



Town Lakes ADD 2024 Request Statement

I. REQUEST AND NARRATIVE

Arcland Property Company, LLC ("Applicant") seeks to administratively amend resolution Z-24-044 to accomplish the following changes:

- Add Warehouse, Public and Warehouse, Hybrid to the approved development parameters statement in Condition 1b and the schedule of uses in Condition 2a.
- Internally reconfigure Tract A-N to increase acreage.
- Internally reconfigure Tract A-S to reduce acreage to accommodate enlargement of Tract A-N.
- Amend the property development regulations table for the CPD in Conditions 2b to allow adjustments in the lot coverage and open space. Overall open space for the CPD will not be decreased.
- Change the parcel size reference for Tract A-N from 3.39 acres to 4.55 acres in Conditions 22 and 23.
- Amend Exhibit C, pages 1-4 of the Master Concept Plan.

The referenced resolution amended a portion of the 21.1+/- acre of the Town Lakes Commercial Planned Development (CPD) located southwest corner of Williams Ave/Fountain Mist Blvd and in Lehigh Acres, particularly at 625 Williams Ave (Parcel ID: 30-44-27-17-0000A.0000) in unincorporated Lee County, Florida. The successful request allowed for the development of a 140,000 square foot mini warehouse and public warehouse with open storage area for RV/boat storage that is in addition to the existing mini warehouse in the Town Lakes CPD/RPD.

The requested Administrative Amendment accomplishes changes to the development program that took place after the approval of the zoning amendment under Z-24-044. The site plan for the warehouse use is proposed to expand from 3.39 acres to 4.55 acres after an amendment to the private agreement with the abutting property owned by Providence Church of Lehigh Acres Florida, Inc. The church decided they did not need as much acreage and was willing to sell more to Arcland Property Company. The larger site plan allowed Arcland to reduce the height of the proposed warehouse buildings which should please the residents of the Town Lakes RPD.

The change in the site plan results in single-story buildings which changes the lot coverage and open space of the tract by spreading the floor area over a larger area. However, the open space over the entire project is not compromised and still meets the requirement of Condition 18 of 6.69 acres. The open space is documented on MCP page 4. The increase in lot coverage for the warehouse tract does not alter buffers or any other conditions of Tract A-N or the overall Town Lakes CPD.

The internal reconfiguration maintains the buffers and basic parameters of the original site plan that was approved by the Lehigh Acres Planning and Zoning Review Board (LAAPZRB). The applicant has presented the revisions to the board on July 25 in a public meeting and received approval of the changes. The signed application is included in the ADD submittal package.

II. CRITERIA FOR APPROVAL

Per LDC 34-174(i)(1)(2) for administrative approvals for planned developments the Director must find the request:

- a. Does not increase height, density or intensity of the development, except as permitted in Chapter 2.

APPLICANT: The request lowers the height and does not increase the floor area. The lot coverage and open space is altered to allow for the internal lot reconfiguration but not for the overall CPD.

- b. Does not result in the substantial underutilization of public resources and public infrastructure committed to the support of the development;

APPLICANT: The internal reconfiguration does not alter the zoning approval that established the development meeting this criterion.

- c. Does not result in a reduction of total open space provided on the Master Concept Plan by more than ten percent;

APPLICANT: The open space for the CPD will meet Condition 18 and remain at a minimum of 6.69 acres.

- d. Does not decrease the amount of indigenous native vegetation preservation or open space areas below the amount required by the Code;

APPLICANT: Not changes to setbacks, buffers, indigenous, or open space for the overall CPD are proposed.

- e. If changes to the buffer or landscaping areas are proposed, equivalent or better (by comparison with the approved Master Concept Plan) landscaping or buffering is provided;

APPLICANT: No changes are proposed.

- f. Does not adversely impact surrounding land uses; and

APPLICANT: The change should increase compatibility by lowering building heights.

- g. Is consistent with all applicable provisions of the Lee Plan and land development regulations in effect at the time of the amendment request.

APPLICANT: The internal reconfiguration has recently been found consistent with the LEE Plan. This change should not change the consistency.

