of Laurel Lane. This is also where the previous driveway was located per historic aerials. While there are multiple commercial and residential driveways on Laurel Lane, there are only residential driveways in proximity to the subject property on Hart Drive. The applicant considered the uses of the abutting properties, the existing site configuration, and the other requirements of the land development code, including buffers, parking and surface water management, when designing the site and the driveway location. The location is based on sound engineering practices, 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. The applicant respectfully requests approval of this Deviation.

DEVIATION #2 (AMENDED):

Seeks relief from the **LDC §33-1542** requirement that any structure other than a single-family, two-family attached or duplex or its associated accessory structures must have a minimum setback of 50 feet between the nearest points on the building and/or structure (not including wing walls, overhangs, shutters, awnings, and canopies) and an existing large lot residential subdivision. Request to permit the minimum setback between the proposed commercial building and the residentially zoned lot to the south to be 29.0 feet.

JUSTIFICATION:

The subject property is only 100 feet wide by 145 feet deep. The abutting lot to the south meets the definition of an existing large residential lot (greater than 14,520 sf) per LDC Sec. 33-1537.

Schedule of Deviations

Page 2 of 4

The minimum setbacks for the proposed building are 50 feet to the south, 25 feet to the north and east (rights-of-way), and 15 feet to the west (buffer width). That only leaves a space of 25' wide by 105' deep for a building. However, that building size and configuration doesn't allow the development to comply with the other requirements of the LDC including parking, drainage, access, buffers, etc. Complying with the 50' setback to the south property line would create such a small building footprint that it would prevent the applicant from reasonable use of the land.

Per LDC Section 33-1543, the buffer vegetation required between commercial developments and existing large lot residential subdivisions is enhanced and provides more mature trees and shrubs at time of installation as well as an increase in the number of trees and shrubs. The vegetation, in addition to the 8'foot high solid, opaque wall, shields the residential lot from the noise, glare, etc associated with a commercial use. The required trees and palms are required to be clustered in double rows with a minimum of 3 trees per cluster and canopy trees must be planted a maximum of 20 feet on center within a cluster. Palms must be planted in staggered heights to a minimum of 3 palms per cluster, spaced at a maximum of 8 feet on center, with a minimum of 4-foot difference in height between each tree. In addition, all shrubs must be a minimum of 10 gallons, 4 feet in height with a 3-foot spread, planted 4 feet on center at installation. Permitting the building setback to be 29 feet from the south property line is not detrimental to the public health, safety or welfare. In addition, the deviation enhances the achievement of the objectives of the planned development. The applicant respectfully requests approval of this Deviation.

DEVIATION #3:

Seeks relief from the **LDC §33-1543(a)** requirement that landscape buffers for high density or high intensity development abutting a subdivided lot in an existing large lot residential subdivision must utilize, at a minimum, a 30-foot wide buffer width. Request to permit the buffer width to be 14 feet wide with an 8-foot high solid opaque wall to the south property line. The buffer vegetation will remain as required by the LDC.

JUSTIFICATION:

The subject property is small and is a corner lot at an intersection of two major collector streets. The lots to the south and west are residential lots, with the lot to the south defined as existing large residential subdivided lot per LDC Sec. 33-1537 (greater than 14,520 sf). As a result, a 30-foot wide buffer is required to the south property. Complying with the buffer requirements in addition to the other requirements of the LDC, including parking, surface water management, solid waste, access, pedestrian facilities, setbacks, etc, forces the applicant to either request deviations or construct such a small building that it would prevent the applicant from having reasonable use of his land.

The proposed buffer is 14 feet wide with the 8-foot high wall separating the dumpster, loading zone and parking lot from the existing large residential lot to the south. The applicant will provide the code required vegetation within the 14' buffer width. The buffer vegetation required between commercial developments and large lot residential subdivisions is enhanced and provides more mature trees and shrubs at time of installation as well as an increase in the number of trees and shrubs. The vegetation, in addition to the 8'foot high solid, opaque wall, shields the residential lots from the noise, glare, lights, etc associated with a commercial use. The required trees and palms

Schedule of Deviations

Page 3 of 4

are required to be clustered in double rows with a minimum of 3 trees per cluster and canopy trees must be planted a maximum of 20 feet on center within a cluster. Palms must be planted in staggered heights to a minimum of 3 palms per cluster, spaced at a maximum of 8 feet on center, with a minimum of 4-foot difference in height between each tree. In addition, all shrubs must be a minimum of 10 gallons, 4 feet in height with a 3-foot spread, planted 4 feet on center at installation. The applicant respectfully requests approval of this deviation as it 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.

DEVIATION #4:

WITHDRAWN

DEVIATION #5:

Seeks relief from the **LDC §34-2192** requirement that all buildings and structures must be set back a minimum of 25 feet from the adjacent street easement or right-of-way. Request to permit the minimum building setback to be 15 feet from the Laurel Lane right-of-way.

JUSTIFICATION:

LDC Sec. 34-2192(a) permits the applicant to request a variance or deviation from minimum street setbacks. The subject property is a corner lot that is only 100 feet wide by 145 feet deep. The minimum setbacks for the proposed building are 25 feet to the north and east (rights-of-way), 50 feet to the south and 15 feet to the west. That only leaves a space of 25' wide by 105' deep for the building footprint. That building size and configuration doesn't allow the development to comply with the other requirements of the LDC including parking, drainage, access, buffers, etc. The applicant is proposing to provide a 15-foot building setback to Laurel Lane along with a 15-foot wide buffer. There's an existing 8-foot wide pedestrian facility along with a planting strip within the 100-foot wide Laurel Lane right-of-way, which provides a additional "buffer" between the road and the commercial development. The proposed 15-foot building setback permits the development to function as a small commercial development. The code required setback of 25 feet would reduce the size of the building to the point that it wouldn't be practical to develop the site – the cost of construction would prohibit the success of the development. Permitting the 15-foot building setback is not detrimental to the public health, safety or welfare. In addition, the deviation enhances the achievement of the objectives of the planned development. The applicant respectfully requests approval of this Deviation.

