

APPLICANT'S REPORT

To: Mr. Brandon Dunn
From: Mrs. Tina M. Ekblad, MPA, AICP, LEED AP
CC: Mr. Ron Inge
Ms. Neale Montgomery, Esq.
Date: October 15, 2015
Subject: Metro/Dusty Comprehensive Plan Analysis

In preparation for this case to be reviewed by the Local Planning Agency, we offer the following analysis of the request and supporting elements of the Lee County Comprehensive Plan (Lee Plan).

The subject property is approximately \pm 300 acres consisting of 23 parcels located at the northeast corner of the Metro Parkway and Alico Road intersection. The area surrounding the subject property is a mix of residential, commercial, and industrial uses. A small portion of the subject property has been developed for industrial uses, the remaining parcels are zoned AG-2 and are either vacant or have existing residential uses.



Figure 1. Subject Property

CPA 2015-00003

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PROJECT SUMMARY:

The Metro/Dusty Comprehensive Plan Amendment proposes a change to the Future Land Use Map for the subject property from Industrial Development to Urban Community. The subject property is in a changing area with-in the County. The property was **previously subject to airport noise zone restrictions that precluded new residential zoning and development**, however, in 2007, the Noise Zones for the Southwest Florida International Airport were revised and the subject property is no longer subject to restrictions on residential development due to the noise zone. The revisions were based on changes that followed the actual noise contours. **In 2012, the extension of Michael G. Rippe Parkway**, aka Metro Parkway, in front of the subject property was completed. The "Metro Extension" changed the access and the visibility of the property. The property is no longer in an obscure location with limited access, but occupies a prominent frontage on this newly constructed north-south corridor. These changing conditions, along with the existing surrounding residential uses, have altered the development circumstances of the subject property and surrounding area along Metro Parkway and Alico Road. Due to these changing conditions the proposed CPA seeks to amend the Future Land Use Map and Table 1(b) to permit a residential community with supporting commercial that will more properly fit within the area given the increase in nearby residential uses and regulatory and access changes that have occurred in recent years.

REQUESTS:

1. Amend the Future Land Use Map for approximately ±300 acres of land. Change the Future Land Use Classification Industrial Development to the Urban Community.
2. Amend Table 1(b) of the Lee Plan to reallocate ±300 acres from the Industrial Uses to the Urban Community Future Land Use Category within the Gateway/Airport District and Commercial Uses. Specifically, the proposed amendment will support ±250 acres of residential (supporting the proposed residential units) and ±50 acres commercial (supporting a maximum of 450,000 SF of Commercial Uses).

PROJECT BACKGROUND:

The subject property is a compilation of 23 parcels with residential, agricultural, industrial and vacant land uses. Within the vicinity of the subject property are a variety of existing uses. To the north is Briarcliff, a single family residential subdivision, the east is an existing abandoned fill dirt operation and some residential. South are residential communities and industrial uses and west is Metro Parkway, light industrial uses and vacant lands.

Surrounding Land Use			
	Future Land Use	Zoning	Relevant Notes
North	Rural, Wetland, Open Lands	AG-2	Single Family and Vacant Lots
South	Urban Community, Industrial	RV-2, IPD, AG-2, CPD	Industrial, Residential and RV Park
East	Industrial, Wetlands, Public Facility	IPD	Vacant, Residential
West	Industrial	IPD, IG, IL	Indoors Light Industrial, Vacant

The existing industrially zoned lands in proximity to the subject property were approved back in the early 1990s and many are still vacant. Those lands that have been developed are mostly light indoor industrial uses with a commercial component and do not permit uses typically associated with Heavy Industrial. Within the general vicinity of the subject property, Zoning Actions that were approved since 2000 incorporated a commercial and light industrial uses include Z-14-019, ADD2012-00043, Z-11-010, Z-10-015, Z-09-002, Z-09-014, Z-06-082, Z-06-095, Z-05-019, Z-04-055, Z-07-060, Z-05-001 and Z-04-023. The maximum development approved per these planned developments is included in Exhibit 1 and demonstrates a maximum of 4,578,440 SF of Industrial uses and 1,000,000 SF of Commercial Uses are available and will remain in the Industrial Future Land Use Category for Development surrounding the subject property.

The existing nearby activities and increased zoning approvals with commercial uses demonstrate an on-going shift in this area away from heavy industrial uses toward light industrial and commercial uses, often deemed more compatible with residential. The remaining uses in the vicinity are existing single family residential, mobile homes, and a recreational vehicle park. The proposed development would be consistent with the existing surrounding uses and would permit residential development in a more contiguous and compact form with connections to central utilities. The change in land use would also provide opportunities for commercial retail and office with convenient access to goods and services for the surrounding residential development units as well as the general public traveling Metro Parkway and Alico Road. The subject property is located in an area that is transitioning between uses. Due to the existing change in permitted uses on the surrounding properties and the frequency of similar changes occurring throughout the nation¹, it is likely that in the near future the subject property would be surrounded by a greater mix of uses, tending more toward residential and commercial uses.

CHANGING CONDITIONS

The Subject Property is currently located within the Industrial Development Future Land Use Category. Policy 1.1.7 describes this land use category as a category which is, to support the County's economy with stringent locational standards, access to transportation, urban services, and opportunities for economic development. Lands within this Future Land Use category are identified as future urban areas or locations with varying intensities that provide for a full range of urban activities. Industrial Land Uses are governed by Goal 7 of the Lee Plan which promotes opportunities for well-planned industrial development at suitable locations within Lee County. Policy 7.1.3 states that Industrial land uses must be located in areas appropriate to their special needs including flexibility in site selection, access by truck, air, deep water and rail, commuter access, and utilities, proximity to supportive and related land uses and compatibility with neighboring uses. The recent completion of the Metro Parkway Interchange creates an inflexible access situation that does not meet the needs of future industrial needs on the subject property inconsistent with Policy 7.1.3.

