



2804 S. Del Prado Blvd.
Suite 101
Cape Coral, FL 33904
(239) 257-1780 (O)

10875 Benson Dr.
Building 11, Suite 120
Overland Park, KS 66210
(913) 441-1636 (O)

www.blotengineering.com

May 28, 2025

Lee County Florida
Community Development
Development Services Division
1500 Monroe Street
Fort Myers, Florida

RE: ADD2025-00062
Simily Commercial Center
712 Leeland Heights Blvd. W, Lehigh Acres, FL
Responses to Lee County 5/02/25 ADD Insufficiency Letter

To Whom It May Concern:

Please accept this letter with supporting documents as response submittals to address your 5/02/25 ADD Insufficiency Letter Comments.

The following files have been uploaded to eConnect as part of this Response submittal:

1. **Comments Response** (this response letter document)
2. **Site Plan** (revised document – replaces prior Site Plan file)
3. **Landscape Plan** (revised document – replaces prior Landscape Plan file)
4. **Application** (revised document – replaces prior Application file)
5. **Justification** (revised document – replaces prior Justification file)

In an effort to facilitate responses to the ADD Review Comments, each ADD Review Comment is repeated below, along with our Response Comment.

Development Services

1. Pursuant to LDC Section 10-261(e), container space enclosures may not be located within or encroach into the required perimeter landscape buffer width for the proposed or constructed uses as provided in accordance with Section 10-416(d)(3) and (4). The proposed dumpster enclosure location is within the 15ft Type D Landscape Buffer. Please address.

RESPONSE: Please see revised Site Plan Drawing 4. Container enclosure has been moved to be south of the north 15.0' landscape buffer; and east of the west proposed 10.0' landscape buffer.

ADDITIONAL DEVIATION/JUSTIFICATION REQUEST:

- **Deviation Request:** Requesting a deviation from the LDC Section 10-261(b) 12-foot-wide unobstructed access opening for waste/refuse disposal enclosure to be reduced to a 10-foot-wide access opening.

- **Justification:** The required 15.0' north ROW buffer and the required 24.0' cross-access easement (necessary for health-safety-welfare of abutting landowners) has limited the north 1/3rd of the property for use as parking and waste/refuse enclosure. As shown on Drawings 4 and 5, there is not sufficient room for a 12-foot-wide enclosure opening due to the cross-access easement, the north ROW buffer and the stormwater basin (north and east of the enclosure). However, a 10' x 10' enclosure will fit within the allotted area. The required waste collection calculations for LDC 10-261(a) are shown on Drawing 4 to be 84 SF required; and area proposed/provided is 100 SF making it compatible to handle the required waste collection.
- **Original Application and Justification letter have been revised and are a part of this response submittal.**

2. INFORMATIONAL COMMENT: Please ensure that the plan(s) submitted are consistent with the associated development order plans (DOS2023-00115).

RESPONSE: Acknowledged

Please contact Ally Hall, AHall@leegov.com, (239)533-8553, with any questions regarding the above review comments.

Environmental

The site plan does not show buffers in all areas where buffering is required. Commercial abutting the listed uses in LDC 33-1405 must provide a 25-foot-wide buffer in all areas where the commercial use abuts one of those listed uses in LDC 33-1405. Staff cannot support the proposed reduced buffer widths when other code required buffering has been reduced to zero. Provide a revised site plan that shows all abutting uses are sufficiently buffered from the proposed commercial development.

RESPONSE: Please see revised Site Plan Drawing 4 and Landscape Plans showing additional buffer labeling across all four sides of the property.

North Buffer: 15.0' Type 'D' buffer provided for ROW with all plantings outside of the U.E.

East Buffer: 5.0' Type 'A' buffer provided for Commercial-Commercial with all plantings outside of the U.E.

South Buffer: 15.0' Type 'C' buffer proposed for Commercial-Residential with all plantings outside of the U.E. Also, an 8' buffer wall is proposed with plantings along the south side of the wall which improves the welfare of the Residential properties to the south as the buffer wall provides shielding of the back side of the commercial building more than just landscape plantings only.

