



Civil Engineers • Land Surveyors • Planners • Landscape Architects

August 7, 2024

Khalil Muhammad, Planner
Lee County Community Development Department
1500 Monroe Street
Fort Myers, FL 33901

RE: 7-Eleven Island Park Shopping Center Special Exception – Submittal 2

Dear Mr. Muhammad:

Zoning Review

1. Narrative (Request Statement)

- a. Please revise the code reference of "34-203(e)1" as that is not a code section in the Lee County Land Development Code.

RESPONSE:

The reference has been corrected, the updated narrative is included with submittal 2.

- b. Analyze Lee Plan Policies 4.1.1 and 4.1.2

RESPONSE:

The narrative has been revised to analyze Lee Plan Policies 4.1.1 and 4.1.2 and is included with submittal 2.

Environmental Review

1. The administrative variance request document must be revised to include the previous administrative variances. The subject ADD will supersede the previous approved ADD along with the site plan.

RESPONSE:

As requested, the administrative requests under ADD2024-00111 were adjusted to provide applicable previous deviations. Therefore, as requested ADD2024-00111 will be able to supersede the previously approved ADD2022-00103.

2. Revise the site plan to note the location of each administrative variance being requested with the new site plan.

RESPONSE:

As requested, please see attached updated site plan exhibit which shows the locations of the administrative requests that are on associated ADD2024-00111.

Utilities

1. Stipulated comment:

Lee County Community Development Department

RE: 7-Eleven Pine Island Shopping Center Special Exception – Submittal 2

August 7, 2024

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- a. The Forest Utilities Letter of Availability was only good until June 2023. Please request a revised letter.

RESPONSE:

An updated letter is included with submittal 2.

Legal

1. Sec. 34-202(a). Submittal requirements for applications requiring public hearing.
 - a. Please provide a boundary survey of the subject property in accordance with the requirements of Lee County LDC §34-202(a)(6). No boundary survey was submitted.

RESPONSE:

An updated boundary survey is provided with submittal 2.

- b. Please provide a title certification for the property subject to zoning approval in accordance with the requirements of Lee County LDC §34- 202(a)(7). No title certification was submitted.

RESPONSE:

An updated title certification is provided with submittal 2.

Lee Tran

1. Courtesy Comment
 - a. According to the Lee County Land Development Code, the proposed development is located within one-quarter mile of a LeeTran fixed-route corridor, with the nearest bus stop being #11563, along S Tamiami Trail. The developer will be required to make the required improvements LDC 10-442 (a)(1) at the time of local development order. In this case, there is already an 8-foot x 30-foot landing pad and connection to the existing sidewalk. Therefore, the developer is only required to install a single loop bicycle storage rack. It is important to note that these requirements will be reassessed at the time of DO/LDO.

RESPONSE:

Acknowledged.

DOT

1. Courtesy Comment
 - a. The access on US-41 is subject to FDOT approval.

RESPONSE:

Acknowledged.

TIS

1. The trips shown in the LOS analysis are inconsistent with the existing trips in the distribution exhibits for Island Park Rd and US-41. The highest directional (one-way volume) must be used. Please revise accordingly.

Lee County Community Development Department
RE: 7-Eleven Pine Island Shopping Center Special Exception – Submittal 2
August 7, 2024
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RESPONSE:

This item has been resolved per a July 11, 2024 email with Jim Banks from JMB Transportation Engineering, Inc.

2. Courtesy Comment
 - a. Determination of whether additional turn lanes are warranted and required turn lane dimensions will be determined at the time of DO.

RESPONSE:

Acknowledged.

Planning

1. Analyze Lee Plan Policy 101.1.1 and Objective 101.3.

RESPONSE:

The request statement has been revised to include the above referenced policies.

Development Services

1. Courtesy Comment
 - a. Please ensure that the Site Plan submitted as part of this approval is consistent with the Site Plan submitted as part of the Development Order (DOS2023-00078).

RESPONSE:

Acknowledged.

Please feel free to contact me if you have any questions.

Sincerely,



D. Wayne Arnold, AICP

Cc: Creighton Companies, LLC
GradyMinor File (CC71141IP)

(AS TAKEN FROM TITLE OPINION LETTER)

BEGINNING AT THE EASTERLY MOST CORNER OF LAND DESCRIBED IN INSTRUMENT NUMBER 2018000171817, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE ALONG THE SOUTH LINE OF SAID LANDS AND THE EXTENSION THEREOF SOUTH 58°02'00" WEST, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE WEST LINE OF SAID LANDS WITH THE SOUTHEAST RIGHT-OF-WAY OF ISLAND PARK ROAD; THENCE ALONG SAID SOUTHEAST RIGHT-OF-WAY NORTH 58°22'42" EAST, A DISTANCE OF 255.64 FEET TO A POINT ON A NON TANGENTIAL CURVE TO THE RIGHT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY EASTERN 39.27 DEGREES 15' 00" NORTH 100.00 FEET TO THE CENTER OF A CURVE OF 25.00 FEET, CENTRAL ANGLE OF 90°00'22" (CHORD BEARING SOUTH 76°37'07" EAST, A DISTANCE OF 35.36 FEET) TO AN INTERSECTION WITH THE SOUTHWEST RIGHT-OF-WAY OF U.S. 41 (TAMiami TRAIL); THENCE ALONG SAID SOUTHWEST RIGHT-OF-WAY SOUTH 31°37'18" EAST, A DISTANCE OF 236.62 FEET TO A POINT ON A NON TANGENTIAL CURVE TO THE LEFT; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY SOUTH 31°37'18" EAST, A DISTANCE OF 236.62 FEET TO THE CENTER OF A CURVE OF 25.00 FEET, CENTRAL ANGLE OF 90°00'22" (CHORD BEARING SOUTH 31°44'18" EAST, A DISTANCE OF 24.85 FEET) TO THE POINT OF BEGINNING.

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE STATE PLANE COORDINATE SYSTEM ESTABLISHED BY THE NATIONAL GEOGRAPHIC SURVEY FOR FLORIDA WEST-ZONE, 1983 DATUM WITH 2011 ADJUSTMENT OBTAINED UTILIZING RTK GPS SURVEYS ON THE CERTIFICATE OF TITLE AND REFER TO THE SOUTHEAST CORNER OF THE RIGHT-OF-WAY LINE OF ISLAND PARK RD, LEE COUNTY, FLORIDA AS BEING N 58°22'42" E.
2. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF A TITLE OPINION LETTER PREPARED BY JOSEPH COVELLI OF JOHNSON, POPE, BOKOR, RUPPEL & BURNS, LLP, DATED JULY 29, 2024 AND MAY BE SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD. ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
3. THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE AE, HAVING A BASE FLOOD ELEVATION OF 11.0' (NAVOD88), PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP # 12071C 0438 H, DATED 11/17/2022.
4. CERTAIN FEATURES REPRESENTED BY SYMBOLS MAY NOT BE SHOWN AT THEIR TRUE LOCATION AND/OR SCALE IN ORDER TO BE ABLE TO DEPICT THEM ON THIS MAP.
5. DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.
6. THIS SURVEY DOES NOT ADDRESS ANY ENVIRONMENTAL CONCERNS, ENDANGERED WILDLIFE OR JURISDICTIONAL WETLANDS, IF ANY, EXCEPT AS SHOWN ON THIS SURVEY.
7. THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.
8. THIS SURVEY IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OR THE DIGITAL SIGNATURE AND DIGITAL SEAL OF A LICENSED FLORIDA SURVEYOR AND ANY ADDITIONS OR DELETIONS TO THIS SURVEY MAP ARE PERMITTED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE SIGNED PARTY.
9. UNLESS OTHERWISE NOTED, BELOW GROUND UTILITIES AND FOUNDATIONS WERE NOT LOCATED FOR THE PURPOSES OF THIS SURVEY.
10. BY SIGNING BELOW I CERTIFY THAT THIS SURVEY WAS MADE UNDER MY DIRECTION AND THAT IT MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17.051, F.A.C., PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.
11. THE UTILITY MARKINGS SHOWN HEREON WERE PROVIDED BY SUNSHINE STATE ONE CALL. SEE WWW.CALLSUNSHINE.COM FOR MORE DETAILS
12. OWNERSHIP INFORMATION SHOWN HEREON WAS TAKEN FROM THE LEE COUNTY PROPERTY APPRAISER WEBSITE ON 6/7/2023.
13. SURVEYED PARCEL CONTAINS 1.84 ACRES, MORE OR LESS.



PER TITLE OPINION LETTER PREPARED BY JOSEPH COVELLI OF JOHNSON, POPE,
BOKOR, RUPPEL & BURNS, LLP, DATED JULY 29, 2024.

ITEMS 1-10 ARE NOT SURVEY RELATED.

11. STANDARD EASEMENT AGREEMENT GRANTED TO SOUTH FLORIDA CABLE TELEVISION CORP RECORDED IN OR BOOK 1723, PAGE 3384. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)
12. MEMORANDUM OF LEASE BETWEEN ISLAND PARK ASSOCIATES, A FLORIDA LIMITED PARTNERSHIP, LANDLORD AND PUBLIC SUPER MARKETS, INC., A FLORIDA CORPORATION RECORDED IN OFFICIAL RECORDS BOOK 1786, PAGE 3066. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)
13. RIGHT OF WAY EASEMENT GRANTED TO UNITED TELEPHONE COMPANY OF FLORIDA RECORDED IN OFFICIAL RECORDS BOOK 1816, PAGE 4217. (DESCRIPTION REFERENCES A BURIED CABLE LINE WHICH IS UNKNOWN, NOT SHOWN HEREON)
14. FORTY FOOT EASEMENT GRANTED TO THE COUNTY OF LEE, STATE OF FLORIDA, FOR RIGHT OF WAY PURPOSES AS INCLUDED IN GENERAL WARRANTY DEED BETWEEN ISLAND PARK ASSOCIATES, LTD AND ISLAND PARK REALTY ASSOCIATES, LIMITED PARTNERSHIP RECORDED IN OFFICIAL RECORDS BOOK 1843, PAGE 1001. (AFFECTS SUBJECT PARCEL, DESCRIPTION IN DOCUMENT IS BLANKET IN NATURE, NOT SHOWN HEREON. LIMITS OF 40 FOOT EASEMENT FOR RIGHT-OF-WAY PURPOSES IS UNKNOWN, NOT SHOWN HEREON.)
15. NOTICE OF DEVELOPMENT ORDER RECORDED IN OFFICIAL RECORDS BOOK 1849, PAGE 4328. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)
16. EXCLUSIVE AND PERPETUAL PIPELINE EASEMENT GRANT BETWEEN ISLAND PARK ASSOCIATION AND FOREST UTILITIES, INC RECORDED IN OFFICIAL RECORDS BOOK 1852, PAGE 1325. (AFFECTS SUBJECT PARCEL, SHOWN HEREON)
17. RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA RECORDED IN OFFICIAL RECORDS BOOK 1869, PAGE 3950 AS CORRECTED IN OFFICIAL RECORDS BOOK 1903, PAGE 445. (DOES NOT AFFECT SUBJECT PARCEL, NOT SHOWN HEREON)
18. LEE COUNTY ORDINANCE NO. 86-14 RELATING TO GARBAGE AND SOLID WASTE COLLECTION RECORDED IN OFFICIAL RECORDS BOOK 2189, PAGE 3281. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)
19. DECLARATION OF EASEMENTS AND OUTPARCEL COVENANTS BY ISLAND PARK, LLC RECORDED IN OFFICIAL RECORDS INSTRUMENT #2007000128695 AS AMENDED BY FIRST AMENDMENT TO DECLARATION OF EASEMENTS AND OUTPARCEL COVENANTS RECORDED IN OFFICIAL RECORDS BOOK 2011000033301. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)
20. EASEMENT GRANTED TO FLORIDA POWER & LIGHT COMPANY RECORDED IN OFFICIAL RECORDS INSTRUMENT #2009000260938. (DOES NOT AFFECT SUBJECT PARCEL, NOT SHOWN HEREON)
21. RIGHT OF WAY MONUMENTATION MAP, STATE ROAD 45 - STATE PROJECT NO. 12010 - 2541 RECORDED AS OFFICIAL RECORD INSTRUMENT NO. 2014000028042. (DOES NOT AFFECT SUBJECT PARCEL, MAP SHOWS RIGHT-OF-WAY OF US 41 ALONG THE SURVEYED PARCEL.)
22. GRANT OF PERPETUAL PUBLIC UTILITY EASEMENT TO LEE COUNTY RECORDED AS OFFICIAL RECORD INSTRUMENT NO. 2015000261675. (DOES NOT AFFECT SUBJECT PARCEL, NOT SHOWN HEREON)
23. NOTICE OF TYPE E LIMITED DEVELOPMENT ORDER APPROVAL RECORDED IN OFFICIAL RECORDS INSTRUMENT #2023000040853. (AFFECTS SUBJECT PARCEL, BLANKET IN NATURE, NOT SHOWN HEREON)

7-ELEVEN, INC.
RLR1, LLC, AN OHIO LIMITED LIABILITY COMPANY
SUTTON LAND TITLE AGENCY, LLC
JOHNSON, POPE, BOKOR, RUPPEL & BURNS, LLP

Timothy John De Vries
License No. 12345
State of Florida
Mechanical Engineering

Digitally signed by
Timothy Jon DeVries, P.S.M
Date: 2024.08.05 10:29:04
-04'00'

TIMOTHY J. DEVRIES
P.S.M #6758, FOR

DATE _____

CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	25.00'	39.27'	90°00'22"	S 76°37'07" E	35.36'
C2	5797.58'	24.85'	0°14'44"	S 31°44'18" E	24.85'

REVISION: 08/05/2024 REVIEW TITLE OPINION LETTER
REVISION: 08/08/2023 REVIEW TITLE OPINION LETTER

 GradyMinor

Civil Engineers
Cert. of Auth. EB 0005151

Land Surveyors
Cert. of Auth. LB 0005151

Planners

Landscape Architects
Business LC 26000266

Bonita Springs: 239.947.1144

www.GradyMinor.com

Fort Myers: 239.690.4380

DRAWN BY:	AH
CHECKED BY:	TJD
JOB CODE:	CC71141IFR
SCALE:	1" = 20'
DATE:	08/05/2024
FILE:	21-126-ALTA-4.DWG
SHEET:	1 of 1

ALTA / NSPS LAND TITLE SURVEY

16510 S TAMIAMI TRL
FORT MYERS, FL 33908

LYING IN
SECTION 1, TOWNSHIP 46 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA



**JOHNSON
POPE**
BOKOR
RUPPEL &
BURNS, LLP

COUNSELORS AT LAW

Truist Place
401 East Jackson Street, Suite 3100
Tampa, Florida 33602

Telephone (813) 225-2500
Fax (813) 223-7118

TAMPA ■ CLEARWATER ■ ST. PETERSBURG

Joseph P. Covelli

July 29, 2024

Lee County, Florida
Attention: Rick Burris, AICP
Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

Re: Opinion of Title for 7-Eleven Store #42251
Client-Matter No. 071716.159273

Dear Mr. Burris:

We have reviewed that certain Property Information Report, Order No.: 11893457 (the "Property Report"), prepared by Fidelity National Title Insurance Company, covering the period from July 15, 1994 through July 15, 2024 at 5:00 p.m. (the "Effective Date") regarding certain real property situated in Lee County, Florida, described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property").

Based solely on our review of the Property Report and no other documentation or information, we are of the opinion that, as of the Effective Date, fee simple title to the Property is vested in RLR1, L.L.C., an Ohio limited liability company, by virtue of that certain Special Warranty Deed recorded in Official Records Instrument #2012000185726 and Special Warranty Deed recorded in Official Records Instrument #2018000171817 and Quit Claim Deeds recorded in Official Records Instrument #2023000057381, #2023000057382, #2023000057383 and 2023000162061, all of the Public Records of Lee County, Florida, and that title to the Property is held in fee simple subject to the following:

1. Any rights, interests, or claims of parties in possession of the Property not shown by the public records or disclosed in the Property Report.
2. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Property.
3. Any lien, for services, labor, or materials in connection with improvements, repairs or renovations provided before, on, or after the Effective Date, not shown by the public records.