Proximity and Access to Transportation Options

¹ ULI Annual Conference

The subject property has frontage along Alico Road and Metro Parkway. Metro Parkway is an arterial state roadway (SR 739) that was extended into this area of Lee County to provide a significant travel alternative to US 41. In front of the subject property Metro Parkway is 6 lanes and provides another choice for motorists traveling north and south within Lee County, relieving congestion on US 41. As part of the expansion, Alico Road was widened and is 4 lanes adjacent to the subject property. The property that is the subject of this application is located near the western edge of the existing Industrial Development Future Land Use Category. Due to its location being the farthest away from the Southwest Florida International Airport and I-75, it inhibits convenient truck and air access which is necessary to support viable industrial development. The expansion of Metro Parkway reconfigured the alignment of Alico Road and altered its connection with US 41. The access to Alico from the interstate has also changed and one must now exit on the collector distributor system in order to gain easy access to Alico from I-75. In connection with any industrial usage, trucks entering or leaving the existing industrial uses from James Whitehead Road are no longer able to turn left. When leaving the property trucks cannot take a direct route toward the Interstate and the Airport. The trucks, which include large semi-trailer trucks, are forced, due to the lack of a full median on Alico Road, to travel west and turn onto Metro Parkway north toward Daniels or turn onto US 41. Any service vehicle or freight trucks that needs to head south towards Naples, Bonita Springs, or I-75 South will need to head north bound on Michael G. Rippe Parkway, make a left turn towards US 41 at either Briarcliff Road or Six Mile Cypress Parkway. U-turns are available at both Briarcliff Road and Six Mile Cypress Parkway however, large semi-trailer trucks do not navigate these movements or the other turns required easily. Both instances direct the industrial truck traffic away from the preferred roadway, Alico Road, and mix the Industrial truck traffic with residential and commuter traffic.

History of Industrial Land Use

Lee Plan Policies 7.1.3 and 7.1.4 were developed as a result of a 1983 report by Thomas H. Roberts & Associates outlining the Industrial Land Use Needs of Lee County. The premise of the thirty year old study was to enhance the County's role as a "regional headquarters" through the establishment of additional industrial sites. The report linked the County's manufacturing employment to the needed acres of industrial land. The report identified the projected percentage of manufacturing employment in 2005 based on different models projecting growth from 2.04 to 7.5%. The lowest range being minimum growth with no policy intervention and the highest being the maximum achievable goal. The study was updated in 1989 by a memo prepared by Thomas H. Roberts Associates to account for the population projections approved in 1989 adopted Lee Plan. The projected growth rates remained the same. Since the time of the Robert's studies, the County has not established itself as a regional headquarters for industrial uses. As a result the rate of employment for manufacturing industries has only increased to 2.2%, the lowest increase projected by the Robert's Studies. Since that time the county has declined to approve heavy industrial uses and has generally directed applicants to seek "clean Industry or light industrial uses and flex space. Thus an environment was created that did not foster heavy industrial uses and discouraged their establishment in existing permitted locations.

we will need memos from DCD and DOT

- there is a full access at indy

- is this true?

↳ How will res access? Go through Industrial?

The Office of Economic and Demographic Research publishes an area profile for each county every 6 months. The report published in February 2014 considered employment by industry for 2012 and the December 2014 report considered Employment by Industry for 2013. As demonstrated by the table below, the industrial uses have not increased employment over the last two years within the County. As mentioned, even eight years after the time horizon projected in the Robert's Studies, the average employment percentage in manufacturing industries has only risen to the minimum growth projected.

Industries	Lee County 2012	Lee County 2013
Manufacturing	2.2%	2.2%
Natural Resource & Mining	1.2%	1.2%
Trade, Transportation and Utilities	21.4%	21.4%

Given the limited change in the percentage of manufacturing employment from the 1989 Thomas H. Roberts Memo and the recent area profile published by the Office of Economic and Demographic Research, it is unreasonable to assume that over 15,000 acres of Industrial Lands are needed to support Industrial Activities in Lee County as identified in the 1989 Roberts Memo.

The projection of the 1989 Roberts Memo was based on a high percentage of manufacturing employment, 7.5%, as well as additional factors to account for variations in statistical models and potential land speculation. It is evident by reviewing recent population and employment data that this high projection of growth has not occurred and is likely not to occur. The Robert's Studies are 30 years old and do not account for evolutions in technology, research and development, current land use patterns, policy decisions by the Lee County Board of County Commissioners and other factors that have occurred and must be considered when evaluating current land needs for industrial activities.

In 2007 another study was conducted by BBP Associates, reviewing the Commercial and Industrial Lands within Lee County to determine if development needs could be met through 2025. The study assumed a 3% population growth rate each year of the time horizon and reviewed industrially zoned lands to determine a projected yearly absorption rate for industrial of 375,000 SF for future development would be adequate. At the time of the study, BBP Associates concluded if this absorption rate was utilized based on the existing available land "Lee County **will not exhaust** its supply of land for industrial uses by the year 2025." BBP Associates also noted that within the Tradeport area "an additional 2,000 acres of land...is reserved for industrial use, thus giving the County a reserve for beyond 2030." Since the time of this analysis, the population growth of Lee County has not achieved the 3% per year as projected by BBP and the absorption rate of Industrial has dropped.

Commercial Real Estate Consultants produced an Industrial Market View Analysis in Mid-Year 2014. The analysis tracked Industrial Buildings over 20,000 SF, privately owned, and tenant occupied in Lee County. From this data, the study reports approximately 1.7 million square feet,

or 13.3%, of existing industrial buildings within the County are vacant. As of Mid-Year 2014, only 350,000 SF of the available existing industrial buildings had been absorbed. This absorption rate does not warrant the full absorption of the existing 1.7 million square feet of available industrial buildings within the County in a reasonable time frame. The projected population growth of the County is also much lower than the projections provided by BBP Associates. According to the Office of Economic and Demographic Research, Lee County's population is only expected to increase between 1.0 and 1.1% from 2013 to 2040. The State of Florida's population is only expected to increase about 2% in the same timeframe. With a 3 fold reduction in population growth, it is not likely that industrial absorption will deplete the County's current industrial resources.

The BBP Associates study also did not consider the available lands within the Future Land Use Categories that support industrial uses. As demonstrated by the Lee Plan Table 1(b), there are 13,801 acres of lands available for industrial uses within the County. Zoning actions may be required, however these lands have been designated for industrial use. While the study's projections need to be reconsidered for application in today's economy, the study did accurately identify that the County should focus future industrial and commercial development efforts by identifying valuable corridors for business and industry.