DEVIATION #6:

Seeks relief from the **LDC §10-416(c)(2)c** requirement that the minimum dimension of any required internal landscaped area must be ten feet for projects less than ten acres and 18 feet for projects ten acres or larger. Request to permit the landscape island to be 5 feet wide.

JUSTIFICATION:

The site is a small corner lot. The applicant is proposing a 2,240 square foot building for the proposed use, which requires nine parking spaces. Due to the other requirements of the Land Development Code including setbacks, buffers, pedestrian connectivity, dumpster pad, driveway

Schedule of Deviations

Page 4 of 4

width, etc, it isn't possible to provide nine parking spaces without reducing the landscape island to 5 feet wide. Five feet is wide enough for a canopy tree and other vegetation. In addition, there's a 15-foot wide buffer abutting the internal island. Additional canopy trees and/or landscaping can be provided within the buffer to augment the required vegetation required by LDC Sec. 10-416 if necessary, which meets the intent of the LDC to "provide visual relief and cooling effects and to channelize and define logical areas for pedestrian and vehicular circulation." In order to comply with the LDC and provide a 10-foot wide landscape island, the driveway width would need to be reduced or another deviation from the minimum number of parking spaces would be required. Requesting a deviation from the minimum width of the internal landscape island is the more reasonable alternative. The applicant respectfully requests approval of this deviation as it 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.

STREET ADDRESS

2265 LAUREL LANE
NORTH FORT MYERS, FLORIDA 33917

STRAP NUMBER

25-43-24-03-00068.001C

PROJECT INFORMATION

CURRENT ZONING = COMMERCIAL PLANNED DEVELOPMENT (CPD)
FUTURE LAND USE = SUBURBAN
LOT AREA = 0.33 ACRES
MAX. INTENSITY = 2,240 SQUARE FEET
MINIMUM WIDTH = 145 FEET
MINIMUM DEPTH = 100 FEET
MAXIMUM HEIGHT = 30 FEET
MINIMUM OPEN SPACE = 40%

BUILDING SETBACK REQUIREMENTS

PER LDC SEC. 33-1542 AND SEC. 34-935
STREET (LOCAL) = 25 FEET (SEE DEVIATION #5)
SIDE YARD (SOUTH) = 29 FEET (SEE DEVIATION #2)
REAR YARD (WEST) = 15 FEET

ZONING/ACTUAL USE

NORTH = LAUREL LANE ROW
SOUTH = MH-1/VACANT
EAST = HART DRIVE ROW
WEST = MH-1/MOBILE HOME

LANDSCAPE BUFFER REQUIREMENTS

PER LDC SEC. 33-1543 AND SEC. 10-416
NORTH: COM TO ROW: 15' WIDE TYPE "D" BUFFER
EAST: COM TO ROW: 15' WIDE TYPE "D" BUFFER
WEST: COM TO SFR: 15' WIDE TYPE C BUFFER WITH 8' HIGH WALL
SOUTH: COM TO SFR: 14' WIDE BUFFER WITH 8' HIGH WALL (SEE DEVIATION #3)

OPEN SPACE

MIN. REQUIRED: 14,500 SF X 20% = 2,900 SF
PROVIDED: 6,000 SF (BUFFERS AND DRY DETENTION AREAS)
= 6,000 SF (40%)

