

EXHIBITS

CASE # REZ2024-00012

CASE NAME: STEVENS METRO REZONING

Attach copy of this form to top of packet of exhibits & place exhibits in case file.

ARE THERE ANY BOARD EXHIBITS?	YES	NO

LOCATION OF BOARDS

If there are any board exhibits, attach another copy of this form to boards for identification purposes.

EXHIBITS

APPLICANT

9. 248-Hour
#1 *Power Point*

#2 _____

#3 _____

#4 _____

#5 _____

#6 _____

#7 _____

#8 _____

#9 _____

#10 _____

Case

REZ2024-00012

STAFF

9. 248-Hour
#1 Staff Report

2 Affidavit of PWS
3 Power Point
#2 _____

#3 _____

#4 _____

#5 _____

#6 _____

#7 _____

#8 _____

#9 _____

#10 _____

OTHER EXHIBITS

NAME

NUMBER

DESCRIPTION

_____ # _____

_____ # _____

_____ # _____

_____ # _____

_____ # _____

_____ # _____

Perez, Maria

From: Sharon Hrabak <Sharon@qainc.net>
Sent: Tuesday, March 4, 2025 9:03 AM
To: Muhammad, Khalil; Al Quattrone; ken@ketrask.com; Hearing Examiner
Cc: Rodriguez, Anthony; Toussaint, Tracy
Subject: RE: 48-Hour Letter REZ2024-00012
Attachments: Applicant's 48 Hour Notice REZ2024-00012.pdf

Categories: Maria Handled This

Caution: This email originated from an external source. Be cautious of attachments and links, and do not provide login information. Report suspicious activity to the Service Desk: servicedesk@leegov.com or 533-HELP.

Good Morning,

Please find attached the applicants 48-hour letter.

Thank you,

Sharon Hrabak



4301 Veronica Shoemaker Blvd.
Fort Myers, Florida 33916
P: 239-936-5222 | F: 239-936-7228
sharon@qainc.net | www.qainc.net

From: Muhammad, Khalil <KMuhammad@leegov.com>
Sent: Tuesday, March 4, 2025 8:01 AM
To: Al Quattrone <Al@qainc.net>; ken@ketrask.com; Hearing Examiner <hex@leegov.com>; Sharon Hrabak <Sharon@qainc.net>
Cc: Rodriguez, Anthony <ARodriguez4@leegov.com>; Toussaint, Tracy <TToussaint@leegov.com>
Subject: 48-Hour Letter REZ2024-00012

EXTERNAL SENDER

Good Morning,

Attached to this email is Staff's 48-Hour Letter for REZ2024-00012 scheduled for hearing on March 6, 2025.

Respectfully,



Khalil “Kam” Muhammad | Planner

Department of Community Development

1500 Monroe St, Fort Myers, FL 33901

office: (239) 533-8542

email: KMuhammad@leegov.com

web: www.leegov.com/dcd

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Engineers, Planners & Development Consultants

**4301 Veronica Shoemaker Blvd. Fort Myers, FL
239.936.5222 | QAINC.net | f 239.936.7228**

03/04/2025

Office of the Lee County Hearing Examiner
Lee County Department of Community Development
1500 Monroe Street, Room 218
Fort Myers, Florida 33901
Attention: Ms. Amanda L. Rivera

**Re: 48-Hour Notice for Case No. REZ2024-00012
Delouis Gunnery Rezoning
Hearing Date March 6, 2025**

Dear Madame Hearing Examiner Collins

Please be advised that this firm represents the Applicant, Mark A. Stevens, in reference to Stevens Metro Conventional Rezoning. This is the Applicant's 48-hour letter regarding the staff report sent on February 19, 2025, for the March 6, 2025, hearing date.

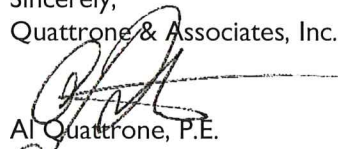
Notice of Outstanding Issues:

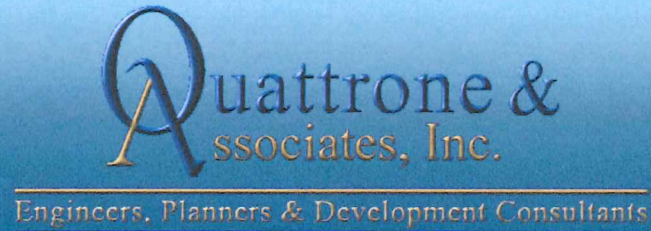
None

List of Exhibits

- I. PowerPoint Presentation – Exhibit 'A' (to be provided at hearing)

Sincerely,
Quattrone & Associates, Inc.


Al Quattrone, P.E.
President



Stevens Metro Rezoning Conventional Rezoning

Lee County Hearing Examiner Public Hearing

Thursday, March 6, 2025

STEVENS METRO REZONING
REZ2024-00012

02/26/2025

APPLICANT'S EXHIBIT
1

THE TEAM

Al Quattrone, P.E.

Land Use Consultant - Quattrone & Associates, Inc.

PRESENTATION OUTLINE

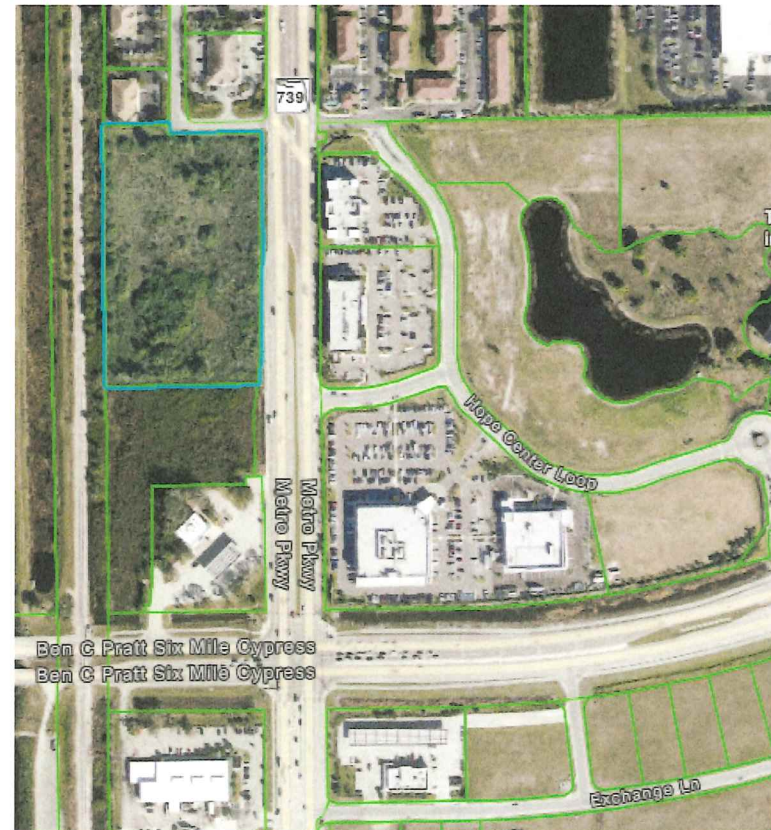
- I. Zoning Request
- II. The Request
- III. Project Overview
- IV. Future Land Use
- V. Zoning
- VI. Location
- VII. Inventory of Surrounding Lands
- VIII. Lee Plan Compliance
- IX. Lee Plan/LDC Consistency Summary
- X. Conclusion

THE REQUEST

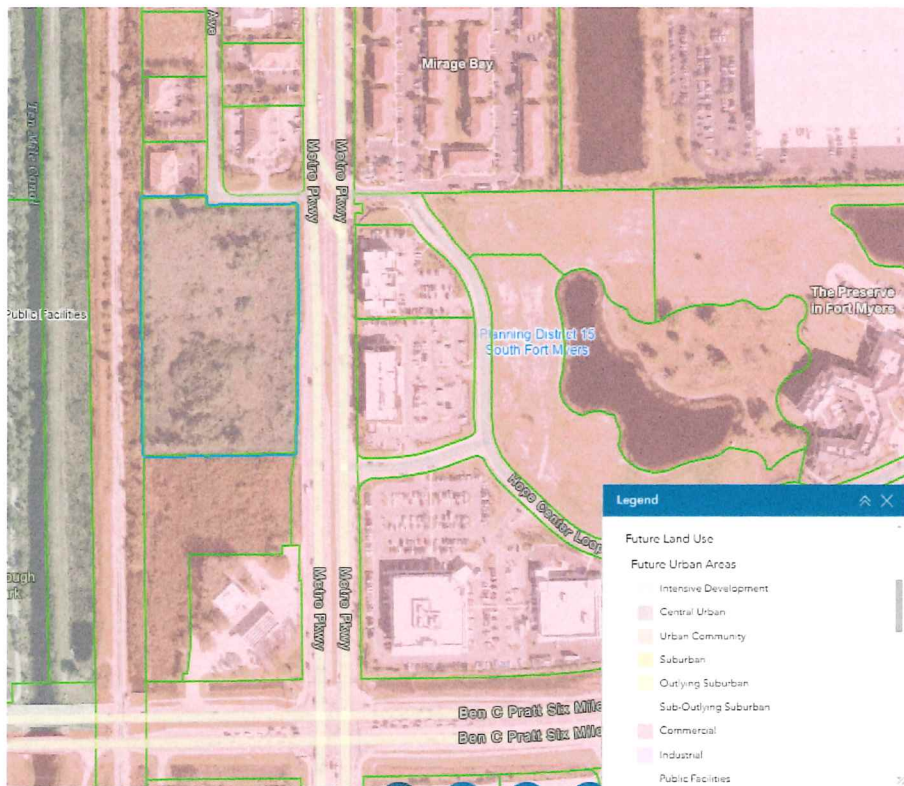
- Rezone 5.83± acres from Commercial Planned Development (CPD) to Commercial District (C-2) to allow a multi-use building(s) to include medical offices, general offices, and a hotel .

OVERVIEW AND LOCATION

- The subject property is located on the west side of Metro Parkway (State maintained, arterial road) and ±680 feet north of Ben C. Pratt-Six Mile Cypress (State maintained, arterial road)
- The parcel is a single lot.
- The property is in Section 30, Township 45 South, Range 25 East, Lee County Florida.
- The subject property is located at 14590 Metro Parkway. Fort Myers, FL 33912
- STRAP number: 30-45-25-00-00008.0030.



FUTURE LAND USE



	FUTURE LAND USE	OVERLAY	ZONING
NORTH	Intensive Development	Mixed-Use	CPD
SOUTH	Intensive Development	Mixed-Use	CPD
EAST	Intensive Development	Mixed-Use	ROW/MPD
WEST	Public Facilities		AG-2



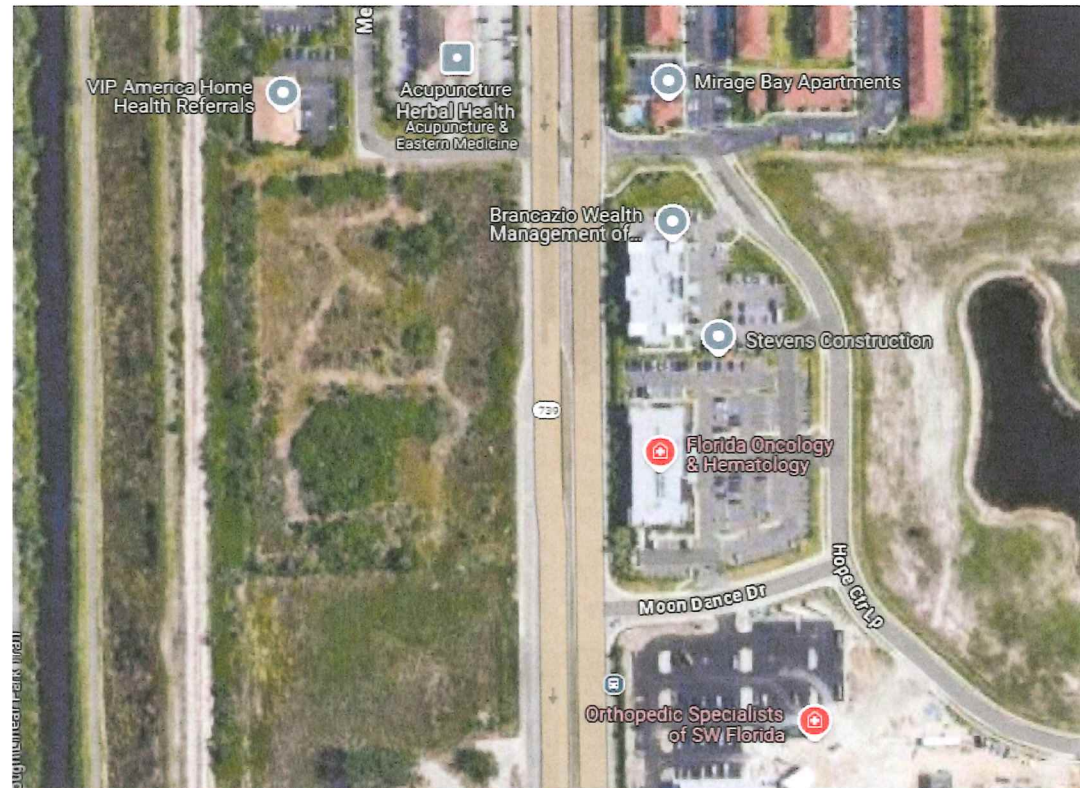
ZONING

	FUTURE LAND USE	OVERLAY	ZONING
NORTH	Intensive Development	Mixed-Use	CPD
SOUTH	Intensive Development	Mixed-Use	CPD
EAST	Intensive Development	Mixed-Use	ROW/MPD
WEST	Public Facilities		AG-2



INVENTORY OF SURROUNDING LANDS

To the north is Krypton Lane and north of that are predominantly medical offices. The property to the east is Metro Parkway, then office buildings which include Raymond James, Stevens Construction, Florida Oncology & Hematology and Radiology Regional. To the South is vacant. Finally, to the west is the Ten Mile Canal.