Board of County Commissioners Policy Decisions - Research and Enterprise Diamond

The concept of creating an industrial and commercial corridor as presented in the 2007 BBP Associates study has been implemented. The Research and Enterprise Diamond was first presented to the Board of County Commissioners on May 3, 2010 where the Board agreed with the overall approach to establishing a Research Diamond to promote economic development in an area with connectivity and supporting infrastructure. At the November 29, 2011 Board Meeting a motion was approved to initiate an amendment to the Lee Plan for the Research and Enterprise Diamond Area.

On May 7, 2012, the Board agreed the plan amendment process should continue and a stakeholder charrette/workshop should occur to further refine the area's strategic plan. In June 25, 2013, the Board accepted a grant from the American Institute of Architects 2013 Sustainable Development Assessment Team to study the feasibility of incentivizing economic development and identify strategic direction for the Research and Enterprise Diamond which was published in late 2013. The study recommended a development pattern including industrial, institutional and commercial uses East of I -75 between Daniels Road and Estero Parkway which includes existing and future developments supportive of the County's industrial and commercial needs surrounding the Regional Airport and Florida Gulf Coast University.



Figure 2. Research Enterprise Diamond

The study published in 2013 by the AIA SDAT team reviewed existing developed properties within the Research Diamond which are experiencing a “glut of vacant space across commercial and industrial.” The study indicates there are existing constructed industrial and commercial space within the Research Diamond that needs to be absorbed by the market prior to the existing vacant lands being considered for future development. Due to the area’s proximity to the Regional Airport, University and I-75, it is likely that the existing lands within the Tradeport Future Land Use will be identified for development from a strategic standpoint and significantly prior to the subject property near the western edge of the Industrial Development Future Land Use, which is much further removed from the Southwest Florida

International Airport, I-75 and adjacent to existing residential. Since 2013, the County has directed Capital Improvements to this locations such as the force main extension and widening of Alico Road further supporting the expected future development within the Research Diamond.

The study also makes suggestions for linking the Research Diamond with existing commercial and institutional hubs. A detailed review of the maps and strategic planning materials demonstrates that the subject property and the existing surrounding industrial lands are not included within the Research Diamond or within the suggested links and hubs for future connections, thus rendering them even less crucial to the industrial needs of the county and much less likely to be developed for industrial usage.

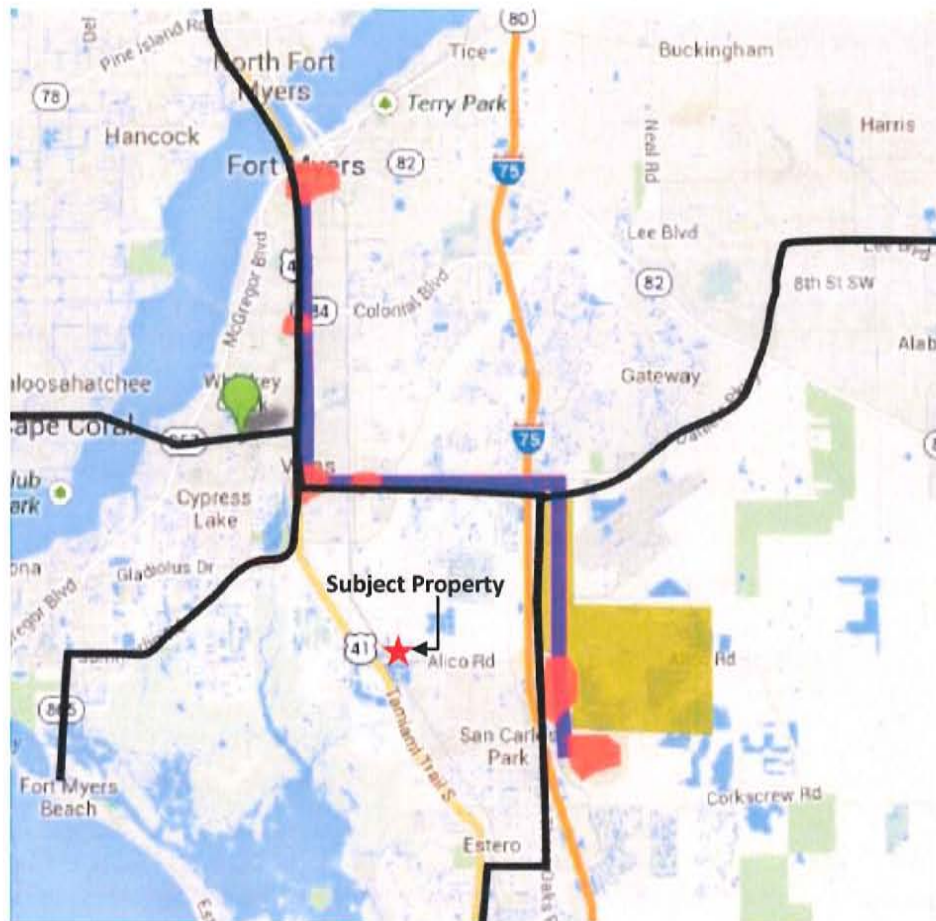


Figure 3. Proposed Future Connections & Hubs to Research Diamond

TRADEPORT: AVAILABLE INDUSTRIAL USES

Due to the focus and implementation of the Research and Enterprise Diamond as the County's business corridor, a review of the existing planned developments east of I-75 between Alico and Daniels Road was conducted. Many of the lands within this area have been approved for development through the County's planned development rezoning process. As demonstrated by Exhibit 1, there are currently approvals for approximately 9.1 million square feet of industrial uses within this corridor. This analysis does not include industrial

opportunities from the Southwest Florida International Airport (RSW) has over 1,150 acres of real estate zoned for aviation, commercial and industrial uses. Within the RSW property 221,750 SF of Commercial Retail, 147,500 SF of Light Manufacturing and Assembly, 329,200 SF of Warehouse/Distribution and 162,500 SF of Office are approved for Future Development. This brings the total square footage of Industrial Uses available within the Tradeport Future Land Use to **9.6 million** SF.

It is important to note there are additional lands within the Tradeport Future Land Use north and west of the Southwest Florida International Airport that will only be developed for light industrial, logistics, and office as permitted within the Tradeport FLU outlined in Policy 1.2.2.