PARKING REQUIREMENTS

FOOD STORE:
REQUIRES: 1 SPACE PER 250 SF
2,240 SF / 250 SF = 9 SPACES
PROVIDED: 9 SPACES INCLUDING 1 HC SPACE

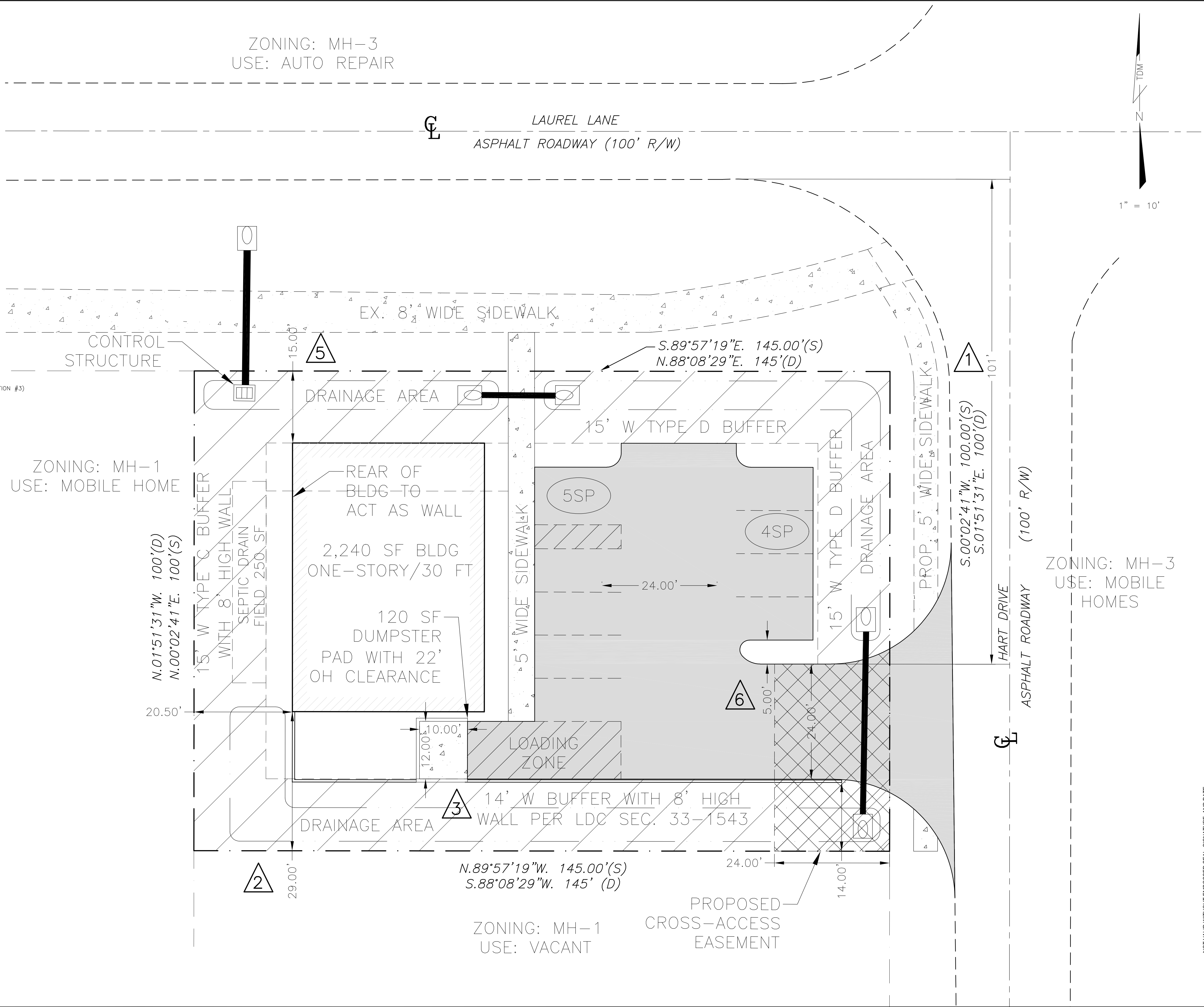
SOLID WASTE REQUIREMENTS

COMMERCIAL: 0 - 5,000 SF = 84 SF
REQUIRED: 2,000 SF = 84 SF
PROVIDED: 120 SF

LEGEND

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

ZONING: MH-3
USE: AUTO REPAIR

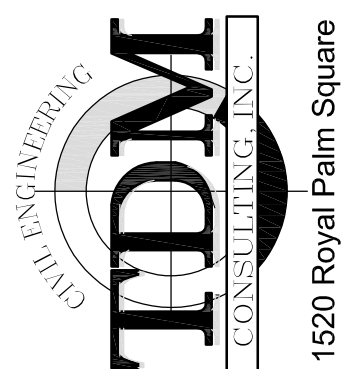


1" = 10'

2265 LAUREL LANE

MASTER CONCEPT PLAN

Civil Engineering
and
Planning



1520 Royal Palm Square
Boulevard, Suite 100
Phone: (239) 433-4231
Fax: (239) 433-9632
Cert. of Authorization # 29086

dean@tdmconsulting.com
www.tdmcivilengineering.com

Dean Martin, P.E.
Florida #52022
DATE: 04/2024

NOT VALID WITHOUT EMBOSSED SEAL SIGNATURE AND DATE.

SHEET #

1 of 1

SCALE: AS NOTED

BOUNDARY SURVEY OF
**LOT 1C, BLOCK 68,
SUNCOAST ESTATES,**
(UNRECORDED)
(INSTRUMENT# 2023000384237)
SECTION 25, TOWNSHIP 43 SOUTH, RANGE 24 EAST,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA

DESCRIPTION: (PER TITLE CERTIFICATION)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LEE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:
FROM THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 24 EAST, RUN NORTH 88 DEGREES 16'39" EAST ALONG THE SOUTH LINE OF SAID SECTION 25 A DISTANCE OF 2671.13 FEET; THENCE NORTH 1 DEGREES 51'31" WEST 3256.32 FEET; THENCE NORTH 88 DEGREES 08'29" EAST 305 FEET TO THE POINT OF BEGINNING, THENCE SOUTH 1 DEGREES 51'31" EAST 100 FEET; SOUTH 88 DEGREES 08'29" WEST 145 FEET; NORTH 1 DEGREES 51'31" WEST 100 FEET; NORTH 88 DEGREES 08'29" EAST 145 FEET TO THE POINT OF BEGINNING. BEING LOT 1-C, BLOCK 68 OF SUNCOAST ESTATES, AN UNRECORDED SUBDIVISION AS RECORDED IN OFFICIAL RECORDS BOOK 32, PAGE 524, LEE COUNTY RECORDS, AND LYING IN SECTION 25, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA.

CATCH BASIN
GRATE= 12.97
12"x18" RCP N. INVERT= 11.34
12"x18" RCP S. INVERT= 11.05
12"x18" RCP W. INVERT= 11.15

LEGEND:

●	SET 1/2" IRON ROD (CAP LB6921)	R.W.B.	RECLAIM WATER BOX
○	FOUND IRON ROD (I.R.)	W.M.	WATER METER
□	CONCRETE MONUMENT (C.M.)	D/H	OVERHEAD POWER
P.R.M.	PERMANENT REFERENCE MONUMENT	P.P.	POWER POLE
P.U.E.	PUBLIC UTILITY EASEMENT	G.A.&W.	GUY ANCHOR & WIRE
D.E.	DRAINAGE EASEMENT	T.S.B.	TELEPHONE SERVICE BOX
P.C.	POINT OF CURVATURE	N/D	NAIL & DISK
O.R.	OFFICIAL RECORDS BOOK	N/T.T.	NAIL & TINTAB
(S)	AS PER SURVEY	ELEV.	ELEVATION
(P)	AS PER PLAT	B.M.	BENCHMARK
(C)	COMPUTED	0.0	TYPICAL ELEVATION
(I)	CURVE NUMBER	A/C	AIR CONDITIONER
L.I.	LINE NUMBER	W.S.	WATER SYSTEM
R/W	RIGHT-OF-WAY	P.E.	POOL EQUIPMENT
CL	CENTERLINE	CMP	CORRUGATED METAL PIPE
F.O.P.	FIBER OPTICS POST	CONC.	CONCRETE
F.H.	FIRE HYDRANT	DRN	DRAINAGE ARROW
W.V.	WATER VALVE	RCP	REINFORCED CONCRETE PIPE
M.E.S.	MITER END SECTION	A.D.A.	AMERICAN DISABILITIES ACT
P.D.B.	POINT OF BEGINNING		

