



REQUEST STATEMENT

THREE OAKS LOGISTICS CENTER

MPD Amendment

±75.85 ACRES

STRAPS#: 03-46-25-00-00001.1070 and 04-46-25-00-00003.0040

Fort Myers, FL 33912

The project is made up of two parcels that occupy +/- 75.85-acre known as Three Oaks Logistics Center, MPD, is located on the west side of Three Oaks Parkway, a half mile north of Alico Road in Sections 03 & 04, Township 46 South, Range 25 East in Lee County Florida. The project is bisected by Oriole Road. The property is in the Gateway/Airport Planning Community and falls within the Industrial Development Future Land Use Category.

On October 6, 2021, the Lee County Board of County Commission adopted Resolution No. Z-21-012 (DCI2020-00014) to rezone the +/- 75.85-acre project from AG-2 to MPD to allow up to 1,050,000 SF of commercial, retail and industrial uses. The west side of the project was approved to allow up to 500,000 SF with a maximum of 20% commercial/retail uses. The east side of the project was approved to allow up to 550,000 SF with a maximum of 80% commercial/retail uses.

OUR REQUEST

The applicant, Alan C Freeman, is requesting Administrative Approval to modify the Three Oaks Logistics Center, MPD. The intent of the application is to:

- Revise the Master Concept Plan to change the lot configuration.
- Include new deviations per changes to the current land development code.
- Modify the Development Parameters to increase the maximum allowed square footage from 1,050,000 SF to 1,200,000 SF by reducing the commercial/retail allocation by 300,000 SF and increasing the industrial allocation by 450,000 SF.

The proposed amendment will provide the requisite flexibility to fully develop the subject property (Property) in accordance with market demand for a more urban form of development, that can accommodate the intensity needed for corporate headquarters, medical campuses, and industrial manufacturing uses. Based on Lee County's definition of Intensity and Lee County Staff's interpretation of the code as it relates to intensity for administrative amendments, the request will not be increasing intensity in that it is not increasing intensity of uses as demonstrated by an overall reduction of traffic rates, it is not increasing water and sewer demands (request results in a 30% reduction), open space is not being reduced, and maximum allowed building heights are not changing.

Since there are no increases to the intensity of the project, or modifications of the schedule of uses, the project is still in compliance with the Goals and Objectives of the Lee County Comp Plan that were presented during the original zoning application in 2021 and as such, we will only discuss those that are applicable to the proposed modification.



MASTER CONCEPT PLAN

The revised master concept plan configuration consolidates multiple parcels into three parcels and revises the internal roadway system accordingly.

The request is to modify Section B. Conditions: Subsection I. Development Parameters

The modification to the Development Parameters is as follows:

Approved Development Parameters

This project is approved for 1,050,000 square feet of commercial and industrial development floor area as follows:

510,000 square feet industrial floor area and

540,000 square feet commercial floor area.

Approved square footage may be distributed on parcels east and west of Oriole Road as follows:

West of Oriole Road: 500,000 total square footage. A maximum of 20% of the square footage west of Oriole Road may be developed with commercial or retail uses (100,000 square feet).

East of Oriole Road: 550,000 total square footage. A maximum of 80% of the square footage east of Oriole Road may be developed with commercial or retail uses (440,000 square feet).

Replace with:

Proposed Development Parameters

This project is approved for 1,200,000 square feet of commercial and industrial development floor area as follows:

960,000 square feet industrial floor area and

240,000 square feet commercial floor area.

Basis for Density Conversion

The basis for the density conversion is to not exceed the previously approved intensity by not increasing traffic. Below is a summary of trips approved in the original zoning (ITE 10th Edition) as compared to the original density using the ITE 10th Edition and as compared to the proposed density conversion using ITE 11th Edition. The results show the proposed trips to be comparable for both the existing and proposed intensities and to be significantly less as compared to the number of trips anticipated and approved as part of the original zoning.