FUTURE URBAN LAND USE – AVAILABLE INDUSTRIAL

A number of Future Land Use Categories identified as Future Urban Areas in Objective 1.1 of the Lee Plan permit Industrial uses including Intensive Development, Central Urban, and Urban Community. Policy 7.1.6 of the Lee Plan specifically states “Land that is located **outside** of the Industrial Development, Tradeport and Industrial Interchange areas **but within the designated Future Urban Areas may be developed for light industrial purposes** so long as adequate services and facilities are available” and the use does not adversely impact surrounding land uses. This clearly indicates the forethought of the County that industrial uses permitted by a planned development could also be supported by the Future Land Use Categories identified as Future Urban Areas. A general review of Planned Development approved along major corridors within Future Urban FLU Categories was conducted and is attached as Exhibit 2. Through various CPD, MPD and IPD approvals along Corkscrew Road, Alico Road, Daniels Parkway, Plantation Road and Metro Parkway, almost **3.2 million** square feet of Industrial Uses are available.

REMAINING INDUSTRIAL – ALICO ROAD

The subject property is in an area with an existing Industrial Future Land Use. The properties to the east and South along Alico Road are also within the Industrial Future Land Use Category and many have approved Planned Development Rezoning. Exhibit 3 attached to this report demonstrates those approvals and the available Industrial square footage. Within the Alico Corridor and the Industrial Future Land Use east of the subject property there are approximately **9.3 million** SF of Industrial Uses approved **without** the subject property.

Combined with the existing 12.8 million square feet of Industrial Uses available with the Tradeport and Future Urban Future Land Use Categories, **22 million square feet** of Industrial Uses are available in various areas throughout Lee County **without the subject property.**

Future Land Use	Industrial Square Footage Permitted
Tradeport	9.1 million
SW Florida International	476,700
Future Urban Areas	3.2 million
Industrial	9.3 million
TOTAL	22 million

Per the Mid-Year 2014 published by CRE Consultants, the 22 million SF of industrial uses would provide 62 years of absorption at 350,000 SF per year and 58 years of absorption at 375,000 SF per year, well beyond the planning horizon of the Lee Plan.

LEE PLAN AMENDMENTS & EVALUATION APPRAISAL REPORT

In addition to Industrial uses permitted via a planned development in Future Urban Areas, there have been two comprehensive plan amendments to the Future Land Use Map that added lands into the Industrial Future Land Use Category.

The first amendment, CPA2010-00007 for Minus Forty Technologies was approved in 2011 and reallocated 15.56 acres from Suburban to the Industrial and Conservation Future Land Use Categories. Since that time the property was approved as an MPD by Z-13-008, which permitted a maximum of 50,000 SF of industrial uses or 194,000 SR of Open Storage uses.

The second amendment CPA2006-00014 for Raymond Building was approved in 2009 by Ordinance 09-12. The amendment reallocated 14.1 acres from Suburban to the Industrial Future Land Use providing future expansion opportunities to the existing and operating Raymond Building.

The existing development permitted with the Future Urban, Tradeport, Industrial Development, General Interchange, Industrial Commercial Interchange, Industrial Interchange and University Village Future Land Use Categories have ample acreage to support the industrial needs of Lee County. Policy 7.1.6 of the Lee Plan specifically states "Land that is located **outside** of the Industrial Development, Tradeport and Industrial Interchange areas but within the designated Future Urban Areas may be developed for light industrial purposes so long as adequate services and facilities are available" and the use does not adversely impact surrounding land uses. This clearly indicates the forethought of the County that industrial uses permitted by a planned development could also be supported by the Future Land Use Categories identified as Future Urban Areas. This opportunity would further increase the available industrial acreage, if pursued.

Lee County's published EAR Report includes a tally of lands within each Future Land Use Category. The table below represents the Future Land Use Categories that support industrial uses. According to the Evaluation and Appraisal Report there are 10,652 acres of lands that support Industrial and Industrial related development. This calculation does not include the Airport and its support related facilities.

Future Land Use	2010 Acreage	% of County
Industrial Development	4,439	1.16
Tradeport	3,114	.81
General Interchange	2,500	.65
Industrial Commercial Interchange	377	.10
Industrial Interchange	159	.04
University Village Interchange	63	.02
TOTAL	10,652	2.78

Table 1. Future Land Use Acreage

Lee County's Evaluation and Appraisal Report also includes a Vacant Lands Analysis and Map. As the clip of the Vacant Lands Map below demonstrates the properties in the vicinity of the subject property and along I-75 and Treeline Boulevard are vacant, in spite of several of the properties having adequate existing infrastructure. These properties are within the Industrial Development, Tradeport, and Industrial Commercial Interchange Future Land Use Categories and available for future industrial development. The industrial usage has not materialized in spite of this opportunity being available for a number of years.

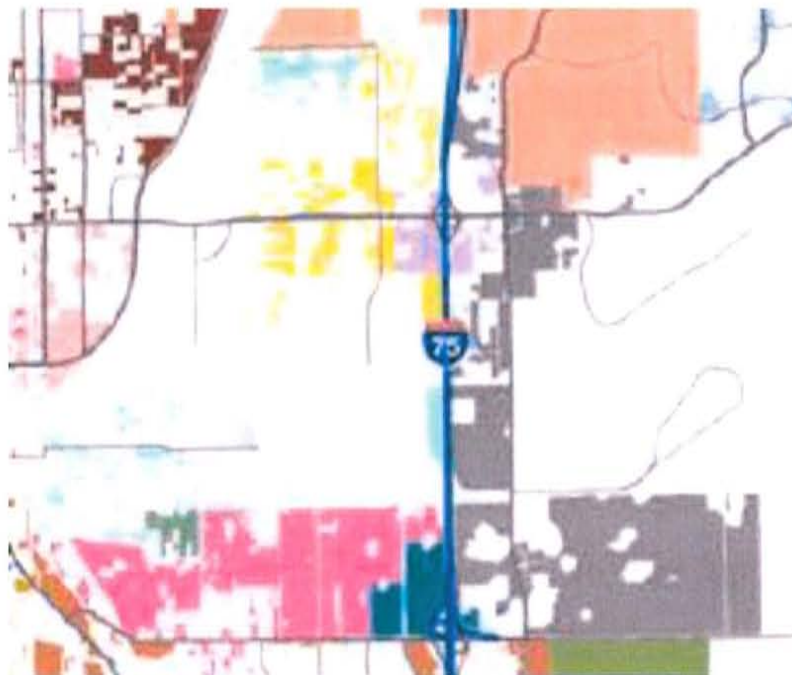


Figure 4. Vacant, Industrial, Tradeport and Interchange FLU lands

Lee County's Evaluation and Appraisal Report was adopted in March 2011, however the implementing Lee Plan Amendments have yet to be adopted. The acreage of lands available for Industrial uses are also calculated in Table1(b) of the Lee Plan, most recently published in October 2014, which indicates across all Future Land Use Categories there are 13,801 acres available for

Industrial Uses within Lee County and this acreage exceeds the amount identified to meet the County's future needs in all previous Industrial Land Use Reports.