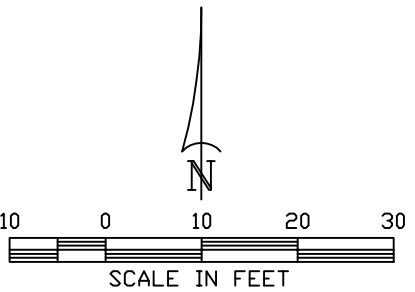
CATCH BASIN
GRATE= 12.93
12"x18" RCP N. INVERT= 11.00
12"x18" RCP S. INVERT= 11.15

SURVEY NOTES:

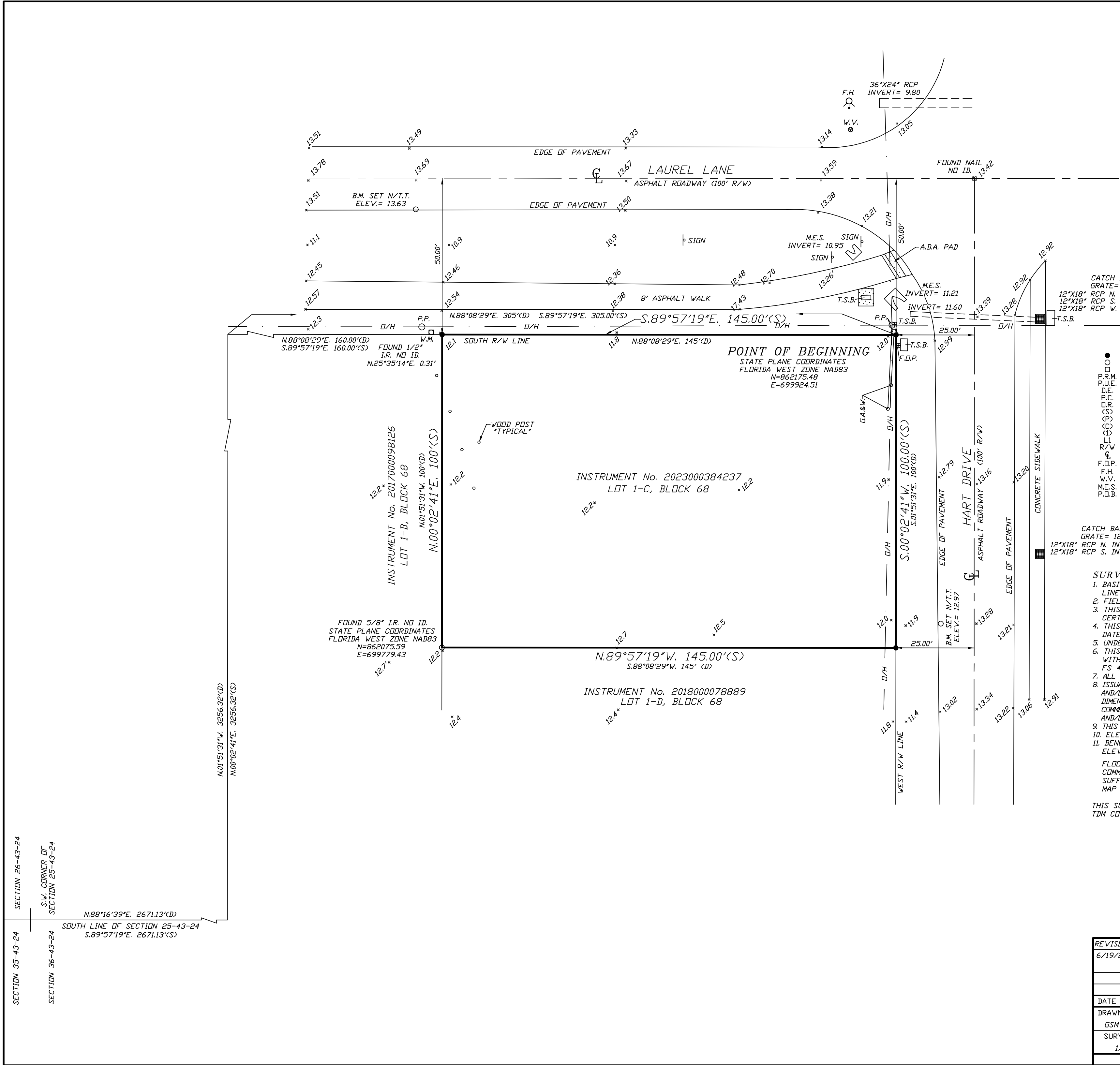
1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE SOUTH RIGHT-OF-WAY LINE OF LAUREL LANE, AS BEING S.89°57'19"E.
2. FIELD NOTES IN SUNCOAST ESTATES.
3. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
4. THIS SURVEY IS BASED ON TITLE CERTIFICATION BY PAVESE LAW FIRM DATED JANUARY 4, 2024.
5. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
6. 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; S-17.062, FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.
7. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
8. ISSUANCE OF THIS DRAWING, FROM THIS FIRM SHALL NOT RELIEVE THE BUILDER AND/OR CONTRACTORS OF THE RESPONSIBILITY TO REVIEW AND VERIFY ALL NOTES, DIMENSIONS, ELEVATIONS, AND ADHERENCE TO APPLICABLE BUILDING CODES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION. BUILDER MAY NEED TO ADJUST ELEVATION AND/OR SETBACKS PRIOR TO CONSTRUCTION IF OTHER RESTRICTIONS EXIST OR APPLY.
9. THIS SURVEY IS INTENDED TO BE VIEWED AS AN 18X24, 20 SCALE DRAWING.
10. ELEVATIONS ARE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988).
11. BENCHMARK DERIVED FROM NGS BENCHMARK NUMBER S 557, ELEVATION 7.95 NAVD 1988.