Lee County, Florida

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4. Any action by any municipal or governmental agency (heretofore or hereafter taken) for the purpose of regulating the use, occupancy or zoning of the Property or of any building or structure thereon.
5. Any unrecorded easements presently existing upon the Property.
6. Any security interests that are encumbrances against the Property under the provisions of Chapter 679 of the Uniform Commercial Code, Florida Statutes or provisions of any other state's uniform commercial code applicable to the Property.
7. Any dispute as to the boundaries caused by a change in the location of any water body within or adjacent to the Property prior to Effective Date, and any adverse claim to all or part of the land that is, as of the Effective Dates, or was previously under water.
8. Riparian and/or littoral rights, if any.
9. Taxes or special assessments not shown as liens in the public records or in the records of the local tax collecting authority.
10. Taxes and assessments for the year 2024 and subsequent years, which are not yet due and payable.

NOTE: Taxes for the year 2023 are PAID in the gross amount of \$10,699.46 for Tax Parcel Number: 01-46-24-00-00007.002A.

11. Standard Easement Agreement granted to South Florida Cable Television Corp recorded in OR Book 1723, page 3384.
12. Memorandum of Lease between Island Park Associates, a Florida limited partnership, Landlord and Publix Super Markets, Inc., a Florida corporation recorded in Official Records Book 1786, page 3066.
13. Right of Way Easement granted to United Telephone Company of Florida recorded in Official Records Book 1816, page 4217.
14. Forty Foot easement granted to the County of Lee, State of Florida, for right of way purposes as included in General Warranty Deed between Island Park Associates, Ltd and Island Park Realty Associates Limited Partnership recorded in Official Records Book 1843, page 1001.
15. Notice of Development Order recorded in Official Records Book 1849, page 4328.
16. Exclusive and Perpetual Pipeline Easement grant between Island Park Association and Forest Utilities, Inc recorded in Official Records Book 1852, page 1325.

Lee County, Florida

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17. Resolution of the Board of County Commissioners of Lee County, Florida recorded in Official Records Book 1869, page 3950 as corrected in Official Records Book 1903, page 445.
18. Lee County Ordinance No. 86-14 relating to Garbage and Solid Waste Collection recorded in Official Records Book 2189, page 3281.
19. Declaration of Easements and Outparcel Covenants by Island Park, LLC recorded in Official Records Instrument #2007000128695 as amended by First Amendment to Declaration of Easements and Outparcel Covenants recorded in Official Records Book 2011000033301.
20. Easement granted to Florida Power & Light Company recorded in Official Records Instrument #2009000260938.
21. Right of Way Monumentation Map, State Road 45 - State Project No. 12010-2541 recorded as Official Record Instrument No. 2014000028042.
22. Grant of Perpetual Public Utility Easement to Lee County recorded as Official Record Instrument No. 2015000261675.
23. Notice of Type E Limited Development Order Approval recorded in Official Records Instrument #2023000040853.

NOTE: All recording information contained herein refers to the records of the Lee County Clerk of Circuit Court's Office.

Please contact me if you have any questions.

Sincerely,

**JOHNSON, POPE, BOKOR, RUPPEL &
BURNS, LLP**



Joseph Covelli

Lee County, Florida
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EXHIBIT "A"

TO THAT CERTAIN OPINION OF TITLE FOR 7-ELEVEN STORE #42251

DATED JULY 29, 2024

LEGAL DESCRIPTION OF THE PROPERTY

A Tract or Parcel of land situated in the State of Florida, County of Lee, being a portion of the North 880 feet of the East 1/2 of the Southeast 1/4 of Section 1, Township 46 South, Range 24 East, and further described as follows:

Commence at the intersection of the South line of said fraction of a Section with the Southwesterly right of way line of U.S. 41 (S.R. 45 - Tamiami Trail - 200 feet wide), said intersection being a curve concave to the Northeast, having for its elements a radius of 5797.58 feet, a central angle of 06°01'09", a chord distance of 608.77 feet, an arc distance of 609.05 feet, and a chord bearing of N 34°47'19" W and to which intersection a radial line bears S 52°12'07" W to the Point of Beginning of Outparcel; thence S 58°13'16" W, a distance of 151.49 feet; thence N 31°40'39" W, a distance of 287.11 feet to a point on the Southerly right of way line of Island Park Road, also being the Northerly line of Outparcel; thence along said right of way line N 58°27'38" E, a distance of 127.13 feet to a point of curvature of a tangent circular curve concave to the South having for its elements a radius of 25.00 feet, a central angle of 90°00'22", a chord distance of 35.36 feet, an arc distance of 39.27 feet, and a chord bearing of S 76°32'11" E; thence along said Westerly right of way line of U.S. 41 (S.R. 45 - Tamiami Trail - 200 feet wide), S 31°32'22" E, a distance of 236.62 feet to a point of curvature of a tangent circular curve on said right of way concave to the Northeast and having for its elements a radius of 5797.58 feet, a central angle of 00°14'44", a chord distance of 24.85 feet, an arc distance of 24.85 feet and a chord bearing of S 31°39'22" E to the Point of Beginning.

AND a portion of the following:

The North 880 feet of the East 1/2 of the Southeast 1/4 of Section 1, Township 46 South, Range 24 East, lying West of U.S. 41 and South and East of Island Park Road, Lee County, Florida.

ALSO DESCRIBED AS:

A Tract or Parcel of land situated in the State of Florida, County of Lee, being a part of the North 880.00 feet of the East 1/2 of the Southeast 1/4 of Section 1, Township 46 South, Range 24 East, and further described as follows: Commence at the intersection of the South line of said fraction of a section with the Southwesterly right-of-way line of U.S. 41 (S.R. 45 - Tamiami Trail - 200 feet wide), said intersection being on a curve concave to the Northeast having a radius of 5,797.58 feet and to which intersection a radial line bears South 52°12'07" West; thence South 89°10'31" West for 1052.18 feet to the East right-of-way of Island Park Road; thence along said East right-of-way, North 00°24'12" West for 360.52 feet to a point of curvature; thence continue

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along said right-of-way, Northerly and Northeasterly 102.74 feet along the arc of a tangent curve concave to the Southeast, having for its elements a radius of 100.00 feet, a central angle of $58^{\circ}51'50''$, a chord distance of 98.28 feet and a chord bearing of North $29^{\circ}01'43''$ East to a point of tangency; thence continue along said right-of-way, North $58^{\circ}27'38''$ East for 573.01 feet to a point of curvature; thence continue along said right-of-way, Easterly and Southeasterly, 39.27 feet along the arc of a tangent curve concave to the South, having for its elements a radius of 25.00 feet, a central angle of $90^{\circ}00'22''$, a chord distance of 35.36 feet and a chord bearing of South $76^{\circ}32'11''$ East to a point on the Westerly right-of-way of U.S. 41 (S.R. 45 - Tamiami Trail - 200 feet wide); thence along said right-of-way, South $31^{\circ}32'22''$ East, 236.62 feet to a point of curvature; thence continue along said U.S. 41 right-of-way, Southeasterly 633.91 feet along the arc of a tangent curve concave to the Northeast, having for its elements a radius of 5797.58 feet, a central angle of $06^{\circ}15'53''$, a chord distance of 633.59 feet and a chord bearing of South $34^{\circ}39'57''$ East to the Point of Beginning.

LESS AND EXCEPTING THEREFROM the following described land:

Point of Commencement at the intersection of the South line of said fraction of a Section with the Southwesterly right-of-way line of U.S. 41 (S.R. 45 Tamiami Trail - 200 feet wide), said intersection being a curve concave to the Northeast, having for its elements a radius of 5797.58 feet, a central angle of $06^{\circ}01'09''$, a chord distance of 608.77 feet, an arc distance of 609.05 feet, and a chord bearing of $34^{\circ}47'19''$ W and to which intersection a radial line bears S. $52^{\circ}12'07''$ W to the Point of Beginning of Outparcel; thence S. $58^{\circ}13'16''$ W, a distance of 151.49 feet thence N $31^{\circ}40'39''$ W, a distance of 287.11 feet to a point Southerly right-of-way line of Island Park Road, also being the Northerly line of Outparcel; thence along said right-of-way line N. $58^{\circ}27'38''$ E, a distance of 127.13 feet to a point of curvature of a tangent circular curve concave to the South having for its elements a radius of 25.00 feet a central angle $90^{\circ}00'22''$, a chord distance of 35.36 feet, an arc distance of 39.27 feet, and a chord bearing of S. $76^{\circ}32'11''$ E; thence along said Westerly right-of-way line of U.S. 41 (S.R. 45 - Tamiami Trail - 200 feet wide), S. $31^{\circ}32'22''$ E, a distance of 236.62 feet to point of curvature of a tangent circular curve on said right-of-way concave to the Northeast and having for its elements a radius of 5797.58 feet, a central angle of $00^{\circ}14'44''$, a chord distance of 24.85 feet, an arc distance of 24.85 feet, and a chord bearing of S. $31^{\circ}39'22''$ E, to the Point of Beginning.

SAID PARCELS ALSO DESCRIBED AS

A parcel of land being the lands described in Instrument Number 2018000171817 Public Records of Lee County, Florida and a portion of lands described in Instrument Number 2015000242014, Public Records of Lee County, Florida, being further described as follows: Beginning at the Easterly most corner of lands described in Instrument Number 2018000171817, Public Records of Lee County, Florida; thence along the South line of said lands and the extension thereof South $58^{\circ}08'20''$ West, a distance of 279.49 feet; thence North $31^{\circ}51'40''$ West, a distance of 287.65 feet to an intersection with the Southeast right of way of Island Park Rd; thence along said Southeast right of way North $58^{\circ}22'42''$ East, a distance of 255.64 feet to a

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point on a non tangential curve to the right; thence continue along said right of way Easterly 39.27 feet along the arc of said curve, having a radius of 25.00 feet, a central angle of $90^{\circ}00'22''$, (chord bearing South $76^{\circ}37'07''$ East, a distance of 35.36 feet) to an intersection with the Southwest right of way of U.S. 41 (Tamiami Trail); thence along said Southwest right of way South $31^{\circ}37'18''$ East, a distance of 236.62 feet to a point on a non tangential curve to the left; thence continue along said right of way Southeasterly 24.85 feet along the arc of said curve, having a radius of 5,797.58 feet, a central angle of $00^{\circ}14'44''$, (chord bearing South $31^{\circ}44'18''$ East, a distance of 24.85 feet) to the Point of Beginning.

7-Eleven Island Park Shopping Center Special Exception

Request Statement

The applicant is requesting a Special Exception of the C-1 zoning district to permit a convenience food and beverage store with greater than 8 fuel pumps, to be redeveloped on the former site of a Bank with drive through service. A Special Exception for 16 fuel pumps (8 fueling positions) was previously approved by the Hearing Examiner on November 3, 2023 (SEZ-2022-00008). A condition of approval was that the development would be consistent with the applicant's proposed site plan. The applicant has submitted the Local Development Order Plan to Lee County Staff and during the course of review of the Development Order Plan, modifications to the site plan have been made. Staff has determined that another Special Exception is required due to the plan changes. The number and location of the fuel pumps has not changed and will continue to have 16 fuel pumps (8 fueling positions).

The key modifications to the newly proposed site plan are:

- Moved car wash building closer to the convenience store where parking was previously located.
- Removed 8 parking spaces on the south side of the convenience store and removed 4 parking spaces on the north side of the car wash.
- Added stormwater retention area with retaining walls where the previous car wash and parking was located.
- Slight adjustment to dumpster location.

The proposed modifications have no external impacts and staff has confirmed that the parking reductions are consistent with that authorized through the administrative process. A conceptual site plan identifying the location and orientation of the 16 fuel pumps has been provided.

REQUEST STATEMENT: 34-202 (b) 5

1. Consistency with the goals, objectives, policies and intent of the Lee Plan:

The project is located in the Suburban Future Land Use category Lee Plan Policy 1.1.5. The Suburban FLU category Policy 1.1.5 indicates that the Suburban FLU category will consist primarily of residential land uses; however, a mix of land uses is permitted. The existing commercial plaza was developed in the Suburban FLUC when commercial location standards were required under the Lee Plan. location standards are no longer required under Objective 6.1 and Policy 6.1.1. Industrial type non-residential uses are prohibited. The proposed redevelopment of the subject property is for a 5,000 square foot convenience food and beverage store with 16 fueling pumps. The site has been developed for commercial use and was last utilized for commercial bank with drive through service. The 16 fuel pump facility was approved on November 3, 2022; however, the site plan for the proposed facility is required to be modified due to changes arising from the Local Development Order review. The plan changes do not modify the number or location of the proposed 16 fuel pumps.

The site is located in the San Carlos Planning Community and is not subject to additional goals and and policies of the Lee Plan.

Lee Plan policy 4.1.1 requires connection to a public water supply for projects having an excess of 30,000 square feet of gross leasable area. The proposed 7-11 convenience store does not exceed 30,000 square feet of gross leasable area; however, the site is served by potable water and the store will connect to the available Lee County utilities water supply. Please see potable water availability letter issued by Lee County utilities.

Lee Plan Policy 4.1.2 requires commercial projects generating more than 5,000 gallons of sewage per day to connect to a sanitary sewer system. The 7-11 store will be connecting to a sanitary sewer and

is within the Forest Utilities service area. A letter of availability has been received from Forest Utilities, Inc.

Policy 5.1.5 protects existing and future residential areas from encroachment of uses that may be destructive to the character and integrity of the residential environment. The policy anticipates special exceptions are possible and indicates that if applicable development regulations are deemed to be inadequate conditions may be attached to minimize or eliminate the potential impacts. The proposed use is permitted in the underlying C-1 Zoning District. The LDC (34-844, note 19) requires that convenience stores with greater than 8 fuel pumps must obtain a Special Exception. There are no criteria other than those for a Special Exception required for a facility with fuel pumps. The proposed convenience food and beverage store with 16 fuel pumps will meet all required buffering and landscaping required in Chapter 33 for convenience food and beverage stores.

The site has been previously developed for commercial use and the C-1 commercial zoning does permit convenience food and beverage stores by right. The redevelopment of the site does not intrude further into a residential area. The site is bounded to the north and east by roadways (S. Tamiami Trail and Island Park Road) and to the west and south by the existing Island Park Shopping Center parking area. The nearest residential properties are located to the south and west along Island Park Road. The site will have access to the signalized intersection at Island Park Road and S. Tamiami Trail. The proposed Special Exception will not be disruptive to the nearby residential community and the proposed changes to the site plan have no external impacts to the surrounding community.

The prior drive-through bank facility did not provide landscape buffering to the surrounding parking lot for the Island Park Shopping Center. The applicant has requested Administrative Variances for the landscape buffers which are under concurrent review (ADD2022-00103). The proposed convenience store with fuel pumps will be separated and shielded from the nearest residences to the south and west by the existing shopping center building and preservation area. There is no vehicular interconnection between the nearby Timberwood Village community and the Island Park Shopping Center.

Lee Plan Policy 6.1.1 addresses criteria for new commercial development. Each of the criteria is specific to either a rezoning and/or development order. The subject application is for a Special Exception. The property is currently zoned commercial and the underlying zoning does permit a convenience store with fuel pumps.

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);*

The criteria is not specifically applicable to a Special Exception. However, the accompanying TIS addresses traffic impacts and concludes that there are no access and traffic impacts resulting from the convenience store. A new shared access point with the shopping center is proposed on U.S. 41. Both Lee DOT and FDOT have conceptually approved the proposed access point. The access point on Island Park Road has been relocated farther from the U.S. 41 intersection per direction from Lee DOT.

2. *Landscaping and detailed site planning (development orders);*

A concurrent development order has been filed for the project which includes the detailed site plan. The project has requested administrative deviations from the LDC buffers due to the existing site conditions.

3. *Screening and buffering (planned development rezoning and development orders);*

Screening and buffering along U.S.41 and Island Park Road consists of mature vegetation and is intended to remain. The deviations submitted with the companion administrative action address the project buffering.

4. *Availability and adequacy of services and facilities (rezoning and development orders);*

There are no known or anticipated level of service deficiencies.

5. *Impact on adjacent land uses and surrounding neighborhoods (rezoning);*

Given the location of the proposed convenience store with fuel pumps within the existing Island Park Shopping Center parking field near the U.S. 41 frontage, there should be no impacts to surrounding neighbors. The nearest residential community is located to the southwest and the existing shopping center building is located between the convenience store and the residential community.

6. *Proximity to other similar centers (rezoning); and*

The redevelopment of the site is occurring along the U.S. 41 corridor which is primarily a commercially developed corridor. The site is presently zoned commercial and the underlying zoning permits a convenience store with fuel pumps.