COMMERCIAL REQUEST

The commercial uses likely to be developed on the subject property would be consistent with the Community Commercial location and intensity criteria as referenced in Policy 6.1.2 of the Lee Plan. Coupled with the requested residential density, the proposed mixed use project would be consistent with the existing surrounding uses, reflecting of the existing surrounding land use changes and more beneficial to this growing and developing area of Lee County. Mixed land uses in densely populated areas provide convenient access to commercial uses, including neighborhood needs and assist in reducing the number of vehicular trips and length of trips.

When considering the appropriate mix of uses for the subject property it is important to consider the existing conditions of the property and surrounding roadways and access points. The Urban Land Institute has produced a Development Series and within the Mixed-Use Development Handbook, providing site access via roadways and/or transit is fundamental. Regional commercial uses need to have site entrance and exit access from all major arterial roads. The existing challenging conditions related to the subject property's access for future industrial uses are the same for future commercial development.

The "Metro Extension" changed the access and the visibility of the property. The property is no longer in an obscure location with limited access, but occupies a prominent frontage on this newly constructed north-south corridor. These changing conditions, along with the existing surrounding residential uses, have altered the development circumstances of the subject property and surrounding area along Metro Parkway and Alico Road. The access to Alico from the Interstate must now exit on the collector distribution system in order to gain easy access to Alico from I-75. Traffic will be forced, due to the lack of a full median cut on Alico Road, to travel west and turn onto Metro Parkway north toward Daniels Parkway or turn onto US 41. Due to the limited access to Alico Road and configuration of Alico Road with the Metro Parkway Interchange it is unlikely that regional commercial uses could be supported by the existing configuration as well as market conditions.

The requested Map Amendment to the Urban Community Future Land Use would permit commercial uses to be located on the subject property. Per the Lee Plan and Policy 6.1.2 the commercial maximum could be the equivalent of a Regional Commercial Center. However due to the existing constraints of the subject property and the existing regional commercial within proximity to the subject property it is unlikely that such commercial intensity would be viable. Mixed Use and Retail Complexes have been the subject of much study and debate for many years. Retailers are recognizing the need to focus their efforts to sustain and potentially redevelop existing centers to incorporate more consumer demands for mixed use, walkability and access.

Considering the distance of the subject property from the nearest existing regional shopping centers which are Gulf Coast Town Center and Coconut Point Mall and the national retail landscape, an additional Regional Commercial Center would not be feasible. Lee County has five

existing and active large shopping malls. Each mall is separated by approximately 7 or more miles and between each are several smaller neighborhood and/or community commercial centers. As shown in Figure 5, the subject property is located approximately 6.7 miles from Coconut Point Mall, 3.4 miles from Gulf Coast Town Center, 5.76 miles from Miromar Outlets, 8.2 miles from Tanger Outlets and 7.4 miles from Edison Mall. These existing regional shopping centers are within a close distance from the subject property, adding another commercial center of this size would not be supported due the existing intensity within close proximity.



Figure 5. Dusty/ Metro Distance from Malls

TABLE 1(b) REVISIONS

Removal of the 300 acre subject property from the Industrial Development FLU to the Urban Community FLU is only 2.1% of the 14,000 acres listed in Table 1(b) as available for industrial development. The remaining acreage is adequate to meet the needs of the County and permit some additional growth. As demonstrated previously there is adequate Industrial Square Footage currently permitted to meet the Industrial needs of the County. The Comprehensive plan amendment and proposal ultimately shows that there is sufficient industrial uses within the county and in this area to support policy 1.1.7.

	Gateway/Airport	Allocation	Existing	Remaining
Residential	Urban Community	<u>250</u>		<u>250</u>
	Industrial Development	20	14	6
	Total Residential	1,023		
	COMMERCIAL	1,100 <u>1,150</u>	168	932 <u>982</u>
	INDUSTRIAL	3,100 <u>2,800</u>	263	2,837 <u>2,537</u>

LEE PLAN CONSISTENCY

The property's location is consistent with Objective 2.1 and is in an area that has already experienced growth and development with adequate urban services. As established in Objective 2.1 and 2.2 desired locations and timing for development are those that promote infill, minimize energy and service costs and conserve land, water and natural resources. The proposed request accomplishes these development goals by utilizing a property that is surrounded by existing development, has existing development and impacts and access to existing public facilities that have adequate capacity to service the proposed development. A detailed analysis of the public facilities available is provided in the Public Facilities Impact Analysis included in the application materials.

Lee Plan Policy 2.2.2 requires that consideration be given to the following factors to balance the policies of the Future Land Use Element with the proposed development location.

POLICY 2.2.2: *Map 1 of the Future Land Use Map series indicates the uses and density ranges that will ultimately be permitted on a given parcel. However, it is not a guarantee that such densities or uses are immediately appropriate, as the map provides for the county's growth beyond the Lee Plan's planning horizon of 2030. During the rezoning process the Board of County Commissioners will balance the overall standards and policies of this plan with three additional factors:*

- 1. Whether a given proposal would further burden already overwhelmed existing and committed public facilities such that the approval should be delayed until the facilities can be constructed;*
- 2. Whether a given proposal is for land so far beyond existing development or adequate public facilities that approval should be delayed in an effort to encourage compact and efficient growth patterns;*
- 3. Whether a given proposal would result in unreasonable development expectations that may not be achievable because of acreage limitations contained*

in the Acreage Allocation Table (see Policy 1.7.6, Map 16 and Table 1(b)). Additional provisions related to mining are provided in Policy 33.1.4. In all cases where rezoning is approved, such approval does not constitute a determination that the minimum acceptable levels of service (see Policy 95.1.3) will be available concurrent with the impacts of the proposed development. Such a determination must be made prior to the issuance of additional development permits, based on conditions which exist at that time, as required by Lee County's concurrency management system. (Amended by Ordinance No. 94-30, 98-09, 10-20)

The proposed plan amendment will not result in development that will further burden existing and committed public facilities. Public Services for utilities, solid waste, stormwater management, and emergency services exist within the area proposed for development and have adequate capacity to service the proposed development. The proposed request is located in an area where growth and development have already occurred. The proposed plan amendment represents an infill parcel in a location that supports the existing, surrounding uses in a compact and efficient manner. A Text Amendment is proposed to address the acreage allocation Table 1(b). As previously demonstrated the 300 acres of the subject property are not needed to meet the Industrial Land Use needs of the County.