FLOOD ZONE: "AE" ELEVATION: 14.00' NAVD88
COMMUNITY No.: 125124 PANEL No.: 0278
SUFFIX --- G REVISION DATE: 11/17/22
MAP NUMBER: 12071C0278G

THIS SURVEY IS CERTIFIED TO:
TDM CONSULTING, INC.



REVISED:	DESCRIPTION:	BY:	Phillip M Mould, LS6515, State of Florida
6/19/24	PER TITLE CERTIFICATION	FBH	State of Florida
			PHILLIP M. MOULD PROFESSIONAL SURVEYOR AND MAPPER LS6515 - STATE OF FLORIDA
DATE OF LAST FIELD WORK: 1/22/24			
DRAWN:	CHECK:	SCALE:	PROJ. #
GSM	PMM	1"=20'	2265 LAUREL LN
SURVEY DATE	FILE NO.	SHT.- 1	HARRIS-JORGENSEN, LLC. 3048 DEL PRADO BLVD. S., SUITE 100 CAPE CORAL, FLORIDA 33904 PHONE: (239) 257-2624 FAX: (239) 257-2921
1/22/24	43-24-25	OF - 1	
FLORIDA CERTIFICATE OF AUTHORIZATION LB6921			





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

2265 Laurel Lane Utility Narrative

Lee County Utilities (LCU) provided a Letter of Availability confirming that potable water lines are located in proximity to the site. The Letter further states that a LCU permit will be required prior to beginning design work (at time of development order permitting). The development will connect to potable water.

Florida Governmental Utility Authority (FGUA) provided a Letter of Availability and Location Map indicating that the nearest available sanitary sewer lines are located approximately 0.50 miles south of the subject property on Zoysia Lane. Lee Plan Standard 4.1.2: Sewer requires any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day must connect to a sanitary sewer system or if the development is located within 1/4 mile of adequate infrastructure. The proposed commercial development is anticipated to generate no more than 250 gpd and is over one-quarter mile from adequate infrastructure. Therefore, the applicant will utilize an on-site septic system with drainfield for the small amount of effluent generated.

**Florida Governmental Utility Authority**

FGUA c/o Accenture
9400 Southpark Center Loop, Suite 400
Orlando, FL 32819
(877) 552-3482 Toll Free
(407) 629-6900 Tel

June 25, 2024

Dean Martin
TDM Consulting
43 Barkley Cir
Fort Myers, FL 33907E
dean@tdmconsulting.com

RE: Wastewater and Reclaim Water Availability – LOA ID#: 24-062 NFMD

Parcel ID No.: 25-43-24-03-00068.001C

2265 Laurel Ln, North Fort Myers, FL 33917

2265 Laurel Ln

Dear Mr. Martin:

The FGUA has received your Application for Service Availability, and upon review, it has been determined that wastewater disposal service is generally available to the address provided. The attached site map indicates the approximate size and location of the existing mains in the area. Please be advised that main extensions, connection to the reclaimed water system, and other system enhancements funded by the project sponsor may be required.

The application indicated that the proposed project consists of 2250 SF commercial building with an estimated wastewater disposal demand of 225 GPD. Currently, FGUA facilities are able to accommodate this demand. During the design process, if existing conditions warrant, a hydraulic analysis may need to be performed by the project engineer to evaluate the impacts the proposed project may have on the existing wastewater system.

This letter should not be construed as a commitment to serve, but only as a statement of the availability of service and is effective for twelve (12) months from the date of issue. The FGUA commitment to serve will be made once a Utility Infrastructure Conveyance and Service Agreement (CSA) is fully executed. To move this project forward, contact Development Services via email at devservices@fgua.com to receive a plan submittal package and schedule the pre-application meeting if required.

FGUA Board of Directors

PAM KEYES, P.E., Vice Chair, Lee County / KEN CHEEK, P.E., Citrus County / SHANE PARKER, P.E., Vice Chair, Hendry County / TAMARA RICHARDSON, P.E., Chair, Polk County / DAVID ALLEN, P.E., Pasco County / JODY KIRKMAN, P.E., Marion County/ HEIDI PETITO, Flagler County

Letter of Availability
Page 2 of 3

Sincerely,

FLORIDA GOVERNMENTAL UTILITY AUTHORITY



Digitally signed by Paul Arnett
Date: 2024.06.25 14:11:19 -04'00'

Paul Arnett
Development Services Coordinator

CC: Mike Currier, South Region Area Manager

Encl.

1. Pre-Development Meeting Information
2. Utility Locates
3. Fee Statement/Receipt

FGUA Board of Directors

PAM KEYES, P.E., Vice Chair, Lee County / KEN CHEEK, P.E., Citrus County / SHANE PARKER, P.E., Vice Chair, Hendry County / TAMARA RICHARDSON, P.E., Chair, Polk County / DAVID ALLEN, P.E., Pasco County / JODY KIRKMAN, P.E., Marion County / HEIDI PETITO, Flagler County



Development Services Division

Pre-Application Meeting Information

Purpose:

The pre-application meeting is designed to be an informative discussion, specifically geared toward assisting the applicant (owner/developer/engineer) understand the FGUA's policies and development process. The pre-application meeting may be required prior to the formal submission and review of any utility construction plans by the Development Division.