VII. LEE PLAN COMPLIANCE

The following is an analysis of the Administrative Amendment to the Townlakes CPD meets consistency with goals, objectives and policies of the Lee County Comprehensive Plan (Lee Plan).

POLICY 1.1.3: The Central Urban future land use category can best be characterized as the “urban core” of the County. These areas are already the most heavily settled and have, or will have, the greatest range and highest levels of public services. Residential, commercial, public and quasi-public, and limited light industrial land uses will continue to predominate in the Central Urban future land use category. Future development in this category is encouraged to be mixed use, as described in Objective 11.1, where appropriate. The standard density range is from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre), with a maximum total density of fifteen dwelling units per acre (15 du/acre). The maximum total density may be increased to twenty dwelling units per acre (20 du/acre) utilizing Greater Pine Island Transfer of Development Units.

The intended development program includes public warehouse and mini-warehouse which will serve the many residential developments in the surrounding area. The uses are compatible to like uses of similar intensity to the north, east and west will complement the intentions of the Central Urban FLUC.

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, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.

The amendment to the CPD allowed for an increase of commercial square footage to clustered and logical development pattern in an area readily serviced by public infrastructure, in direct compliance with the above policy. As outlined in detail within the application, the project represents an infill development within an urbanized area of Lee County where commercial development is encouraged along the Williams Ave corridor.

The ADD does not alter the request but lowers the proposed building over a larger area for an internal reconfiguration.

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. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance.

The Applicant has provided a renewed letter of availability and a detailed explanation of the public facilities and services available to support future development of the Property from Florida Government Utility Authority (FGUA) service franchise. The proposed rezoning fully complies with the above policy's intent to direct new growth to appropriate Future Urban Areas of the county.

The ADD does not alter the request but lowers the proposed building over a larger area for an internal reconfiguration.

POLICY 2.2.1: Rezoning's and Development of Regional Impact 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 road network in the region has been specifically constructed to support the commercial and residential activity that is dependent on access to major transportation networks. All other urban services are in place to support the request.

The ADD does not alter the request but lowers the proposed building over a larger area for an internal reconfiguration.

GOAL 4

Standard 4.1.1 & 4.1.2: Water & Sewer

Potable water and sanitary sewer services are available to service the development as outlined in the attached Availability Letter provided by FGUA for water and for sanitary sewer.

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 development is proposing a 30-foot Type F Buffer along the western boundary that abuts the Town Lakes subdivision. Additionally, the design places water management between the subdivision and the closest building leaving a minimum of 200+ feet from home to the single-story storage building. The proposed use is quiet with limited business hours (6am to 10pm) and the proposed heights are the same allowed in a residential neighborhood (35 feet). Finally, the use is already approved in the Town Lakes CPD so it has been determined that mini warehouse is compatible with the area and consistent with this policy.

The ADD does not alter the request but lowers the proposed building over a larger area for an internal reconfiguration.

GOAL 6 (COMMERCIAL LAND USES)

POLICY 6.1.1

a. Traffic and access impacts;

The gross floor area has not been changed as part of the ADD.

The CPD analyzed the gross floor area requested has been analyzed by Quattrone & Associates. The Traffic Impact Analysis addressing the zoning amendment parameters of 140,000 sf mini warehouse/storage. In summary, a proposed mini-warehouse/self-storage development consisting of up to 140,000 square feet of floor area is equivalent to 1,700 square feet of commercial retail floor area from the existing commercial development entitlements within the Townlakes Storage CPD where over 13,000 square feet remain after the church development. The proposed amendment will not have a drastic impact on the trip generation from what is currently permitted within the CPD and there is sufficient commercial floor area available for the increase to allow for development of the proposed 140,000 square foot mini-warehouse/self-storage within the Townlakes Storage CPD.

c. Screening and buffering;

The gross floor area has not been changed as part of the ADD.

