

LEHIGH ACRES ARCHITECTURAL, PLANNING & ZONING REVIEW BOARD

Meeting Minutes, December 14, 2023

5:30 pm

In Person Meeting

Lehigh Acres Municipal Services Improvement District

601 East County Lane, Lehigh Acres, FL 33936

Call To Order: 5:30 pm

Roll Call: Thomas Pfuner, , Laurie Sternowski, Inke Schirmmacher, Mohamed Yasin, Wade

Excused: Tami Baker, Derek Felder

Consulting: Janis Williams – Lehigh Acres Fire and Rescue District

Minutes: Melissa Barry

Public Comments on Non-agenda Items: None

Approval of Agenda: 1st by Mohamed and 2nd by Thomas

Motion: Passed

Approval of November Minutes: 1st by Thomas and 2nd by Mohamed

Motion: Passed

New Project Reviews:

- A.** Request for a PD Amendment on 416 Williams Ave. Lehigh Acres, FL. The applicant is requesting a PD Amendment to add 3 additional deviations to MCP A. Project is presented by Veronica Martin w/ TDM Consulting ■

Veronica Martin presenting – This property was rezoned back in 2022. There were two master concept plans. Master concept plan A basically legitimize the commercial use of the property. Back when we did this it was prior to the land development code governing mobile food vendors. Instead of having only one mobile food vendor, we are asking to have at the maximum of three when they have special events in the area including events a crossed the street or holidays. That is the main amendment. With that comes two deviations, the first deviation is identified as deviation number 5. Is to permit the drive isle for vendors to be 12 feet wide instead of 20 feet wide since this is limited to the food trucks and not meant for regular traffic. It will provide the buffers on Williams Ave and save some of the heritage trees. The second deviation and it is identified at deviation number 8 is to permit more 20% impervious surface in the right-a-way buffers along Williams Ave and 5th Street where the parking lot located. The applicate is asking to permit 33% impervious surface which will allow sidewalks at this location to be located on site because it is not possible to build them on the right-a-away due to drainage and existing infrastructure. The right-a-ways don't meet the land development code and the existing drainage and infrastructure can't be relocated so we have to put them on site. So, we

have to put the sidewalks in the buffer. We had to meet with Lee County DOT and Development Staff and this is the solution that everyone agreed to.

Board Member Comments:

Laurie – No, I am good
Response to Laura –

Tami – Comments via proxy – He is okay with the project.
Response to Tami -

Derek – Comments via proxy – He is okay with the project.
Response to Derek-

Wade – It is still in review as far as I know.
Response to Wade – Yes, it is.

Thomas – 1) The maintain of the walkway will be undertaken by whom?
Response to Thomas – 1) it will be maintained by the property owner.

Inke – 1) We have not changed the drive way.
Response to Inke 1) The drive way is existing however; we have submitted a limited review development order. As you can see, when it goes through for development it will change from a full access drive way to a right in and right out drive way.

Mohamed– 1) Putting in those two right in and right out in that area is going to create a huge backup because it is on the same side of the road. That place is really congested right now.
Response to Mohamed 1) It is an improvement over what is there now because they won't be able to turn left.

Public Comment: none

Motion to approve as presented: First – 1st by Thomas and 2nd by Mohamed

Motion: Passes

- B.** Request for a Rezoning for 448 Canlee Str Lehigh Acres. The applicant is requesting a Rezoning to rezone from RS-1 to CN-3 Neighborhood Commercial to permit a business real estate office. Project is presented by Veronica Martin w/ TDM Consulting ■

Veronica Martin presented: They are requesting to rezone 0.34 acres with frontage on State Road 82. The future land use is urban community. They are requesting to rezone from RS-1 to CN-3. It is a conventional rezoning so we are not providing a master concept plan as this time. Per the Lee Plan, this property is not located in a commercial overlay zone, however, Lee Plan policy 25.6.2 does allow commercial uses on other land where appropriate because of the shortage of suitable commercial tract of land. This requires either planned development rezoning or conventional rezoning to this the neighborhood commercial district and does permit small retail and commercial office space. With hours of operation for those are compatible with

the residential residents around them. Lexar is a realtors company and they do plan on developing this site for a small real state office. We did receive a letter from FGUA. They do not have lines in precocity to this site so it will be serviced by well and septic. Access to this site will be off Conlee Street. The buffers that are required especially to the south which is still residential will be adequate for the residential properties. At the time of the development order my boss will come back you will see everything. The site is small so we won't have to get a South West Water Management permit or an invasive species survey. It is less than half an acre.