It is our goal to assist you through the FGUA development process as smoothly as possible, and for your development to be a success. This pre-application meeting, if required, will provide you with the details you need to make this a successful and stress-free process.

What to Expect:

If the meeting is required, you will be provided with a variety of both general and specific information regarding the FGUA's development process. This will include, but not be limited to staff contact information, plan review guidelines, current fees, conveyance, and closeout procedures.

Who Should Attend:

It is encouraged that a representative from the property owner, developer, and engineer, at a minimum, attend this meeting. Representatives of the FGUA's Development Division, including the Development Technician, Development Coordinator, Real Property Coordinator and utility system Area Manager will also be in attendance as required.

In an effort to accommodate the potential long-distance commute between the FGUA's Operations Office in Longwood, Florida and the FGUA system areas, these meetings will take place via Microsoft Teams.

Meeting Requests:

Please e-mail Development Services to request a meeting at devservices@fgua.com.

Please have your FGUA Letter of Availability (LOA) Number (included on the first page of your previously issued Letter of Availability) ready when you email to schedule this meeting.

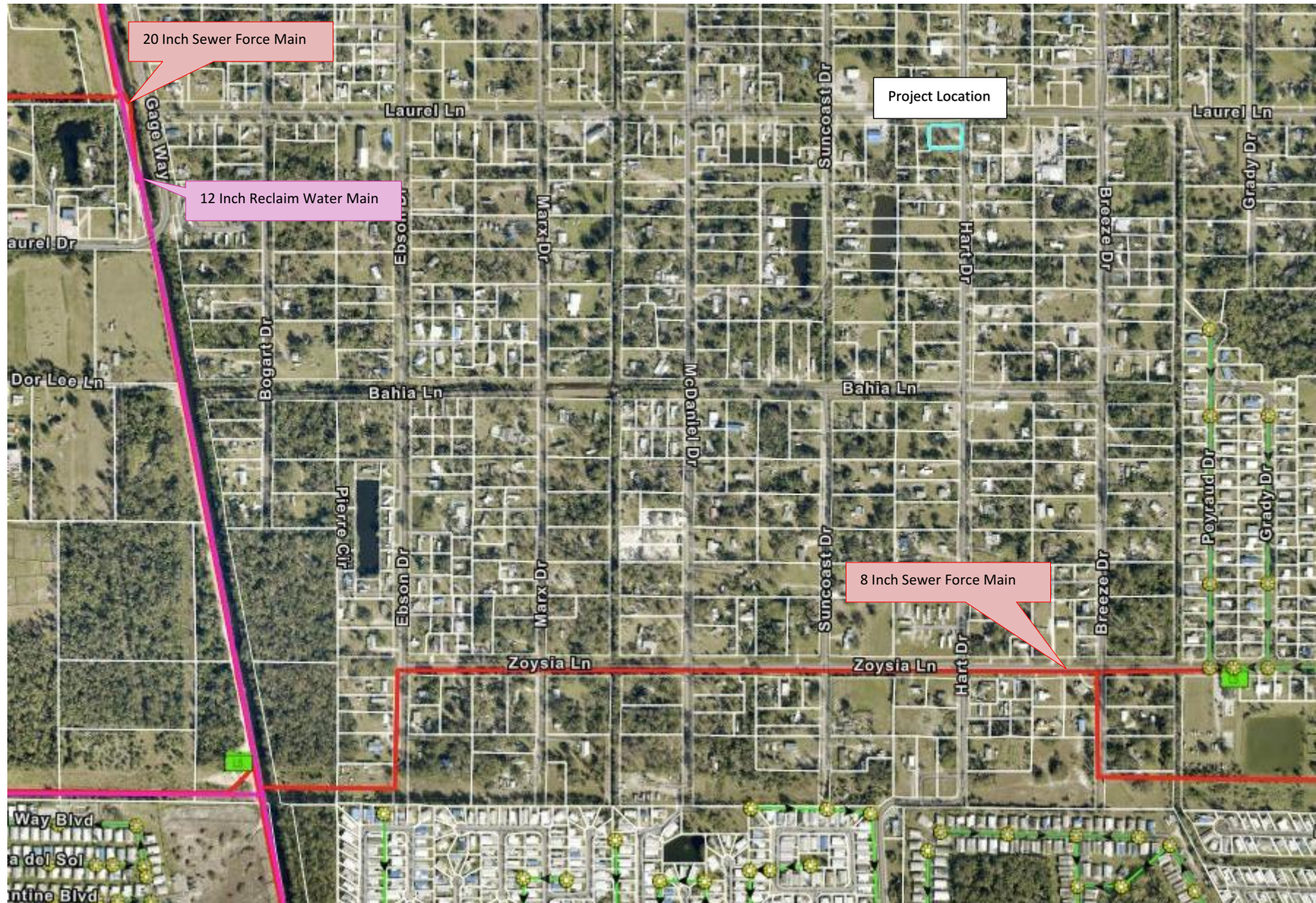
You will also be required to provide a preliminary site utility plan for staff review before the meeting is scheduled.

FGUA Board of Directors

PAM KEYES, P.E., Vice Chair, Lee County / KEN CHEEK, P.E., Citrus County / SHANE PARKER, P.E., Vice Chair, Hendry County / TAMARA RICHARDSON, P.E., Chair, Polk County / DAVID ALLEN, P.E., Pasco County / JODY KIRKMAN, P.E., Marion County / HEIDI PETITO, Flagler County

Project Name: 2265 Laurel Ln

Property Address: 2265 Laurel Ln, North Fort Myers, FL 33917



ALL UTILITY LOCATIONS SHOWN HERE ARE APPROXIMATE. THE DEVELOPER IS SOLELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS VIA POTHOLING OR OTHER ACCEPTABLE MEANS.