LEE PLAN COMPLIANCE

- The Lee Plan has designated the property as Intensive Development future land use category and is also located within the Mixed-Use Overlay.
- The adjacent neighboring properties share this land use designation.
- The requested C-2 rezoning is appropriate within the Intensive Development FLU in the Mixed-Use Overlay, is consistent with the Lee Plan and will comply with the Land Development Code in the following manner:
- The property is located within District 15, South Fort Myers District. The district has allocated to it 2012 acres of Total Commercial lands. (See Ordinance 23-27/CPA2023-00001: Lee Plan 2045 Update, Table 1(b) 2045 Allocation). The proposed ±5.83-acre C-2 rezoning is consistent with Policy 1.6.5.
- Rezoning the subject parcel to C-2 will promote contiguous and compact growth in the South Fort Myers Planning Community. Given the property's location at the corner of Metro Parkway and Krypton Lane, it is very suitable for commercial uses. The project is consistent with Objective 2.1.
- Fire protection and emergency responses will be provided by South Trail Fire Station. The project is also served by Lee County Sheriff's Department station located at 14750 Six Mile Cypress Parkway. The property is located within the LCU service area which has water and sewer available to the site. The site has frontage on Metro Parkway, a State Maintained arterial roadway. The next nearest arterial is Six Mile Cypress which has of 2022 LOS of C. The project is consistent with Policy 2.2. and 2.2.1

LEE PLAN COMPLIANCE CON'T.

- The property lies within the South Fort Myers Planning Community and is in compliance with the Lee Plan Acreage Allocation Table. By virtue of location of these parcels along an Arterial roadway in Fort Myers and the Counties availability of public services, this area is well suited to accommodate the project's anticipated density and intensity. The project remains consistent with Policy 2.2.3.
- The subject property is within the Lee County Utilities water franchise area for Potable Water and Sewer. The developer will undertake any improvements that may be required to connect the project to these existing services. The project is consistent with Objective 4.1, Standard 4.1.1, and Standard 4.1.2.
- The subject parcel has been previously cleared and the there is development in the area. The project is consistent with Policy 4.1.4.
- The request promotes development whose range is able to complement the surrounding land uses and has the potential to appropriately balance a mix of residential and commercial uses. The potential of a neighborhood commercial development would provide services to the local community.
- The requested rezoning from CPD to C-2 will allow the property the ability to support and encourage a variety of uses, including multi-family residential and provide for safe neighborhoods while allowing a variety of price ranges and housing types in the area. C-2 is consistent allowing higher densities within the Intensive Development category. The requested rezoning is consistent with Goal 5 and Policy 5.1.1.

LEE PLAN COMPLIANCE CON'T.

- The project does not generate unanticipated and unacceptable traffic volumes. All roads will continue to have adequate level of service. The proposed rezoning to C-2 will not be requesting any change to the already approved buffer requirements in the Land Development Code. The proposed rezoning has availability from Lee County Utilities. The proposed amendment is compatible with uses. The rezoning will not create any negative impacts on surrounding uses. The proposed rezoning is compatible with adjacent uses. The proposed rezoning does not request any changes to the environmental conditions contained within Land Development Code. The requested rezoning is consistent with Policy 6.1.1
- The requested C-2 rezoning is compatible with other commercially zoned properties found to adjacent properties. The property is within the Mixed-Use Overlay. See the discussion of urban services in Policy 2.2 and Objective 4.1. The project is consistent with 6.1.3.
- The subject property is in an area where capacity exists on the adjacent roadway network. The rezoning from CPD to C-2 does not create unanticipated Metro Pkwy traffic circulation because the underlying land use is remaining the same and. The project is consistent with 6.1.5
- The proposed future development will provide adequate open space and buffering as required by the Land Development Code (LDC) at the time of Development Order. The project is consistent with 6.1.6.

LEE PLAN COMPLIANCE CON'T.

- Lee County Land Development Code Section 34-841 was amended to allow properties to be rezoned to conventional districts such as the C-2 zoning district if located in the Mixed-Use overlay as identified on Lee Plan Map 1, Page 6. As shown in the Map below, the parcel is in the Mixed-Use overlay. The request to rezone the subject parcels is consistent with Policy 11.2.4 and LDC 34-841
- The overlay identifies locations appropriate for mixed use development. The subject parcel has approximately ±660 of frontage along Metro Parkway (State Maintained, arterial roadway) and ±386 of frontage along Krypton Lane (a county maintained local road). Rezoning the subject property from CPD to a conventional zoning district such C-2 is encouraged with the Mixed-Use Overlay to promote development. Approval of the rezoning will expand the variety of uses allowed on the site and provide consistent uses for the parcel. The project remains consistent with Policy 11.2.5.

CONCLUSION

The proposed rezoning from CPD to the C-2 zoning district will allow for the subject parcel to serve the neighborhood commercial center and to serve nearby residents. The applicant's analysis submits that the request is consistent with the Lee County Comprehensive Plan's Goals, Objectives, Policies and Standards; is compatible with existing or planned uses in the surrounding area; has sufficient access to a major arterial and local road networks to support the commercial development; will not adversely affect environmentally critical or sensitive areas and natural resources; and is served by adequate urban services.

Perez, Maria

From: Muhammad, Khalil
Sent: Tuesday, March 4, 2025 8:01 AM
To: al@qainc.net; ken@ketrask.com; Hearing Examiner; Sharon Hrabak
Cc: Rodriguez, Anthony; Toussaint, Tracy
Subject: 48-Hour Letter REZ2024-00012
Attachments: 48-Hour LTR REZ2024-00012.pdf; (REVISED)(Attachment A)LEE COUNTY STAFF EXPERT WITNESS INFORMATION.pdf

Good Morning,

Attached to this email is Staff's 48-Hour Letter for REZ2024-00012 scheduled for hearing on March 6, 2025.

Respectfully,



Khalil "Kam" Muhammad | Planner

Department of Community Development

1500 Monroe St, Fort Myers, FL 33901

office: (239) 533-8542

email: KMuhammad@leegov.com

web: www.leegov.com/dcd

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STAFF'S EXHIBIT #) 9

MEMORANDUM
FROM
THE DEPARTMENT OF
COMMUNITY DEVELOPMENT

TO: Donna Marie Collins
Chief Hearing Examiner

DATE: March 4, 2024

FROM: Khalil Muhammad
Planner

RE: Staff 48-Hour Letter
Stevens Metro Rezoning
REZ2024-00012

Please find attached an updated Expert Witness List (Staff Report, Attachment A) removing Marcus Evans from the List of Expert Witnesses.

Respectfully Submitted,
Khalil Muhammad
Planner, Zoning Section

Attachments:

Revised Expert Witness List, Attachment A

Cc:

Sharon Hrabak, Quattrone & Associates
Al Quattrone, Quattrone & Associates
Ken Trask, K.E. Trask Land Surveyors

**LEE COUNTY STAFF EXPERT WITNESS INFORMATION
PROVIDED PURSUANT TO AC-2-6, SECTION 2.2.b(5)(F)3.**

Case Number: REZ2024-000012
Project Name: Stevens Metro Rezoning
Hearing Examiner Date: March 6, 2025

Kam Muhammad, Planner, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

- Qualified as an expert witness by the Lee County Hearing Examiner. Current resume is not on file with the Hearing Examiner.
- Qualified as an expert witness in the Lee County Land Development Code and Lee Plan.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Katie Woellner, Principal Planner, Planning, 1500 Monroe Street, Fort Myers, FL 33901

- Qualified as an expert witness in the Lee County Land Development Code and Lee Plan.
- Staff reviewed and provided comments for sufficiency. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Ally Hall, Plan Reviewer, Development Services, 1500 Monroe Street, Fort Myers, FL 33901

- Qualified as an expert witness in the Lee County Land Development Code and Lee Plan.
- Staff reviewed and provided comments for sufficiency. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Robert Price, Director, Department of Transportation, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the

Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Jillian Scholler, Deputy Director, Department of Transportation, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Nic DeFilippo, Senior Environmental Planner, Planning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Beth Workman, Senior Environmental Planner, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: Environmental Staff Memorandum along with the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.



PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Tracy Toussaint
Lcbc-Dept Of Comm Development-D
1500 MONROE ST
Fort Myers FL 33901

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices, was published on the publicly accessible website of Lee County, Florida, or in a newspaper by print in the issues of, on:

02/20/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 02/20/2025

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

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Tax Amount: \$0.00

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State of Wisconsin

NOTICE OF PUBLIC HEARING

The Hearing Examiner of Lee County will hold public hearings on Thursday, March 6, 2025, in the Hearing Examiner Meeting Room, 1500 Monroe St., Ft. Myers, FL. An interested individual may appear and be heard with respect to the cases below.

You must appear in person, through counsel, or an authorized agent and provide testimony, legal argument or other evidence of the hearing to become a participant with the right to address the Board of County Commissioners in regard to DC12024-00020.

After the Hearing Examiner has made a written recommendation, the case will be scheduled for a public hearing before the Board of County Commissioners, who will review the recommendation and make a final decision.

If you do not appear before the Hearing Examiner or otherwise become a participant for that case in which you wish to testify, the law does not permit you to address the Board of County Commissioners. Any document that a participant of record intends to submit to the Board during the Board Zoning Hearing must be submitted as an exhibit as part of the record in the hearing before the Hearing Examiner. If the document is not submitted and is not relevant new evidence that was not known or could not have been reasonably discovered by the participant at the time of the hearing before the Hearing Examiner, then the document may not be submitted to the Board.

Unless a request for a public hearing before the Board of County Commissioners is made in accordance with Land Development Code Section 24.145(d)(1)(a)-5, the Hearing Examiner's written decision in regard to RE22024-00012 becomes final on the date rendered. That decision may be appealed to Circuit Court in Lee County if an appeal is filed within 30 days of the date the decision is rendered.

Copies of staff reports are available two weeks prior to the hearing. The file can be reviewed at the Zoning Section, 1500 Monroe St., Fort Myers, FL. Call 239-333-8585 for additional information.

Lee County will not discriminate against individuals with disabilities. To request an accommodation, contact Raphaela Morales-Peroba, 239-333-8782, Florida Relay Service 711, or ADArequests@leegov.com, at least 5 business days in advance. The following cases will be heard: DC12024-00020, Bayshore Rezoning, 9:00 am.

Request to rezone 1.08± acres from Agricultural (AG 2) to Commercial Planned Development (CPD) to allow for a maximum of 10,000 square feet of commercial uses. Located at 9461 Bayshore Road, Bayshore Planning Community, Lee County, FL.

RE22024-00012, Stevens Metro Rezoning, 1:00 pm.

Request to rezone ±5.83 acres from Commercial Planned Development (CPD) to Commercial (C 2). Located at 14590 Metro Pkwy., South Fort Myers Planning Community, Lee County, FL.