Board Member Comments:

Laurie – 1) I know this will be forthcoming but the parking lot size or spots? 2) Do you know the square footage and if it is going to be a single story?

Response to Laura – 1) Because the site is small and will have to use septic, my boss and I talked about this, the maximum square feet of 2000. Single story. And parking spots they do not have mapped out.

Tami –

Response to Tami -

Derek –

Response to Derek-

Wade – No Comment

Response to Wade –

Thomas – 1) What is the size of the lot again? Do we require a minimum size for the lots off of 82?

Response to Thomas – 1) 0.34. (Inke answered this – no)

Inke – 1) It is a good location for the business. I will double check on the size.

Response to Inke

Mohamed – 1) I am sure that around that area there will be more business like purposes. I think that area will be area for this type of thing. That area will be built up in the next few years.

Response to Mohamed – 1) I know that there are some other lots around there zoned businesses.

Public Comment – Ron Rankin 1) How many lots in the area zoned commercial? 2) A real estate office is going to have very limited traffic but is there anything saying they can't sell the property and put something else there like a fast food or gas station?

Response to Ron – 1) Inke – We do not know right now but there is a movement to 82 so it is very likely more and more will be popping up there. 2) Inke – yes, there are some restrictions based on the zoning type.

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

Thomas Abstained

Motion: Passes

- C. Request for a DO Approval on 60 Bell Blvd N, Lehigh Acres, FL 33936. The applicant is requesting Development Order Approval plus Special Exception to develop this property into a multi use building for educational and religious purposes. Project is presented by Peter Maastrich w/ Maastrich Engineering. □

Erin Spence presenting – This is currently this is an existing church and school run by Donna J. Beasley Academy. This is a church and school on a 4.1-acre parcel. It is the intent of the school to conduct a 1500-foot modular building as addition to the school. With this addition they anticipate the growth of about 100 students. There will be additional support for the drainage and parking as such we are applying for a special exception due to current zoning of the development. It's current zoning is RS-1.

Board Member Comments:

Laurie – 1) How do you handle the additional students? Is it buses, private transportation?

Response to Laura – 1) We have two sessions. One in the morning and one in the afternoon. We have about 200 and 250 students and we split that up between the two sessions. We want to be able to provide other certification. Our enrollment is very transient.. We have already had 300 students. We have an at-risk population. We do have a bus if needed.

Tami –

Response to Tami -

Derek –

Response to Derek-

Wage – 1) I know we don't have any comment. And it does not look like there will be any concern with us. 2) are you planning on discharging directly in to the canal? Or will be on site?

Response to Wage. – 2) We were planning on discharge but it would be limited by 3-inch pleader.

Thomas – 1) You already operate a school and now you are extending. Is it the size limit that makes you extend? 2) Why not go through a rezoning purpose? - So, if the property is ever sold then it would be the new owners problem.

Response to Thomas – 1) Staff advise us that this would fall under the special exception because we are making improvements to the site. 2) We found this would be the less extensive route in apply for this.

Inke – 1) Can you explain about the materials you will be using in the modular building? It is small print and hard to read. 2) Are they rooms going to be for worship of classrooms? 3) No kitchen? 4) What I don't like is the blank back side of the building. There are resident buildings on the other side of the canal. Even if it some fake windows. Something that looks appealing to than a blank wall. 5) Are you changing the driveway? 6) Do you have motion lighting there because sometimes in the morning it is dark. 7) Are you planning on putting up the sign for the school? In the northwest sign?

Response to Inke 1) I am sorry we at Maasticg was involved in the civil and I am not sure about the materials but I can find out for you. It is metal material – it is basic prefab and they bring it over and set it up. 2) just classrooms – 6 classrooms. Lunchroom for staff and restrooms. 3) the currently way we run is we have sessions and our students come for 5-hour sessions. We have snacks on site but we do not have a formal lunch. There is a kitchen on site in the current building. 3) with the landscaping plans, the residential should not be able to see the building. We can make some adjustment to help that it is not seen. 5) no 6) I did not bring anything with the lighting. But will what is in place there should be an adequate amount of lighting there. 7) At this time no. There is still room for changes and we are open to the suggestions.