FGUA Fee Statement

Letter of Availability and/or Locate Request

Property Address or PID: 2265 Laurel Ln, North Fort Myers, FL 33917System: North Fort Myers 416Development/Project Name: 2265 Laurel LnDate: June 25, 2024County: LeeLOA ID: 24-062 NFMD

All fee amounts are based on the rates in effect as of the date of this statement and are subject to change.

Fees based on:

0 Letter of Utility Location Availability and Locate Map	\$	100.00
1 Utility Availability Map (Map Only)	\$	75.00
2 Letter of Utility Location Availability (Letter Only)	\$	25.00

FGUA	G/L Code	Fees	Total fees	Amount Paid	Balance Due
LOA Request	202098	\$ 100.00	\$ 100.00	\$ 100.00	\$ -

Fees Due: \$ -

<i>Payment History</i>	Date	Check Date	Check #	Payer Name	Amount
0 Letter and Locate Map	6/25/2024	6/20/2024	6499	TDM Consulting Inc	\$ 100.00
1 Map Only					
2 Letter Only					

ZONING TRAFFIC IMPACT STATEMENT FOR A PROPOSED CPD TO CPD EXPANSION OF USES

2265 Laurel Lane

PREPARED FOR:

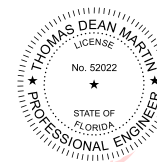
**Mr. Arif Ahmad, President
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1363 Maston Road
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PREPARED BY:



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Certificate of Authorization # 29086**

**April 2024
Revised June 2024**



Digitally signed
by Thomas D.
Martin
Date: 2024.06.26
14:20:38 -04'00'

This item has been digitally signed and sealed by Dean Martin, P.E. using a Digital Signature. Printed copies of this document are not considered signed and sealed and the authentication code must be verified on any electronic copies.

1. PURPOSE

OBJECTIVE

This report has been prepared in accordance with the Lee County Department of Community Development and the Lee County Land Development Code criteria as outlined in the Lee County Traffic Impact Statement Guidelines and the Lee County Turn Lane Policy for projects seeking Zoning approval. This report analyzes the anticipated traffic conditions of the proposed development in order to determine any adverse roadway impacts associated with the re-zoning of **2265 Laurel Lane.**

The subject parcel per the most recent Boundary Survey by Online Land Surveyors is 0.333 acres.

This Traffic Impact Statement is based on the assumption that the proposed facility will be completed in 2025.

2. SITE DESCRIPTION

SITE LOCATION

2265 Laurel Lane is a 0.333-acre project located east of North Tamiami Trail in Section 25, Township 45 South, Range 24 East, Lee County, Florida (see Exhibit 1). The applicant proposes to rezone the property from CPD (allowing lawn mower and small engine repair) to CPD (allowing neighborhood commercial uses - food store with carry-out, laundromat, small retail shop). For the purposes of re-zoning, the most intense use (convenience store) must be analyzed. The building size will be 2,240 square feet per the Master Concept Plan.

Access to the proposed development will be provided by one (1) proposed full-access driveway connection to Hart Drive.

3. OBSERVATIONS

3.1 TRIP GENERATION CALCULATIONS

Vehicular trips generated by the proposed CPD were calculated by using the equations provided by the Institute of Transportation Engineers, 11th Edition of the Trip Generation Manual, Land Use Code 851 (Convenience Store) using the average rates or the fitted curve equation shown in the tables.

Table 1. Raw Trip Generation – Proposed CPD (LUC 851)

<u>2,240 Square Feet of Gross Floor Area:</u>	
A.	Daily Vehicle Trip Ends, Weekday $T = 761.44 (2.240) + 2.27 = \mathbf{1,708 (854 \text{ entering, } 854 \text{ exiting})}$
B.	A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street) $T = 62.54 (2.240) = \mathbf{140 (70 \text{ entering, } 70 \text{ exiting})}$
C.	P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street) $T = 49.11 (2.240) = \mathbf{110 (56 \text{ entering, } 54 \text{ exiting})}$

Source: TDM, 2024

Table 1 above will be used for the requisite turn-lane analyses during the Development Order permitting process. However, not all the trips indicated in Table 1 above will be new trips to the adjacent roadway system. Vehicles already traveling the adjoining roadway system, called “pass-by” traffic, reduce the development’s overall impact on the surrounding roadway system but do not decrease the actual driveway volumes. Per the Institute of Traffic Engineers, 3rd Edition of the Trip Generation Handbook (Page 198), 51% of the traffic from Table 1 above is assumed to be pass-by traffic. Table 2 below accounts for the project’s “pass-by” trips.

Table 2. Raw Trip Generation – Proposed CPD with Pass-By

<u>Table 1 x 0.49:</u>	
A.	Daily Vehicle Trip Ends, Weekday $T = 1,708 \times 0.49 = \mathbf{837 (418 \text{ entering, } 417 \text{ exiting})}$
B.	A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street) $T = 140 \times 0.49 = \mathbf{69 (34 \text{ entering, } 35 \text{ exiting})}$
C.	P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)

$$T = 110 \times 0.49 = \mathbf{54 \text{ (28 entering, 26 exiting)}}$$

Source: TDM, 2024

Based on this, the development will be analyzed using the criteria established for developments generating less than one hundred (100) vehicle trips during the peak hour as outlined in the Lee County Traffic Impact Guidelines for re-zonings.

Table 2 above will be used for the requisite concurrency analysis.

Just as a comparison, the following data is also included in this TIS but is not analyzed further.

There is no data for this use (lawn mower and small engine repair) in the ITE Manuals; therefore, a similar use must be used. Vehicular trips generated by the existing CPD were calculated by using the equations provided by the Institute of Transportation Engineers, 11th Edition of the Trip Generation Manual, Land Use Code 943 (Automobile Parts and Service Center) using the average rates shown in the tables.