7. *Environmental considerations (rezoning and development orders).*

The site is a redevelopment of a parcel previously developed as a drive through bank. There are no vegetative issues related to the site. The underground fuel tanks will be designed in compliance with mandated statutory standards for fuel facilities.

Lee Plan Policy 6.1.4 indicates that new commercial development should only be approved when compatible with surrounding development. The proposed redevelopment of what is essentially an outparcel to a community shopping center is compatible with surrounding development. The existing zoning permits a convenience store with up to 8 fuel pumps. The proposed convenience store will have up to 16 fuel pumps. The fuel pumps are oriented toward the U.S. 41 and are located in the farthest location on the property from the Timberwood Village community. The number of fuel pumps may permit a greater number of vehicles to fuel at one time; however, the site and surrounding roadways are not negatively impacted by the additional vehicles. The owner of the surrounding shopping center does not object to the proposed change in use. The Timberwood Village community located to the southwest should not have any impacts from the proposed convenience store with fuel pumps as it is separated from the outparcel by the existing parking field and shopping center building.

Lee Plan Policy 6.1.5 indicates that the LDC shall require that development be designed to protect the carrying capacity of roadways. The proposed facility will be interconnected to the existing shopping center drive aisles and will also share access points from U.S. 41 and Island Park Road. The TIS prepared for the project demonstrates that no roadway capacity issues result from the 16 fuel pump facility.

Lee Plan Policy 6.1.6 requires that commercial development provide appropriate buffers, open space and architectural elements to enhance the structure and blend in with surrounding development. The

applicant has requested administrative deviations from the LDC buffer requirements as the site is a redevelopment of a former drive through bank which did not provide separate buffers adjacent to the existing shopping center drive aisles. The original bank was approved along with the shopping center in 1986 as a single development order and not internal buffers were required at that time. The existing mature buffers along both Island Park Road and U.S. 41 will provide adequate buffer external to the site.

Lee Plan Policy 6.1.7 prohibits strip development or sprawling development patterns. The proposed convenience/gas facility is a redevelopment of the property and will continue to share site infrastructure with parent shopping center tract. The redevelopment of the property will not promote strip development.

Lee Plan Policy 6.1.11 encourages the upgrading and revitalization of deteriorating commercial areas but prohibits redevelopment of commercial uses that are inappropriately located or that have an adverse impact on the area. The redevelopment of a new and modern convenience store with fuel pumps will be developed in accordance with the LDC, with the exception of the buffers which are being handled through the administrative process. The underlying zoning permits a convenience store with fuel pumps and the addition of 8 additional pumps will have no adverse impact on the area.

POLICY 101.1.1: Require that development within the Coastal High Hazard Area be compatible with natural systems, such as, water retention and purification, wildlife habitat, primary productivity, and defense against coastal flooding. (Ord. No. 00-22, 18-28)

The proposed redevelopment of a convenience store will occur in an area of the site previously developed with a bank building. The site has existing water retention systems in place that will be utilized for stormwater attenuation consistent with Lee County standards.

OBJECTIVE 101.3: DEVELOPMENT IN COASTAL AREAS. Protect human life and property from natural and man-made disasters. (Ord. No. 92-35, 93-25, 94-30, 00-22, 18-28)

The project represents a commercial redevelopment within an existing shopping plaza and will utilize existing water retention facilities to address stormwater attenuation and the building will be constructed to meet Florida Building Code requirements.

2. *Will protect, conserve or preserve environmentally critical and sensitive areas and natural resources, where applicable:*

The site has been previously developed and there are no environmentally sensitive areas or natural resources on the property.

3. *Will be compatible with existing and planned uses:*

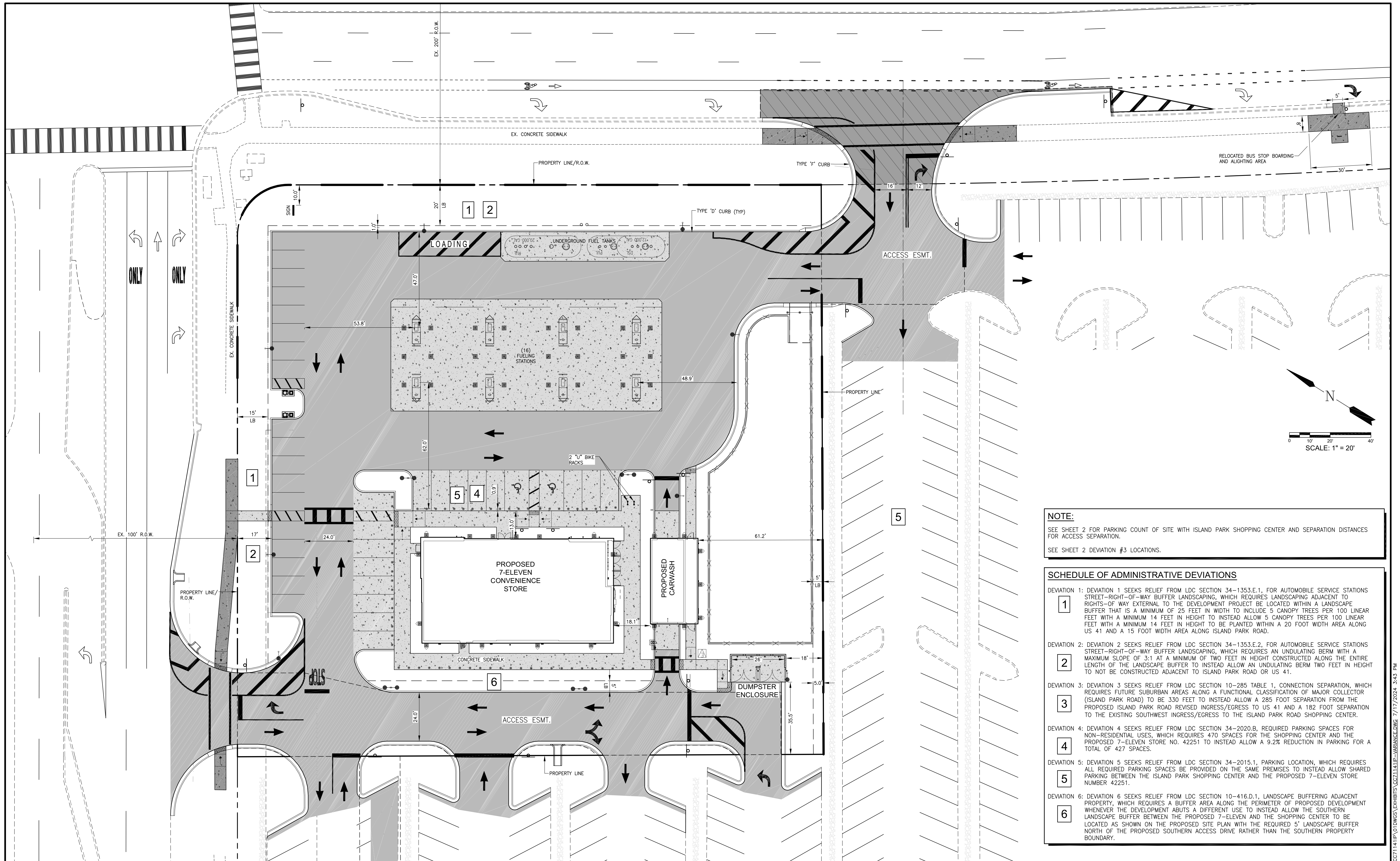
The convenience food and beverage store with fuel pumps is a permitted use in the C-1 zoning district and has therefore been determined to be compatible with other permitted uses in the vicinity of the property. The increased number of fuel pumps proposed in this special exception application and minor modifications to the previously approved Special Exception will not be incompatible with the surrounding commercial land uses. Access changes to the site are proposed with the addition of a new right-in/right-out on U.S. 41. This new drive will relieve some congestion at the intersection of Island Park Road and U.S. 41.

4. *Will not be injurious to the neighborhood or detrimental to the public welfare:*

The convenience food and beverage store with 16 fuel pumps will not be injurious to the neighborhood or detrimental to the public welfare. The location is at the intersection of two major roadways, and nearby uses are commercial land uses. Redevelopment of the abandoned commercial property will be beneficial to the neighborhood.

5. *Will be in compliance with zoning regulations pertaining to the use and other applicable regulations.*

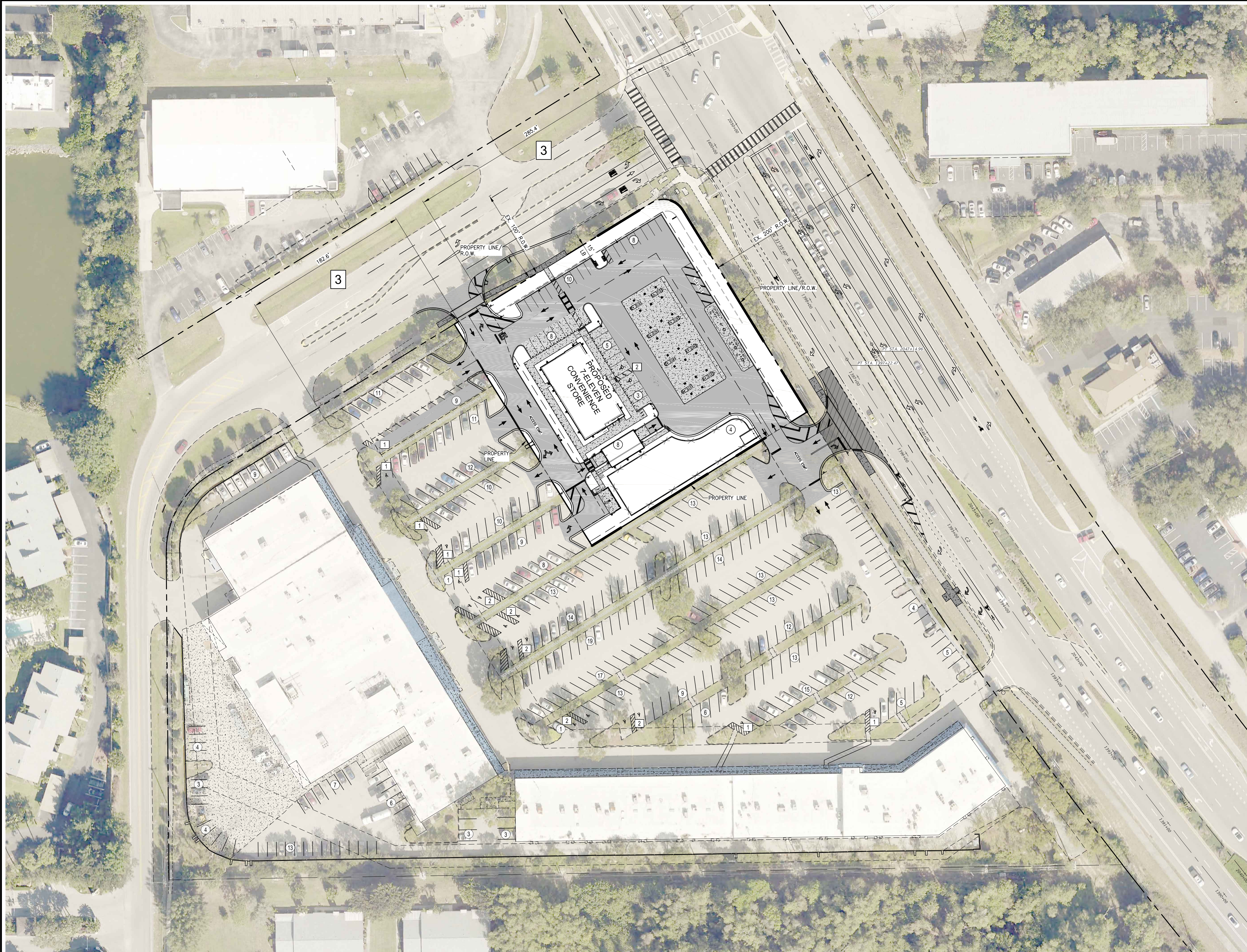
The development will be in compliance with all specific regulations applicable in Chapter 34 requirements for convenience food and beverage stores with fuel pumps, except for those administrative variances requested in ADD2022-00103 relating to buffers, parking and access due to the redevelopment of the outparcel.



NOTE:
SEE SHEET 2 FOR PARKING COUNT OF SITE WITH ISLAND PARK SHOPPING CENTER AND SEPARATION DISTANCES FOR ACCESS SEPARATION.
SEE SHEET 2 DEVIATION #3 LOCATIONS.

- SCHEDULE OF ADMINISTRATIVE DEVIATIONS**
- 1** DEVIATION 1 SEEKS RELIEF FROM LDC SECTION 34-1353.E.1, FOR AUTOMOBILE SERVICE STATIONS STREET-RIGHT-OF-WAY BUFFER LANDSCAPING, WHICH REQUIRES LANDSCAPING ADJACENT TO RIGHTS-OF WAY EXTERNAL TO THE DEVELOPMENT PROJECT BE LOCATED WITHIN A LANDSCAPE BUFFER THAT IS A MINIMUM OF 25 FEET IN WIDTH TO INCLUDE 5 CANOPY TREES PER 100 LINEAR FEET WITH A MINIMUM 14 FEET IN HEIGHT TO INSTEAD ALLOW 5 CANOPY TREES PER 100 LINEAR FEET WITH A MINIMUM 14 FEET IN HEIGHT TO BE PLANTED WITHIN A 20 FOOT WIDTH AREA ALONG US 41 AND A 15 FOOT WIDTH AREA ALONG ISLAND PARK ROAD.
 - 2** DEVIATION 2 SEEKS RELIEF FROM LDC SECTION 34-1353.E.2, FOR AUTOMOBILE SERVICE STATIONS STREET-RIGHT-OF-WAY BUFFER LANDSCAPING, WHICH REQUIRES AN UNDULATING BERM WITH A MAXIMUM SLOPE OF 3:1 AT A MINIMUM OF TWO FEET IN HEIGHT CONSTRUCTED ALONG THE ENTIRE LENGTH OF THE LANDSCAPE BUFFER TO INSTEAD ALLOW AN UNDULATING BERM TWO FEET IN HEIGHT TO NOT BE CONSTRUCTED ADJACENT TO ISLAND PARK ROAD OR US 41.
 - 3** DEVIATION 3 SEEKS RELIEF FROM LDC SECTION 10-285 TABLE 1, CONNECTION SEPARATION, WHICH REQUIRES FUTURE SUBURBAN AREAS ALONG A FUNCTIONAL CLASSIFICATION OF MAJOR COLLECTOR (ISLAND PARK ROAD) TO BE 330 FEET TO INSTEAD ALLOW A 285 FOOT SEPARATION FROM THE PROPOSED ISLAND PARK ROAD REVISED INGRESS/EGRESS TO US 41 AND A 182 FOOT SEPARATION TO THE EXISTING SOUTHWEST INGRESS/EGRESS TO THE ISLAND PARK ROAD SHOPPING CENTER.
 - 4** DEVIATION 4 SEEKS RELIEF FROM LDC SECTION 34-2020.B, REQUIRED PARKING SPACES FOR NON-RESIDENTIAL USES, WHICH REQUIRES 470 SPACES FOR THE SHOPPING CENTER AND THE PROPOSED 7-ELEVEN STORE NO. 42251 TO INSTEAD ALLOW A 9.2% REDUCTION IN PARKING FOR A TOTAL OF 427 SPACES.
 - 5** DEVIATION 5 SEEKS RELIEF FROM LDC SECTION 34-2015.1, PARKING LOCATION, WHICH REQUIRES ALL REQUIRED PARKING SPACES BE PROVIDED ON THE SAME PREMISES TO INSTEAD ALLOW SHARED PARKING BETWEEN THE ISLAND PARK SHOPPING CENTER AND THE PROPOSED 7-ELEVEN STORE NUMBER 42251.
 - 6** DEVIATION 6 SEEKS RELIEF FROM LDC SECTION 10-416.D.1, LANDSCAPE BUFFERING ADJACENT PROPERTY, WHICH REQUIRES A BUFFER AREA ALONG THE PERIMETER OF PROPOSED DEVELOPMENT WHENEVER THE DEVELOPMENT ABUTS A DIFFERENT USE TO INSTEAD ALLOW THE SOUTHERN LANDSCAPE BUFFER BETWEEN THE PROPOSED 7-ELEVEN AND THE SHOPPING CENTER TO BE LOCATED AS SHOWN ON THE PROPOSED SITE PLAN WITH THE REQUIRED 5' LANDSCAPE BUFFER NORTH OF THE PROPOSED SOUTHERN ACCESS DRIVE RATHER THAN THE SOUTHERN PROPERTY BOUNDARY.