Goal 5 of the Lee Plan Future Land Use Element governs the development of Residential Land Uses, to provide sufficient land to accommodate the project population of the County.

GOAL 5: RESIDENTIAL LAND USES. *To provide sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County in the year 2030 in attractive and safe neighborhoods with a variety of price ranges and housing types. (Amended by Ordinance No. 94-30, 07-12)*

POLICY 5.1.1: *Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as planned residential developments. (Amended by Ordinance No. 00-22).*

POLICY 5.1.2: *Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.*

POLICY 5.1.3: *During the rezoning process, direct high-density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities. (Amended by Ordinance No. 94-30)*

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 Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a*

Could a rezoning for RES. use be consistent w/ this policy in this location?

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 Land Development Code will continue to require appropriate buffers for new developments. (Amended by Ordinance No. 94-30, 99-15, 00-22)

After the proposed Comprehensive Plan Amendment, the property will be required undergo a Planned Development rezoning to permit the proposed commercial and residential uses as required by policy 5.1.1. The subject property does not include any physical constraints or hazards that would prohibit residential development and is not located in an airport noise zone. The northern boundary of the subject property abuts an existing, established single family residential community. The extension of Metro Parkway adjacent to the subject property provides convenient access to nearby employment, shopping centers, schools, mass transit and bicycle facilities consistent with the requirements of Policy 5.1.3. The Metro/Dusty property has frontage along Alico Road and Metro Parkway. Metro Parkway is an arterial state roadway (SR 739) that was extended into this area of Lee County to provide a significant travel alternative to US 41. In front of the subject property Metro Parkway is 6 lanes and provides another choice for motorists traveling north and south within Lee County, relieving congestion on US 41. As part of the expansion, Alico Road was widened and is 4 lanes adjacent to the subject property. Due to this location and concerns regarding compatibility the subject property would be more consistent if developed as residential uses and commercial to support the existing neighboring communities.

Is there full access to Metro? Will Res traffic have to go through ind.? ? How?

Goal 6 of the Future Land Use Element of the Lee Plan governs the development of Commercial Land Uses to permit orderly and well-planned commercial development.

GOAL 6: COMMERCIAL LAND USES. *To permit orderly and well-planned commercial development at appropriate locations within the county. (Amended by Ordinance No. 94-30)*

OBJECTIVE 6.1: *Development approvals for commercial land uses must be consistent with the following policies, the general standards under Goal 11 and other provisions of this plan. (Amended by Ordinance No. 94-30, 11-18)*

POLICY 6.1.2: *Commercial development must be consistent with the location criteria in this policy except where specifically accepted by this policy or by Policy 6.1.7, or in Lehigh Acres by Policy 32.2.4 or located in the Mixed Use Overlay utilizing Chapter 32 – Compact Communities of the Land Development Code.*

POLICY 6.1.3: *Commercial developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as commercial planned developments designed to arrange uses in an integrated and cohesive unit in order to:*

- *provide visual harmony and screening;*
- *reduce dependence on the automobile;*
- *promote pedestrian movement within the development;*

- *utilize joint parking, access and loading facilities;*
- *avoid negative impacts on surrounding land uses and traffic circulation;*
- *protect natural resources; and*
- *provide necessary services and facilities where they are inadequate to serve the proposed use.*

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. (Amended by Ordinance No. 94-30, 00-22)*

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 (Amended by Ordinance No. 94-30, 00-22)*

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.

POLICY 6.1.8: Commercial development may take place, when properly zoned and when meeting the standards in Policy 6.1.2, within the Future Urban Areas. Minor or rural commercial uses which serve rural residents or marine traffic, neighborhood commercial uses which serve major non-commercial public attractions (e.g. Lee County Civic Center), limited agricultural - commercial uses which serve rural areas and agriculturally related needs, and limited commercial marinas (not including heavy marine commercial, such as extensive storage and hull, engine, and electronic repairs) may be permitted in non-urban areas. (Amended by Ordinance No. 94-30, 98-09)

POLICY 6.1.9: Prohibit commercial development from locating near existing or planned school areas in such a way as to jeopardize the safety of students. (Amended by Ordinance No. 00-22)

Objective 6.1 requires that commercial development approvals be consistent with the supporting policies of Goal 6 and general standards of Goal 11. As required by Policy 6.1.2, the proposed 450,000 SF of commercial development proposed will meet the needs of the proposed and surrounding neighborhood while providing opportunities for the sale of retail goods. Further, the

commercial uses will be located on the subject property to have access to Metro Parkway and Alico Road, both arterial roadways, and adequate site area will be provided for the proposed commercial floor area. After completion of the Comprehensive Plan Amendment, a planned development rezoning will be requested to establish the commercial uses on the subject property as required by policy 6.1.3. Policy 6.1.4 seeks to protect adjacent land uses from proposed commercial development. The subject property is located in an area with existing residential development and adjacent to two arterial roadways. Due to this location and concerns regarding compatibility, it is unlikely that and industrial development could be constructed on the property under the current Industrial Development FLU. It is more appropriate for the subject property to be developed as proposed, with, commercial uses that will support the existing and proposed residential uses and have adequate access to existing public services and facilities as required by policy 6.1.4. A traffic impact statement has been completed as part of this application and request, no additional improvements are necessary to the surrounding roadway to serve the proposed development consistent with policy 6.1.5. The subject property is located in an area of existing residential, commercial, and industrial development. Consistent with policy 6.1.7, 6.1.8, and 6.1.9 the proposed request is located in appropriate area of the County, away from existing schools, in a future Urban Category, and an existing developed area eliminating premature, scattered or strip development. The proposed development would support the existing and proposed residential as well as pass by traffic from Metro Parkway and Alico Road.