The project intends to meet the LDC requirements for buffering and screening without deviations. Fountain Mist serves the Town Lakes subdivision of 200+ homes. In addition to standard buffers the MCP shows a 30-foot Type F Buffer on the western border and placing the water management between the closest home and the closest storage building separating the uses by a minimum of 200 feet.

d. Availability and adequacy of services and facilities;

The project intensity not been changed as part of the ADD.

This area is programmed to be a mixed-use corridor. As such FGUA has adequate services for substantial commercial development as evident by the letter of utility availability.

e. Impact on adjacent land uses and surrounding neighborhoods;

The open space of the CPD, the gross floor area, the buffers and other features of the amended CPD have not been changed as part of the ADD.

- closing of the entrance from Fountain Mist Boulevard and relocation of the entrance to Williams Avenue, as a shared access point with the future church, due to safety concerns with commercial traffic and conflicts with school bus loading and stacking from Fountain Mist Boulevard,
- reduction in height request from 45 feet to 35 feet which is consistent with the current zoning (*In the original zoning the height was limited to 35 feet and there was a 2-story limitation placed as well. We are seeking to remove a reference to stories. As for height, our first request was for one building up to 45 feet in height. We are now "reducing" that building to 35 feet, which is consistent with current zoning. Essentially this is a non-issue now – the proposed MCP is consistent with the height approved in the current zoning*),

- limiting hours of operation from 6AM to 10PM,
- maintaining the current Town Lakes neighborhood entrance sign by notching out the building, maintaining landscaping at the corner,
- offering a 30-foot Type F Buffer on the western border and placing the water management between the closest home and the closest storage building separating the uses by a minimum of 200 feet,
- installing shielded lighting that complies with dark sky standards, and
- enclosing the RV storage on three sides.

f. Proximity to other similar centers; and

The subject property abuts part of the Townlakes CPD which has similar mini warehouse uses and much more intense uses in terms of traffic and noise including office and retail and church to the south. All will produce more noise and activity, particularly traffic, than the proposed mini warehouse.

g. Environmental considerations.

A total of 9.2 acres in the Townlakes CPD is currently vacant, and undeveloped. This application is for 4.45 acres at the corner of Fountain Mist and Williams. The remaining portion of the 21.1. acre zoning is developed.

There are no wetlands and/or vegetation on the site that is part of this application. All drainage has been established and is part of Plat-PB60 Pages 18+19 and part of a master drainage plan that will be amended pending rezoning.

POLICY 6.1.4: Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities.

As mentioned, the approved CPD offered conditions to create increased compatibility with the surrounding residential uses even though the use itself is already approved in the current zoning. The site is located on a major collector roadway where commercial uses serve to buffer residential neighborhoods from the throughway (Williams Avenue).

The ADD does not change these features and has no external impacts.

POLICY 6.1.5: The land development regulations will require that commercial development be designed to protect the traffic-carrying capacity of roads and streets. Methods to achieve this include, but are not limited to: frontage roads; clustering of activities; limiting access; sharing access; setbacks from existing rights-of-way; acceleration, deceleration and right-turn-only lanes; and, signalization and intersection improvements.

As has been mentioned numerous times in this application, particularly in the analysis for Policy 6.1.1 above, the current roadway system is adequate to support the proposed development as stated in the TIS report by QAI particularly given the significant reduction in traffic by the mini warehouse use which is 14 times less traffic than a retail use. The number of trips generated by this use has been calculated into the road network since the increase in floor area does not exceed trips of the remaining retail and office uses permitted in the current CPD.

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.