LEGEND			DESIGNED BY: R.J.T.		GradyMinor Civil Engineers • Land Surveyors • Planners • Landscape Architects Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151 Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380		7-ELEVEN STORE NO. 42251		 Digitally signed by Rachel J. Tracey, P.E. Date: 2024.07.23 14:33:07 -04'00'	MUNICIPALITY: LEE COUNTY SEC./TOWNSHIP/RNG: 01/46S/24E DATE: JUNE 2024 SUBMITTAL TYPE: EXHIBIT-VAR SHEET 1 OF 2	
			DRAWN BY: C.G.K.				SEZ2024-00005 AND ADD2024-00111 EXHIBIT				
			APPROVED: M.T.H.				ELEVATIONS SHOWN HEREON ARE BASED UPON NORTH AMERICAN VERTICAL DATUM 1988 (NAVD '88) CONVERSION FACTOR TO NATIONAL GEODETIC VERTICAL DATUM 1929 (NGVD '29) IS (+/-) 1.181.				
			JOB CODE: CC71141IP								
SCALE: 1" = 20'			By								
Revision	Date	Description									



PARKING CALCULATIONS			
	REGULAR SPACES	ACCESSIBLE SPACES	TOTAL SPACES
TOTAL BOTH PARCELS	408	19	427

LEGEND	
REGULAR PARKING SPACES	#
ACCESSIBLE PARKING SPACES	#

Island Park Shopping Center and Proposed 7-Eleven Store 42251, Required Parking					
Notes: 1. Use Numbers, Area, and Business Information for the Island Park Center provided by R.E.J., LLC (Owner of Island Park Shopping Center)					
2. Shared parking approved under ADD2022-00103					
Ground Level Storefront					
Unit No.	Area (SF)	Business Name	Use	Parking Count Requirement	Requirement
100	1,416	Vacant Retail/Service	Retail	Multiple-Use Development, Retail, Small Products	1 Space/1,000 SF
102/104	6,678	Vacant Restaurant/Bar	Restaurant/Bar	Multiple-Use Development, Restaurant	12.5 spaces/1,000 SF
106	2,050	Dr. Aaron Manno	Dental Office	Multiple-Use Development, Offices, Medical and Healthcare Facilities	4 spaces/1,000 SF
108/110	2,366	Vacant Retail/Service	Retail	Multiple-Use Development, Retail, Small Products	1 Space/1,000 SF
112/114	3,081	Beretta Pet Groomer	Pet Groomer	Multiple-Use Development, Offices, Excluding Medical	1 Space/1,000 SF
116	1,122	Beretta Pet Groomer	Pet Groomer	Multiple-Use Development, Offices, Excluding Medical	1 Space/1,000 SF
118	1,400	Vacant Take-out/cafe	Take-out/cafe	Multiple-Use Development, Retail, Small Products	12.5 spaces/1,000 SF
120	1,400	Vacant Nail Salon	Nail Salon	Multiple-Use Development, Retail, Small Products	1 Space/1,000 SF
122	1,400	Vacant Retail/Service	Retail	Multiple-Use Development, Retail, Small Products	1 Space/1,000 SF
124	1,400	Vacant Retail/Service	Retail	Multiple-Use Development, Retail, Small Products	1 Space/1,000 SF
126/128/130	4,200	Vacant Retail/Service	Retail	Multiple-Use Development, Retail, Small Products	1 Space/1,000 SF
132/134	2,800	Vacant Retail/Service	Retail	Multiple-Use Development, Retail, Small Products	1 Space/1,000 SF
136	1,400	Seaside First Choice Catering	Catering	Multiple-Use Development, Restaurant	12.5 spaces/1,000 SF
138	1,250	Seaside First Choice Catering	Catering	Multiple-Use Development, Restaurant	12.5 spaces/1,000 SF
140	1,500	Vacant Retail/Service	Retail	Multiple-Use Development, Retail, Small Products	1 Space/1,000 SF
142	1,400	Vacant Retail/Service	Retail	Multiple-Use Development, Retail, Small Products	1 Space/1,000 SF
144	1,400	Vacant Retail/Service	Retail	Multiple-Use Development, Retail, Small Products	1 Space/1,000 SF
146	1,400	Vacant Retail/Service	Retail	Multiple-Use Development, Retail, Small Products	1 Space/1,000 SF
Total	37,008				213.95
Second floor Office Building					
Unit No.	Area (SF)	Business Name	Use	Parking Count Requirement	Requirement
201	851	Vacant Office	Office	Multiple-Use Development, Offices, Excluding Medical	1 Space/1,000 SF
203	851	Vacant Office	Office	Multiple-Use Development, Offices, Excluding Medical	1 Space/1,000 SF
202/205	962	Vacant Office	Office	Multiple-Use Development, Offices, Excluding Medical	1 Space/1,000 SF
204	792	Vacant Office	Office	Multiple-Use Development, Offices, Excluding Medical	1 Space/1,000 SF
206/210/212	2,744	Vacant Office	Office	Multiple-Use Development, Offices, Excluding Medical	1 Space/1,000 SF
208/211/212/215	5,226	City of Palm Beach Club	Office	Multiple-Use Development, Offices, Excluding Medical	1 Space/1,000 SF
214	1,200	USA Gaming	Office	Multiple-Use Development, Offices, Excluding Medical	1 Space/1,000 SF
Total	15,724				9.23
Ground Level Storefront Off Island Park Road					
Unit No.	Area (SF)	Business Name	Use	Parking Count Requirement	Requirement
148	1,250	Vincenzo's	Restaurant/Bar	Multiple-Use Development, Restaurant	12.5 spaces/1,000 SF
150/152	4,365	Cham Bake	Restaurant/Bar	Multiple-Use Development, Restaurant	12.5 spaces/1,000 SF
154	2,400	Vacant Retail	Retail	Multiple-Use Development, Retail, Small Products	1 Space/1,000 SF
Total	8,015				6.86
Former Public CVS Building Off Island Park Road					
Unit No.	Area (SF)	Business Name	Use	Parking Count Requirement	Requirement
180	18,710	R-1-1 Global Logistics	Office	Multiple-Use Development, Offices, Excluding Medical	1 Space/1,000 SF
182	15,871	Quality Clean Linen Service	Commercial Laundry	Multiple-Use Development, Light Industrial	1.5 spaces/1,000 SF
186	1,200	Vacant Retail/Service	Retail	Multiple-Use Development, Retail, Small Products	1 Space/1,000 SF
188	1,100	Vacant Retail/Service	Retail	Multiple-Use Development, Retail, Small Products	1 Space/1,000 SF
190	15,500	Charter High School	High School	High School	1 space per 10 students, 15 employees and 130 students currently enrolled
Total	47,381				48.00
Proposed 7-Eleven					
Unit No.	Area (SF)	Business Name	Use	Parking Count Requirement	Requirement
N/A	4,832	7-Eleven Store No. 42251	Convenience Food and Beverage with 8 Fuel Pumps (16 fueling positions)	1 space/200 SF and one parking space per 1 space/1 fuel pump (16 fuel pumps)	24.16
				Total Required	409.79
				Total Proposed	427.00
				A 1.7% parking reduction was previously approved under ADD2022-00103. A new ADD is concurrent with this application for a proposed 9.2% reduction.	

LEGEND

Revision	Date	Description

DESIGNED BY:	R.J.T.
DRAWN BY:	C.G.K.
APPROVED:	M.T.H.
JOB CODE:	CC71141P
SCALE:	1" = 50'



GradyMinor

Civil Engineers • Land Surveyors • Planners • Landscape Architects
Cert. of Auth. EB 0005151 Cert. of Auth. LB 0005151
Bonita Springs: 239.947.1144 www.GradyMinor.com Fort Myers: 239.690.4380

O. Grady Minor and Associates, P.A.
3800 Via Del Rey
Bonita Springs, Florida 34134

7-ELEVEN STORE NO. 42251

SEZ2024-00005 AND
ADD2024-00111 EXHIBIT

ELEVATIONS SHOWN HEREON ARE BASED UPON NORTH AMERICAN VERTICAL DATUM 1988 (NAVD '88)
CONVERSION FACTOR TO NATIONAL GEODETIC VERTICAL DATUM 1929 (NGVD '29) IS (+) 1.181

RACHEL J. TRACEY, P.E.
FLORIDA P.E. LICENSE NO. 85322

MUNICIPALITY:
LEE COUNTY
SEC/TOWNSHIP/RNG
01/465/24E
DATE:
JUNE 2024
SUBMITTAL TYPE:
EXHIBIT-VAR
SHEET 2 OF 2

FOREST UTILITIES, INC.

6000 Forest Boulevard * Fort Myers, FL * 33908 * (239)481-5333

DATE: July 10, 2024

TO WHOM IT MAY CONCERN:

AT THIS TIME FOREST UTILITIES, INC, HAS THE AVAILABLE PLANT CAPACITY TO PROVIDE THE NECESSARY SEWER SERVICES

AT 16510 SOUTH TAMIAMI TRAIL, FORT MYERS, FL 33908

FOREST UTILITIES, INC, WILL GUARANTEE CAPACITY ONLY UPON RECEIPT OF APPROPRIATE FEES AND CHARGES AND THE APPROVAL OF ALL STATE AND LOCAL AGENCIES.

ALL CONSTRUCTION MUST BE TO FOREST UTILITES, INC. SPECIFICATIONS.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THIS OFFICE AT 239-481-5333.

THIS AVAILABILITY LETTER IS VOIDED AFTER 365 DAYS FROM ISSUANCE.

SINCERELY,

Sonne DeVries

Sonne DeVries

FOREST UTILITIES, INC.

LANDSCAPE PLANS

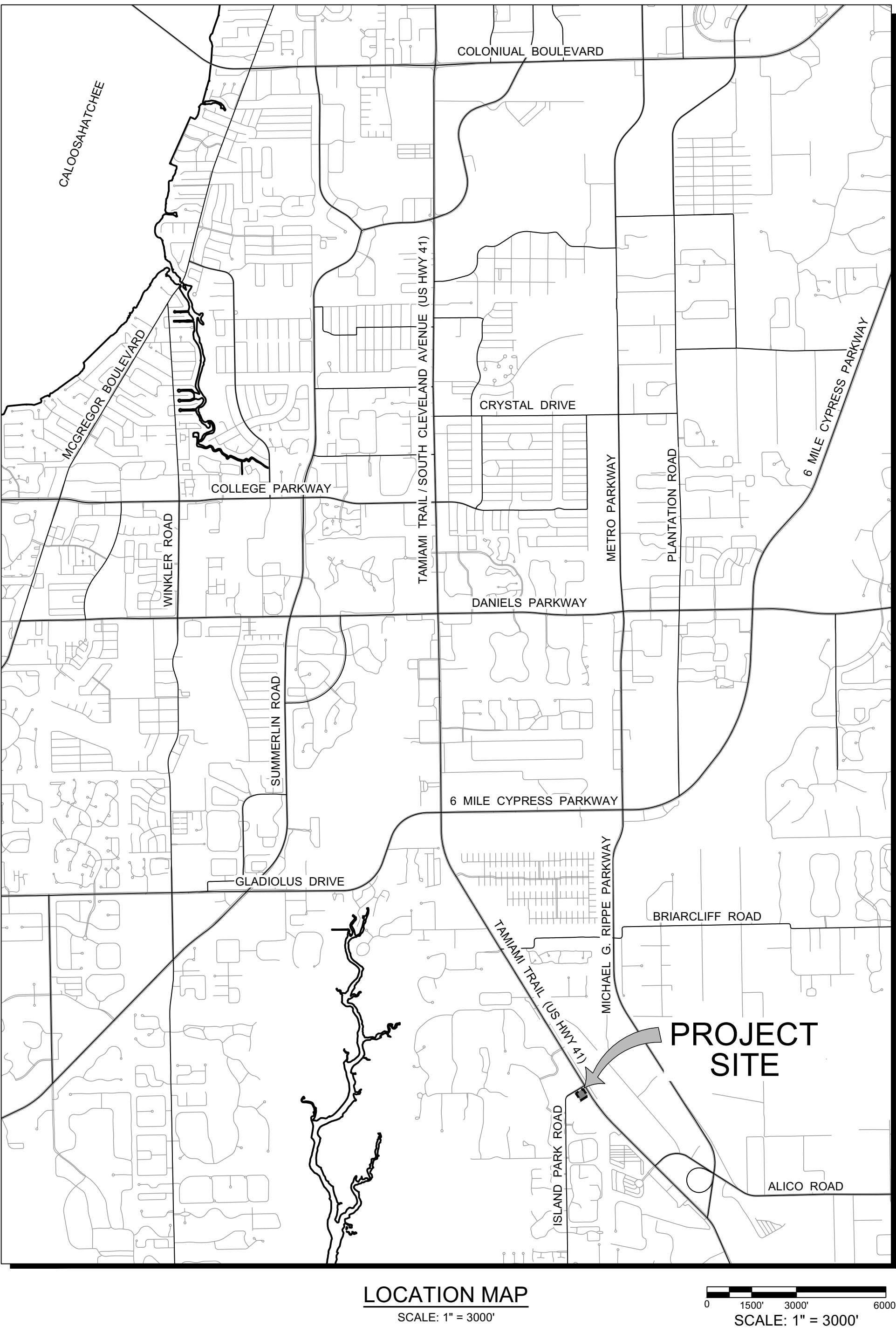
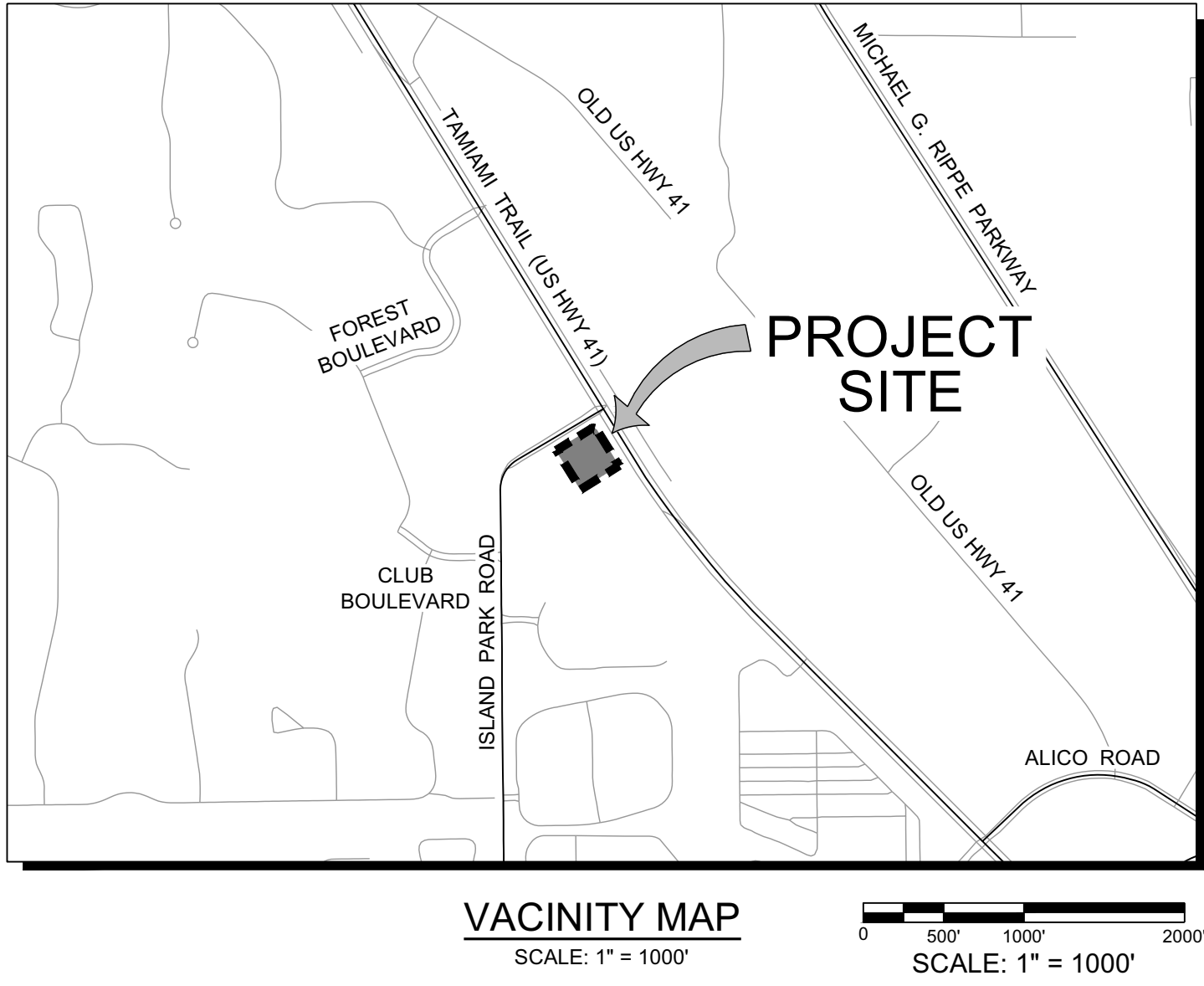
LEE COUNTY, FL, DEVELOPMENT ORDER PLANS
for

7-ELEVEN STORE NO. 42251

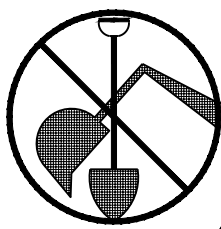
OWNER
RLR1, LLC
600 Gilliam Road
Wilmington, OH 45117

DEVELOPER

7-Eleven, Inc.
3200 Hackberry Road
Irving, TX 75063
Tel: 214.965.0990



LANDSCAPE ARCHITECTURAL PLANS	
TABLE OF CONTENTS	
Dwg. No.	Description
1	COVER SHEET
2	DO LANDSCAPE PLAN
3	DETAILS SHEET

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FL. STATUTE 553.851 (1979) REQUIRES
MIN. OF 2 DAYS AND MAX. OF 5 DAYS
NOTICE BEFORE YOU EXCAVATE.