GOAL 53: POTABLE WATER INFRASTRUCTURE. *To ensure the public health, welfare, and safety by the provision of high-quality central potable water service throughout the future urban areas of unincorporated Lee County, and to ensure that the costs of providing facilities for the supply of potable water are borne by those who benefit from them.*

GOAL 56: SANITARY SEWER INFRASTRUCTURE. *To protect the public health and environmental quality by encouraging and ensuring the provision of sanitary sewer service and Community Facilities and Services IV-6 August 2007 wastewater treatment and disposal throughout the future urban areas of the unincorporated county and to Fort Myers Beach. (Amended by Ordinance No. 98-09)*

GOAL 59: PROTECTION OF LIFE AND PROPERTY. *To reduce the hazards to life, health, and property created by flooding due to rainfall in a manner consistent with the community's criteria for the preservation of environmental values and the conservation of natural resources.*

GOAL 62: SOLID WASTE. *To ensure the health, safety, and general welfare of the citizens of Lee County by protecting the quality of the environment through the proper management and disposal of solid waste.*

GOAL 65: FIRE PROTECTION. *To assist fire districts in providing appropriate levels of high-quality cost-effective fire prevention and suppression services throughout the unincorporated county. (Amended by Ordinance No. 94-30)*

The availability of Community Facilities and Services for the proposed development supporting Goals 53, 56, 59, 62, and 65 is provided in the Public Facilities Analysis included in the application materials. The proposed development does place burden on the public facilities that would service the subject property. The proposed development would be serviced by Three Oaks Regional Sewage Plant, the Corkscrew Water Treatment Plant and the Three Oaks Regional Wastewater Treatment Plant. The anticipated needs of the proposed project are well within the remaining GPD capacity.

OBJECTIVE 107.8: GOPHER TORTOISES. *The county will protect gopher tortoises through the enforcement of the protected species regulations and by operating and maintaining, in coordination with the Florida Game and Fresh Water Fish Commission, the Hickey Creek Mitigation Park. (Amended by Ordinance No. 94-30)*

POLICY 107.8.1: *The County's policy is to protect gopher tortoise burrows wherever they are found. However, if unavoidable conflicts make on-site protection infeasible, then off-site mitigation may be provided in accordance with Florida Game and Fresh Water Fish Commission Requirements. (Amended by Ordinance No. 94-30)*

Consistent with Goal 107, an Environmental Assessment was conducted for the subject property and is included in the attached application materials. The property includes 15 vegetative communities and land uses, however no wetlands currently existing on-site. During the Species Survey conducted on November 14, 2014, Gopher Tortoises were found on the subject property. Consistent with Objective 107.8 and policy 107.8.1, coordination will occur with Lee County and the Florida Game and Fresh Water Fish Commission to address the existing burrows on-site and develop a plan for any conflicts.

CONCLUSIONS

The subject property is located in an area with a mix of surrounding uses, residential, commercial and industrial. The conditions within this area of the County have been changing for some time. In 2007, the Noise Zones for Southwest Florida International Airport were revised and no longer include the subject property. In 2012, the extension of Michael G. Rippe Parkway (aka Metro Parkway) was completed, altering the access and visibility of the parcel. Large semi-trailer trucks are no longer easily able to access the subject property or directly travel to and from the airport. Recent Planned Developments within the Alico Road Corridor include commercial components and support mostly light Industrial Uses. The Board of County Commissioners has approved the Research Diamond as the commercial and industrial hub for the County. Finally, the Industrial Land Studies completed between almost 10 and 32 years ago are no longer relevant with regard to population projections and needed industrial lands.

Why is it assumed that traffic will only go to airport?

Throughout various Future Land Use Categories, 22 million Square Feet of Industrial approvals are available for current and future Industrial operations with Lee County. An additional 1.2 million square feet are available within the City of Fort Myers on just three properties. This is more than adequate to serve the current year rate of absorption of 375,000 square feet for Industrial Uses.

The requested Comprehensive Plan Amendment will provide a mix of uses at the intersection of two arterial roadways to service the existing surrounding residential and passerby on Alico Road or Metro Parkway. The proposed amendment to Urban Community would permit the development of up to 450,000 SF of commercial uses and residential dwelling units. This is consistent with the surrounding properties and reflects the configuration of the property from the Metro Extension and proximity to existing regional shopping centers. The request will not impact any industrial lands outside of the proposed amendment area and will complement the surrounding structures and uses.

It will when
surrounding lands
develops -
larger setbacks
and buffers.

Exhibit 1. Tradeport FLU - Industrial Approvals

DEVELOPMENT	RESOLUTIONS	FROM	TO	Project Acreage	Industrial SF	Commercial Retail SF	Commercial Office SF	Notes
Airport Interstate Commerce Park	Z-05-029	AG-2	MPD	321.94	1,400,000	175,000	131,000	
Meridian	Z-12-018	MPD	MPD	90.6	500,000	100,000	295,000	200 hotel/motel
Arlington Commerce Park	Z-08-023	AG-2	MPD	80.57	590,000	50,000 sf	160,000 inc. medical	200 hotel rooms
Southwest International Commerce Park	Z-04-059	AG-2	IPD	207.5	1,060,000	60,000 sf	180,000 sf	94 hotel rooms. 1,300,000 Maximum SF
Treeline Industrial Park	Z-92-048	AG-2	IPD		295,000		50,000 sf	500 mini-warehouse incl in Industrial SF
Treeline Distribution Center	Z-15-007	CPD	IPD	5.15	250,000			
Lee County Airport Autopark	Z-99-061	IPD	CPD	29.26	70,000	20,000 (of the 70,000)		1,425 space commercial parking lot
Jetport Interstate Commerce Park DRI	Z-08-061		TC, IPD, IL	158.9	1,274,989		125,000	267 rooms
Premier Airport Park	Z-12-001			225.71	1,875,000	19.1 acres		no more than 20,000 SF medical office
Midway Promenade	Z-14-013				300,000	100,000	295,000	200 motel rooms
Daniels/I-75 Commerce Center	Z-02-032	AG-2/CT	MPD	64	400,000	200,000	220,000	120 hotel rooms
Daniels Office Warehouse Flexible Bld.	Z-06-049	CG/AG-2	IPD	4.35	61,000			
Lippizan Road, LLC	Z-08-018	AG-2	IPD	5.12	60,000			
Airport Autopark CPD	Z-08-057	CPD	CPD	26.68	370,000	26,680		165 hotel/motel units
Jetway Tradeport	Z-05-060	AG-2	MPD	39	29,000	120,000	75,000	300 hotel/motel units.
Arlington Commerce Park	Z-08-023	AG-2	MPD	80.57	590,000		160,000	200 hotel rooms
TOTAL				1,339.4	9,124,989			