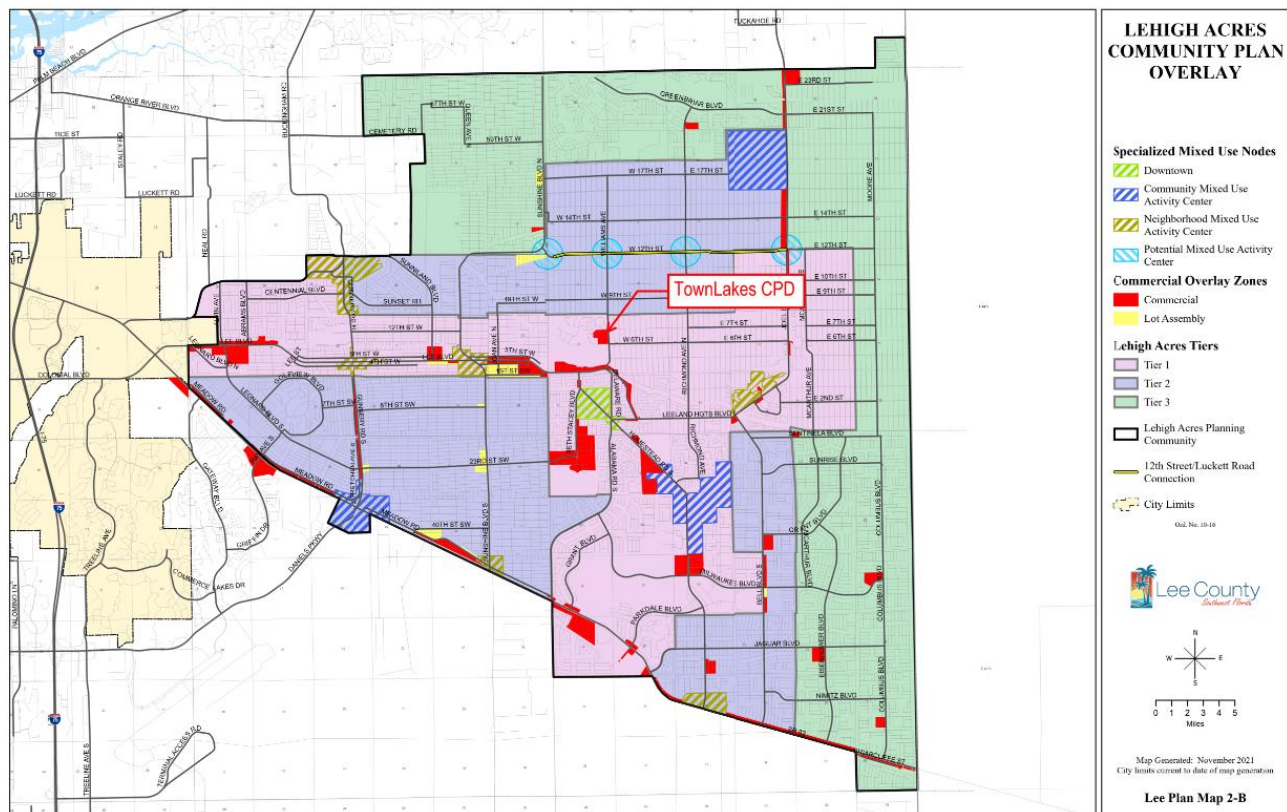
The area is well-suited for a mixed-use development that is infill and appropriate for commercial warehouse uses.

GOAL 25: LEHIGH ACRES COMMUNITY PLAN. *Ensure that continued development and redevelopment converts this largely single use, antiquated pre-platted area into a vibrant residential and commercial community consisting of: safe and secure single family and multi-family neighborhoods; vibrant commercial and employment centers; pedestrian friendly mixed use activity centers and neighborhood nodes; and, adequate green space and recreational opportunities.*

A meeting was held in front of the Lehigh Acres Architectural and Zoning Review Board on July 25, 2024 at their regularly advertised meeting. The legal ad, meeting notes and presentation is included in the resubmittal. The Board approved the ADD request unanimously.

OBJECTIVE 25.6: COMMERCIAL OVERLAY ZONES. *To designate on the Future Land Use Map a Commercial Overlay for properties in the Lehigh Acres Community Plan area.*

The property is in a Commercial Overlay Zone as identified on Lee Plan Map 2-B



POLICY 25.6.1: Commercial uses are permitted on lands in the Lehigh Commercial Overlay once commercial zoning has been approved...Lee County will take steps to reduce any emerging surplus of commercial land in Lehigh Acres if cumulative new commercial development exceeds an average floor area ratio of 1.0 (the ratio of interior floor space to total lot area).

