

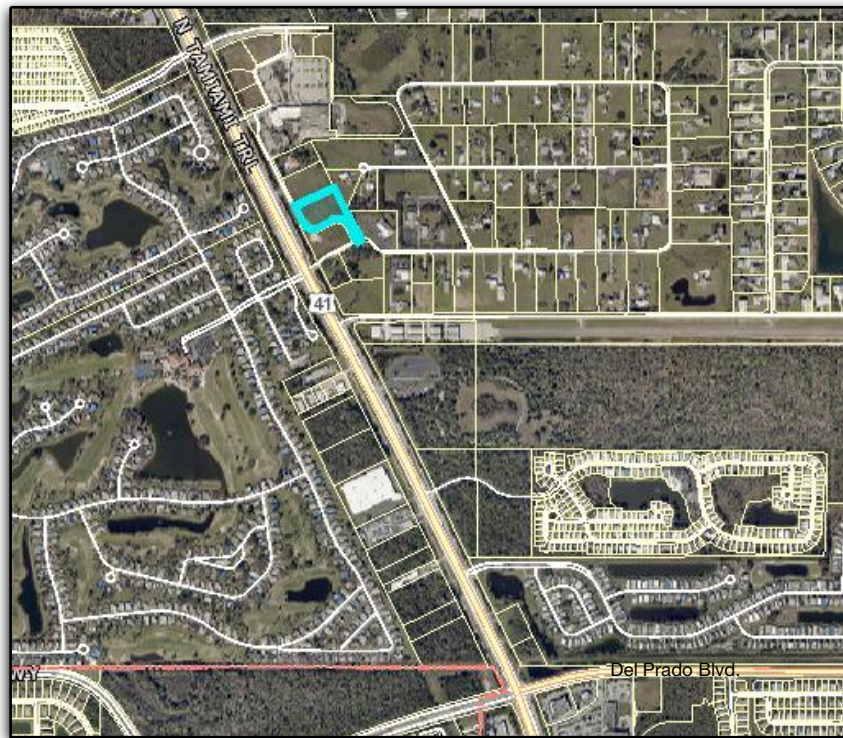
TRAIL DAIRY PLAZA CPD ADMINISTRATIVE AMENDMENT

NARRATIVE

July 2023

The applicant is requesting an amendment to the Trail Dairy Plaza CPD to allow for the additional use of Contractors & Builders, Groups I & II, and to request deviations to the required development standards applicable to the development of the subject property.

The property is located on Del Tura Plaza Lane, which serves as a frontage road to US 41, connecting Trail Dairy Circle to Del Tura Plaza CPD to the north. The property is located on the east side of US 41, approximately 0.8 miles north of its intersection with Del Prado Boulevard.



Location Map

The subject property falls into the Suburban Land Use category and is within the North Fort Myers Planning Community. It encompasses approximately 2.21 acres. The property abuts undeveloped land to the north and to the south. The property frontage on Del Tura Lane to the west runs parallel to US 41, with access to the highway located just north of the property or from Trail Dairy Circle to the south. The property to the east abuts the North Fort Myers Presbyterian Church as well as larger parcel single-family residences.

The property was rezoned to CPD in 1986 (Z-86-214), providing for a maximum of 83,500 square feet of commercial uses allowed by right in the CN-2, Neighborhood Commercial zoning district. In 1991, the resolution was amended (PD-91-003) to create a 6-lot commercial subdivision, making minor modifications to the Master Concept Plan and the Schedule of Uses. The property today remains undeveloped and was never platted.

As previously mentioned, the applicant would like to amend the CPD to add Contractors & Builders, Groups I & II to the approved list of uses, and would also like to revert back to a single parcel rather than a division into six lots. The North Fort Myers Planning Community code allows for these two groups by right (LDC Section 33-1596), confirming that such use is not considered adverse within the Planning Community.

The proposed use will be fully compatible with the surrounding uses. Contractors and Builders Groups I & II permit offices and indoor storage facilities. While light fabrication work is allowed in Group II, it is limited to indoors and outdoor storage of materials or equipment must be enclosed. Heavy construction equipment is explicitly prohibited. The North Fort Myers regulations will require a 30-foot wide buffer adjacent to the residential properties to the east, further protecting those residences from the minor activity anticipated by the addition of this use. While a Master Concept Plan has not yet been developed for the property, the applicant is intending to construct units that face each other internally, further reducing any potential adverse impacts to the properties to the east. All construction will adhere to the architectural design standards of the North Fort Myers Community.

With this application, the applicant is requesting approval of three deviations from the Land Development Code.

1. LDC Section 33-1548

This Code section requires commercial and mixed-use developments adjacent to one another to provide interconnections for automobile, bicycle and pedestrian traffic. Del Tura Plaza Lane essentially functions as a service road, connecting four properties. Additionally, there is an existing sidewalk on US 41, just to the west that can provide safe movement for bicyclists and pedestrians, and the subject property can be easily accessed using the Del Tura Plaza Lane connector. An additional interconnection is not necessary as a connection already exists via Del Tura Plaza Lane.

2. LDC Section 33-1576(b)(1)

This Code section requires clear glass windows. The applicant intends to develop the property with a trade unit storage facility. For security purposes, clear glass windows are not appropriate. If the applicant chooses to include windows as part of the architectural elements described in 33-1576(b)(9), this request is to allow for false windows that are 100% opaque. This will achieve the architectural character envisioned by the North Fort Myers Community while allowing for security for this type of use.

3. LDC Section 33-1545

This Code section, at the discretion of the DCD director or designee, allows for consideration of waiving the requirement for a community review meeting. The applicant is requesting such a waiver. The requested use is already a use permitted by right in the North Fort Myers Community Code, hence the standards for development are already established. The property is located where minimal, if any impacts to adjacent properties might occur and the use proposed limits activity to indoors or well-screened outside storage. The Code sets forth substantial buffer and landscaping requirements for commercial properties located adjacent to residential uses, further reducing the potential for adverse impacts. The requested deviations are logical requests for the use intended. An interconnection already exists and the applicant is not requesting to remove the use of windows, but to simply create opaque windows if that architectural feature is chosen as one of the architectural elements of building design. There are no impacts that might cause community concern.

Comprehensive Plan Consistency

Policy 1.1.5 Suburban Land Use

The additional use of Contractors & Builders, Groups I & II will remain consistent with this Land Use category. The property location is appropriate for commercial uses that can serve to protect existing residential uses to the east, serving as a buffer and transition to those neighborhoods.

Policy 30.2 Centers and Corridors of North Fort Myers

The proposed use addition will not adversely impact the intent to encourage revitalization of the Corridor Overlay areas. The development of vacant property along the substantially visual US 41 corridor will promote economic vitality and beautification of the community.

Policy 30.2.5 Corridor Overlay District of North Fort Myers

The proposed use addition will meet the provisions of the LDC regarding landscaping, buffering and architectural standards that apply to North Fort Myers.

Conclusion

The request to add Contractors & Builders, Groups I & II to the existing list of uses for the subject CPD will remain consistent with the Lee County Comprehensive Plan and Land Development Code. The proposed use group requires activities to be enclosed, eliminating impacts to adjacent properties. The North Fort Myers Community standards ensure compatibility through buffers, landscaping and architectural standards. The requested deviations are logical in nature and will not create health, safety and welfare impacts that might adversely impact the goal of the North Fort Myers Community to improve the livability and economic vitality of its community. The proposed Contractors and Builders use is already a permitted use by right in the North Fort Myers Community.