West Buffer: proposing a 10' Type 'C' buffer for Commercial-Residential with all plantings outside of the U.E. Also, an 8' buffer wall is proposed with plantings along the west side of the wall which improves the welfare of the

Residential-use property to the west as the buffer wall provides shielding of the side of the commercial building more than just landscape plantings only.

The above provided/proposed buffering and labeling have been discussed on calls with Mr. Lange. The width of each provided/proposed buffer is consistent along the length of their respective side of the property making it compatible for the required minimum 7.5' width for plantings.

The dumpster cannot be placed within a buffer. Buffers may not be located in a dedicated street easement or right of way. Buffers must comply with 10-416 (d)(11). Utility or drainage easements may overlap required buffers; however, no Code-required landscaping may be located in any utility or drainage easement unless a written statement from the entity holding interest has no objection. Pursuant to LDC 10-421 (a), no Code- required landscaping may be located in any street easement or right-of-way. Revise to the site plan to remove buffers from easements, and if necessary, provide a written statement from easement holders to allow for buffers to be placed in the easements.

RESPONSE: Please see revised Site Plan Drawing 4. The dumpster has been moved outside the required/proposed landscape buffers. Please see revised Landscape Plans showing all landscaping is outside the U.E. No landscaping will be planted in the U.E.

Provide an open space design plan that shows the location of the 43.65 percent open space, include the proposed buffers, and key the locations of any requested deviations to the site plan.

RESPONSE: Please see revised Landscape Plan Drawing L-2 lower left corner for open space design plan showing final 42.04% open space. See Landscape Plan Drawing L-1 lower left corner showing proposed buffers and key data table above it for requested deviations.

Buffers pursuant to LDC 33-1405 must include 7 trees per 100 linear feet, a double hedge row, and 33 ground covers per 100 linear feet, palms are limited to 25 percent of the buffer, the hedge must be 48 inches at installation and maintained at 72. Staff are unsure if the applicant is proposing to reduce the contents of the buffer.

RESPONSE: Please see revised Landscape Plan L-1 lower left corner data table outlining the proposed additions and/or reductions to trees, shrubs and buffer widths.

LDC 10-416 (d)(10), does not require walls within the Lehigh community plan area. A request to deviation from 33-1405 must demonstrate how the proposed alternative is no less consistent with the health, safety and welfare of abutting landowners. Provide a

revised justification and narrative that can demonstrate how the proposed reduced buffers meet the criteria listed in LDC 10-104 (b).

RESPONSE:

North Buffer: 15.0' Type 'D' buffer provided for ROW with all plantings outside of the U.E.

East Buffer: 5.0' Type 'A' buffer provided for Commercial-Commercial with all plantings outside of the U.E.

South Buffer: Reduced 15.0' Type 'C' buffer proposed for Commercial-Residential with all plantings outside of the U.E. Also, an 8' buffer wall is proposed with plantings along the south side of the wall which improves the welfare of the Residential properties to the south as the buffer wall provides shielding of the back side of the commercial building more than just landscape plantings only. The proposed buffer wall with landscaping will be more aesthetically pleasing to the residential properties.

West Buffer: proposing a reduced 10' Type 'C' buffer for Commercial-Residential with all plantings outside of the U.E. Also, an 8' buffer wall is proposed with plantings along the west side of the wall which improves the welfare of the Residential-use property to the west as the buffer wall provides shielding of the side of the commercial building more than just landscape plantings only. The proposed buffer wall with landscaping will be more aesthetically pleasing to the residential properties.

The above provided/proposed buffering have been discussed on calls with Mr. Lange. The width of each provided/proposed buffer is consistent along the length of their respective side of the property making it compatible for the required minimum 7.5' width for plantings.

Please contact William Lange, WLange@leegov.com, with any questions regarding the above review comments.

Thank you, and should you have any questions or need any additional information, please feel free to call me at 239-257-1780.

Sincerely,



Digitally signed by Edward
Blot
Date: 2025.05.28 20:29:48
-04'00'

Edward M. Blot
Blot Engineering, Inc.