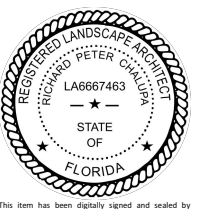


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Bonita Springs 239.947.1144
Fort Myers 239.690.4300

www.GradyMinor.com

Richard P. Chalupa, R.L.A.

 Digitally signed
by Richard P.
Chalupa, R.L.A.
Date:
2024.06.14
11:00:48 -04'00'

License No. 6667463

7-ELEVEN STORE NO. 42251
COVER SHEET
LEE COUNTY, FL

REVISIONS
1. REVISIONS PER LEE COUNTY COMMENTS DATED 11/28/2022
2. REVISIONS PER LEE COUNTY COMMENTS DATED 08/31/2023
3. NEW SITE PLAN DATED 03/04/2024
4. REVISIONS PER LEE COUNTY COMMENTS DATED 05/20/2024

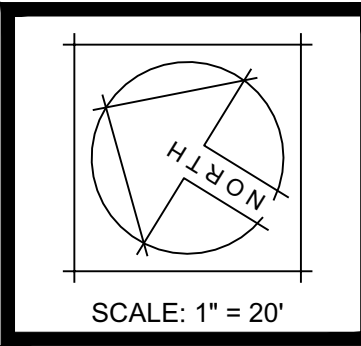
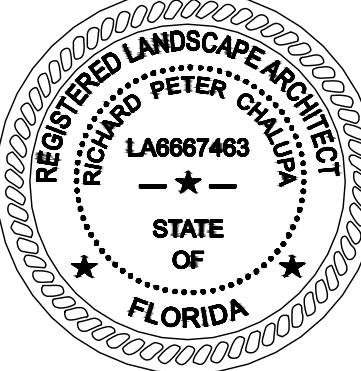


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Bonita Springs 239.947.1144
Fort Myers 239.690.4300

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7-ELEVEN STORE NO. 42251
DO LANDSCAPE PLAN
LEE COUNTY, FL

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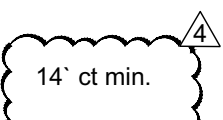
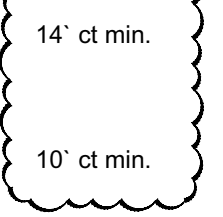
REVISIONS	
1.	REVISIONS PER LEE COUNTY COMMENTS DATED 11/28/2022
2.	REVISIONS PER LEE COUNTY COMMENTS DATED 08/31/2023
3.	NEW SITE PLAN DATED 03/04/2024
4.	REVISIONS PER LEE COUNTY COMMENTS DATED 05/20/2024

SHEET
2 OF 3

DATE: June 2023

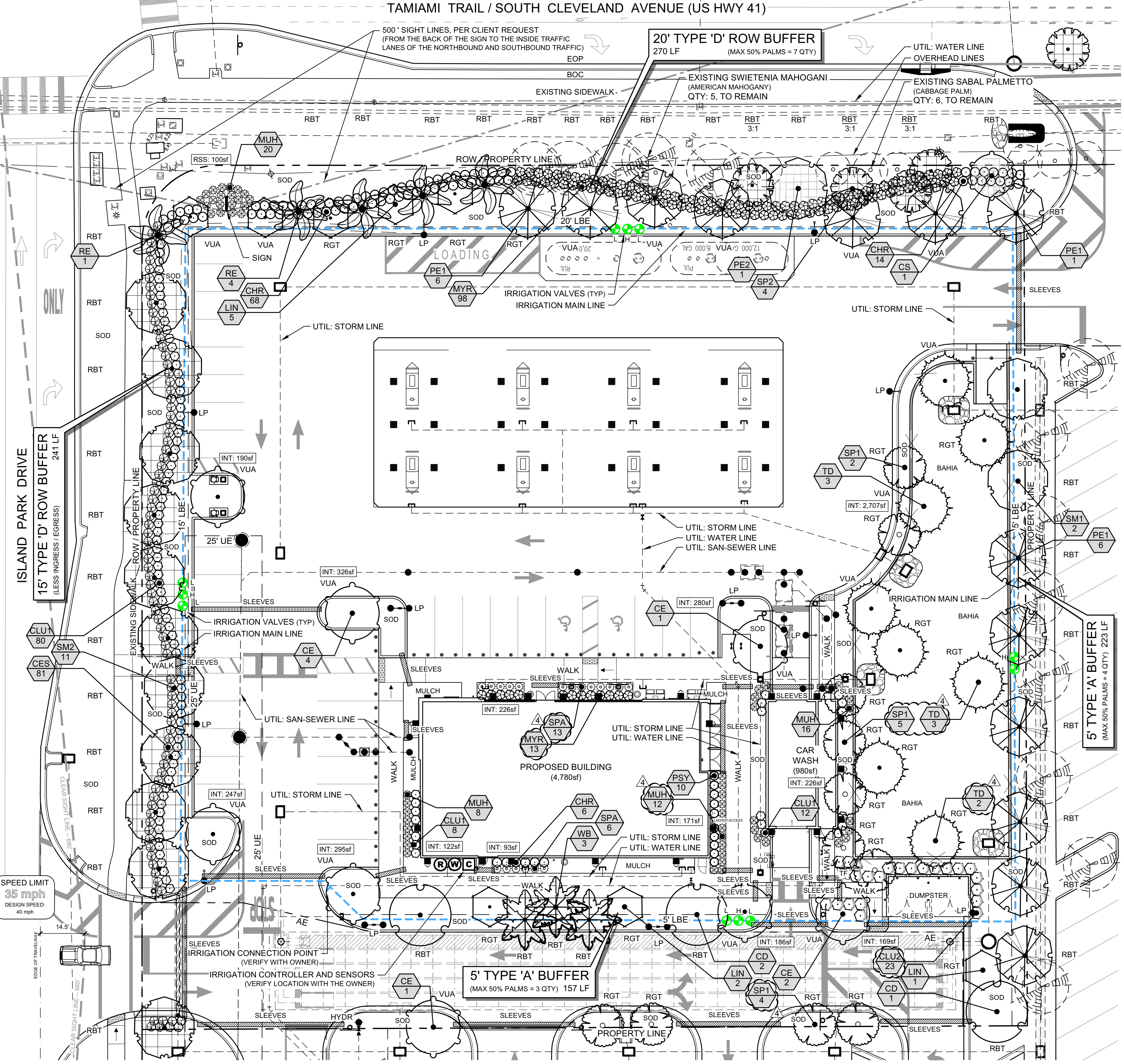
LANDSCAPE CALCULATIONS - LEE COUNTY, FL									
1.	VEHICULAR USE AREA: (SECTION 10-416.c) AREA WITHOUT CURBING, LABELED AS "INT" AND "VUA"	MEASUREMENT	UNITS	CALCULATION	REQUIRED	PROVIDED	REQUIRED	PROVIDED	
		43,995	sf	INT. LANDSCAPING: sf x 0.10 TREES: 1 / 250sf	4,400 sf	4,400 sf	18 qty	18 qty	TREES
2.	RIGHT-OF-WAY LANDSCAPING: (SECTION 10-416.d.3 & 4, 34-1353 and Admin. Var. ADD2022-00103) 20' TYPE 'D' BUFFER, R.O.W.: TAMAMI TRAIL, LABELED AS "RBT", (SERVICE STATION)	270	LF	TREES: 5 / 100 LF. SHRUBS: DOUBLE HEDGEROW, Trees: 14' ht, 3.5" cal, 6' spd. Shrubs: 3 gal, 24" ht, 36" oc	14 qty TREES 180 qty SHRUBS	14 qty TREES 180 qty SHRUBS			
3.	RIGHT-OF-WAY LANDSCAPING: (SECTION 10-416.d.3 & 4, 34-1353 and Admin. Var. ADD2022-00103) 15' TYPE 'D' BUFFER, R.O.W.: ISLAND PARK DRIVE, LABELED AS "RBT", (SERVICE STATION)	241	LF	TREES: 5 / 100 LF. SHRUBS: DOUBLE HEDGEROW, Trees: 14' ht, 3.5" cal, 6' spd. Shrubs: 3 gal, 24" ht, 36" oc	12 qty TREES 161 qty SHRUBS	12 qty TREES 161 qty SHRUBS			
4.	PERIMETER BUFFERING: (SECTION 10-416.d.3 & 4) 5' TYPE 'A' BUFFER, SOUTH, LABELED AS "RBT"	223	LF	TREES: 4 / 100 LF	9 qty TREES	9 qty TREES			
5.	5' TYPE 'A' BUFFER, WEST, LABELED AS "RBT"	157	LF	TREES: 4 / 100 LF	6 qty TREES	6 qty TREES			
6.	BUILDING PERIMETER PLANTINGS: (SECTION 10-416.b) --- MAIN BUILDING --- LABELED AS "BPP"	4,780	sf	10% GROUND LEVEL FLOOR AREA (10% MAX SOD)	478 sf PLANTING	478 + sf PLANTING (612sf SHOWN)			
7.	BUILDING PERIMETER PLANTINGS: (SECTION 10-416.b) --- CAR WASH --- LABELED AS "BPP"	980	sf	10% GROUND LEVEL FLOOR AREA (10% MAX SOD)	98 sf PLANTING	98 + sf PLANTING (226sf SHOWN)			
8.	GENERAL LANDSCAPE STANDARDS: (SECTION 10-416.a.3) ALL OTHER DEVELOPMENTS, LABELED AS "RGT"	80,255	sf	DEVELOPMENT AREA / 3,500	23 qty TREES (ADDITIONAL)	23 qty TREES			
9.	SIGN PLANTINGS: (SECTION 10-630.b.1.g.2) 1	1	qty	100sf PLANTING / GROUND OR POLE SIGN	100 sf SIGN PLANTINGS	100 sf SIGN PLANTINGS			
10.	OPEN SPACE: (SECTION 10-415.a) COMMERCIAL (SMALL, < 10ac), LABELED AS "OS"	80,255	sf	OPEN SPACE: 20% DEVELOPMENT AREA	16,051 sf OPEN SPACE	16,051 sf OPEN SPACE			

PLANT SCHEDULE: DEVELOPMENT ORDER

SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	HT. AND SPD.	CALIPER	SPEC.	NATIVE
TREES								
	CD	3	Coccoloba diversifolia	Pigeon Plum	10' ht. min. x 4' spd. min.	2" cal. min.	Full crown	Yes
	CE	8	Conocarpus erectus	Green Buttonwood	10' ht. min. x 4' spd. min.	2" cal. min.	Full crown	Yes
	CS	1	Conocarpus erectus 'ser'	Silver Buttonwood	14' ht. min.	3.5" cal. min.	6' spd. min.	Yes
	LIN	8	Lagerstroemia indica 'N'	Natchez Crape Myrtle	10' ht. min. x 4' spd. min.	2" cal. min.	Full crown	No
	PE1	13	Pinus elliotii densa	Slash Pine	10' ht. min. x 4' spd. min.	2" cal. min.	Full crown	Yes
	PE2	1	Pinus elliotii densa	Slash Pine	14' ht. min.	3.5" cal. min.	6' spd. min.	Yes
	SM1	2	Swietenia mahagoni	Mahogany	10' ht. min. x 4' spd. min.	2" cal. min.	Full crown	Yes
	SM2	11	Swietenia mahagoni	Mahogany	14' ht. min.	3.5" cal. min.	6' spd. min.	Yes
	TD	 8	Taxodium distichum	Bald Cypress	14' ht. min.	3.5" cal. min.	5' spd.	Yes
PALMS								
	RE	5	Roystonea elata	Florida Royal Palm	 14' ct min.	Heavy	Matching	Yes
	SP1	 11	Sabal palmetto	Cabbage Palmetto	10' ct min.	Booted	Staggered Heights, Tied heads, Booted	Yes
	SP2	5	Sabal palmetto	Cabbage Palmetto	14' ct min.	Booted	Staggered Heights, Tied heads, Booted	Yes
	WB	3	Wodyetia bifurcata	Foxtail Palm	 10' ct min.	Heavy	Matching	No
SYMBOL	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HT. AND SPR.	SPACING	NATIVE
SHRUBS								
	CHR	88	Chrysobalanus icaco 'RT'	Red Tip Cocoplum	3 gal. min.	24" ht. min.	36" oc	Yes
	CLU2	 23	Clusia rosea	Autograph Tree	10 gal. min.	48" ht. min.	48" oc	Yes
	CLU1	100	Clusia rosea	Autograph Tree	3 gal. min.	24" ht. min.	36" oc	Yes
	CES	81	Conocarpus erectus 'ser'	Silver Buttonwood	3 gal. min.	24" ht. min.	36" oc	Yes
	MUH	 56	Muhlenbergia capillaris	Pink Muhly Grass	3 gal. min.	24" ht. min.	36" oc	Yes
	MYR	111	Myrcianthes fragrans	Simpson's Stopper	3 gal. min.	24" ht. min.	36" oc	Yes
	PSY	10	Psychotria nervosa	Wild Coffee	3 gal. min.	24" ht. min.	36" oc	Yes
	SPA	 19	Spartina bakeri	Sand Cord Grass	3 gal. min.	24" ht. min.	36" oc	Yes

SOD, MULCH AND ROOT BARRIER

SOD	TBD	SOD ALL PROPOSED SOD BEDS WITH STENOTAPHRUM SECUNDATUM - ST. AUGUSTINE FLORATAM SOD NOTED AS "SOD" ON PLAN. ALL OTHER DISTURBED AREAS INCLUDING BUT NOT LIMITED TO RETENTION/DETENTION AREAS WITH PASPALUM NOTATUM - BAHIA - UNLESS OTHERWISE NOTED. CONTRACTOR SHALL CONFIRM SOD TYPE(S) AND VERIFY/SUBMIT QUANTITIES FOR AREAS THAT MAY BE UNIDENTIFIED AND/OR NOT LABELED ON PLAN.
MULCH	TBD	FORESTRY SERVICES COCO BROWN, OLD FLORIDA BLEND MULCH, OR APPROVED OTHER HARDWOOD MULCH. NO CYPRESS MULCH PERMITTED. SHREDDED, 3" THICK. ALL PLANT BEDS AND TREES RINGS (4") DIAMETER WITHIN SOD BEDS. CONTRACTOR TO VERIFY AND SUBMIT QUANTITIES.
ROOT	TBD	ROOT BARRIER TO BE INSTALLED AS NECESSARY. SEE DETAILS SHEET FOR INFORMATION. CONTRACTOR TO VERIFY AND SUBMIT QUANTITIES.