February 20, 2025 11029857



REZ2024-00012

Stevens Metro Rezoning

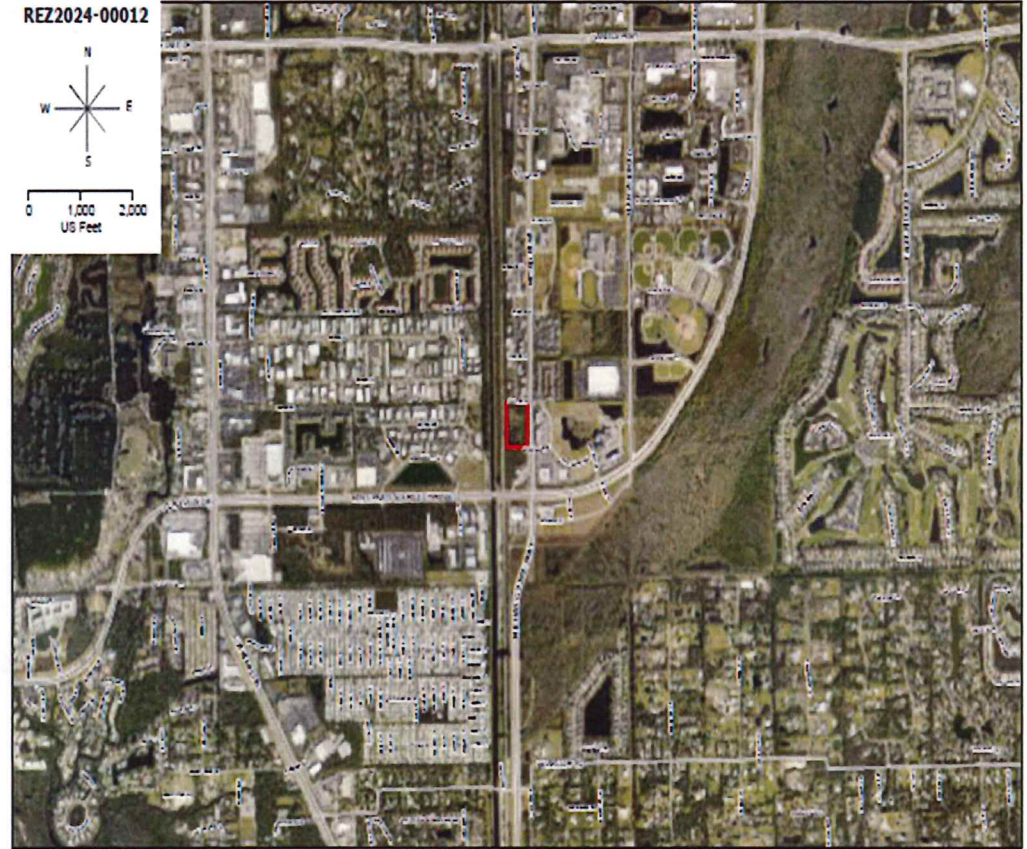
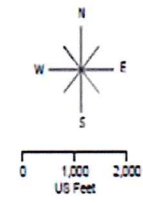
Staff Presentation – March 6, 2025

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Request Statement

The applicant, Quattrone and Associates, Inc., is requesting to rezone approximately +/-5.83 acres from Commercial Planned Development (CPD) to Commercial District (C-2).

REZ2024-00012



Property Information

STRAP: 30-45-25-00-00008.0030

14590 Metro Parkway

+/- 5.83 Acres

Intensive Development FLU

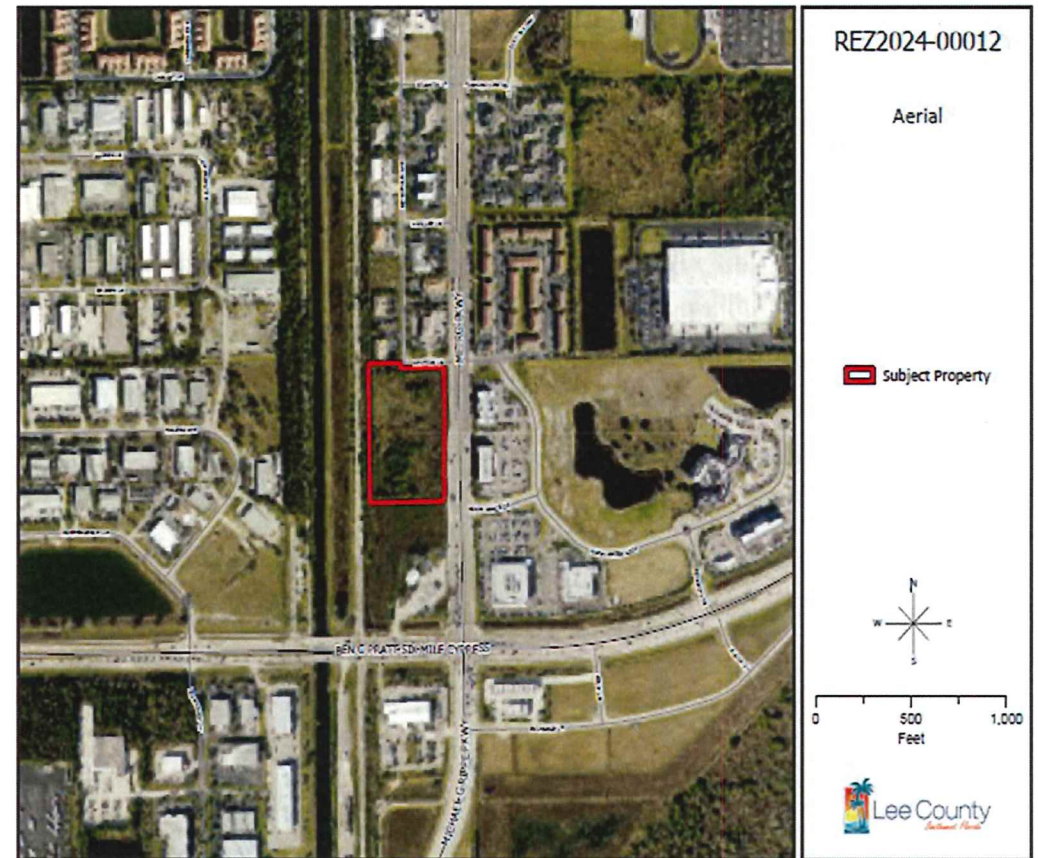
Mixed-Use Overlay



REZ2024-00012
Stevens Metro Rezoning

3/6/2025

3



 Subject Property

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Parcel History

The original zoning resolution Z-90-077 rezoned the subject parcel of ± 6.45 ac from Light Industrial (IL) to Commercial Planned Development (CPD).

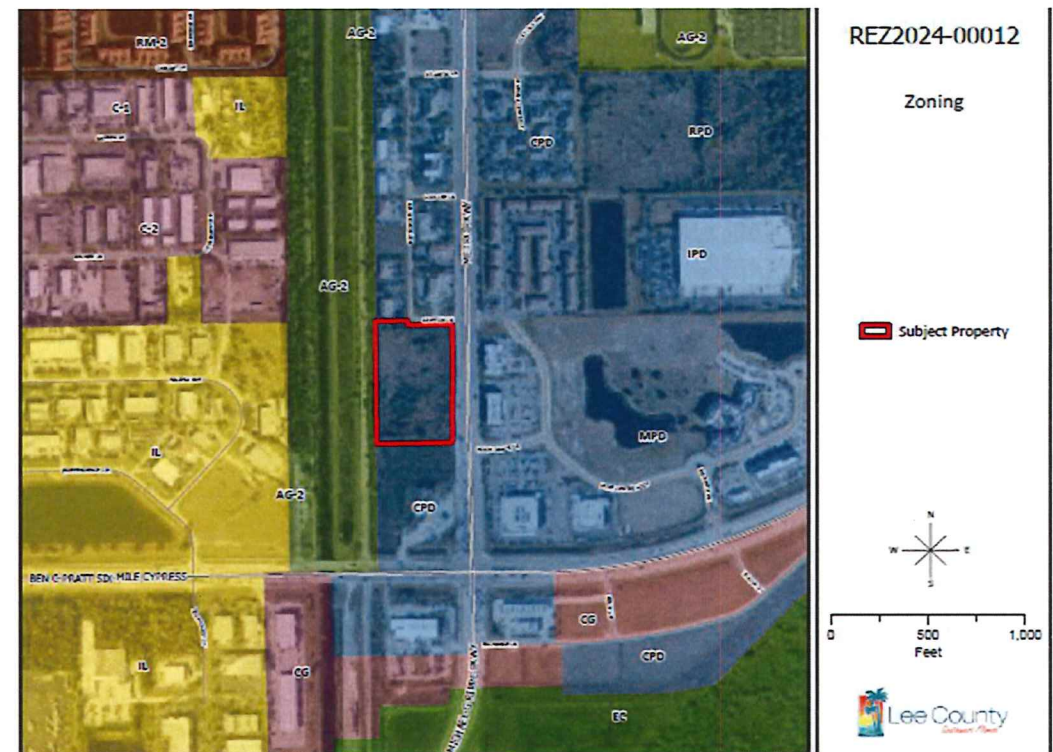
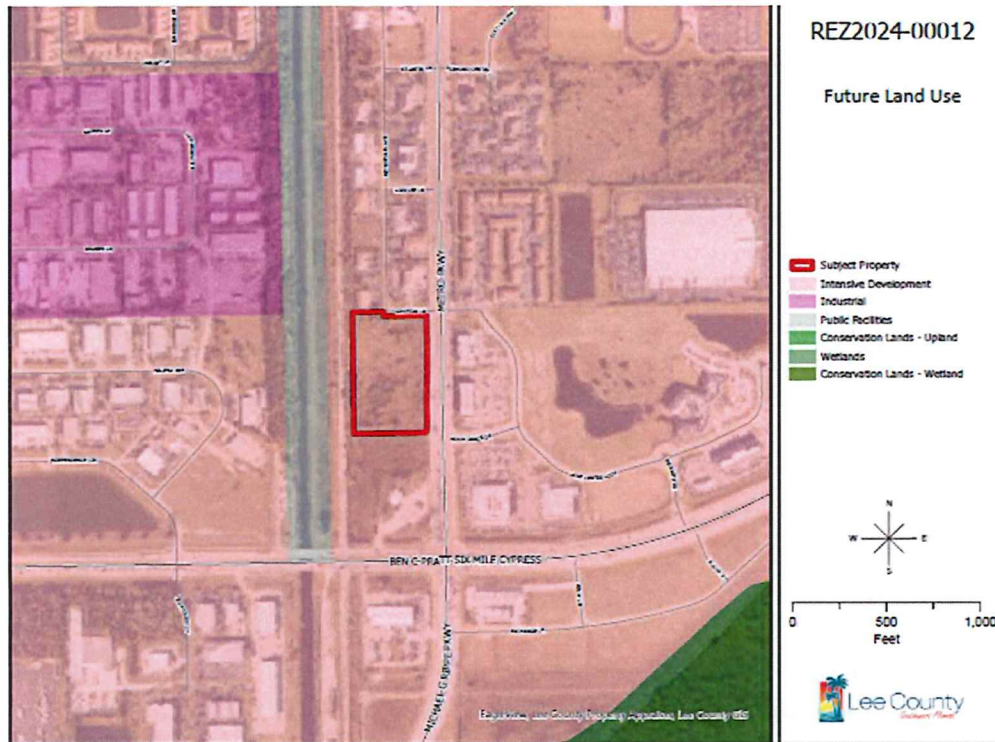
Around 2008 the State Department of Transportation (FDOT) acquired portions of the subject parcel via Right of Way Taking along the North and East sides for the development of Krypton Lane and the widening of Metro Parkway.



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Future Land Use

Zoning District



Intensive Development

Commercial Planned
Development (CPD)



REZ2024-00012
Stevens Metro Rezoning

3/6/2025

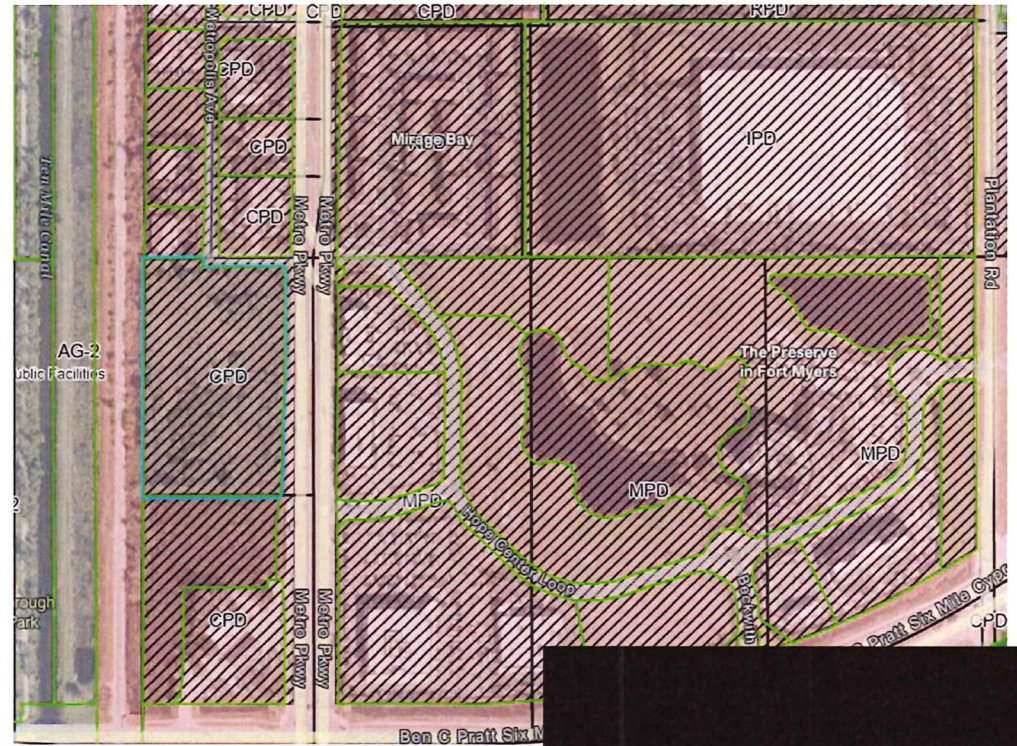
Subject Property

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Surrounding Properties

North and South: To the north and south of the subject property, these abutting properties are within the South Metropolitan Commerce Center Commercial Planned Development (CPD).

East and West: West of the subject property is John Yarbrough Linear Park, the Seminole Gulf Railway and the 10 Mile Canal. To the east of the subject property is the Cypress Pointe Plaza MPD.