Three Oaks Logistics Center

Approved Trip 10th Generation- DCI2020-00014

Land Use	Peak AM		Peak PM		Weekday	
	Entry	Exit	Entry	Exit	Entry	Exit
Total Trips	427	199	952	1,145	10,559	10,559
Less LUC 820 Pass-by	-63	-63	-284	-284	-2,839	-2,839
Net Total Trips	364	136	668	861	7,720	7,720



Approved Trip 11th Generation

Land Use	Peak AM		Peak PM		Weekday	
	Entry	Exit	Entry	Exit	Entry	Exit
LUC 820 – Shopping Plaza >150k (540,000 sqft GFA)	280	172	912	988	9,982	9,982
30% Pass By Reduction	-84	-52	-274	-296	-2,995	-2,995
LUC 820 – Shopping Plaza >150k (540,000 sqft GFA) after reduction	196	120	638	692	6,987	6,985
LUC 130 – Industrial Park (510,000 sqft GFA)	140	33	38	135	1,095	1,095
Total Trips	336	153	676	827	8,082	8,082

Proposed Modification 11th Generation

Land Use	Peak AM		Peak PM		Weekday	
	Entry	Exit	Entry	Exit	Entry	Exit
LUC 820 – Shopping Plaza >150k (240,000 sqft GFA)	171	105	509	551	6,065	6,065
30% Pass By Reduction	-51	-32	-153	-165	-1,820	-1,820
LUC 820 – Shopping Plaza >150k (240,000 sqft GFA) After Reduction	120	74	356	386	4,245	4,245
LUC 130 – Industrial Park (960,000 sqft GFA)	264	62	72	255	1,522	1,522
Total Trips	384	136	428	641	5,767	5,767

Trip Generation Comparison-Net Decrease

Land Use	Peak AM		Peak PM		Weekday	
	Entry	Exit	Entry	Exit	Entry	Exit
Total Trips as Approved (11 th gen)	336	153	676	827	8,082	8,082
Total Trips as Proposed (11 th gen)	384	136	428	641	5,767	5,767
Trip Change	+48	-17	-248	-186	-2,315	-2,315
TOTAL (ENTRY + EXIT)	+31		-434		-4,630	

Utility Comparison

Approved SF- DCI2020-00014

1,050,000 SF

500,000 SF west

100,000 commercial

400,000 industrial

550,000 east

440,000 commercial



110,000 industrial

540,000 sf commercial

510,000 sf industrial

Proposed SF

1,200,000

960,000 industrial

240,000 commercial

Increase industrial by 450,000 sf

Reduce Commercial by 300,000 sf

Net increase of 150,000 sf

Water/Sewer approved -

$540,000/100 \times 15 = 81,000$ gpd

510,000

1 bay/5000 sf at 100gpd/bay=10,200 gpd

1.25 employees/1500 sf at 15gpd/employee=425 employees $\times 15 = 6375$ gpd

Total = 97,575 gpd

Water/ Sewer Proposed -

$240,000/100 \times 15 = 36,000$ gpd

960,000

1 bay/5000 sf at 100gpd/bay=19,200 gpd

1.25 employees/1500 sf at 15gpd/employee=800 employees $\times 15 = 12,000$ gpd

Total = 67,200 gpd

Water/Sewer Reduction of over 30%

SCHEDULE OF USES

No changes to the schedule of uses are requested at this time.

DEVIATIONS- SPECIFIC TO LOT "A"

Street Design & Construction Standards
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DEVIATION 4C Relief from LDC Section 34-2013(b)(3) which allows up to a maximum 35' wide driveway at the property line for two-way parking lot access to allow the access point to be up to 50' as measured at the property line and 35' at the throat width.

JUSTIFICATION: The need for this deviation is a result of how driveway widths are defined in the Lee County Land Development Code and does not account for projects



where the property/right-of-way line falls within the radius of the driveways. It is our understanding that the intent of the code is to limit the throat width of driveways to 35 feet. As the code is written now, our driveway throat widths would be limited to less than 20 feet. This is an issue Development Services is aware of and plans to address in future LDC amendments. The deviation is required to meet the intent of the code and to allow for semi-trucks to properly enter and exit the site. Without the additional width, large trucks entering and exiting the site would be forced to traverse areas outside of the pavement leading to destruction of the sidewalks and landscape areas adjacent to driveways.

DEVIATION 4D Relief from LDC Section 10-295 which require street stubs or an interconnection to adjoining area to only require interconnection if developed with commercial uses.