ABBREVIATION LEGEND:

CALLOUT	DESCRIPTION
VUA	REQUIRED VEHICULAR USE TREE
RBT	REQUIRED BUFFER TREE
BLD	REQUIRED BUILDING TREE
RGT	REQUIRED GENERAL TREE
RST	REQUIRED SHADE TREE
EOW	EDGE OF WATER
EOP	EDGE OF PAVEMENT
BOC	BACK OF CURB
AE	ACCESS EASEMENT
UE	UTILITY EASEMENT
DE	DRAINAGE EASEMENT
LME	LAKE MAINTENANCE EASEMENT
LBE	LANDSCAPE BUFFER EASEMENT

SPECIES TO BE REMOVED

Botanical Name:	Common Name:
Abrus precatorius	Rosary Pea
Acacia auriculiformis	Earleaf Acacia
Albizia lebbek	Woman's Tongue
Araucaria heterophylla	Norfolk Island Pine
Bischofia javanica	Bishopwood
Casuarina spp.	Australian Pine
Colubrina asiatica	Lather Leaf
Cuplanopsis anacardioides	Carrotwood
Dalbergia sissoo	Rosewood
Dioscorea alata	Winged Yam / Air Potato
Dioscorea bulbifera	Air Potato
Eucalyptus camaldulensis	Murray Red Gum
Ficus benjamina	Weeping Fig
Ficus microcarpa	Cuban Laurel Fig
Lantana camara	Lantana
Leucaena leucoccephala	Lead Tree
Lygodium spp.	Climbing Fern
Melaleuca quinquerivaria	Melaleuca
Mimosa pigra	Catclaw Mimosa
Pandanus maximum	Guinea Grass
Rhodomyrtus tomentosa	Downy Rosemyrtle
Sapium sebiferum	Chinese Tallow
Scaevola taccada	Scaevola Beach Naupaka
Schinus terebinthifolius	Brazilian Pepper
Solanum viarum	Tropical Soda Apples
Syzgium cumini	Java Plum
Syzgium jambos	Rose Apple
Thespesia populnea	Seaside Mahoe
Urena lobata	Cearseweed
Wedelia triobata	Wedelia

PROHIBITED SPECIES LIST

Botanical Name:	Common Name:
Cestrum diurnum	Day-blooming Jasmine
Eucalyptus camaldulensis	Murray Red Gum
Eugenia uniflora	Surinam Cherry
Ficus benjamina	Weeping Fig
Ficus microcarpa	Cuban Laurel Fig
Dalbergia sissoo	Rosewood
Golden Raintree	Golden Raintree
Glossy Privet	Glossy Privet
Chinese Ligustrum	Chinese Ligustrum
Chinaberry	Chinaberry
Strawberry Guava	Strawberry Guava
Common Guava	Common Guava
Chinese Tallow	Chinese Tallow
Rose Apple	Rose Apple
Cork Tree	Cork Tree
Wedelia	Wedelia

SEE ALSO, NOTE #14 IN THE LANDSCAPE INSTALLATION NOTES FOR ADDITIONAL EXOTIC PLANT RESOURCE(S).

IRRIGATION LEGEND

ZONE / VALVE LABEL: "H" or "L" for High or Low Water Use	
M	# Irrigation Meter
C	# Station Irrigation Controller
R W	Rain and Wind Sensor Switches
I	Irrigation Valve
---	Irrigation Main Line
---	Sleeving Locations (See Irrigation Notes #4 & 5)

EXISTING LANDSCAPE LEGEND:

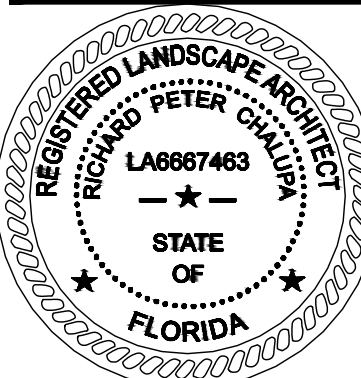
SYMBOL	BOTANICAL NAME	COMMON NAME
○	SABAL PALMETTO	CABBAGE PALM
○	SWIETENIA MAHOGANI	MAHOGANY



GradyMinor
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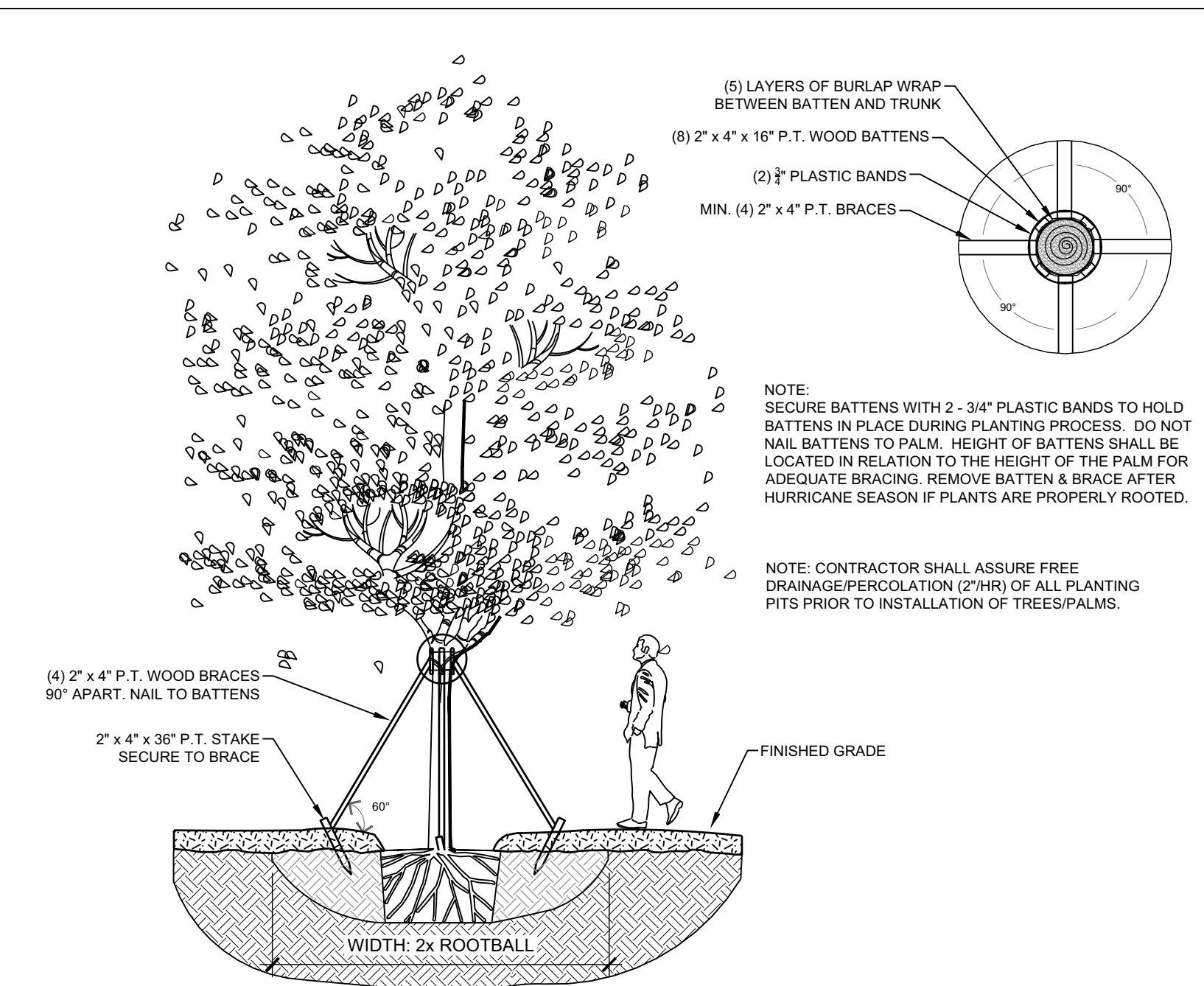
7-ELEVEN STORE NO. 42251
DETAILS SHEET
LEE COUNTY, FL

G:\LANDSCAPE\00071141P - 7-11 STORE 424510-DWG\SC0000071141P - DO LA DWG 6/13/2024 2:28 PM

REVISIONS	
1.	REVISIONS PER LEE COUNTY COMMENTS DATED 11/28/2022
2.	REVISIONS PER LEE COUNTY COMMENTS DATED 08/31/2023
3.	NEW SITE PLAN DATED 03/04/2024
4.	REVISIONS PER LEE COUNTY COMMENTS DATED 05/20/2024