LDC Section 34-145(d)(4)a.1 – Zoning Matters

(4) Findings/review criteria.

a. Approval. Before approval or recommending approval for:

1. Rezoning's generally. The Hearing Examiner must find the request:

- a) Complies with the Lee Plan;
- b) Meets this Code and other applicable County regulations or qualifies for deviations;
- c) Is compatible with existing and planned uses in the surrounding area;
- d) Will provide access sufficient to support the proposed development intensity;
- e) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;
- f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and
- g) Will be served by urban services, defined in the Lee Plan, if located in a Future Urban area category.

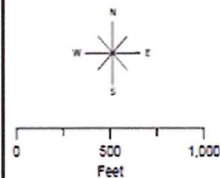
REZ2024-00012

Future Land Use

Lee Plan

Policy 1.1.2: The Lee Plan states that this category consists of land located along major arterial roads and by virtue of their location, are suited to support high densities and intensities.

- Subject Property
- Intensive Development
- Industrial
- Public Facilities
- Conservation Lands - Upland
- Wetlands
- Conservation Lands - Wetland



Intensive Development



REZ2024-00012
Stevens Metro Rezoning

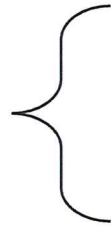
3/6/2025

8

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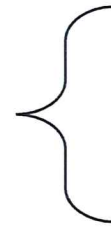
Lee Plan
Water and Sewer
(Standard 4.1.1 and 4.1.2)

Standard 4.1.1



Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system.

Standard 4.1.2



Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.

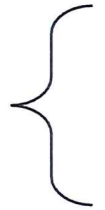
Lee Plan Residential Land Uses

Goal 5



Seeks to accommodate the projected population of Lee County in the year 2045 in appropriate locations, guided by the Future Land Use Map, and in attractive and safe neighborhoods with a variety of price ranges and housing types.

Objective 5.1



All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan

Policy 5.1.1



Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as Planned Developments except if located within the Mixed-Use Overlay

Lee Plan Commercial Uses

Policy 6.1.1

Development approvals for commercial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan

Policy 6.1.3

Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities

Policy 6.1.5

Maintain land development regulations that require 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.

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Lee Plan Commercial Land Uses (Continued)

Policy 6.1.6

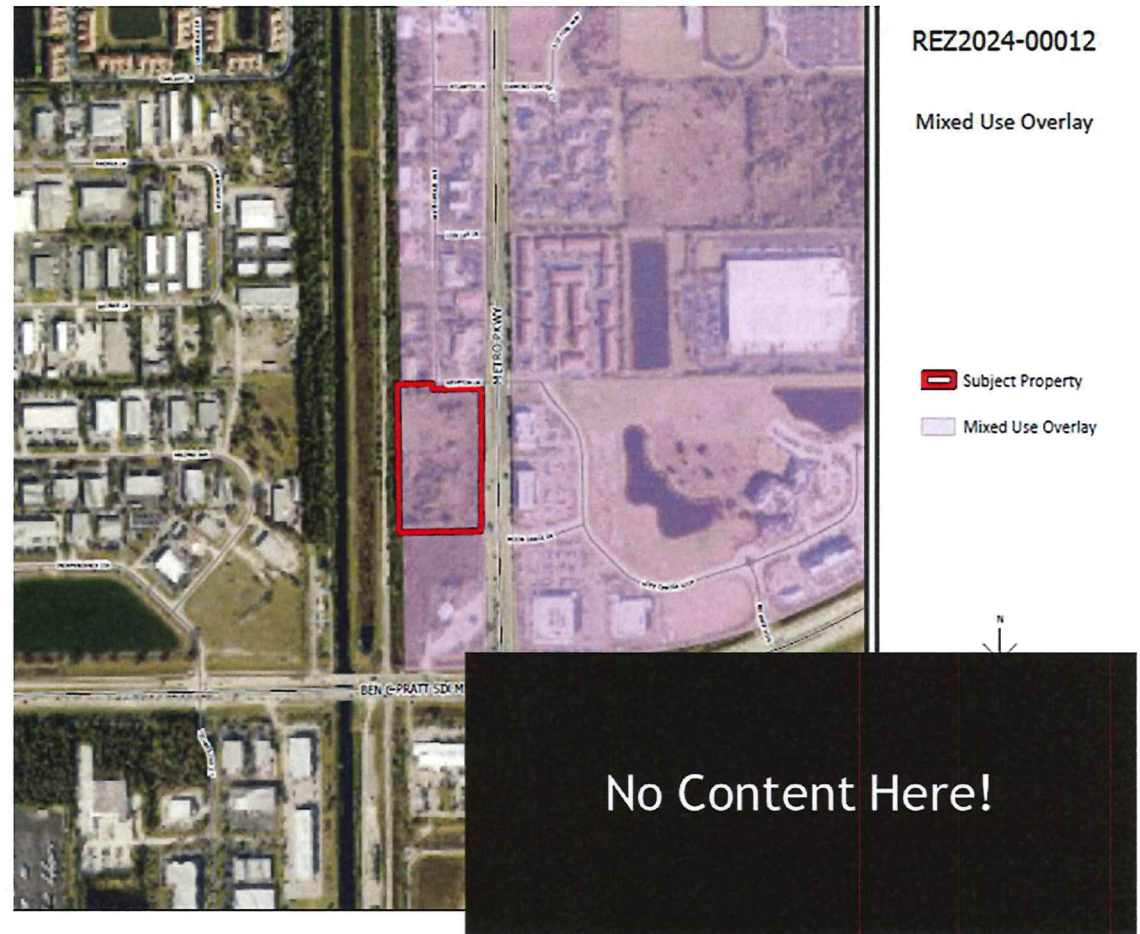
Maintain land development regulations that require commercial development provide adequate and appropriate landscaping, open space, buffering, and architectural standards.

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.

Mixed-Use Overlay

- Objective 11.2 Mixed-Use Overlay, states that the County will maintain an Overlay in the future land use map series identifying locations appropriate for mixed use located in proximity to public transit routes; education facilities; recreation opportunities; and, existing residential, shopping and employment centers.



REZ2024-00012
Stevens Metro Rezoning

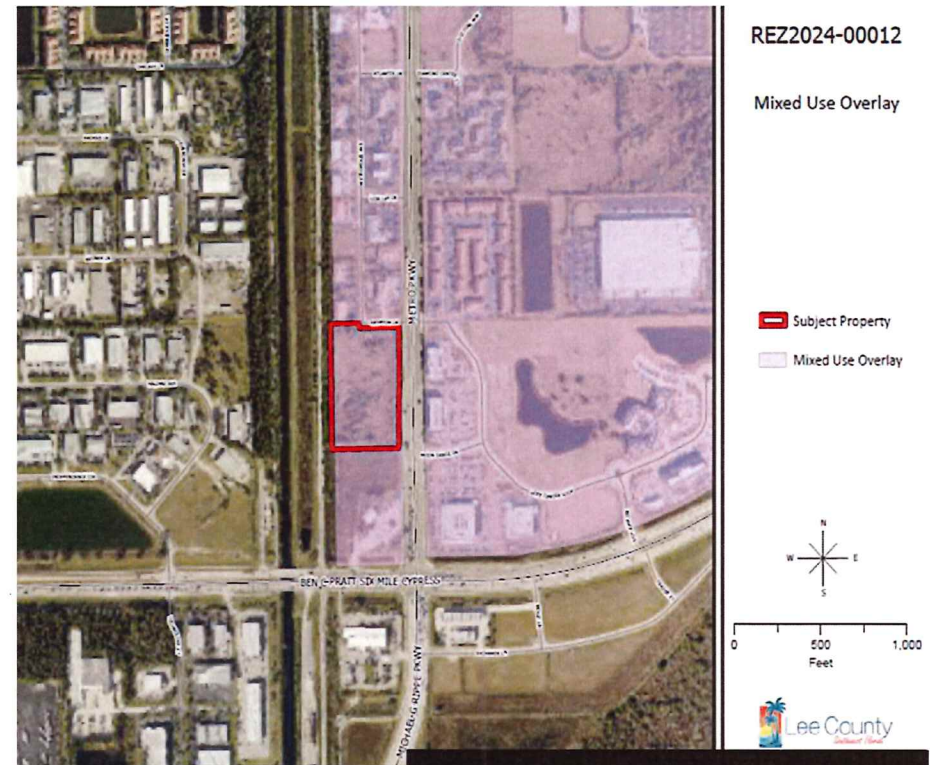
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Buffering and Screening

Proposed buffers are to comply with LDC Section 10-425(f)(2)

- North (abutting rights-of-way) – Requires 5-foot-wide rights-of-way buffers of 5 trees per 100 linear feet
- West (abutting linear park) – No buffer required
- East (abutting rights-of-way) – Requires 5-foot-wide rights-of-way buffers of 5 trees per 100 linear feet
- South (abutting CPD) – No buffer required



Open Space and Indigenous Open Space

Open Space: Requires 10 percent, for small development as defined by LDC Section 10-1

Requires 20 percent, for large development as defined by LDC Section 10-1

Open space is required to comply with LDC Section 10-425(a)

Public Services

Public Utilities – Potable water: Lee County Utilities
Sewer: Lee County Utilities

Emergency Services – South Trail Fire Station at 5531 Halifax Ave and Lee County Sheriff's Office at 14750 Six Mile Cypress Parkway

Public Transit – Lee Tran, bus stops approximately one mile from subject property. Stop ID 1991 and 3505 (Route 80)

Transportation – Will not impact the surrounding roadway system.



REZ2024-00012
Stevens Metro Rezoning

3/6/2025

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Staff Findings

- The requested rezoning from Commercial Planned Development (CPD) to Commercial District (C-2) is consistent with the Lee Plan and Land Development Code.
- The proposed rezoning provides consistency with allowable commercial development within the Intensive Development future land use category and is within the Mixed-Use Overlay.
- Staff has concluded that the rezoning will not result in negative impacts to urban services, infrastructure, or surrounding property.
- The subject property is sufficiently served by fire, police, and emergency services personnel as well as access to public transit routes and urban services.
- The request will not adversely affect environmentally critical or sensitive areas and natural resources.
- Therefore, staff recommends **APPROVAL** of the applicant's request.

Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING STAFF REPORT

CASE NUMBER: REZ2024-00012
TYPE OF CASE: Conventional Rezoning
CASE NAME: Stevens Metro Rezoning
TOTAL ACREAGE: +/-5.83 acres
SUFFICIENCY DATE: January 8, 2025
HEARING EXAMINER DATE: March 6, 2025

RECEIVED
FEB 19 2025
FEB 19 2025
BY: HEARING EXAMINER'S OFFICE
BY: HEARING ...

REQUEST

The applicant, Quattrone and Associates, Inc., is requesting to rezone approximately +/-5.83 acres within the South Metropolitan Commerce Center CPD from Commercial Planned Development (CPD) to Commercial District (C-2). The applicant is proposing a multi-use building to include medical offices and a hotel.

The site is located at 14590 Metro Parkway. The site is further identified as STRAP #30-45-25-00-00008.0030. The subject property is within the Intensive Development Future Land Use Category and is in the Mixed-Use Overlay established in Lee Plan Maps 1-A and 1-C, respectively. A legal description of the subject property is attached (See Attachment "G").

SUMMARY

The applicant has demonstrated compliance with the applicable criteria in accordance with LDC Section 34-145(d)(4) to prove entitlement to this conventional rezoning. Staff recommends **APPROVAL** of the applicant's request.

HISTORY OF PARCEL AND CHARACTER OF THE AREA

The subject property was originally rezoned from Agricultural (AG) to Industrial Light (IL) and General Commercial (CG) by Resolution Z-80-373. The property was subsequently rezoned from Light Industrial (IL) to Commercial Planned Development by Resolution Z-90-077. The applicant is requesting to rezone +/-5.83 acres from Commercial Planned Development (CPD) to Commercial (C-2). The +/-5.83-acre subject property is part of the larger 6.45-acre area of the South Metropolitan Commerce Center CPD. The subject request, if approved, will allow a multi-use building to include medical office and a hotel.

The parcel is in the Intensive Development future land use category. The parcel abuts properties within the same Commercial Planned Development to the north and south, with property to the east that is zoned Mixed-Use Planned Development (MPD) across Metro Parkway, a State-

maintained arterial road developed with multistory medical office buildings. West of the subject property is zoned Agricultural District (AG-2) and is undeveloped.

ANALYSIS

LDC Section 34-145 establishes the review criteria for requests for conventional rezoning. Before recommending approval of a conventional rezoning request, the Hearing Examiner must find the request:

- a) Complies with the Lee Plan;
- b) Meets the Land Development Code and other applicable County regulations or qualifies for deviations;
- c) Is compatible with existing and planned uses in the surrounding area;
- d) Will provide access sufficient to support the proposed development intensity;
- e) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;
- f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and
- g) Will be served by urban services, defined in the Lee Plan, if located in a future urban area category.