Table 3. Raw Trip Generation – Existing CPD (LUC 943)

2,240 Square Feet of Gross Floor Area:

- A. Daily Vehicle Trip Ends, Weekday
 $T = 16.60 (2.240) = \mathbf{37 \text{ (18 entering, 19 exiting)}}$
- B. A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)
 $T = 1.91 (2.240) = \mathbf{4 \text{ (3 entering, 1 exiting)}}$
- C. P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)
 $T = 2.06 (2.240) = \mathbf{5 \text{ (2 entering, 3 exiting)}}$

Source: TDM, 2024

Table 4. Raw Trip Generation – Increase Due to Rezoning

Table 2 - Table 3:

- A. Daily Vehicle Trip Ends, Weekday
 $T = 837 - 37 = \mathbf{804 \text{ (402 entering, 402 exiting)}}$
- B. A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)
 $T = 69 - 4 = \mathbf{65 \text{ (31 entering, 34 exiting)}}$
- C. P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)
 $T = 54 - 5 = \mathbf{49 \text{ (26 entering, 23 exiting)}}$

Source: TDM, 2024

3.2 TRIP DISTRIBUTION

As previously stated herein, access to the proposed development will be provided by one (1) proposed full-access driveway connection to Hart Drive.

Because Hart Drive accesses Laurel Lane to the north (which in turn directly accesses North Tamiami Trail to the west) and Bayshore Road to the south, it is assumed herein that 50% of traffic will enter and exit the proposed development from/to the north while the remaining 50% of traffic will enter and exit the proposed development from/to the south.

3.3 EXISTING TRAFFIC CONDITIONS

Laurel Lane is a nearby collector road being indirectly accessed. It is assumed herein that traffic on Laurel Lane near the proposed development heads west 98% of the time and east 2% of the time.

Laurel Lane is classified by the Lee County Comprehensive Plan as a two-lane undivided County-maintained major collector street. The posted speed limit is thirty (30) miles per hour. Per the 2023 Lee County Concurrency Report, it has an existing “C” Level of Service near the proposed development with a 2022 peak direction of flow volume of three hundred ninety-three (393) vehicles per hour, a Performance Standard “E” Level of Service, and a Performance Standard Capacity of eight hundred sixty (860) vehicles per hour.

Hart Drive is a nearby collector road being directly accessed. It is assumed herein that traffic on Hart Drive near the proposed development heads south 98% of the time and north 2% of the time.

Hart Drive is classified by the Lee County Comprehensive Plan as a two-lane undivided County-maintained minor collector street. The posted speed limit is thirty (30) miles per hour. Per the 2023 Lee County Concurrency Report, it has an existing “C” Level of Service near the proposed development with a 2022 peak direction of flow volume of three hundred twenty-seven (327) vehicles per hour, a Performance Standard “E” Level of Service, and a Performance Standard Capacity of eight hundred sixty (860) vehicles per hour.

The Hart Drive intersection with Laurel Lane is full-access and is controlled via a 4-way stop.

3.4 LEVEL OF SERVICE ANALYSIS (LAUREL LANE)

The proposed development will not introduce a significant increase in traffic flows and will not degrade the Level of Service of Laurel Lane during the peak season following the build-out year below the Performance Standard Level of Service (see attached 100th Highest Hour Level of Service Calculation).

3.5 LEVEL OF SERVICE ANALYSIS (HART DRIVE)

The proposed development will not introduce a significant increase in traffic flows and will not degrade the Level of Service of Hart Drive during the peak season following the build-out year below the Performance Standard Level of Service (see attached 100th Highest Hour Level of Service Calculation).

100TH HIGHEST HOUR LEVEL OF SERVICE CALCULATION LAUREL LANE

ENGINEER: TDM Consulting, Inc.
Dean Martin, P.E.

DATE: June 25, 2024

PROJECT NAME: 2265 Laurel Lane

PROJECT LOCATION: SW C/O Laurel and Hart

PERMANENT COUNTING STATION NUMBER: N/A

100TH HOUR V.P.H.

(Year & Rate) = 2022 393

YEAR FOLLOWING PROJECT CONSTRUCTION: 2026

ADJUSTMENT FACTOR =

Count & Yr_{min}

N/A N/A

Count & Yr_{max}

N/A N/A

Adjustment Factor = (N/A / N/A #####)⁴ 1.000

ADJUSTED 100TH HOUR V.P.H. = 393 x 1.000 393

EXISTING LEVEL OF SERVICE = C

PROJECT V.P.H. = 34 (A.M. Exiting) x 98% x 50%
(West-Bound)

17

TOTAL V.P.H. = 393 + 17 410

LEVEL OF SERVICE = C

COMMENTS: Projection to Build-Out is not Required

100TH HIGHEST HOUR LEVEL OF SERVICE CALCULATION HART DRIVE

ENGINEER: TDM Consulting, Inc.
Dean Martin, P.E.

DATE: June 25, 2024

PROJECT NAME: 2265 Laurel Lane

PROJECT LOCATION: SW C/O Laurel and Hart

PERMANENT COUNTING STATION NUMBER: N/A

100TH HOUR V.P.H.

(Year & Rate) = 2022 327

YEAR FOLLOWING PROJECT CONSTRUCTION: 2026

ADJUSTMENT FACTOR =

Count & Yr_{min}

N/A N/A

Count & Yr_{max}

N/A N/A

Adjustment Factor = (N/A / N/A #####)⁴ 1.000

ADJUSTED 100TH HOUR V.P.H. = 327 x 1.000 327

EXISTING LEVEL OF SERVICE = C

PROJECT V.P.H. = 34 (A.M. Exiting) x 98% x 50%
(South-Bound)

17

TOTAL V.P.H. = 327 + 17 344

LEVEL OF SERVICE = C

COMMENTS: Projection to Build-Out is not Required



SOURCE: TDM, 04/24