Exhibit 2: Future Urban Land Use Categories - Industrial Approvals

DEVELOPMENT	RESOLUTION	FLU	FROM	TO	Project Acreage	Industrial SF	Commercial Retail SF	Commercial Office SF	Notes
Corkscrew Road									
Estero Interstate Commerce Park	Z-14-020	Intensive Development & General Interchange	CC,CT, RV-3	CPD	47.5	20,000	140,000		
Alico Road									
Miromar Lakes	Z-13-020	University Community	MPD	MPD	1800.7	40,000	250,000	340,000	*40,000 SF of Research and Development
Center Place	Z-14-021	University Community	IL, AG-2	Compact PD	886.035	300,000	246,400	100,000	*300,000 SF of Research and Development
Coca Cola Bottling Company	PD-91-011	Industrial Commercial Interchange & Tradeport	AG-2	IPD	20.27	25,000			
Daniels Parkway Area									
Daniels/I-75 Commerce	ADD2015-00013	General Interchange	CT,AG-2,CPD	MPD	64	400,000	200,000	220,000	
Lehigh Acres									
Blackstone Corporate Park	Z-07-051	Intensive Development	AG-2 & CPD	MPD	92.85	810,000	250,000		
Six Mile Cypress									
Harper Bros., Inc.	Z-82-26	Intensive Development	AG	IL	69.16	903,782			*based on 30% FAR
Plantation Road									
International Center	ADD2004-00085	Intensive Development	CPD	MPD	94.94	80,000	15,000	245,000	
Robb & Stucky Warehouse	Z-03-071	Intensive Development	AG-2	IPD	19.28	235,600	47,000		
Center For Hope	Z-12-012	Intensive Development	IL, IPD, CPD	MPD	46.5	25,000	109,000	70,000	
Metro Parkway									
Sun Sports Cycle and Watersports IPD	Z-00-53	Intensive Development	IL	IPD	1.5	23,750			
Crystal Commerce center	Z-02-003	Central Urban	AG-2	IPD	21.59	200,000			
Fed-Ex Commerce Park	Z-09-038	Industrial Development & Central Urban	IL & AG-2	IPD	12.61	140,000			
TOTAL					3,176.9	3,203,132	1,007,400	975,000	

Exhibit 3. Industrial FLU - Approvals Along Alico Road

DEVELOPMENT	RESOLUTIONS	FROM	TO	Project Acreage	Industrial SF	Commercial Retail SF	Commercial Office SF	Notes
Coastline Tree Service IPD/CPD	Z-14-019	IL & AG-2	IPD/CPD	29.41	40,000	30,000		
Alico 37 MPD	Z-11-010	AG-2	MPD	37.07	150,000**	370,000		**520,000 SF Max permitted with no Industrial limitation. Industrial Uses are permitted. 175,000 SF Retail Maximum & 100 hotel room
James Mann Properties	Z-10-015	IG & AG-2	IPD	46.13	250,000	30,000		
Used Oil Refinery (f/k/a Doragh Donalson)	Z-10-030	IPD	IPD Amendment	7	24,400			
Alico - Three Oaks IPD	Z-09-002	AG-2	IPD	52.19	440,000	60,000	100,000	
Alico Penn CPD/IPD	Z-09-014	IG	CPD/IPD	7.66	54,000	30,000		16 fuel pumps - 8 are diesel
Alico-Gator Road	Z-08-054	AG-2 & IL	IPD	13.21	115,000	30,000		**145,000 SF Maximum permitted with no Industrial Limitation
Alico Lakeside	Z-06-057	AG-2	IPD	290.01	1,900,000			Maximum 2,500 Parking spaces
Youngquist Gator 20	Z-06-082	AG-2	IPD	37.6	190,000			
Three Oaks Commerce Park	Z-06-095	AG-2	IPD	58.9	750,000	30,000		
Vintage Commerce Center CPD	Z-05-019	AG-2	CPD	4.69		300,000		
Formosa Commerce Center	Z-05-066	AG-2	IPD	129.77	1,100,000	30,000		Maximum 2,499 Parking spaces
Alico Road Center	Z-04-064	IL	IPD/CPD	6.18	69,600	12,000		
Alico Road 254	ADD2012-00043	AG-2	IPD	250	2,134,440	30,000		Maximum 2,499 Parking spaces; Z-04-055
Alico Park	Z-04-023	AG-2	IPD	14.47	180,000**	20,000		**200,000 SF Maximum permitted with no Industrial Limitation
Flex Industrial Space	Z-03-058	AG-2	IPD	8	86,400**	9,600		**96,000 SF Max permitted with no Industrial limitation
McMahon CPD	Z-01-022	AG-2	CPD	1.95	12,720**	12,720		**23,000 SF Max of Industrial permitted if no commercial SF developed
Alico Commercial Park	Z-00-075	AG-2 & IL	CPD/IPD	73.65	650,000	30,000	70,000	
Alico Commerce Center	Z-91-002		IPD	19.35	216,394**	11,389		**227,783 SF Max permitted with no Industrial limitation
Rockett 44	Z-88-197	AG-2	IPD	43.8	506,000			
Ledo Lines IPD	ZAB-86-016	IL	IPD	37.8	525,000**			**Site Plan SP-86-16 approved as MCP with 75,000SF per typical 5 acre site and 7 sites included.
TOTAL				1,168.8	9,393,954	1,205,709		

City of Fort Myers - Industrial Approvals

DEVELOPMENT	RESOLUTION	FLU	FROM	TO	Project Acreage	Industrial SF	Commercial Retail SF	Commercial Office SF	Notes
DS & S Manufacturing	Ord. No. 3607	Industrial	IH	PUD	30	392,040			*based on 30% FAR & 2,000 sq. is ancillary office
Laredo Lakes	Development Agreement	Industrial	IL		97.86	900,000			
Benchmark Corporate Park	Ord. No. 3046	A-3 (Multi-family High Density)		PUD	70.89	995,259*			*based on 30% FAR
TOTAL					198.8	1,292,040			