The applicant has provided a request statement addressing the motive of rezoning and analysis of the decision-making criteria (See Attachment "C"). The following sections provide staff's analysis of the request, as measured against the review criteria. Specifically, staff finds the request:

a. Complies with the Lee Plan

The subject parcel is in the Intensive Development future land use category. **Policy 1.1.2** of the Lee Plan states that this category consists of land located along major arterial roads and by virtue of their location, are suited to support high densities and intensities. **Policy 1.6.5** of the Lee Plan states that the Planning Districts Map and Acreage Allocation Table (Map 1-B and Table 1(b)) depict the proposed distribution, extent, and location of generalized land uses through the Plan's horizon. Acreage totals are provided for land in each Planning District in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded. The property is located within District 15, South Fort Myers. The district has allocated 2,012 acres of Commercial land and 566 acres of Industrial land (Lee Plan 2045 Update, Table 1(b) 2045 Allocation). Mixed use developments of limited light industrial, office use, commercial, and high density residential are encouraged if they are developed as described in **Objective 11.1**. This objective allows mixed use development within certain future land use categories and at appropriate locations if sufficient infrastructure exists to support the development. The subject property abuts the state maintained arterial road, Metro Parkway, to the east and is in the Mixed-Use Overlay per the Lee Plan. The applicant has provided a letter of availability from Lee County Utilities stating that they have capacity to support the commercial

development (See Attachment “D”). The subject property is within the Intensive Development future land use category and according to **Policy 11.1.1** the applicant could propose residential and commercial uses if the applicant demonstrates connectivity to adjacent neighborhoods. **Policy 11.2.4** encourages conventional zoning districts within the Mixed-Use Overlay to promote continued redevelopment. Staff finds the request is consistent with **Policy 1.1.2, Policy 1.6.5, Objective 11.1, Policy 11.1.1, and Policy 11.2.4** of the Lee Plan.

Goal 2 seeks to provide for an economically feasible plan which coordinates the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources. **Objective 2.1** of the Lee Plan promotes contiguous and compact growth patterns to contain urban sprawl. Rezoning the subject property to Commercial (C-2) provides consistency with the properties at Metro Parkway and Krypton Lane; the location of the property makes it suitable for commercial uses and the request does not by-pass tracts of land to support development by virtue of the presence of other existing commercially zoned properties located along the west side of Metro Parkway, and its location within the designated Future Urban Area as depicted on the Future Land Use Map (Map 1-A). The proposed rezone will promote growth in a Future Urban Area, per **Objective 2.2**, where adequate public facilities exist, and compact and contiguous development patterns can be created. The proposed rezone is compliant with **Policy 2.2.1**, as the property has frontage on Metro Parkway, a state-maintained arterial road. There is a sidewalk along the east property line adjacent to Metro Parkway. At time of development order, sidewalks per Lee Plan Map 3-D will be evaluated and improvements, if required, will be completed. Fire protection and emergency services will be provided by South Trail Fire Station, located at 5531 Halifax Ave, ±0.9 miles away from the subject property. Police protection will be provided by the Lee County Sheriff’s Office station located at 14750 Six Mile Cypress Parkway, ± 0.8 miles away from the subject property. The applicant provided a Letter of Availability from Lee County Utilities stating potable water and sanitary sewer is available to be provided to the subject property (See Attachment “D”). Public transit provides access to the subject property along Lee Tran Route 80, which services northbound Metro Parkway, with bus stops located ±0.2 miles southeast of the subject property and ±0.4 miles northeast of the subject property. By virtue of its location along a State maintained arterial roadway, the County’s development patterns and availability of potential level of public services, this property is well suited to accommodate an increase of density and intensity. Staff finds the request is consistent with **Goal 2, Objective 2.1, Policy 2.1.1, Objective 2.2 and Policy 2.2.1** of the Lee Plan.

As previously stated, the applicant has provided a Letter of Availability from Lee County Utilities stating potable water and sanitary sewer service is available to support the project, the developer will be required to undertake any improvements that may be required to connect the project to these existing services, fulfilling requirements of **Standard 4.1.1: Water and Standard 4.1.2: Sewer** of the Lee Plan. **Policy 4.1.4 Environmental Factors** states that environmental assessments must be provided to examine existing conditions, anticipated environmental problems, and provide the means to protect, conserve, and preserve environmental and natural resources. A protected species survey is not required to be submitted by the applicant for a conventional rezoning request per LDC Section 34-202(b)(3). Staff conducted a site inspection of the property on November 19, 2024, parked at the northern boundary and entered from Krypton Lane, walking through what

appeared to be a mechanically cleared, yet meandering path. Staff located dark greasy soils, indicating the presence of either muck or a mucky mineral soil type. Both of these are hydric soil types as identified by the NRCS. Staff identified the following native plants and their ratified status from 62-340., F.A.C. during the inspection. *Acacia auriculiformis* (F), *Sagittaria lancifolia* (O), *Salix caroliniana* (O), *Cladium spp* (O), *Baccharis halimifolia* (F), *Andropogon virginicus* (F), *Schinus terebinthifolius* (F), *Phyla nodiflora* (F), *Persicaria setacea* (O), *Hydrocotyle verticillate* (FW), *Ammannia latifolia* (O), *Cyperus spp.* (O), *Persea palustris* (O), *Sabal palmetto* (F), *Ludwigia octovalvis* (O), and *Typha latifolia* (O). Staff revisited the site on December 18, 2024 and was accompanied by the SFWMD and the applicant's environmental consultant, to determine the extent of surface waters or wetlands on the site. SFWMD district staff noted that the entire site was identified as a wetland under 62-340, F.A.C. (See Attachment "E"). The applicant is requesting approval of a Conventional Rezoning and at time of Development Order the applicant must comply with the Land Development Code. All projects must provide Open Space pursuant to LDC Section 10-415. The site is also located within the Mixed-Use Overlay and may use the open space reductions set forth in 10-425 (a), which requires small commercial projects to provide 10 percent open space, and large developments to provide 20 percent open space. Indigenous vegetation must be consistent with Section 10-415(b). If the site is developed with more than two acres of impervious, then the project must demonstrate compliance with 10-415(b) indigenous native vegetation and trees. Staff finds the request is consistent with **Standards 4.1.1, 4.1.2, and 4.1.4.** of the Lee Plan.

Goal 5: Residential Land Uses seeks to accommodate the projected population of Lee County in the year 2045 in appropriate locations, guided by the Future Land Use Map, and in attractive and safe neighborhoods with a variety of price ranges and housing types. The request promotes development whose range is able to complement the surrounding land uses and has potential to appropriately balance a mix of residential and commercial uses. The potential of a neighborhood commercial development would provide services to the local residential community northeast of the subject property. **Objective 5.1 states** all development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, *the general standards under Goal 4, and other provisions of this plan.* **Policy 5.1.1** requires residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds to be developed as planned developments except if located within the Mixed-Use Overlay. The requested rezoning from CPD to C-2 will support and encourage a variety of uses and may include dwelling unit types such as multi-family residential buildings, townhomes, duplexes and single family residential, providing for the creation of safe neighborhoods while allowing a variety of price ranges and housing types in the area. C-2 zoning allows residential uses within the Intensive Development category. Staff finds the request is consistent with **Goal 5: Residential Land Uses, Objective 5.1, and Policy 5.1.1** of the Lee Plan.

Lee Plan Goal 6 addresses commercial land uses to ensure that commercial uses are in appropriate areas, provide sufficient access to support the uses, landscaping and buffering are designed to screen offsite uses to prevent impacting surrounding neighborhoods, and ensure that there are similar centers within the same proximity as the subject parcel. The purpose of the Commercial (C-2) Zoning District is to regulate the commercial and residential uses established in the C-2

zoning district that existed as of August 1, 1986. Rezoning to C-2 is prohibited unless the property is located in the Mixed-Use Overlay in accordance with Lee Plan Map 1-C; the subject property is within the Overlay and therefore may be rezoned to C-2. The use regulations schedule for Commercial Districts are established in **LDC Section 34-844**. The applicant indicates in their Request Statement that the proposed rezoning is compatible with the surrounding land uses and urban services. The Letter of Availability states that the uses will consist of 3 commercial units. The applicant must comply with **LDC Section 34-845** provisions for setbacks in Commercial zoning districts, open space, and parking per **LDC Section 34-2020 and Table 34-2020(a) and (b)**. The landscape buffers must be in compliance with **LDC Section 10-425(f)**, which requires a five-foot-wide right-of-way buffer with five trees per 100 linear feet. The required building perimeter planting may be used in lieu of buffer if adjacent to the right-of-way. No other buffers are required. **Objective 6.1** requires development approvals for commercial land uses to be consistent with the objectives, following attendant policies, the general standards under Goal 4, and other provisions of this plan.

Policy 6.1.1 requires that all applications for commercial development will be reviewed and evaluated as to:

2. Traffic and access impacts (rezoning and development orders)
 - The project does not generate unanticipated and unacceptable traffic. All roads will continue to have adequate level of service.
3. Landscaping and detailed site planning (development orders);
 - At time of Development Order the site will have to adhere to LDC Section 10-425(f).
4. Screening and buffering (planned development rezoning and development orders);
 - The proposed rezoning to C2 will not be requesting any change to the already approved buffer requirements in the Land Development Code.
5. Availability and adequacy of services and facilities (rezoning and development orders);
 - The proposed rezoning has availability from Lee County Utilities.
6. Impact on adjacent land uses and surrounding neighborhoods (rezoning);
 - The rezoning will not create any negative impacts on surrounding uses and is compatible with the character of the surrounding properties.
7. Proximity to other similar centers (rezoning); and
 - The proposed rezoning is compatible with adjacent uses.
8. Environmental considerations (rezoning and development orders).
 - The proposed rezoning does not request any changes to the environmental conditions contained within Land Development Code.

Policy 6.1.3 states that commercial developments requiring rezoning and meeting DCI thresholds, must be rezoned to a Planned Development except if located within the Mixed-Use Overlay. The Planned Development must be 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. The requested C-2 rezoning is compatible with other commercially-zoned properties adjacent to the subject property. The subject property is within the Mixed-Use Overlay. **Policy 6.1.5** requires 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; providing setbacks from existing rights-of-way; acceleration, deceleration and right-turn-only lanes; and signalization and intersection improvements. The subject property is in an area where capacity exists on the adjacent roadway network including state maintained arterial road Metro Parkway and county maintained local road Krypton Lane. The rezoning from CPD to C-2 does not create unanticipated Metro Parkway traffic because the underlying land use remains the same, and the property's small size (± 5.83 ac) reduces noticeable traffic impacts. **Policy 6.1.6** requires that commercial development provide adequate and appropriate landscaping, open space, buffering, and architectural standards. The proposed future development will provide adequate open space and buffering as required by the Land Development Code (LDC) at the time of Development Order. **Policy 6.1.7** requires the County to prohibit commercial developments from locating in such a way as to open new areas to premature, scattered, or strip development but permits commercial development to infill on small parcels in areas where existing commercial development would make a residential use clearly unreasonable. The subject parcel is designated in the Mixed-Use Overlay, as well as the Intensive Development Future Land Use Category, which supports future developments such as hotels, retail, office etc., as these uses are considered to yield high intensities. Staff finds the request consistent with **Goal 6, Objective 6.1, Policy 6.1.1, Policy 6.1.3, Policy 6.1.5, Policy 6.1.6 and Policy 6.1.7.**

Objective 11.2 Mixed-Use Overlay, states that the County will maintain an Overlay in the future land use map series identifying locations appropriate for mixed use located in proximity to public transit routes; education facilities; recreation opportunities; and, existing residential, shopping and employment centers. Mixed Use, Traditional Neighborhood, and Transit Oriented development patterns are encouraged and preferred within the Mixed-Use Overlay. **Policy 11.2.4** encourages the use of conventional zoning districts within the Mixed-Use Overlay in order to promote continued redevelopment. **Lee County Land Development Code Section 34-841** was amended and subsequent to February 4, 1978, no land or water shall be rezoned into the C-1A, C-1 or **C-2** Districts, unless located within the Mixed-Use Overlay as identified on Lee Plan Map 1-C. As shown on Lee Plan Map 1-C, the parcel is located in the Mixed-Use Overlay. **Policy 11.2.5** states that Lee County will maintain land development regulations for properties within the Mixed-Use Overlay that allow for urban forms of development and a variety of uses. The overlay identifies locations appropriate for mixed use development. The subject parcel has approximately ± 660 linear feet of frontage along Metro Parkway (state maintained, arterial roadway) and ± 386 linear feet of frontage along Krypton Lane (a county maintained local road). Rezoning the subject property from CPD to C-2 conventional zoning district is encouraged with the Mixed-Use Overlay to promote development. Approval of the rezoning will expand the variety of uses allowed on the site and provide consistent uses for the parcel. **Policy 11.2.7** allows development in the Mixed-Use Overlay to use the area of non-residential uses in their density calculations. This would allow the applicant

an opportunity to design the site with a mix of residential and commercial uses. Staff finds the request consistent with **Objective 11.2, Policy 11.2.4 and LDC Section 34-841 and Policy 11.2.5 and Policy 11.2.7.**

b. Meets this Code and other applicable County regulations or qualifies for deviations;

The request is for conventional zoning that does not allow for deviations from the LDC, therefore requiring the future development of the site to meet the code and other applicable regulations. Moreover, the rezoning will allow development of the site to rely on Mixed-Use Overlay development standards that provide flexibility through reductions in certain property development regulations including parking, setbacks, buffering and open space.

c. Is compatible with existing and planned uses in the surrounding area;

The proposed rezoning is compatible with surrounding land uses. The ±5.83 acre site can adequately accommodate proposed structures, open space, pedestrian ways, buffers, parking, access, utilities and storm water management. As detailed above, the proposed use is in close proximity planned commercial uses to the north and east.

d. Will provide access sufficient to support the proposed development intensity.

The proposed C-2 rezoning has access to Metro Parkway, a 6-lane divided State Maintained, arterial road via Krypton Lane, a 2-lane undivided county-maintained local road. The proposed development will not intersect any areas that are predominantly residential areas. Additionally, the subject property has access to sidewalks and regional shared use paths along Metro Parkway.

e. The expected impacts on transportation facilities will be addressed by existing County regulations and County regulations and conditions of approval;

The expected impact on transportation facilities will be addressed by existing County regulations. Sufficient access is available to support the proposed development intensity. As stated above, access is available from Metro Parkway, a 6-lane divided state maintained arterial with a LOS of "C" roadway, and Krypton Lane a two-lane local road.

f. Will not adversely affect environmentally critical or sensitive areas and natural resources.

Rezoning of the subject property will not adversely affect environmentally critical or sensitive areas and/ or natural resources.

OPEN SPACE

All projects must provide Open Space pursuant to LDC Section 10-415. The site is located within the Mixed-Use Overlay and is able to use the open space reductions set forth in LDC Section 10-425(a). Small commercial projects will be required to provide 10 percent open space, and large developments are required to provide 20 percent open space. Indigenous vegetation must still be consistent with LDC Section 10-415(b). If the site is developed with more than two acres of impervious, then the project would need to demonstrate compliance with LDC Section 10-415(b), indigenous native vegetation and trees.

BUFFERING

The project is required to provide buffers pursuant to LDC Section 10-425(f).

UTILITIES

Lee County Utilities provided a Letter of Availability ensuring potable water and sanitary sewer is available to the site. Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer.

FIRE AND MEDIC

South Trail Fire Station provides Fire and EMS service at 5531 Halifax Ave, ±0.9 miles away from the subject property.

SHERIFF

Police protection will be provided by the Lee County Sheriff's Office station located at 14750 Six Mile Cypress Parkway, ± 0.8 miles away from the subject property.

PUBLIC TRANSIT

Public transit provides access to the subject property via Lee Tran Route 80, which services northbound Metro Parkway with a bus shelter located ±0.2 miles southeast of the subject property as well as ±0.4 miles northeast of the subject property.

CONCLUSION

The requested rezoning from Commercial Planned Development (CPD) to Commercial District (C-2) is consistent with the Lee Plan and Land Development Code. The proposed rezoning provides consistency with allowable commercial development within the Intensive Development future land use category and within the Mixed-Use Overlay. Staff has concluded that the rezoning will not result in negative impacts to urban services, infrastructure, or surrounding property. The subject property is sufficiently served by fire, police, and emergency services personnel as well as access to public transit routes and urban services. The request will not adversely affect environmentally critical or

sensitive areas and natural resources. Therefore, staff recommends **APPROVAL** of the applicant's request.

ATTACHMENTS

- A. Lee County Expert Witness Information
- B. Case Maps
- C. Request Statement
- D. Letter of Availability
- E. Lee County Environmental Staff Memorandum
- F. Lee County DOT Staff Memorandum
- G. Legal Description

ATTACHMENT A

LEE COUNTY STAFF EXPERT WITNESS INFORMATION PROVIDED PURSUANT TO AC-2-6, SECTION 2.2.b(5)(F)3.

Case Number: REZ2024-000012
Project Name: Stevens Metro Rezoning
Hearing Examiner Date: March 6, 2025

Kam Muhammad, Planner, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

- Qualified as an expert witness by the Lee County Hearing Examiner. Current resume is not on file with the Hearing Examiner.
- Qualified as an expert witness in the Lee County Land Development Code and Lee Plan.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Katie Woellner, Principal Planner, Planning, 1500 Monroe Street, Fort Myers, FL 33901

- Qualified as an expert witness in the Lee County Land Development Code and Lee Plan.
- Staff reviewed and provided comments for sufficiency. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Ally Hall, Plan Reviewer, Development Services, 1500 Monroe Street, Fort Myers, FL 33901

- Qualified as an expert witness in the Lee County Land Development Code and Lee Plan.
- Staff reviewed and provided comments for sufficiency. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Robert Price, Director, Department of Transportation, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the

Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Jillian Scholler, Deputy Director, Department of Transportation, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Marcus Evans, Engineer, Development Services, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

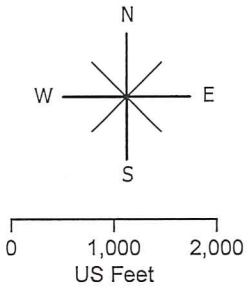
Nic DeFilippo, Senior Environmental Planner, Planning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

Beth Workman, Senior Environmental Planner, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: Environmental Staff Memorandum along with the Lee County Land Development Code, the Lee Plan, and documentation submitted by the applicant as part of the subject application.

REZ2024-00012

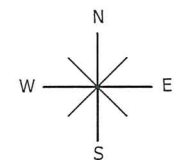




REZ2024-00012

Aerial

 Subject Property



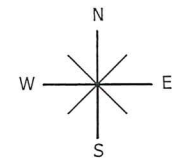
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REZ2024-00012

Future Land Use

-  Subject Property
-  Intensive Development
-  Industrial
-  Public Facilities
-  Conservation Lands - Upland
-  Wetlands
-  Conservation Lands - Wetland



0 500 1,000
Feet



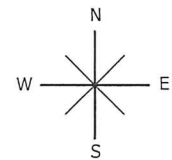


REZ2024-00012

Mixed Use Overlay

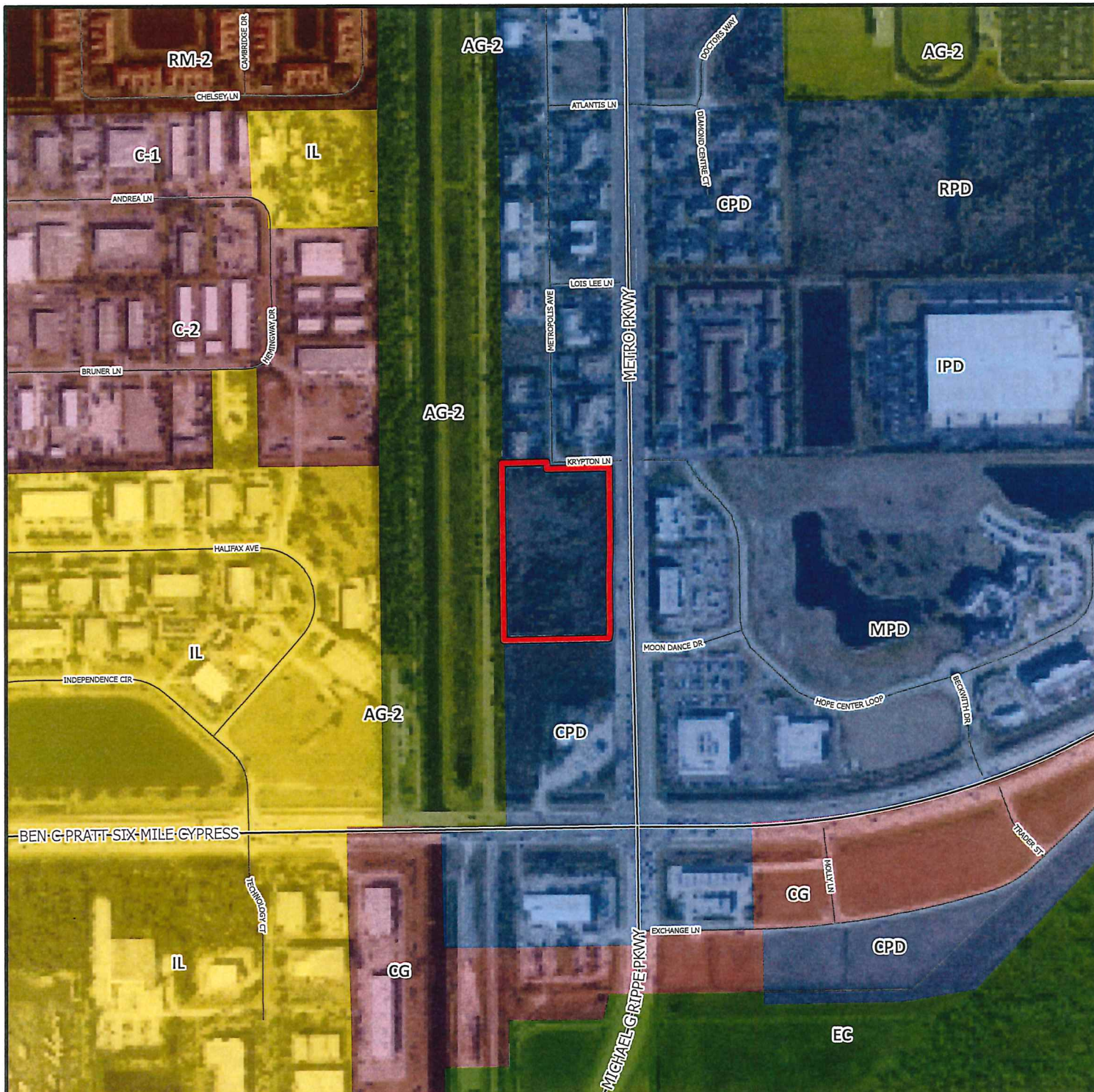
 Subject Property

 Mixed Use Overlay



0 500 1,000
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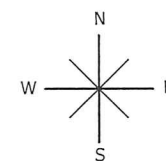




REZ2024-00012

Zoning

 Subject Property



0 500 1,000
Feet



ATTACHMENT C

REQUEST STATEMENT

Stevens Metro Rezoning
Conventional Rezoning
±5.83 AC.
STRAP # 30-45-25-00-00008.0030
14590 Metro Pkwy, Fort Myers, FL.

REQUEST

The applicant, Mark A. Stevens, as Owner, is requesting approval for a Conventional Rezoning for a ±5.83 acres site from Commercial Planned Development (CPD) to Commercial District (C-2). The C-2 zoning district is requested to allow commercial use as well as residential.

PROPERTY OVERVIEW AND HISTORY

The parcel is located on the west side of Metro Parkway (State maintained, arterial road), and ± 680 feet north of Ben C. Pratt-Six Mile Cypress (State maintained, arterial road). The property is in Section 30, Township 45 South, Range 25 East in Lee County Florida, Lee County, Florida at 14590 Metro Parkway, Fort Myers. The property is currently vacant.

On October 10, 1990, the Lee County Board of County Commission adopted Resolution No. Z-90-077 (90-8-14-DC1-2) to rezone the +/- 6.45-acre project from IL to CPD to allow up to 112,838 SF of mixed-use commercial uses.





LAND USE AND ZONING

The subject property is within the Intensive Development Future Land category use and Mixed-Use Overlay (Map I-C) within South Fort Myers Planning Community.

Table 1: Inventory of Surrounding Lands

	FUTURE LAND USE	OVERLAY	ZONING	EXISTING LAND USES
NORTH	Intensive Development	Mixed-Use	CPD	Medical Uses
SOUTH	Intensive Development	Mixed-Use	CPD	Vacant Lot
EAST	Intensive Development	Mixed-Use	ROW/MPD	Office/Medical Building
WEST	Public Facilities		AG-2	Tern Mile Canal

The requested zoning and permitted uses in the district are compatible with surrounding land uses either existing or zoned and consistent with the character and intended development patterns of the area. The property to the north is Krypton Ln., then medical offices. The property to the east is Metro Pkwy., then office building to include Raymond James, Associates, Stevens Construction and Radiology Regional. To the South is vacant. Finally, to the west is the Ten Mile Canal.

LEE PLAN COMPLIANCE

The Lee Plan has designated the property as Intensive Development future land use and the property is within the mixed-use overlay. The adjacent neighboring properties share this land use designation. The requested C-2 rezoning is appropriate within the Mixed-Use Overlay, is consistent with the Lee Plan and will comply with the Land Development Code in the following manner:

POLICY 1.1.2: The Intensive Development future land use category is located along major arterial roads. By virtue of their location, the County's current development patterns, and the available and potential levels of public services, areas with this designation are suited to accommodate high densities and intensities. Mixed use developments of high-density residential, commercial, limited light industrial, and office uses are encouraged to be developed as described in Objective 11.1, where appropriate. The standard density range is from eight dwelling units per acre (8 du/acre) to fourteen dwelling units per acre (14 du/acre), with a maximum total density of twenty-two dwelling units per acre (22 du/acre). The maximum total density may be increased to thirty dwelling units per acre (30 du/acre) utilizing Greater Pine Island Transfer of Development Units. (Ord. No. 94- 30, 09-06, 10-10, 16-07, 21-09)

The property is located in the Intensive Development Future Land Use Category (FLUC). The project is also within the mixed-use overlay which encourages rezoning to conventional districts. The property presently is vacant. Although the C2 zoning has a variety of uses, the primary intended use will be a multi-use buildings to include office medical and Hotel. The project has infrastructure available to accommodate the C-2



zoning including road network and public safety services. The project is consistent with 1.1.2.