JUSTIFICATION: ~~The applicant is willing to provide interconnectivity between Tract 'B' (the eastern parcel which has frontage on Three Oaks Parkway) and Tract 'A' (the western parcel which has frontage on Oriole Road) only if the two parcels are developed with principal uses of commercial. If Tract 'A' is developed with a principal use of industrial, interconnectivity to the east is not required. As currently proposed, Tract 'A' is to be developed with approximately 450,000 SF of industrial dock high buildings. Traffic from an industrial use development, which will have heavy truck traffic is not compatible with vehicular traffic from offices and/or retail uses. Allowing semi trucks to travel through the commercial parcel and/or allowing passenger vehicles to travel through an industrial dock high warehousing facility creates safety concerns and limits the industrial property's developer from adequately securing their facility. It is doubtful that there would be any benefit to the traveling public from interconnectivity of these two different uses if the Principal Use is Industrial fronting Oriole Road. In fact, it would probably be more dangerous to the vehicles to traverse these incompatible transportation uses (large heavy delivery trucks on Tract A and passenger cars on Tract B) going from Oriole Road to Three Oaks Parkway or vice versa. Since the Goal is to reduce vehicular trips on public Arterial or Collector roads, we don't believe there will be any trip reduction on public roads from any such connectivity of unrelated and incompatible vehicular uses."~~

DEVIATION 6A - Container Spaces

Relief from LDC §10-261(a), which requires 216 SF for the first 25,000 SF of building area plus 8 SF for each additional 1,000 SF of building area of sufficient on-site space for the placement of garbage containers or receptacles, and sufficient space for recyclable materials collection containers to allow a 50% reduction of this requirement.

JUSTIFICATION: This section of the code is applicable to multi-family residential developments, commercial businesses, and industrial uses; however, the table does not provide a separate calculation for industrial uses. Instead, industrial uses are calculated at the same rate as commercial uses, which ignores the differing characteristics of each type of use and as such, requires more enclosure space than what is needed for industrial use. Industrial uses typically have less employees per square foot of building area, less areas open to the public and larger areas dedicated to dead storage and/or warehousing. Therefore, we are requesting a 50% reduction in the required container space for the portions of the project over 25,000 SF such that the new formula would be 216 SF for



the first 25,000 SF plus 4 SF for each additional 1,000 SF. Therefore, based on maximum industrial development for this project of 442,000 SF this would equate to 1,884 SF (216 SF for first 25,000 SF plus 417,000 SF/1,000 SF x 4 SF). This required area may vary depending on the final building size.

DEVIATION 6B- Refuse and Solid Waste Disposal Screening

Relief from LDC §10-261(c), which require refuse collection areas to be screened on three sides, to require the refuse collection area to be screened on one side when the refuse and solid waste disposal area is not visible from Oriole Rd or Three Oaks Parkway.

JUSTIFICATION Given the location of the project, vacant but potentially future commercial/industrial uses to the north, south and east and refuse areas being shielded from view by internal roadways and buildings. Refuse and solid waste disposal screening will be provided per the Code for Parcel A. The deviation pertains to the project's internal site areas. The deviation will not result in any adverse impacts to the public. The project will benefit from the deviation by avoiding unnecessary construction costs.

In accordance with requirements of LDC Section 34-174(j)(2):

a. Does not increase height, density or intensity of the development, except as permitted in [chapter 2](#).

- Response: The request does not increase height, density or intensity of the development.

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

- Response: The request will not result to any substantial underutilization of public resources and public infrastructure

c. Does not result in a reduction of total open space provided on the master concept plan by more than ten percent.

- Response: The request will not result in a reduction of total open space.

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

- Response: There are no existing or previously permitted indigenous native vegetation preservation areas on the property and the deviation will not reduce open space below code minimums.

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.

- Response: The deviation will not decrease the open space below code minimums.

f. Does not adversely impact surrounding land uses; and

- Response: The request will not adversely impact surrounding land uses



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

- Response: The request is consistent with all applicable provisions of the Lee Plan and land development regulations

Lee Plan and LDC Consistency Summary

The request is consistent with the goals, objectives, policies, and the intent of the Lee Plan.

The request will not cause damage, hazard, nuisance or other detriment to persons or property. It is being integrated into the existing neighborhood as a relatively low intensity development and is similar in nature to the uses in the area.

The requested use will be in compliance with all general zoning provisions and supplemental regulations pertaining to the uses set forth in Chapter 34 of the LDC.

Sufficient evidence has been provided within this application that this rezoning is in compliance with the Lee Plan, the Land Development Code and all other applicable rules and regulations.

The request will meet or exceed all performance and location standards set forth for the uses allowed by the request.

The request is consistent with the densities, intensities and general uses set forth in the Lee Plan.

The request is compatible with existing or planned uses in the surrounding area.

Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development.

The request will not adversely affect environmentally critical areas and natural resources.