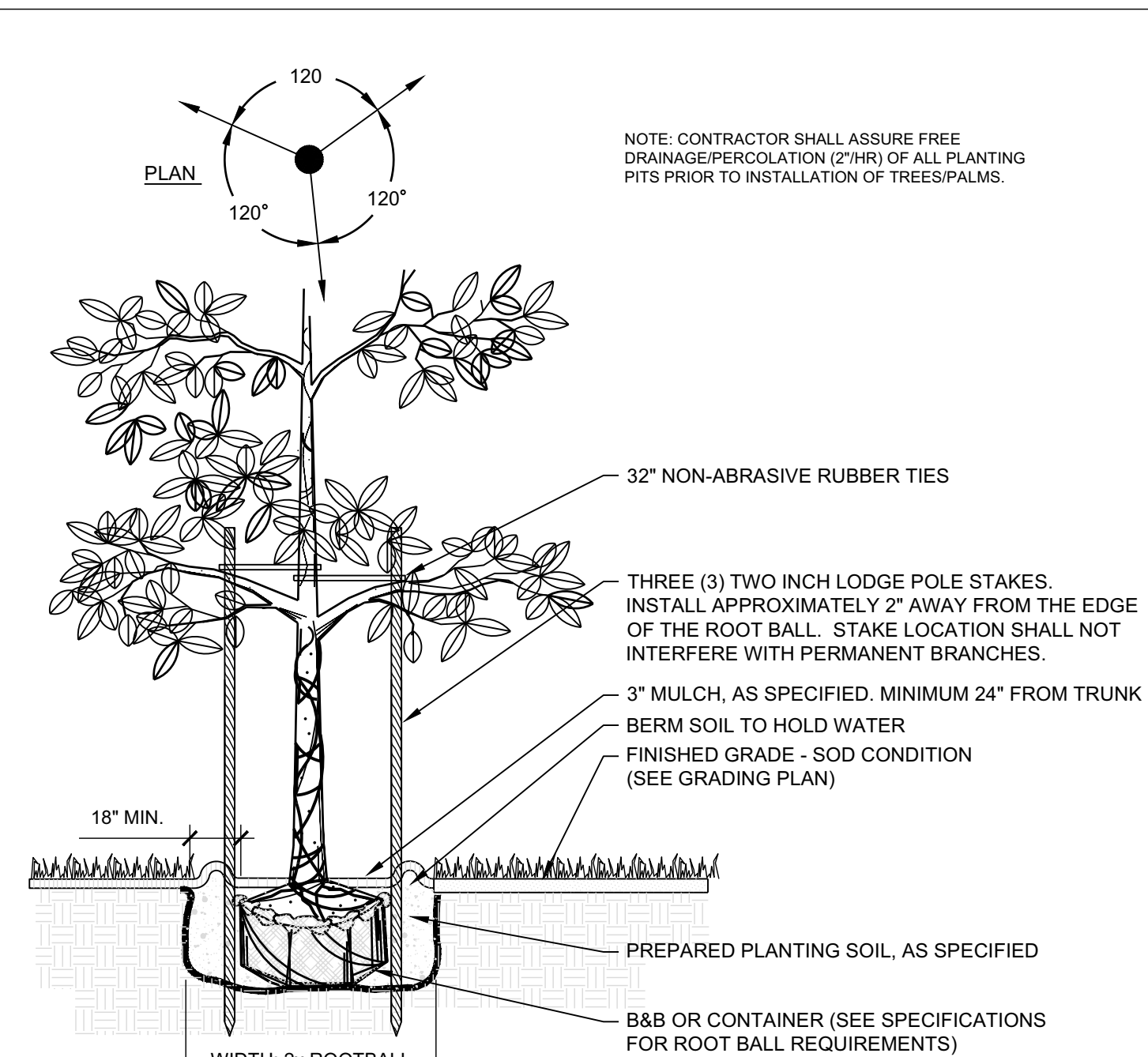
SHEET
3 OF 3

DATE: June 2023

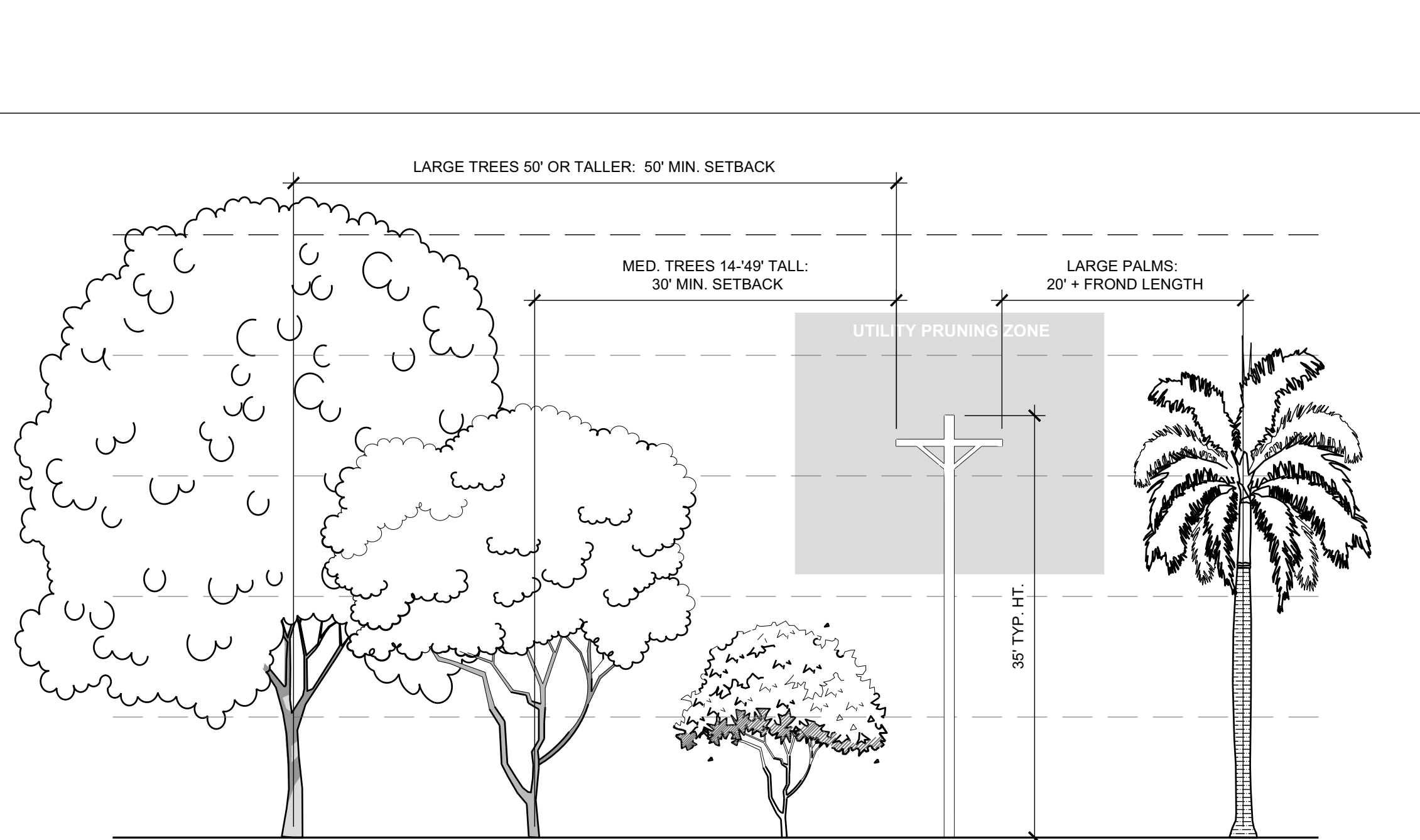


LARGE TREE STAKING DETAIL

SCALE: NTS

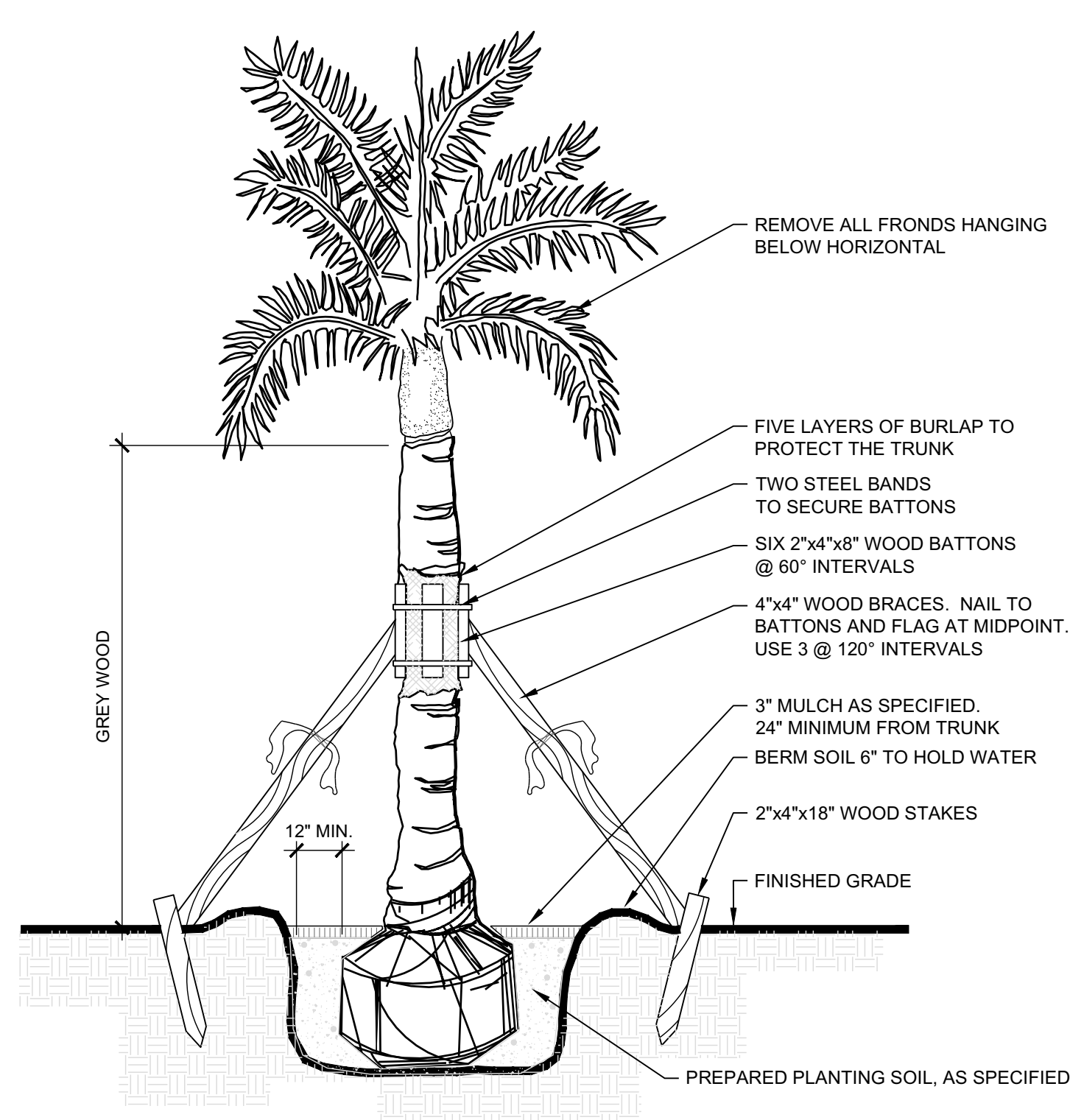


SMALL TREE STAKING - LODGE POLES (3)

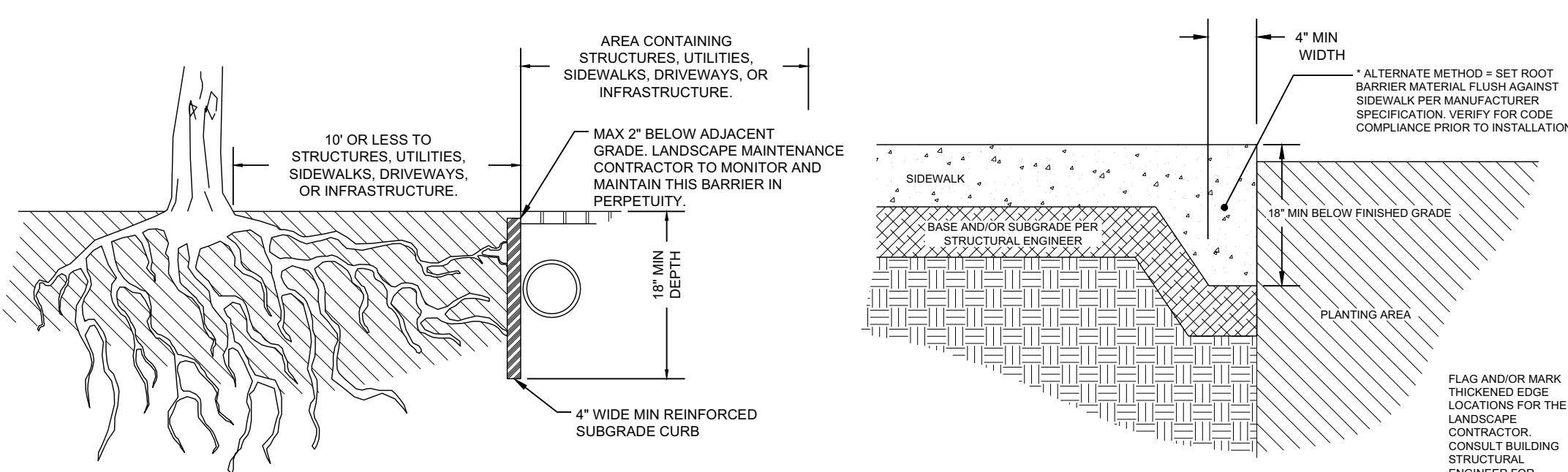


FPL - RIGHT TREE, RIGHT PLACE

NOT TO SCALE

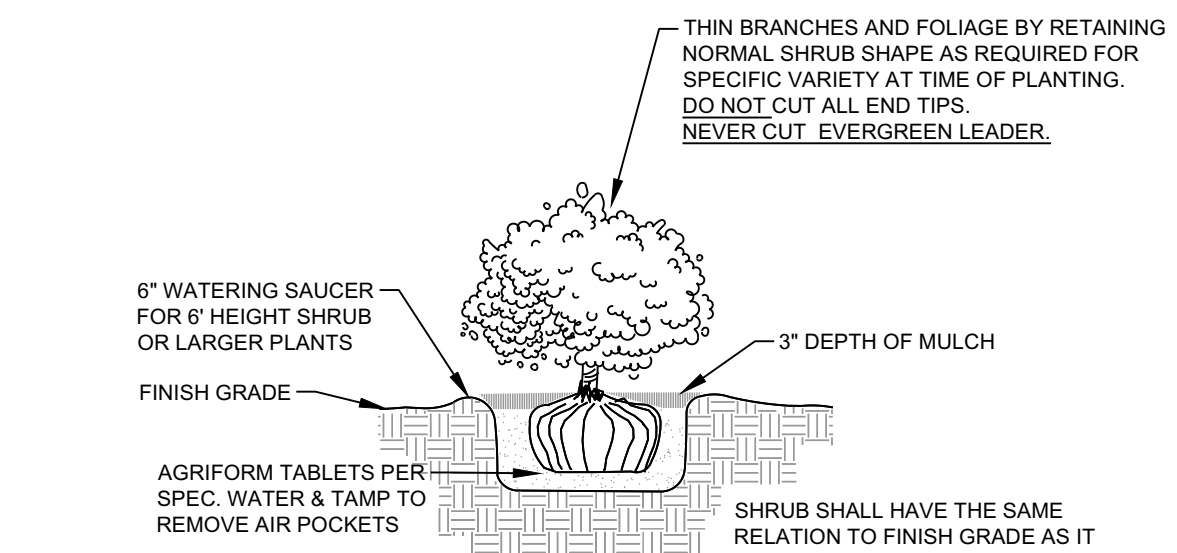


PALM STAKING DETAIL



OPTIONAL: ROOT BARRIER DETAIL

NOT TO SCALE



LARGE SHRUB PLANTING DETAIL

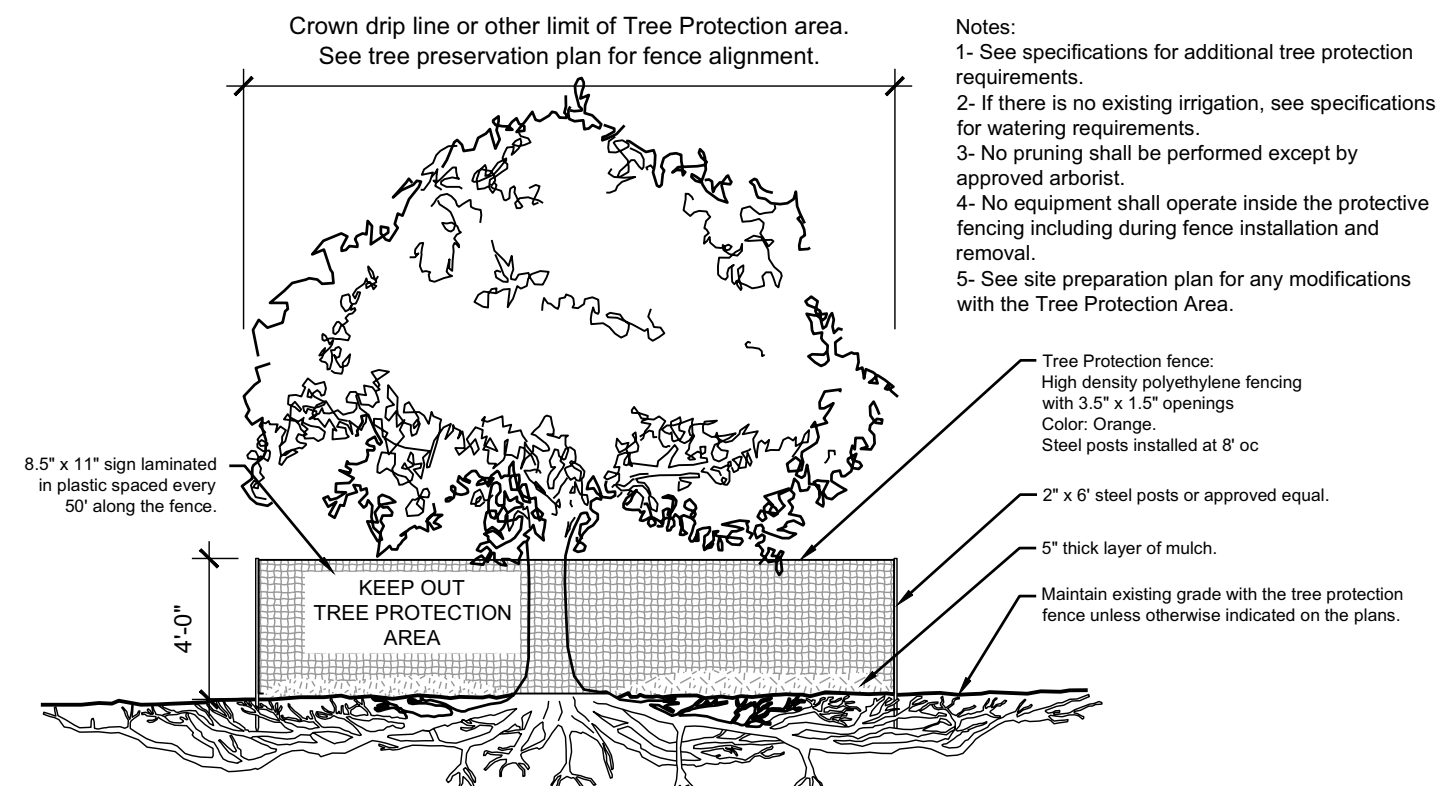
NOT TO SCALE

IRRIGATION NOTES:

1. The site is to contain 100% irrigation coverage via an efficient system utilizing standards common to the industry.
2. The irrigation system is to be controlled by a rain and/or wind sensor switch connected to the system controller. The location of the system controller is to be verified and coordinated as necessary to provide access and electrical connection(s).
3. Verify pump and equipment locations with Owner.
4. Irrigation sleeving locations indicated are diagrammatic and serve only as a guide for installation purposes. Irrigation sleeving is to be a minimum of Schedule 40 PVC two times the size of irrigation pipe. This work is to be coordinated by the General Contractor. Sleeving shall be clearly marked, flagged, or otherwise delineated above grade to avoid damage and provide ease of location for future use. Sleeving shall be utilized in areas where piping must cross a greater than 5' width, such as roads and walks.
5. Irrigation Contractor to verify all sleeving locations with the Owner / Developer / General Contractor prior to installation of all subsurface and proposed impervious surfaces. This Irrigation Plan is CONCEPTUAL for Code Minimum Purposes and will need further detailing upon finalizing contracts from a selected Irrigation Designer / Landscape Architect of choice.
6. Avoid overspray on pavement, buildings, etc. Utilize pressure-compensating heads for elimination of aerosol spray (This is a standard feature of INST, Hunter spray heads).
7. The design is based upon the following operating parameters: 60 GPM Max. and 40 PSI Min.-60 PSI Max.
8. Pipe sizing shall be determined by the Friction Loss Method and water velocity shall not exceed 5 cubic feet per second.
9. Constant pressure piping shall be SCH 40 PVC.
10. The Irrigation Contractor shall supply As-built drawings and material cut sheets upon installation completion and as a term of Final Acceptance. This cost shall be accommodated in the bid.
11. Zones shall be marked in the controller box and corresponding valves shall have affixed to the Valve Cover a waterproof, fade-resistant tag.
12. Verify installation and parts warranty prior to Contract execution.
13. Irrigation heads in planting beds shall be 12" pop-up minimum and 6" pop-up minimum in sod areas. Risers, if installed, shall be black pvc consistent with later piping. Verify remaining type(s), if necessary. Install quick couplers as required or as noted.
14. This system shall be automated, provide a moisture sensing device, and will avoid the application (or indirect runoff of irrigation water) of water to impervious areas.
15. This system shall utilize bubblers on the required trees.
16. The Irrigation Meter if required shall be supplied by the General Contractor.
17. Irrigation system requires back flow prevention. Assure existing back flow prevention is functional and/or install a new back flow prevention per County requirements. Contractor shall field verify size and location.
18. Irrigation lines, heads, and components shall not be installed within the ROW without a County approved Landscape Maintenance Agreement (LMA).
19. Per Department of Health 64E-9.004 (e) Landscape irrigation water that wets the wet deck area of the pool, the pool itself, enters the collector tank, or wets an interactive water feature must be potable water from a public water system or shall meet the bacteriological quality of potable water as evidenced by annual laboratory analysis submitted to the department. Reclaimed water may not be used in these areas. If reclaimed water is used in the vicinity of the pool (inside of the pool fence or within 100 feet of the pool water's edge) it must employ drip irrigation or soaker hoses. Signs shall be posted notifying pool patrons that reclaimed water is in use, and is not to be consumed.
20. All turf areas consisting of St. Augustine, Zoysia, or Bermuda Grass labeled as "SOD" shall be irrigated. All retention, detention, and/or areas labeled as "BAHIA" on the plan do not require irrigation unless otherwise specified.