POLICY 1.6.5: *The Planning Districts Map and Acreage Allocation Table (Map 1-B and Table 1(b)) depict the proposed distribution, extent, and location of generalized land uses through the Plan's horizon. Acreage totals are provided for land in each Planning District in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded. This policy will be implemented as follows:*

The property is located within District 15, South Fort Myers. The district has allocated 2012 acres of Commercial land and 566 acres of Industrial land. (See Ordinance 23-27/CPA2023-00001: Lee Plan 2045 Update, Table 1(b) 2045 Allocation). The proposed ±5.83-acre Commercial Planned Development rezoning is consistent with Policy 1.6.5, as the site is already within a commercial zoning category.

GOAL 2: GROWTH MANAGEMENT. *To provide for an economically feasible plan which coordinates the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources.*

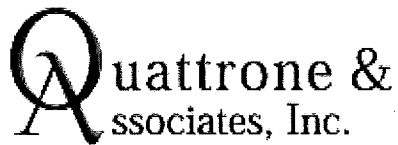
OBJECTIVE 2.1: DEVELOPMENT LOCATION. *Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Ordinance No. 94-30, 00-22)*

Rezoning the subject parcel to C-2 will promote contiguous and compact growth in the South Fort Myers Planning Community. The properties at Metro Parkway and Krypton Ln, locations make it suitable for commercial uses that do not by-pass tracts of land to support development. The project remains consistent with Objective 2.1

OBJECTIVE 2.2: DEVELOPMENT TIMING. *Direct new growth to those portions of the future urban areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in Section 163.3164(7), F.S.) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, F.S. and the concurrency requirements in the Land Development Code. (Ordinance No.94-30, 00-22, 17-19)*

POLICY 2.2.1: *Rezoning and DRI proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Ordinance No. 94-30, 00-22)*

Fire protection and emergency responses will be provided by South Trail Fire Station, located at 5531 Halifax Ave. The Police protection will be provided by Lee County Sheriff Department station located at 14750 Six Mile Cypress Parkway. The property is located within the LCU service area which has water and sewer available to the site. The site has frontage on Metro Parkway, a State Maintained, arterial road networks,



Six Mile Cypress, has of 2022 LOS C based on 1,186 trips at a 6-lane divided capacity of 2,814. The project is consistent with Policy 2.2. and 2.2.1

POLICY 2.2.3: *When an area within the county is approaching the capacity of the necessary facilities as described above, requested rezoning's to increase densities and intensities may be deferred or denied giving preference to existing vacant lots and other valid development approvals, provided that a constitutionally mandated reasonable use of land would still be permitted.*

The property lies within the South Fort Myers Planning Community and is in compliance with the Lee Plan Acreage Allocation Table. By virtue of location of these parcels along an Arterial roadway in Fort Myers, the Counties development patterns and availability of potential level of public services, this area is well suited to accommodate an increase of density and intensity. The project remains consistent with Policy 2.2.3.

GOAL 4: GENERAL DEVELOPMENT STANDARDS. *Pursue or maintain land development regulations which protect the public health, safety and welfare, encourage creative site designs and balance development with service availability and protection of natural resources. (Ordinance No. 94-30, 07-15, 17-13)*

OBJECTIVE 4.1: WATER, SEWER, AND ENVIRONMENTAL STANDARDS. *Consider water, sewer, and environmental standards during the rezoning process. Ensure the standards are met prior to issuing a local development order. (Ordinance No. 17-13)*

STANDARD 4.1.1: WATER.

1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Fla. Admin. Code R. 62-550)

STANDARD 4.1.2: SEWER.

1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system

The subject property is within the Lee County Utilities water franchise area for Potable water and Sewer. The developer will undertake any improvements that may be required to connect the project to these existing services. The project is consistent with Objective 4.1, Standard 4.1.1, and Standard 4.1.2.

STANDARD 4.1.4: ENVIRONMENTAL FACTORS.

In any case where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District, or other applicable regulatory agency), the developer/applicant must prepare an environmental assessment that examines the existing conditions, addresses existing or anticipated environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources.



The subject parcel has been previously cleared and developed. The project is consistent with Policy 4.1.4.

GOAL 5: RESIDENTIAL LAND USES *To accommodate the projected population of Lee County in the year 2045 in appropriate locations, guided by the Future Land Use Map, and in attractive and safe neighborhoods with a variety of price ranges and housing types. (Ord. No. 94-30, 07-12, 21-09)*

The request promotes development whose range is able to complement the surrounding land uses and has potential to appropriately balance a mix of residential and commercial uses. The potential of a neighborhood commercial development would provide services to the local residential community.

OBJECTIVE 5.1: *All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan. (Ord. No. 94-30, 00-22)*

POLICY 5.1.1: *Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as planned developments except if located within the Mixed-Use Overlay. (Ord. No. 00-22, 21-09)*

The requested rezoning from CPD to C2 will support and encourage a variety of uses to include multi-family residential and provide for safe neighborhoods while allowing a variety of price ranges and housing types in the area. C-2 is consistent allowing higher density within the Intensive Development category. The requested rezoning is consistent with Goal 5 and Policy 5.1.1

GOAL 6: COMMERCIAL LAND USES. *To permit orderly and well-planned commercial development at appropriate locations within the county. (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 4 and other provisions of this plan. (Ordinance No. 94-30, 11-18)*

POLICY 6.1.1: *All applications for commercial development will be reviewed and evaluated as to:*

a. Traffic and access impacts (rezoning and development orders)

The project does not generate unanticipated and unacceptable traffic. All roads will continue to have adequate level of service.

c. Screening and buffering (planned development rezoning and development orders);

The proposed rezoning to C2 will not be requesting any change to the already approved buffer requirements in the Land Development Code

d. Availability and adequacy of services and facilities (rezoning and development orders);

The proposed rezoning has availability from Lee County Utilities.

e. Impact on adjacent land uses and surrounding neighborhoods (rezoning);



The proposed amendment is compatible with uses. The rezoning will not create any negative impacts on surrounding uses.

f. Proximity to other similar centers (rezoning); and

The proposed rezoning is compatible with adjacent uses.

g. Environmental considerations (rezoning and development orders).

The proposed rezoning does not request any changes to the environmental conditions contained within Land Development Code

POLICY 6.1.3: Commercial developments requiring rezoning and meeting DCI thresholds, must be rezoned to a Planned Development except if located within the Mixed Use Overlay. The Planned Development must be 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. (Ord. No. 94-30, 00-22, 21-09, 23-08)

RESPONSE: The requested C2 rezoning is compatible with other commercially zoned properties found to adjacent properties. The property is within the Mixed-Use Overlay. See the discussion of urban services in Policy 2.2 and Objective 4.1. The project is consistent with 6.1.3.

POLICY 6.1.5: Maintain land development regulations that require 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. (Ord. No. 94-30, 00-22, 23-08)

RESPONSE: The subject property is in an area where capacity exists on adjacent roadway network. The rezoning from CPD to C-2 does not create unanticipated Metro Pkwy traffic circulation because the underlying land use remains the same and, that the properties small size reduces noticeable traffic impacts. The project is consistent with 6.1.5

POLICY 6.1.6: Maintain land development regulations that require commercial development provide adequate and appropriate landscaping, open space, buffering, and architectural standards. (Ord. No. 23-08)

The proposed future development will provide adequate open space and buffering as required by the Land Development Code (LDC) at the time of Development Order. The project is consistent with 6.1.6.

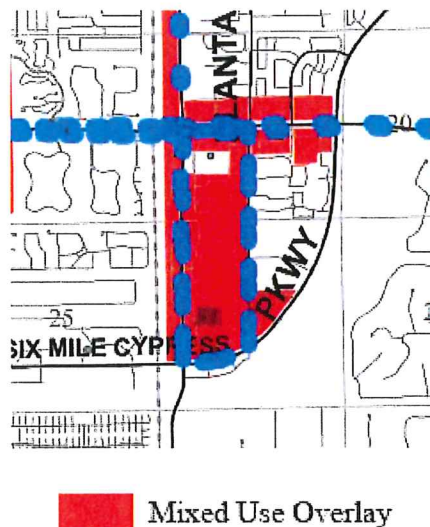
POLICY 6.1.7: Prohibit commercial developments from locating in such a way as to open new areas to premature, scattered, or strip development; but permit commercial development to infill on small parcels in areas where existing commercial development would make a residential use clearly unreasonable

The subject parcel is designated in the Mix-Use Overlay activity that supports future developments Hotel, retail, office etc. The request remains consistent with 6.1.7

OBJECTIVE 11.2: MIXED USE OVERLAY. The County will maintain an Overlay in the future land use map series identifying locations appropriate for mixed use located in proximity to public transit routes; education facilities; recreation opportunities; and, existing residential, shopping and employment centers. Mixed Use, Traditional Neighborhood, and Transit Oriented development patterns are encouraged and preferred within the Mixed-Use Overlay. (Ord. No. 07-15, 17-13)

POLICY 11.2.4: Use of conventional zoning districts will be encouraged within the Mixed-Use Overlay in order to promote continued redevelopment. (Ord. No. 17-13)

Lee County Land Development Code Section 34-841 was amended to allow properties to be rezoned to conventional districts such as the C-2 zoning district if located in the mixed-use overlay as identified on Lee Plan Map 1, Page 6. As shown in the Map below, the parcel is located in the mixed-use overlay. The request to rezone the subject parcels is consistent with Policy 11.2.4 and LDC 34-841



POLICY 11.2.5: Lee County will maintain land development regulations for properties within the Mixed-Use Overlay that allow for urban forms of development and a variety of uses. (Ord. No. 17-13)

The overlay identifies locations appropriate for mixed use development. The subject parcel has approximately ± 660 of frontage along Metro Parkway. (State Maintained, arterial roadway) and ± 386 of frontage along Krypton Lane (a county maintained local road). Rezoning the subject property from CPD to C-2 Conventionally Rezone is encouraged with the Mixed-Use Overlay to promote development. Approval of the rezoning will expand the variety of uses allowed on the site and provide consistent uses for the parcel. The project remains consistent with Policy 11.2.5.



LEE PLAN/LDC CONSISTENCY SUMMARY ACCORDING TO LDC 34-145(d)4
REZONING CONSIDERATIONS

For rezoning to conventional districts, the applicant must prove entitlement based on the following criteria:

a) Complies with the Lee Plan

RESPONSE: As stated in the prior narratives the request is consistent with the goals, objectives, policies, and the intent of the Lee Plan.

b) Meets this Code and other applicable County regulations or qualifies for deviations

RESPONSE: The request is for conventional zoning that does not allow for deviations from the LDC therefore requiring the future development of the site to meet the code and other applicable regulations. Moreover, the rezoning eliminates a legacy zoning district bringing the entitlement into a modern commercial district (C-2), creating a site that is in greater compliance with the LDC such as property development regulations and the permitted uses.

c) Is compatible with existing and planned uses in the surrounding area

RESPONSE: The proposed rezoning is compatible with surrounding land uses. The ±5.83-acre site can adequately accommodate the proposed structure, open space, pedestrian ways, buffers, parking, access, utilities and storm water management. As detailed above, the proposed use is in close proximity planned commercial uses to the north and east.

d) Will provide access sufficient to support the proposed development intensity.

RESPONSE: The proposed C-2 has access to Metro Parkway, a 6-lane divided State Maintained, arterial road networks via Krypton Lane., a 2-lane un-divided county maintained local road. The proposed development will not go through predominantly residential areas. Additionally, it has access to sidewalks and regional shared use paths along Metro Parkway.

e) The expected impacts on transportation facilities will be addressed by existing County regulations and County regulations and conditions of approval;

RESPONSE: The expected impact on transportation facilities will be addressed by existing County regulations and provide sufficient access to support the proposed development intensity. As stated above the access Metro Parkway., a 6-lane divided state maintained arterial with a LOS of "C" roadway allows for the capacity for the development.

f) Will not adversely affect environmentally critical or sensitive areas and natural resources.

RESPONSE: Rezoning of the subject property will not adversely affect environmentally critical or sensitive areas and natural resources.



g) Will be served by urban services, defined in the Lee Plan, if located in a Future Urban area category.

The subject property has access to Metro Parkway (State Maintained arterial roadway) via Krypton Lane (a county maintained local road). South Trail Fire District, located at 5531 Halifax Ave. The Lee County Sheriff Department, located at 14750 Six Mile Cypress Parkway. Lee Trans bus route 80 serves this area and two bus stop 10131 located across from the parcel with an existing sidewalk along the Metro Parkway. The requested rezoning of C-2 is consistent with Policy 2.2.1.

CONCLUSION

The proposed rezoning from CPD to C-2 zoning districts to allow for the subject parcel to serve the neighborhood commercial center to serve nearby residents. The applicant's analysis submits that the request is consistent with the Lee County Comprehensive Plan Goals, Objectives, Policies and Standards, is compatible with existing or planned uses in the surrounding area; has sufficient access to a major arterial and local road to support the commercial development; must comply with the LDC and therefore will not adversely affect environmentally critical or sensitive areas and natural resources; and is served by adequate urban services.

ATTACHMENT D



BOARD OF COUNTY COMMISSIONERS

Kevin Ruane
District One

August 20, 2024

Via E-Mail

Cecil L Pendergrass
District Two

Shelly Stalnos

Ray Sandelli
District Three

Quattrone & Associates, Inc.

Brian Hamman
District Four

4301 Veronica Shoemaker Boulevard
Fort Myers, FL 33916

Michael Greenwell
District Five

RE: **Potable Water and Wastewater Availability**

Dave Harner, II
County Manager

14690 Metro LLC – 14590 Metro Parkway, Fort Myers, FL 33912
STRAP # 30-45-25-00-00008.0030

Richard Wm Wesch
County Attorney

To whom this may concern:

Donna Marie Collins
County Hearing Examiner

The subject property is located within Lee County Utilities Future Service Area as depicted on Maps 4A and 4B of the Lee County Comprehensive Land Use Plan. Potable water and sanitary sewer lines are in operation adjacent to the property mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of 3 commercial units with an estimated flow demand of approximately 18,300 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our Corkscrew Water Treatment Plant.

Sanitary sewer service will be provided by the City of Ft Myers South Water Reclamation Facility. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

There are no reuse mains in the vicinity of this parcel.

Prior to beginning design work on this project, please meet with LCU Staff to determine the best point of connection and discuss requirements for construction.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate

connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, this letter of availability of potable water and sanitary sewer service is to be utilized for Development Review and SFWMD only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

LEE COUNTY UTILITIES

Ashanti Shahriyar

Ashanti Shahriyar
Plan Reviewer
239-533-8531
UTILITIES ENGINEERING

ATTACHMENT E

Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ENVIRONMENTAL STAFF REPORT

CASE NUMBER: REZ2024-00012
TYPE OF CASE: Conventional Rezone CPD to C-2
CASE NAME: Stevens Metro Rezoning
TOTAL ACREAGE: 5.83
SUFFICIENCY DATE: 01/02/2024
HEARING EXAMINER DATE: 03/06/2025

Request

The applicant is requesting to conventionally rezone 5.83± acres of Commercial Planned Development (CPD) to Commercial District (C-2), to allow for commercial use as well as residential. The property is in South Fort Myers, is west of Michael G. Rippe Parkway, north of Ben C Pratt/Six Mile Cypress, east of Ten Mile Canal/John Yarbrough Linear Park, and South of Krypton Lane. According to the Lee Plan, the parcel is in the Mixed-Use Overlay and the Intensive Development Future Land Use Category.

Existing Conditions

The site is located at the Northeast corner of metro Parkway and Ben C Pratt six Mile Cypress. A review of historic aerial imagery shows that by 1968 the land was cleared and graded for agricultural use. Around 1990, the roads and the drainage ditch on the northern property boundary which runs under Metro Parkway were installed. The property has been maintained by mowing which is evident in the historic aerial review through the years. By 2020, it appears that regular mowing of the site ceased. The conditions seen by staff are a result of allowing the site to revegetate over that time.

Staff conducted a site inspection of the property on 11/19/2024, parked at the northern boundary and entered from Krypton Lane, walking through what appeared to be a mechanically cleared, yet meandering path. Staff located dark greasy soils, indicating the presence of either muck or a mucky mineral soil type. Both of these are hydric soil types as identified by the NRCS.

Staff identified the following native plants and their ratified status from 62-340., F.A.C. during the inspection. *Acacia auriculiformis* (F), *Sagittaria lancifolia* (O), *Salix caroliniana* (O), *Cladium spp* (O), *Baccharis halimifolia* (F), *Andropogon virginicus* (F), *Schinus terebinthifolius* (F), *Phyla nodiflora* (F), *Persicaria setacea* (O), *Hydrocotyle verticillate* (FW), *Ammannia latifolia* (O), *Cyperus spp.* (O), *Persea palustris* (O), *Sabal palmetto* (F), *Ludwigia octovalvis* (O), and *Typha latifolia* (O).

Staff revisited the site on 12/18/2024 and was accompanied by the SFWMD and the applicants environmental consultant, to determine the extent of surface waters or wetlands on the site. The SFWMD district staff told county staff that the entire site was identified as a wetland under 62-340, F.A.C.

There is no development currently on the site.

Open Space

The applicant is requesting approval for a Conventional Rezoning from Commercial Planned Development (CPD) to Commercial District (C-2). All projects must provide Open Space pursuant to 10-415. The site is also located within the Mixed-Use Overlay and able to use the open space reductions set forth in 10-425 (a); small commercial projects will be required to provide 10%, and large developments are required to provide 20%. Indigenous vegetation must still be consistent with Section 10-415 (b). If the site is developed with more than two acres of impervious, then the project would need to demonstrate compliance with 10-415 (b); indigenous native vegetation and trees.

Indigenous Open Space Preservation

The site is located within the Mixed-Use Overlay and must provide the open space and landscaping requirements set for in LDC sec. 10-425.

An Environmental Resource Permit (Application # 241022-46827) is currently under review with the South Florida Water Management District.

Protected Species

The applicant did not provide a Protected Species Survey.

Buffers

The project is required to provide buffers pursuant to 10-425 (f).



DEPARTMENT OF TRANSPORTATION

Memo

To: Khali Muhammad, Planner

From: Lili Wu, Principal Planner

Date: Jan. 27, 2025

Subject: REZ2024-00012 Transportation-Related Analysis

Since this project is a conventional rezoning application and there are no site plan and TIS submitted for review, Lee County DOT has no comment for this application.

If you have any questions, please let me know.

ATTACHMENT G

Exhibit A

K.E. TRASK, P.A.

LAND SURVEYORS

A PARCEL LYING IN
SECTION 30, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA.

(14590 METRO PARKWAY)

(AS PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY POLICY #FILE NO. 12202-20, DATED 05/18/2023 AT 3:18 PM)

A PARCEL OF LAND IN SECTION 30, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF SAID SECTION 30: THENCE S.88°55'23"W., 1965.10 FEET ALONG NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 30, TO THE OLD WESTERLY RIGHT OF WAY LINE OF METROPOLITAN PARKWAY SOUTH (METRO PARKWAY) (100 FEET RIGHT OF WAY); THENCE S.00°38'34"E., ALONG SAID OLD RIGHT OF WAY FOR 25.00 FEET; THENCE S.88°55'23"W. FOR 30.00 FEET TO THE POINT OF BEGINNING AND NEW WESTERLY RIGHT OF WAY OF METROPOLITAN PARKWAY SOUTH (METRO PARKWAY) AS RECORDED IN ORDER OF TAKING (O.R. 3936, PAGE 997: THENCE S.00°38'34"E. ALONG SAID NEW WEST RIGHT OF WAY FOR 309.88 FEET, THENCE S.02°13'11"W. FOR 100.12; THENCE S.00°38'34"E. FOR 200.00 FEET, THENCE S.07°53'17"W. FOR 26.24 FEET; THENCE S.88°57'08"W. LEAVING SAID RIGHT OF WAY FOR 386.21 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE SEABOARD COASTLINE RAILROAD, AS RECORDED IN DEED BOOK 71, PAGE 327, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA: THENCE N.00°40'41"W, ALONG SAID EASTERLY RIGHT OF WAY LINE FOR 660.56 FEET, TO A POINT ON THE AFOREMENTIONED NORTH LINE OF THE SOUTHWEST 1/4; THENCE N.88°55'23"E., 165.51 FEET TO THE NORTHWEST CORNER OF PARCEL 2 OF 2 AS RECORDED IN O.R. 2597, PAGE 3760 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA: THENCE S.00°38'34"E. ALONG THE WEST LINE OF SAID PARCEL FOR 25 FEET: THENCE N.88°55'23"E. ALONG THE SOUTH LINE OF SAID PARCEL ALSO BEING THE SOUTH RIGHT OF WAY OF KRYPTON LANE FOR 230.00 FEET TO THE POINT OF BEGINNING.

K.E. TRASK, P.A.

FLORIDA LICENSED BUSINESS LB8450

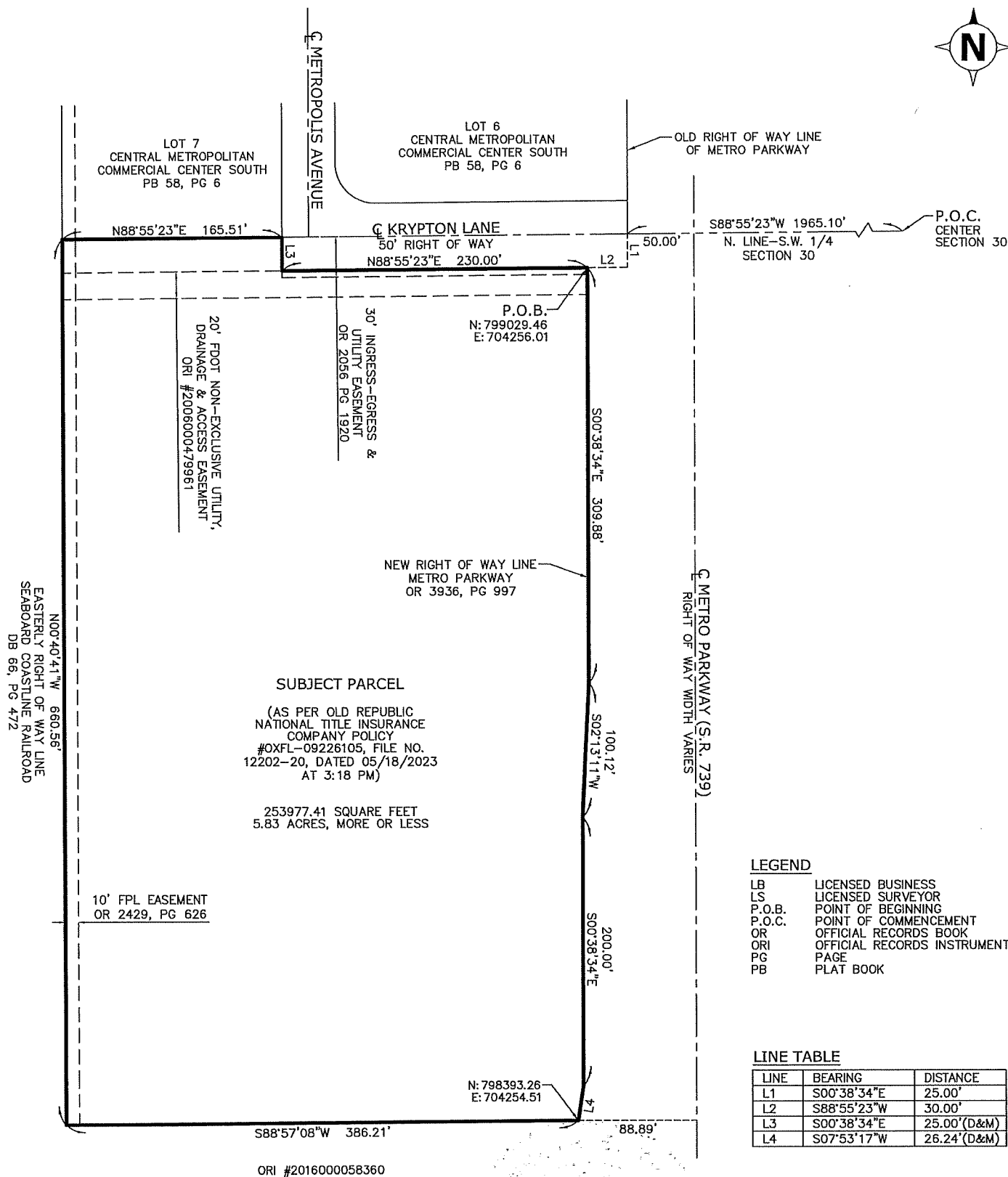
Kenneth E. Trask
PLS4684 State of
Florida

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Trask PLS4684 State of Florida
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-05'00'

KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE LS4684

MAY 3, 2024

REVIEWED
REZ2024-00012
Rick Burris, Principal
Planner
Lee County DCD/Planning
1/3/2025



LEGEND

LB	LICENSED BUSINESS
LS	LICENSED SURVEYOR
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
OR	OFFICIAL RECORDS BOOK
ORI	OFFICIAL RECORDS INSTRUMENT
PG	PAGE
PB	PLAT BOOK

LINE TABLE

LINE	BEARING	DISTANCE
L1	S00°38'34"E	25.00'
L2	S88°55'23"W	30.00'
L3	S00°38'34"E	25.00'(D&M)
L4	S07°53'17"W	26.24'(D&M)

SKETCH TO ACCOMPANY DESCRIPTION

OF A PARCEL LYING IN
SECTION 30, TOWNSHIP 45 SOUTH,
RANGE 25 EAST,
LEE COUNTY, FLORIDA.

THIS IS NOT A BOUNDARY SURVEY

Kenneth E. Trask
PLS4684 State of
Florida

Digitally signed by Kenneth E.
Trask PLS4684 State of Florida
Date: 2024.12.20 06:58:29
-05'00'

KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE NO. LS4684

DATE

K.E. Trask, P.A.

Land Surveyors

Florida Licensed Business No. LB8450
12345 Blasingim Road
Fort Myers, Florida 33966
(239) 980-1495

date	dwg	scale	job#	sheet
5-3-24	23-05SK	1"=100'	23-05	2 OF 2