The Townlakes CPD was approved prior to the Lehigh Community Plan and was incorporated into the Commercial Overlay as a pre-existing CPD.

POLICY 25.8.4: All new commercial development must provide parking lot interconnections to adjacent properties and must not prevent pedestrian or vehicular access from adjacent residential areas.

The Townlakes CPD and RPD areas have been established since the early 2000's with access points and stormwater management areas set and constructed. As designed, the residential area was separated by stormwater swales and wet retention areas presumably acting as a buffer of commercial uses from the single-family neighborhood. An interconnection of sorts was made on Fountain Mist Boulevard which is the main entrance to Town Lakes RPD. However, the existing neighborhood is adamantly opposed to commercial interaction or interconnection with the neighborhood, even to the point where they do not like the entrance onto Fountain Mist Blvd. To propose any additional interconnection would serve to promote commercial traffic through primarily residential areas, risk safety to children who frequently use the area for bus stops and be met with great objection based on our public presentation at the LAAZRB.

POLICY 25.9.1: The availability of sewer and water to serve uses within the Specialized Mixed Use Nodes and the Commercial Overlay Zones is not a requirement for zoning approval. However, sewer and water must be available to the property in accordance with Standard 4.1.1 and 4.1.2 before a development order will be issued.

Sewer and water is currently serving the Townlakes development through FGUA and capacity is available to serve the proposed request according to the letter from the provider.

POLICY 61.1.1: Lee County recognizes that all fresh waters are a resource to be managed and allocated wisely and will support allocations of the resource on the basis 1) of ensuring that sufficient water is available to maintain or restore valued natural systems, and 2) of assigning to any specified use or user the lowest quality freshwater compatible with that use, consistent with financial and technical constraints.

There is no water retention located on the site. The site is part of a master drainage plan and will be served by conveyance swales to the system.

POLICY 54.1.2: In developing and implementing local landscape regulations including the preservation, reforestation, and wetlands restoration requirements, preference will be given to native species which are adapted to the region's climatic regime.

The development will be required to bring the landscaping up to current code and will comply with all native vegetation requirements without deviations from the LDC.

POLICY 54.1.6: Maintain development regulations that require new development to connect to a reuse water system if a system is near the development and has sufficient capacity.

Reuse is available in the area and will be connected to the development.

POLICY 95.1.3: LOS standards will be the basis for planning and provision of required public facilities and services within Lee County. Regulatory LOS standards will be the basis for determining the adequacy of public facilities for the purposes of permitting new development. Compliance with non-regulatory LOS standards will not be a requirement for continued development permitting but will be used for facility planning purposes. The LOS will be the basis for facility design, for setting impact fees, and (where applicable) for the operation of the Concurrency Management System (CMS).

- a. Sanitary Sewer – FGUA serves the area and has capacity as stated in a new letter of availability.
- b. Potable Water – FGUA serves the area and has capacity as stated in a new letter of availability.
- c. Surface Water/Drainage Basins – The property is intended to be developed as part of the existing CPD, as amended. The project will be required to meet all LDC provisions for surface water management, pre-treatment, storage and treatment including the System Requirement: Prevent the flooding of designated evacuation routes on The Lee Plan Map 15 from the 25-year, 3-day storm event (rainfall) for more than 24 hours.
- d. Parks, Recreation, and Open Space – NA
- e. Public Schools – NA

POLICY 125.1.2: New development and additions to existing development must not degrade surface and ground water quality.

The new development is part of an existing ERP permit and master drainage system. At the time of DO the modifications to the current system will need to be made to accommodate the development. The development of this site has largely been anticipated as it is part of an approved CPD that is nearing build out.

POLICY 125.1.3: The design, construction, and maintenance of artificial drainage systems must provide for retention or detention areas and vegetated swale systems that minimize nutrient loading and pollution of freshwater and estuarine systems.

As mentioned, the amendment to the existing commercial planned development (CPD) will not change the fact that the current development and the established water management system will need to continue to comply with water quality requirements according to the LDC at the time of local development order.