Mohamed – 1) I am concerned – did they submit something to LASMID? As far as the building, I think it is a good thing for the community. As long as it is a good metal building.

Response to Mohamed 1) The Development Order and Special Exception have been submitted. And we already have comment.

Public Comment – 1) Bob Case – I know that the school provides need technology skills for kids that are never going to make it to college and can't think of a more worthy goal than trying to give these kids an education.

**Motion to approve as presented with recommendation for the architectural features and signage:
First – 1st by Mohamed and 2nd by Laurie**

Motion: Passed

Thomas abstained

- C. Request for a DO Approval on 3030 Meadow Rd, Lehigh Acres, FL 33974. The applicant is requesting a Development Order and Site/Project approval to develop a one-story Office/Retail Building to be used as a Gun Range and retail store. Project is presented by Robert Case w/ LIS Engineering. □
- Robert Case presenting – I am joining by the owners and landscape architect. The project is Safe Shoot Gun Range LLC. It consists of two lots 16 and 17. The building will be 3250 square feet. The lot is about .4 acres. The building would be used for a retail gun store and simulated training gun range which uses laser cartridges. This will be bring gun safety training and safety classes for inside and outside the home. The project has been submitted to LASMID and approved for drainage. It is going to be on well and septic and the septic as already been approved. Development Order has been submitted and comments have been resubmitted. And the Building Permits have been submitted. On Meadow Rd, there are issues. The County is requiring them to improve Meadow Rd. – they are having to widen the road and overlay it as well. Very costly. It is very small site. And asking for a deviation for the drive way. The parking lot will be adequate for the building. The septic is provided on the South side. The side walk will be connected to the sidewalk out front. Landscaping plan explained.

Board Member Comments:

Laurie – 1) Hours of operation?

Response to Laura – 1) 9 am – 6 pm. With classes. And we have security lighting.

Tami –

Response to Tami -

Derek –

Response to Derek-

Wage – We reviewed and they have a permit.

Response to Wage –

Thomas – 1) You have to improve the infrastructure all the way to next. What is with the neighbor? 2) You spoke to a County Commissioner? What was their response?

Response to Thomas – 1) yes, and the next one will have to do the same. I spent a lot of time doing bigger developments, but now I do mom and pops. What I see is we are giving with one hand and we are taking with another. So, we will give you break on this or that but because of the condition of the road and don't forget about bus stops – where you have to build a side walk to the closest bus stop. Yes, we want to have a safe community. Yes, we want to have safe bus stops. But I feel we are punishing the people who are the first ones in. And I think that if anyone where to really appeal that that that would be thrown out. To have them pay that cost to put in a sidewalk all the way a crossed everyone's property and to make the road improvements, is not fair. We all have these needs for safety but at what cost? Does that not discourage development? 2) yes, I was sent back to Lee County.

Inke – 1) You have been twice to Community Development Hearing Examiner, right? 2) How many students do you have in the classes? I am concerned about your parking lot with these classes? 3) The rear of the building is facing 82 – that would be a nice place for a sign and fake windows. 4) what about flooding?

Response to Inke 1) There was no need for any change in zoning or special exemptions. 2) Our biggest class has been 10. Actual classes with kids and gun safety is between 6 and 8. We have sessions so not everyone is coming at once. 3) Yes, it would. 4) We are looking about 18 inches increase.

Mohamed – 1) all I can say is the taxes for those properties have gone sky rocketed. And that area will be commercialized. It is a good area for this type of thing.

Response to Mohamed

Public Comment – None

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

Motion Passes

Old Business: None

New Business:

a) Board Members Comments

- a. Derek sent a presentation about what is happening at the Civic Center.
- b. Inke – I am going to send you the by-laws, schedule and application so we can vote on them. We can do it through email.
- c. Mohamed – safe Holidays

Motion to Adjure – 1st by Mohamed and 2nd by Thomas

Adjourn: 6:43 pm

Next LAAPZRB Meeting on Jan 25, 2024 (if projects are submitted)

Project Submittal Deadline is January 15, 2024