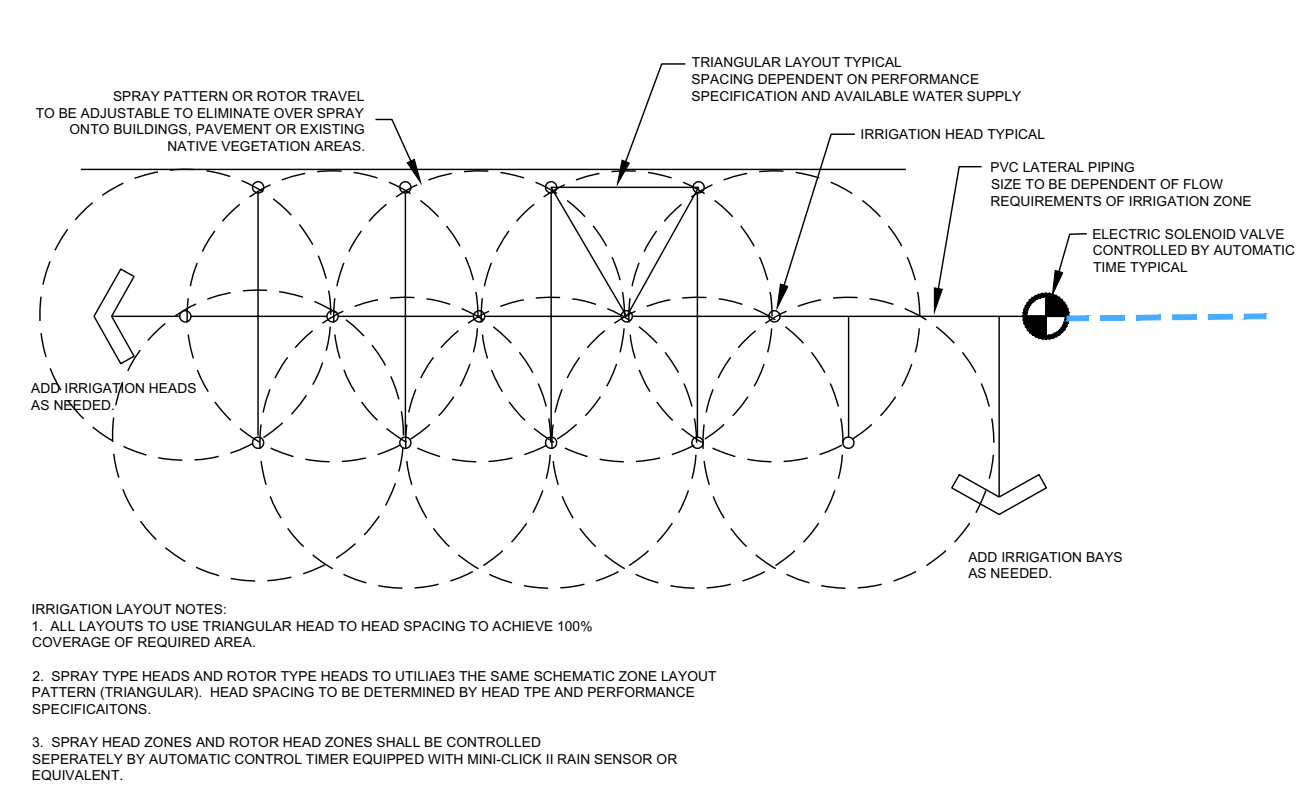
LANDSCAPE INSTALLATION NOTES:

1. ALL PLANT MATERIAL MUST BE FLORIDA NO. 1.
2. ALL PLANTS SHALL BE FERTILIZED WITH AGRIFORM 20-10-5 TABLETS AS PER THE MANUFACTURER'S SPECIFICATIONS IN CONJUNCTION WITH NOTE #3.
3. THE PLANTING SOIL SHALL BE THE APPROXIMATE PROPORTIONS AS FOLLOWS: 50% SAND AND 50% ORGANIC MATERIAL CONSISTING OF NATIVE PEAT, WELL DECOMPOSED SAWDUST, LEAF MOLD AND TOP SOIL. IT SHALL PROVIDE A GOOD PLIABLE AND THOROUGHLY MIXED MEDIUM WITH ADEQUATE AERATION, DRAINAGE 1
4. AND WATER-HOLDING CAPACITY. IT SHALL ALSO BE FREE OF ALL EXTRANEEOUS DEBRIS, SUCH AS ROOTS, STONES, WEEDS, ETC.
5. A SET OF CONSTRUCTION DOCUMENTS AND/OR APPROVED CODE-REQUIRED PLANS SHALL BE ON SITE AT ALL TIMES.
6. ALL UTILITIES, EASEMENTS, RIGHT-OF-WAY, OWNERSHIP, AND/OR OTHER SURVEY DATA SHALL BE VERIFIED BY THE GENERAL CONTRACTOR, SITE WORK CONTRACTOR, AND/OR LANDSCAPE CONTRACTOR PRIOR TO THE COMMENCEMENT OF WORK.
7. COMPLIANCE / PERMIT ACQUISITION AND/OR DISPLAY IS REQUIRED FOR CODE-RELEVANT REQUIREMENTS (SUCH AS, BUT NOT LIMITED TO: REMOVALS, TRIMMING, REPLACEMENT, ETC.).
8. VERIFY PLANT QUANTITIES AND SPECIFICATIONS WITH THE LANDSCAPE ARCHITECT (ALSO REFERENCED AS "L.A." HEREAFER). NOTIFY THE LANDSCAPE ARCHITECT IMMEDIATELY IF DISCREPANCIES ARE NOTED. PLANTING PLAN SHALL TAKE PRECEDENCE OVER 'PLANT LIST QUANTITIES.' THE L.A. RESERVES THE RIGHT FOR MATERIAL REJECTION IF THE INSTALLATION DOES NOT CORRESPOND TO THE PLANT LIST 'SPECIFICATION / REMARK'.
9. PLANT MATERIAL IS TO BE FLORIDA GRADE #1 MINIMUM AND FLORIDA FANCY FOR PLANT MATERIAL SPECIFIED AS "SPECIMEN." TREES ARE TO BE CONSIDERED SINGLE TRUNK AND MEET THE MINIMUM STANDARD FOR CODE WITHIN THE APPLICABLE JURISDICTION.
10. SIZES/SPECIFICATIONS ARE CONSIDERED MINIMUM. INSTALLATION MATERIAL IS TO MEET OR EXCEED THESE REQUIREMENTS - VERIFY ANY DISCREPANCY PRIOR TO MATERIAL PURCHASE, DELIVERY, AND/OR INSTALLATION.
11. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATION OF PLANT MATERIAL WITH THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION - CONTACT THE L.A. FOR SPECIFIC GUIDELINES. IF A SITE CONFLICT / POTENTIAL IS NOTED, NOTIFY THE LANDSCAPE ARCHITECT PRIOR TO MATERIAL INSTALLATION. THE L.A. RESERVES THE RIGHT FOR MATERIAL RELOCATION IF THE INSTALLATION DOES NOT CORRESPOND TO THE PLANTING PLAN.
12. THE LANDSCAPE CONTRACTOR AND/OR IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGED SITE UTILITIES, INFRASTRUCTURE, ETC. REPAIR / REPLACE SHALL BE A REQUIREMENT.
13. VERIFY SITE REMOVALS, RELOCATIONS, AND/OR PROTECTED ITEMS PRIOR TO BID PREPARATION. THIS MAY INCLUDE BUT NOT BE LIMITED TO: SOD, SOIL, PLANT MATERIAL, STUMPS, ETC. THE LANDSCAPE CONTRACTOR SHALL BE REQUIRED TO COMPLETE WORK AS OUTLINED WITH THE PLANTING PLAN(S), SPECIFICATIONS, AND NOTES.
14. QUANTITIES AND SPECIFICATION ARE SUBJECT TO ADJUSTMENT, RELOCATION, AND/OR REMOVAL DURING OR AFTER THE INSTALLATION AND SUBSEQUENT APPROVAL PROCESS BY THE L.A.
15. CONTRACTOR AND / OR LANDSCAPE CONTRACTOR SHALL REMOVE ALL PROHIBITED EXOTIC(S) OR NUISANCE PLANTS AND IT SHALL BE MAINTAINED FREE OF EXOTICS IN PERPETUITY AS DEFINED BY THE LOCAL AGENCY(IES) WHICH SHALL SUPERCEDE STATE REQUIREMENTS; HOWEVER, THE FLORIDA EXOTIC PEST PLANT COUNCIL (FLEPPC) AND/OR UF-IFAS STANDARDS SHALL BE USED AS A DATABASE TO JUSTIFY REMOVALS IF NO LOCAL ORDINANCE/CODE REQUIREMENT EXISTS
16. THE LANDSCAPE CONTRACTOR SHALL EXECUTE PRUNING VIA A CERTIFIED ARBORIST AND USING STANDARDS AS ESTABLISHED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE. ALL PRUNING, UPON REQUEST, SHALL BE ADVISED BY THE L.A.
17. TREES AND PALMS OVER 9' IN HEIGHT SHALL BE STAKED.
18. THE LANDSCAPE CONTRACTOR AND/OR IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR:
A. PLANT WARRANTIES AND REPLACEMENTS, AS SPECIFIED WITHIN THEIR RESPECTIVE AGREEMENT(S)
B. PLANT MATERIAL MAINTENANCE UNTIL "SUBSTANTIAL COMPLETION"
C. PLANT MATERIAL PROTECTION ADEQUACY
D. SCOPE OF WORK VERIFICATION AND EXECUTION
E. COORDINATION OF ALL SUBCONTRACTOR(S)
F. THE OWNER / GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR: 1- PROVIDING FINAL GRADE, SITE ACCESS, SECURITY OF THE SITE 2- CONTRACT REVIEW AND ACCEPTANCE OF TERMS 3- PLANT / IRRIGATION MAINTENANCE COORDINATION 4- PAYMENT MILESTONES.
19. IRRIGATION SYSTEM REQUIRES BACK FLOW PREVENTION. ASSURE EXISTING BACK FLOW PREVENTION IS FUNCTIONAL AND/OR INSTALL A NEW BACK FLOW PREVENTION PER COUNTY REQUIREMENTS. CONTRACTOR SHALL FIELD VERIFY SIZE AND LOCATION.
20. SOIL IN LANDSCAPE AREAS SHALL BE OF UNIFORM QUALITY, FREE FROM HARD CLODS, STIFF CLAY, HARD PAN, SODS, PARTIALLY DISINTEGRATED STONE, LIME, CEMENT, ASHES, SLAG, CONCRETE, TAR RESIDUES, TARRED PAPER, BOARDS, CHIPS, STICKS OR ANY OTHER UNDESIRABLE MATERIAL. IN NO CASE SHALL THERE BE MORE THAN 5% BY VOLUME OF STONES, COARSE SAND, GRAVEL OR CLAY LUMPS LARGER THAN ONE INCH (1") IN DIAMETER.



TREE PROTECTION ZONE (TPZ) DETAIL

NOT TO SCALE



TYPICAL SPRAY IRRIGATION ZONE DIAGRAM

**Grady Minor**

Civil Engineers • Land Surveyors • Planners • Landscape Architects

7-Eleven Store No. 42251**Administrative Variance Request – List of Requests and Justifications***Revised July 2024*

Deviation 1: Deviation 1 seeks relief from LDC Section 34-1353.e.1, for Automobile Service Stations street-right-of-way buffer landscaping, which requires landscaping adjacent to rights-of-way external to the development project be located within a landscape buffer that is a minimum of 25 feet in width to include 5 canopy trees per 100 linear feet with a minimum 14 feet in height to instead allow 5 canopy trees per 100 linear feet with a minimum 14 feet in height to be planted within a 20 foot width area along US 41 and a 15 foot width area along Island Park Road.

JUSTIFICATION: The existing site was permitted together with the Island Park Shopping Center under one Development Order per DO 84-08-021-00D even though it was a separate parcel. Along the entire extent of US 41 the landscape buffer was consistent for the shopping center and the previous bank parcel with a 10 foot type A buffer. Along Island Park Road the buffer was also consistent between the shopping center and the previous bank parcel with a 15 foot type B buffer. This request proposes to enhance the buffer plantings substantially from what exists today and provides the same plantings required for a convenience store with fuel pumps. The trees that are able to be saved along US 41 are proposed to remain due to the extent of various infrastructure abutting the ROW/Property Line. Over time the areas abutting the property line and right of ways have become widespread with overhead power, gas, water main, fiber, and other dry utilities. It is anticipated some of the existing tree roots may have expanded and it is proposed to keep them as to limit disruption to services at the property line. This deviation will also facilitate redevelopment of a site which is currently a demolished building pad with parking around the perimeter.

The alternative is based on sound engineering practice. The alternative is also no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested. The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision.

Deviation 2: Deviation 2 seeks relief from LDC Section 34-1353.e.2, for Automobile Service Stations street-right-of-way buffer landscaping, which requires an undulating berm with a maximum slope of 3:1 at a minimum of two feet in height constructed along the entire length of the landscape buffer to instead allow an undulating berm two feet in height to not be constructed adjacent to Island Park Road or US 41.

JUSTIFICATION: The addition of up to two feet of fill to create an undulating berm would negatively affect existing trees proposed to remain along US 41. It is anticipated the plantings would not withstand the addition of the fill. Also, this deviation supports the re-

7-Eleven Store No.42551
July 18, 2024
Page 2 of 4

development of the shopping center to impact less area and be more consistent with the existing buffers that they will adjoin.

The alternative is based on sound engineering practice. The alternative is also no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested. The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision.

Deviation 3: Deviation 3 seeks relief from LDC Section 10-285 Table 1, Connection Separation, which requires future suburban areas along a functional classification of major collector (Island Park Road) to be 330 feet to instead allow a 285 foot separation from the proposed Island Park Road revised ingress/egress to US 41 and a 182 foot separation to the existing southwest ingress/egress to the Island Park Road Shopping Center.

JUSTIFICATION: The proposed revised ingress/egress along Island Park Road was coordinated with LeeDOT through phone calls, emails, and an in-person meeting on November 30th, 2021. The location shifts the ingress/egress to the southwest along Island Park Road to provide additional connection separation from US 41 as was requested in the aforementioned meeting. Please note the site currently has an ingress/egress location 181 feet from US 41 and 292 feet from the existing southwest ingress/egress to the Island Park Road Shopping Center. This configuration provides an additional 107 feet between US 41 and the ingress/egress which was of prominent concern at the LeeDOT meeting.

The alternative is based on sound engineering practice. The alternative is also no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested. The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision.

Deviation 4: Deviation 4 seeks relief from LDC Section 34-2020.b, required parking spaces for non-residential uses, which requires 470 spaces for the shopping center and the proposed 7-Eleven Store No. 42251 to instead allow a 9.2% reduction in parking for a total of 427 spaces.

JUSTIFICATION: Lee Tran Bus Stop number 1563 is located in front of the shopping center along Route 140 per the LeeTran System map. Pedestrian connectivity along Island Park Road routes patrons to the front of the shopping center. Based on a site visit this stop was utilized by patrons of the shopping center.

Based on the Land Development Code Section 34-2020 there are two columns of which parking may be utilized to determine parking count. They are "minimum spaces for singleuse development" or "minimum spaces for multiple-use development". For items of which the multiple use development column was available the count was utilized, however, to get to the closest existing uses within the center not all uses within the column provided a reduction for multiple use as some items in that column were not available. Therefore, there are some uses which are currently counting for the single use development versus multiple use development such as the high school.

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One existing use is catering by Savour First Choice Catering. As catering was not listed restaurant use was utilized and totals 33.13 spaces. As it is catering and not a full restaurant the parking count for the actual use will be much less than noted.

The alternative is based on sound engineering practice. The alternative is also no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested. The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision.

Deviation 5: Deviation 5 seeks relief from LDC Section 34-2015.1, parking location, which requires all required parking spaces be provided on the same premises to instead allow shared parking between the Island Park Shopping Center and the proposed 7-Eleven Store Number 42251.

JUSTIFICATION: The Island Park Shopping Center and the previous bank on the subject parcel were originally developed under one Development Order; DO 84-08-021-00D. The parking was fully intertwined and calculated together for both parcels. Due to this precedence on the site it is requested to remain as shared parking between the two developments. In the existing and proposed plans the drive aisles as well as parking are seamless between the two projects. The site plan with the previous parking calculations under the aforementioned DO is on page 4 of the shopping center plans and outparcel plans from that DO.

The alternative is based on sound engineering practice. The alternative is also no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested. The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision.

Deviation 6: Deviation 6 seeks relief from LDC Section 10-416.D.1, Landscape buffering adjacent property, which requires a buffer area along the perimeter of proposed development whenever the development abuts a different use to instead allow the southern landscape buffer between the proposed 7-Eleven and the shopping center to be located as shown on the proposed site plan with the required 5' landscape buffer north of the proposed southern access drive rather than the southern property boundary.

JUSTIFICATION: The proposed deviation is order to facilitate health and safety for the project area. Pushing the landscape buffer up will provide a continuous buffer while the remaining shopping center ingress/egress is tied into the proposed access drive on the south side of the project site.

The alternative is based on sound engineering practice. The alternative is also no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested. The granting of the

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deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision.