

Lee County
Dept. of Community Development
Zoning Section c/o Brianna Schroeder
1500 Monroe Street
Fort Myers, FL 33901



Please accept the responses below to your letter dated November 14, 2025 regarding the comments for HONC 41 MPD (DCI2025-00007).

Zoning

1. Thank you for providing the Community Meeting Summary, however, please be advised that LDC Section 33-1532 establishes "Subsequent to this meeting, the applicant must provide County staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised."

The meeting summary also needs to provide details of the concerns raised by the one community member that was present and raised concerns regarding the covered storage area within the light manufacturing area of the Master Concept Plan and how Mr. Richard Akin has responded to these questions and concerns. Or a proposal for how the applicant will respond to any issues that were raised.

RESPONSE: Please see the Updated Meeting Summary. The Applicant is ensuring compatibility by limiting outdoor storage to central and rear locations within the project area. Additionally, covered storage is complimentary to an assortment of light manufacturing uses.

2. Attached to this letter is a copy of Resolution 50-02, which discusses the vacation of plat for certain easements within the residential development located to the west of the subject property. This Resolution exempts certain drainage easements and the 100-foot utility (FPL) easement from being vacated which abuts the subject property and is located on the neighboring property located to the west. To further demonstrate compliance with LDC Section 34-145(d)(4)a.1.c and Lee Plan Policy 5.1.5, please adjust the narrative to also discuss the utility (FPL).

RESPONSE: Please see revised narrative for Lee Plan Policy 5.1.5.

Environmental Sciences

1. Please revise MCP to show separate hatchings for wetland restoration and indigenous restoration

areas and the acreage for these areas.

RESPONSE: Please see the revised MCP.

2. Please revise MCP to show a 20ft buffer along North Tamiami Trail to comply with LDC Section 33-1577 for the commercial corridor development regulations or a 5-foot-wide buffer (not a Type A) to comply with LDC Section 10-425. Please clarify if the applicant is utilizing the Mixed-Use Overlay or Commercial Corridor development regulations. If designing the site using the Mixed-Use Overlay property development standards, provide a Lee Plan analysis for Policy 30.2.6.

RESPONSE: Commercial Corridor regulations allow you to utilize the MUO standards per Policy 30.2.6. A Lee Plan Analysis has been updated in the revised narrative.

3. Revise MCP to show publicly accessible open space calculations for both the Commercial and Industrial areas and depict the location on the MCP to comply with LDC Section 33-1572.

RESPONSE: Due to the scale of the MPD and the fact that publicly accessible open space per Sec. 33-1572 is required for the commercial parcels only, a note has been placed on the MCP plans that commercial parcels are subject to LDC. Sec. 33-1572 for compliance with requirements.

4. Please provide an indigenous restoration management plan that includes a list of native species and specifications to restore the preserve areas that do not meet the definition of indigenous. If restoration plantings are being utilized to meet the buffer requirements, trees and shrubs must meet the plant installation standards in LDC Section 10-421.

RESPONSE: An indigenous management plan will be prepared at time of Development Order and SFWMD permitting.

5. Please depict existing and proposed easements if any on the MCP.

RESPONSE: Title work and survey were previously provided. No visible easements exist on the subject property.

6. Please provide the dimensions of the indigenous preserve and restoration areas to comply with Section 10-415(c)(3-5).

RESPONSE: The previously submitted MCP provided width dimensions along with corresponding acreages for each preservation area. Additional dimensions have been provided to further clarify the areas.

Development Services

1. The Response Letter indicates that a revised Schedule of Deviations was provided, however, staff was unable to locate this document in the resubmittal. Additional comments may arise pending the review of the revised deviations and justifications.

RESPONSE: Please see Updated Schedule of Deviations. This Schedule is inclusive of a new deviation pertaining to indigenous preservation areas contributing to the buffer areas.

Please contact me directly at (239) 226-0024 or CindyL@en-site.com if you should have any questions or require additional information.

Sincerely,

EnSite, Inc.



Cindy C. Leal Brizuela, AICP, MURP
Principal Planner

cc: Richard Akin, Esq. - Henderson Franklin, PA

Enclosures:

1. Updated Schedule of Deviations
2. Updated Meeting Summary
3. Revised Narrative
4. Revised MCP & OS

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I. BACKGROUND

The subject property is located at 17701 N Tamiami Trail, north of the intersection of N Tamiami Trail and Sabal Springs Blvd. The property is under one (1) STRAP (22-43-24-01-00001.0160). The zoning of the subject property is split; the segment of land adjacent to N Tamiami Trail is part of the CG zoning district whereas the remainder of the property is within the IL zoning district. The property is currently located within the Suburban future land use category however it is subject to a companion Comprehensive Plan Map Amendment to change the future land use category to Central Urban. The companion FLU amendment allows for industrial uses to take place on the site, consistent with the existing and proposed zoning. The current Suburban FLU category prohibits the development of industrial uses per Lee Plan Policy 1.1.5, posing a conflict for the development of the industrially-zoned portion of the site which comprises approximately 78% of the subject property. The companion FLU application is CPA2025-00001.

II. REQUEST

This rezoning request to Mixed Use Planned Development (MPD) would allow for the development of 30,000 SF of commercial uses and 120,000 SF of industrial uses to take place across the property after adoption of the companion Comprehensive Plan Map Amendment. The MPD is further separated into two (2) tracts; one (1) for the commercial development area and one (1) for the industrial development area. Access is proposed via one (1) right-in, right-out entrance on N Tamiami Trail/US 41.

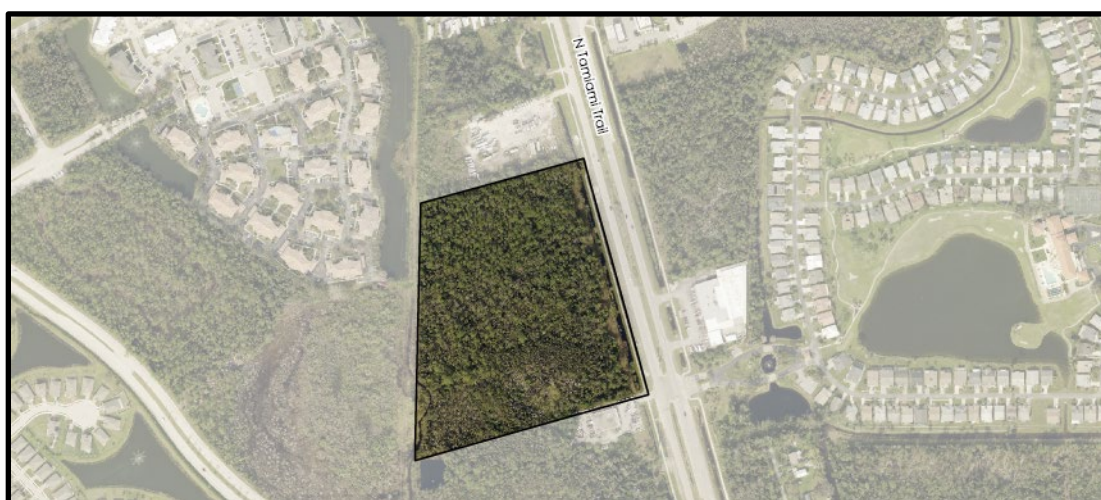


Figure 1. Aerial of Subject Property

III. SURROUNDING LAND USES & COMPATIBILITY

The subject property is surrounded by a range of existing and planned uses which are further described in Table 1.

	EXISTING USE	ZONING	FUTURE LAND USE	JURISDICTION
NORTH	Auto repair and service	CPD	Suburban	Lee County
EAST	Commercial/General Office	AG-2, CPD, RPD	Suburban	Lee County
SOUTH	Golf cart dealership	C-2, AG-2	Suburban	Lee County
WEST	Residential (Isles of Porto Vista)	RML	Mixed Use	Cape Coral

Table 1. Surrounding Land Uses

The subject property abuts N Tamiami Trail to the east which is a state-maintained five (5) lane arterial with a median were adjacent to the property. Further east is a CPD-zoned office space, east of which is the Sabal Springs residential community. Sabal Springs is made up of 210 single-family homes and a central golf course. The community’s primary entrance is Sabal Springs Blvd where it abuts N Tamiami Trail and there is a secondary point of ingress/egress located along Del Prado Blvd N.

To the north of the subject property is another CPD-zoned parcel which was approved for auto repair and servicing uses via Z-92-016. To the west of the subject property is the City of Cape Coral’s Isles of Porto Vista, a residential community consisting of approximately 33 townhome buildings with an estimated 5 units per building, totaling approximately 165 residential dwelling units. It should be noted that the subject property abuts the development’s buffered stormwater system, therefore no residential units directly abut the subject property due to this configuration. This community and surrounding residences are located within the City of Cape Coral’s Mixed Use future land use category which allows for 25 du/AC and a FAR of 1.0 for non-residential development, this category allows for “compound use residences” and promotes vertical mixed use in appropriate locations throughout the City. To the south of the subject property is a commercial (C-2) and agricultural-zoned (AG-2) parcel located within Lee County. The current use for the parcel is a golf cart dealership.

The assortment of surrounding uses are attributed to the parcel’s location along a major transportation corridor, N Tamiami Trail, as well as the configuration of the City of Cape Coral’s adjacent boundary. The proposed rezoning request is not only consistent with the existing and planned surrounding land uses but it also complimentary to the US 41 transportation corridor by promoting employment opportunities adjacent to the arterial roadway. This configuration diverts trips through residential neighborhoods and areas as well as promotes a healthy traffic pattern.

IV. LEE PLAN ANALYSIS

The proposed MPD rezoning is consistent with a number of goals, objectives, and policies outlined within the Lee Plan as well as regional and state plans as outlined below.

Policy 1.1.3: The Central Urban future land use category can best be characterized as the “urban core” of the County. These areas are already the most heavily settled and have, or will have, the greatest range and highest levels of public services. Residential, commercial, public and quasipublic, and limited light industrial land uses will continue to predominate in the Central Urban future land use category. Future development in this category is encouraged to be mixed use, as described in Objective 11.1, where appropriate. The standard density range is from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre), with a maximum total density of fifteen dwelling units per acre (15 du/acre). The maximum total density may be increased to twenty dwelling units per acre (20 du/acre) utilizing Greater Pine Island Transfer of Development Units.

The Lee Plan describes the Central Urban category as the most heavily settled with the highest range of public services. This category permits light industrial uses and encourages mixed-use where appropriate. The Planned Development zoning application is inclusive of a master concept plan which depicts the proposed development, associated with this MCP is a Schedule of Uses which is catered to the site and further specifies the commercial and industrial development program for the property.

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.

The property’s location along N Tamiami Trail, a state-maintained arterial, supports Objective 2.1 by allowing for future development of the site to have readily available access to a number of utilities and services. Additionally, the subject property is located within the North Fort Myers community and abuts the City of Cape Coral, this unique location allows for residents of either community to easily traverse through N Tamiami Trail or Del Prado Blvd N, major roads in each respective community, in order to access the site.

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 §163.3164, Fla. Stat.) will be granted only when consistent with the provisions of §163.3202(2)(g) and § 163.3180, Fla. Stat. and the concurrency requirements in the LDC.

The subject property is surrounded by development and fits the definition of infill development per the Lee Plan. Infill projects already have public services available, making them ideal for development in terms of timing.

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.

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.

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).
2. If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 4A), then the development must be connected to that utility.
3. The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.
4. All waterline extensions to new development will be designed to provide minimum fire flows, as well as adequate domestic services as required by Fla. Admin. Code R. 62-555.
5. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 4-A), and the utility cannot provide the service or cannot provide the service except at a clearly unreasonable cost to the developer, the developer is encouraged to petition the appropriate regulatory agency to contract the service area so that the development may establish its own community water system or invite another adjacent utility to expand its service area in order to provide the required service.
6. If a development lies outside any service area as described above, the developer may:
 - request that the service area of Lee County Utilities or an adjacent water utility be extended to incorporate the property;
 - establish a community water system for the development; or
 - develop at an intensity that does not require a community water system.

7. Lee County Utilities may provide potable water service to properties not located within the future water service area when such potable water service is found to benefit public health, safety, and welfare, including protection of Lee County's natural resources.

As outlined in Standard 4.1.1(1) any commercial or industrial project exceeding 30,000 SF of gross floor area per parcel must connect to public water. The MPD request for industrial and commercial development is in excess of 30,000 SF, therefore the subject property will be complying with this standard by connecting to public water as further supported by the Lee County Utilities Letter of Availability.

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.**
- 2. If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within 1/4 mile from any part of the development.**
- 3. If there is not sufficient capacity nor adequate infrastructure within 1/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.**
- 4. If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and the utility cannot provide the service, or cannot provide the service except at a clearly unreasonable cost to the developer, 11-16 April 2024 Future Land Use the developer may establish on a temporary basis a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may also petition the appropriate regulatory agency to contract the service area of the utility in order that another utility may be invited to provide the service.**
- 5. If a development lies outside any service area as described above, the developer may:**
 - request that the service area of Lee County Utilities or an adjacent sewer utility be expanded to incorporate the property;**
 - establish a self-provided sanitary sewer system for the development;**
 - develop at an intensity that does not require sanitary sewer service; or**
 - if no more than 5000 gallons of effluent per day per parcel is produced, an individual sewage disposal system per Fla. Admin. Code R. 64E-6 may be utilized, contingent on approval by all relevant authorities.**

6. Lee County Utilities may provide sanitary sewer service to properties not located within the future sewer service area when such sanitary sewer service is found to benefit public health, safety, and welfare, including protection of Lee County's natural resources.

As outlined in Standard 4.1.2(1) any commercial or industrial project generating an excess of 5,000 gallons of wastewater per day must connect to public sanitary sewer system. The subject property's companion Planned Development further defines the future development parameters of the site and specifies the industrial and commercial uses proposed for the property which include industrial and commercial development in excess of 30,000 SF, therefore the subject property will be complying with this standard by connecting to public wastewater as further supported by the forthcoming Florida Governmental Utility Authority Letter of Availability.

Standard 4.1.4: ENVIRONMENTAL FACTORS.

- 1. 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 (SFWMD), 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.**
- 2. Ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site.**
- 3. Ensure development minimizes the need for expansion and construction of street and utility improvements.**

An environmental assessment of the site was conducted in November 2023 by Pennoni and the findings resulted in the conclusion that the property is heavily impacted by exotic vegetation. There are approximately 4.82 acres of wetlands across the site and these lands feature exotic infestation with portions of the wetlands consisting solely of melaleuca or disturbed lands. The uplands on the site feature a similar range of exotic infestation; pine flatwoods are found on site but are made up of nearly 51-75% exotics and the area described as a palm hammock is made up of 26-50% exotic vegetation. A jurisdictional wetland determination has been obtained from South Florida Water Management District.

Policy 5.1.5: Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in the LDC, Chapter 10, are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a Planned Development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate

conditions can be devised, the application will be denied altogether. The LDC will continue to require appropriate buffers for new developments.

The subject property proposes adequate buffering to prevent the encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Residential development near the rear of the property is separated by an existing stormwater lake on the residential property, and the proposed MCP shows wetland and indigenous preservation areas along the southern boundary. Furthermore, a 75-foot-wide FPL easement further separates the proposed land use and the existing residential.

Goal 6: COMMERCIAL LAND USES. To permit orderly and well-planned commercial development at appropriate locations within the County.

The rezoning is being pursued as a Planned Development which further defines the development parameters for the limited commercial uses being proposed while allowing for flexibility for future commercial tenants which would further support nearby patrons. The subject property's current split zoning allows for commercial uses to be located along the eastern portion of the site, abutting N Tamiami Trail. The site's current partial commercial zoning along the arterial was previously impacted by a right-of-way taking which has resulted in a reduced depth for the commercially zoned area. As currently configured, the site's narrow commercial zoning promotes strip commercial development. The planned development zoning application alters this configuration by creating additional depth for commercial tracts, effectively creating commercial outparcels to the industrial portion of the development. This creates a gradual transition from the more intense industrial uses proposed on the western portion of the site to more service/retail-oriented commercial being proposed along the eastern portion of the site abutting N Tamiami Trail. This configuration further separates any future industrial uses from the Sabal Springs residential community to the east of N Tamiami Trail.

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.

Policy 6.1.4: Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities.

Consistent with Policy 6.1.4, the proposed project is compatible with existing and planned adjacent uses. The proposed PD rezone clarifies the location and square footage of commercial uses which would provide additional growth in the North Fort Myers community at an appropriate location. This policy also requires that the proposed commercial uses be supported by public facilities; the property has direct access onto N Tamiami Trail which is a four-lane to five-lane state-maintained arterial roadway. Additionally, the project will be supported by urban services via Lee County Utilities for potable water and FGUA for sanitary sewer as noted in the provided Letter of Availability from LCU and Letter of Availability from FGUA.

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.

Policy 6.1.5 protects the traffic-carrying capacity of roads and streets from incompatible commercial development. The companion Traffic Impact Study supports the assessment that the uses will not trigger a level of service deficiency for the adjacent road network. Alternatively, the proposed reconfiguration of uses and intensities results in a reduction in the maximum trip generation of the project via the partial conversion from commercial to industrial uses, which generally generate less trips.

Policy 6.1.6: Maintain land development regulations that require commercial development provide adequate and appropriate landscaping, open space, buffering, and architectural standards.

Policy 6.1.6 requires commercial developments to “provide adequate and appropriate landscaping, open space, and buffering.” The MPD is inclusive of a Master Concept Plan which outlines the landscaping including open space and buffering being proposed. The project will provide appropriate landscaping, open space, and buffering as consistent with the Land Development Code. Architectural standards are reviewed at time of development order and are further governed by Chapter 33 regarding the North Fort Myers Commercial Corridor.

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.

N Tamiami Trail features a mixture of commercial, industrial, and residential uses throughout the transportation corridor. There are heavy commercial uses to the north of the site which services automobiles and appears to have an outdoor storage component based off recent aerials. Additionally, the property to the south of the site is a golf cart dealership which also features an outdoor/display component. The subject property abuts N Tamiami Trail to the east and further east are residential uses. Residential uses are also located to the west of the subject property. This combination of abutting residential and commercial uses is addressed in the companion PD rezone’s Master Concept Plan. This plan further defines the project’s development program including open space, buffering, and setbacks, all of which are considered with the existing surrounding uses at the forefront. Additionally, the increased depth of the commercial tracts when compared to the existing commercially zoned portion of the site promotes the development of outparcels instead of the strip development currently supported by the narrow commercial zoning.

Policy 6.1.8: Prohibit commercial development from locating near existing or planned school areas in such a way as to jeopardize the safety of students.

Consistent with Policy 6.1.8, the subject property is not located near an existing or planned school.

Goal 7: INDUSTRIAL LAND USES. To promote opportunities for well-planned industrial development at suitable locations within the County

The rezoning is being pursued as a Planned Development which further defines the development parameters for the limited industrial uses being proposed. The industrial uses being proposed are visibly shielded from pass-by traffic through the site's configuration as well as buffering and landscaping. The uses being proposed are also tailored to the site as further noted in the Schedule of Uses.

Policy 7.1.3: Industrial land uses must be located in areas appropriate to their special needs and constraints, including, but not limited to, considerations of: topography; choice and flexibility in site selection; access by truck, air, deep water, and rail; commuter access from home-to-work trips; and utilities; greenbelt and other amenities; air and water quality considerations; proximity to supportive and related land uses; and compatibility with neighboring uses.

The industrial uses proposed are further defined by the Schedule of Uses. The site's location along an arterial supports the ability to easily access the site without having to traverse through residential corridors or communities. The location being proximate to Cape Coral and being located within the North Fort Myers community facilitates the commute for current and future employees who reside in either the City of Cape Coral or North Fort Myers. As described above, the mixture of surrounding adjacent uses have further defined the proposed buffers and setbacks which promote compatibility with the subject property's adjacent land uses.

Policy 7.1.4: The timing and location of industrial development will be permitted only with the availability and adequacy of existing or planned services and facilities.

The availability of planned services and facilities have been confirmed from numerous agencies via the supporting Letters of Availability which have been provided to the County for review. These agencies include LCU for water, FGUA for sewer, Lee County Solid Waste, the Lee County's Sheriff's Office, and the local fire department.

Policy 7.1.6: Maintain land development regulations that require industrial uses be adequately buffered and screened from adjacent existing or proposed residential areas so as to prevent visual blight and noise pollution.

Consistent with the LDC, buffering and screening from the adjacent residential will be achieved to address site compatibility. Additionally, due to the incorporation of commercial outparcels on the companion rezoning's Master Concept Plan, there won't be visibility to the industrial area from N Tamiami Trail given the commercial outparcels proposed between the industrial area and N Tamiami Trail.

POLICY 7.1.7: Industrial development will not be permitted if it allows industrial traffic to travel through predominantly residential areas.

The subject property's location along N Tamiami Trail, a major transportation corridor, allows for any potential associated industrial traffic to be directed through the roadway and away from local streets feeding into predominantly residential areas.

Goal 30: NORTH FORT MYERS COMMUNITY PLAN. Improve the livability and economic vitality in the North Fort Myers Community Plan area by: promoting compact, mixed use development in the form of town and neighborhood centers; attracting appropriate investment to revitalize older neighborhoods and commercial corridors; stabilizing and enhancing, existing neighborhoods; and preserving natural resources.

The subject property's location within the North Fort Myers Community will improve the economic vitality of the community; a major local business would be relocating their 6.5-acre headquarters in Cape Coral to North Fort Myers. This is an enhancement to the local economy of North Fort Myers and supports the business' growth which ultimately brings jobs to the community that currently requires North Fort Myers employees to traverse across the community via Pondella Road.

Policy 30.2.6: Development within the Town and Neighborhood Centers and the Corridor Overlay Districts may use the development standards allowed within the Mixed Use Overlay.

The subject property is consistent with Policy 30.2.6, as it is located within a Commercial Corridor along Tamiami Trail N and can therefore utilize the standards within the Mixed-Use Overlay.

Policy 30.3.1: Encourage streetscape and landscape improvements along major roadways consistent with the general provisions of the LeeScape Master Plan, including Bayshore and Pine Island Roads, North Cleveland Avenue, North Tamiami Trail, Pondella Road, Hancock Bridge Parkway, and Del Prado Boulevard.

The property's frontage along N Tamiami Trail would traditionally require it to feature a 15-foot wide Type D right-of-way buffer along the frontage. Per LDC Table 10-416(d)(4), the Type D buffer requires a minimum of five (5) trees and a double-staggered hedge per 100 linear feet. However, Lee Plan 30.2.6 allows for developments within the Commercial Corridor Overlay (such as the proposed) to utilize the development standards for the Mixed-Use Overlay. Per LDC Sec. 10-425(f)(1) the buffer adjacent to the roadway is required to be 5-feet wide and planted with five (5) trees per 100-linear feet.

Policy 124.1.2: The County's wetlands protection regulations will be consistent with the following:

- 1. The County will not undertake an independent review at the development order stage of impacts to wetlands resulting from development in wetlands that is specifically authorized by a DEP or SFWMD dredge and fill permit or exemption.**

2. **No development in wetlands regulated by the State of Florida may be commenced without the appropriate state agency permit or authorization. Development orders and development permits authorizing development within wetlands or lands located within the Wetlands future land use category may be issued subject to a condition that construction may not commence until issuance of the required state permits.**
3. **Lee County will incorporate the terms and conditions of state permits into County permits and will prosecute violations of state regulations and permit conditions through its code enforcement procedures.**
4. **Every reasonable effort will be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. On- or off-site mitigation will only be permitted in accordance with applicable state standards.**
5. **Mitigation banks and the issuance and use of mitigation bank credits will be permitted to the extent authorized by applicable state agencies.**
6. **The density on wetlands that have been impacted, or will be impacted, in accordance with a state agency permit will be calculated at a density of one dwelling unit per 20 acres. Non-residential uses on wetlands that have been impacted, or will be impacted, in accordance with a state agency permit must be consistent with the non-residential uses permitted in the immediately adjacent, least intense, upland future land use category.**

Consistent with the above policy's points one (1) through three (3), the subject property has obtained a Jurisdictional Wetland Determination from South Florida Water Management District. The companion Master Concept Plan further depicts compliance with point four (4) above. The Applicant acknowledges points five (5) and six (6) - more specifically, that any non-residential land uses proposed on wetlands that have been or will be impacted will be consistent with the non-residential land uses permitted in the central urban FLU as this is proposed to be the immediately adjacent and least intense and upland category.

Policy 126.1.4: Development designs must provide for maintaining or improving surface water flows, groundwater levels, and lake levels at or above existing conditions

The project has obtained a JD from SFWMD consistent with the requirements of local Development Order permitting. Additionally, a surface water management plan has been provided to further describe surface water flows, groundwater levels and lake levels.

The proposed request is also consistent with the Southwest Florida Regional Planning Council's Strategic Regional Policy Plan Volume II. Specifically, the request support's the **Economic Development Element** and its vision; *"Southwest Florida will attract, retain, and create quality businesses to diversify its economic base, while protecting the natural and cultural environments, to*

promote economic stability, greater job and educational opportunities, and higher income for its residents.”

The proposed rezoning would allow for expansion of a currently operational business located within Southwest Florida. By aggregating to the business’ operational acreage, which is currently in Cape Coral and is under 7 acres, additional employment opportunities may be achieved, furthering economic diversity and stability in the region.

Goal 3: A stable regional economy based on a continuing excellent quality of life.

The proposed MPD rezoning is consistent with this goal by supporting business and industry in a location where public services are readily available. N Tamiami Trail is a major transportation corridor for the North Fort Myers community, connecting it with the City of Fort Myers to the south and Charlotte County to the north. Improvements to sites with readily available infrastructure promote commerce, ensuring economic stability, in appropriate locations.

Goal 4: A diverse regional economy.

The rezoning would allow for the expansion of both, industrial and commercial services at a location where these uses were previously programmed as noted by the underlying zoning districts.

At the state level, the proposed map amendment is consistent with the State of Florida Comprehensive Plan found in F.S. 187.201, specifically the Land Use section;

(15)(a) Goal. In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner.

Policy 1. Promote state programs, investments, and development and redevelopment activities which encourage efficient development and occur in areas which will have the capacity to service new population and commerce.

Policy 3. Enhance the livability and character of urban areas through the encouragement of an attractive and functional mix of living, working, shopping, and recreational activities.

The proposed map amendment is consistent with the goal’s sub-policies including; Policy 1 which encourages efficient development and promotes it in areas which will have the capacity to service new population and commerce; and, Policy 3 which promotes the livability and character of urban areas through the encouragement of an attractive and functional mix of living, working, shopping, and recreational activities. The proposed map amendment would effectively improve the employment opportunities of the region and would abide by the development standards of the local Land Development Code, which would promote an attractive product with appropriate architecture and

landscaping, including open space and buffering, to address site-specific compatibility with proximate uses.

V. CONCLUSION

The proposed MPD rezoning is consistent with several policies set forth by the Lee Plan, the Southwest Florida Strategic Regional Policy Plan, and the State of Florida's Comprehensive Plan. The rezoning from two (2) conventional districts to one (1) MPD with two (2) tracts would allow for the development of the site in manner that negates strip development and would greatly enhance local economic diversity as well as promote economic stability and allow for infill development to take place at a location already previously slated for industrial and commercial uses where public facilities and urban services are capable of servicing the site.

Please contact me directly at (239) 226-0024 or CindyL@En-Site.com if you should have any questions or require additional information.

Sincerely,
EnSite, Inc.



Cindy C. Leal Brizuela, AICP, MURP
Principal Planner

cc: Honc Docks & Lifts
Henderson Franklin

Lee County
Dept. of Community Development
Zoning Section
1500 Monroe Street
Fort Myers, FL 33901



1. A deviation from LDC Sec. 10-291(3), which requires commercial or industrial development of more than ten acres to provide more than one means of ingress or egress for the development.

JUSTIFICATION: The proposed deviation would allow for one point of ingress or egress for the subject property. Due to the location of the subject property, the development cannot provide more than one point of ingress/egress along N Tamiami Trail because of the controlled access points along Tamiami Trail.

2. A deviation from LDC Sec. 10-610(e), which requires adjacent commercial uses to provide parking lot interconnections for automobile, bicycle, and pedestrian traffic.

JUSTIFICATION: The proposed deviation would allow for no parking lot interconnections between the subject property and the northern abutting property. The northern abutting property is developed as open storage, and the paved portion of the property is completely internal to the development. The portion that would be connected to the subject property would require off-site improvements by a separate property owner. There is possibility for connection with the southern abutting property, as there is an existing inlet. The Applicant is in contact with the property owner.

Lee County
Dept. of Community Development
Zoning Section
1500 Monroe Street
Fort Myers, FL 33901

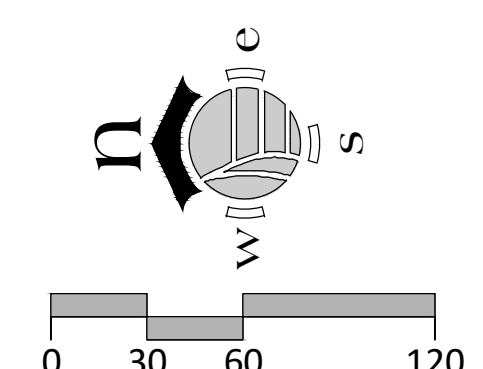


HONC 41
Mixed Use Planned Development
Community Meeting Summary

The Community Meeting before the North Fort Myers Design Review Panel began at 6 PM on July 01, 2025 at 2000 N Recreation Park Way, North Fort Myers, FL 33903, which is located within the North Fort Myers Planning Community. A presentation was given on behalf of the Applicant by Cindy Leal Brizuela, AICP, MURP - Principal Planner at EnSite, Inc.; a copy of this presentation has provided in this meeting package. The Applicant's attorney, Mr. Richard Akin, was also present for questions. The presentation consisted of a general description of the subject property, the surrounding land uses, the Comprehensive Plan Amendment request from Suburban to Central Urban FLU, and concurrent zoning request to the Mixed-Use Planned Development district. After the conclusion of the presentation, a few questions were asked by the Panel regarding the Master Concept Plan, predominantly the preservation area and surrounding zoning in North Fort Myers and Cape Coral. One community member attended and asked a question regarding the covered storage in the light manufacturing area of the Master Concept Plan. Her concern was its visibility from Tamiami Trail N. Mrs. Cindy Leal Brizuela and Mr. Richard Akin assured the community member that the commercial uses on the eastern perimeter abutting Tamiami Trail N would block views of the industrial located at the rear of the property. The Panel unanimously voted favorably for the comprehensive plan amendment and zoning request.

Sincerely,
EnSite, Inc.

Cindy C. Leal Brizuela, AICP, MURP
Principal Planner



*EACH OPEN PARCEL SHALL HAVE 20% OPEN SPACE AS THEY WOULD BE CONSIDERED SMALL DEVELOPMENTS.
 **NOTE: 50% INDIGENOUS REQUIREMENT IS MET THROUGH THE INDIGENOUS/WETLAND PRESERVATION AREA.

OPEN SPACE NOTE:
 COMMERCIAL PARCELS SUBJECT TO LDC SEC. 33-1572 FOR COMPLIANCE WITH PUBLICLY ACCESSIBLE OPEN SPACE REQUIREMENTS.

LANDSCAPE BUFFERS	PROPOSED
NORTH (CPD)	N/A
EAST (ROW)	5' (PER 10-425)
SOUTH (C-2)	N/A
WEST (INDUSTRIAL)	N/A

LANDSCAPE BUFFERS	PROPOSED
NORTH (CPD)	N/A
EAST (COMMERCIAL)	N/A
SOUTH (COMMERCIAL/AG)	N/A
WEST (MF/CONS. ESMT.)	N/A

THE PLANNED DEVELOPMENT COMPLIES OR WILL COMPLY WITH APPLICABLE PORTIONS OF LAND DEVELOPMENT CODE, INCLUDING BUT NOT LIMITED TO, ARTICLE IV. - PLANNED DEVELOPMENT DISTRICTS. THE INTERNAL MECHANISMS OF THE SITE, SUCH AS WATER MANAGEMENT, ARE ALSO SUBJECT TO OTHER AGENCY PERMITTING REQUIREMENT. ALL OUTDOOR LIGHTING MUST COMPLY WITH SECTION 34-625.

IN THE EVENT A PORTION OF THE INDUSTRIAL PROJECT IS BUILT AS OPEN STORAGE, THE AREA/PROJECT MUST COMPLY WITH SECTION 34-3005 - STORAGE FACILITIES.

1 DEVIATION FROM LDC 10-291(3), WHICH REQUIRES COMMERCIAL OR INDUSTRIAL DEVELOPMENT OF MORE THAN TEN ACRES TO PROVIDE MORE THAN ONE MEANS OF INGRESS OR EGRESS TO ALLOW ONE POINT OF INGRESS OR EGRESS FOR THE SUBJECT PROPERTY.

2 DEVIATION FROM LDC 10-610(e), WHICH REQUIRES ADJACENT COMMERCIAL USES TO PROVIDE PARKING LOT INTERCONNECTIONS FOR AUTOMOBILE, BICYCLE, AND PEDESTRIAN TRAFFIC, TO ALLOW NO INTERCONNECT TO THE SOUTH IN THE EVENT PERMISSION IS NOT PROVIDED BY THE SOUTHERN PROPERTY OWNER.

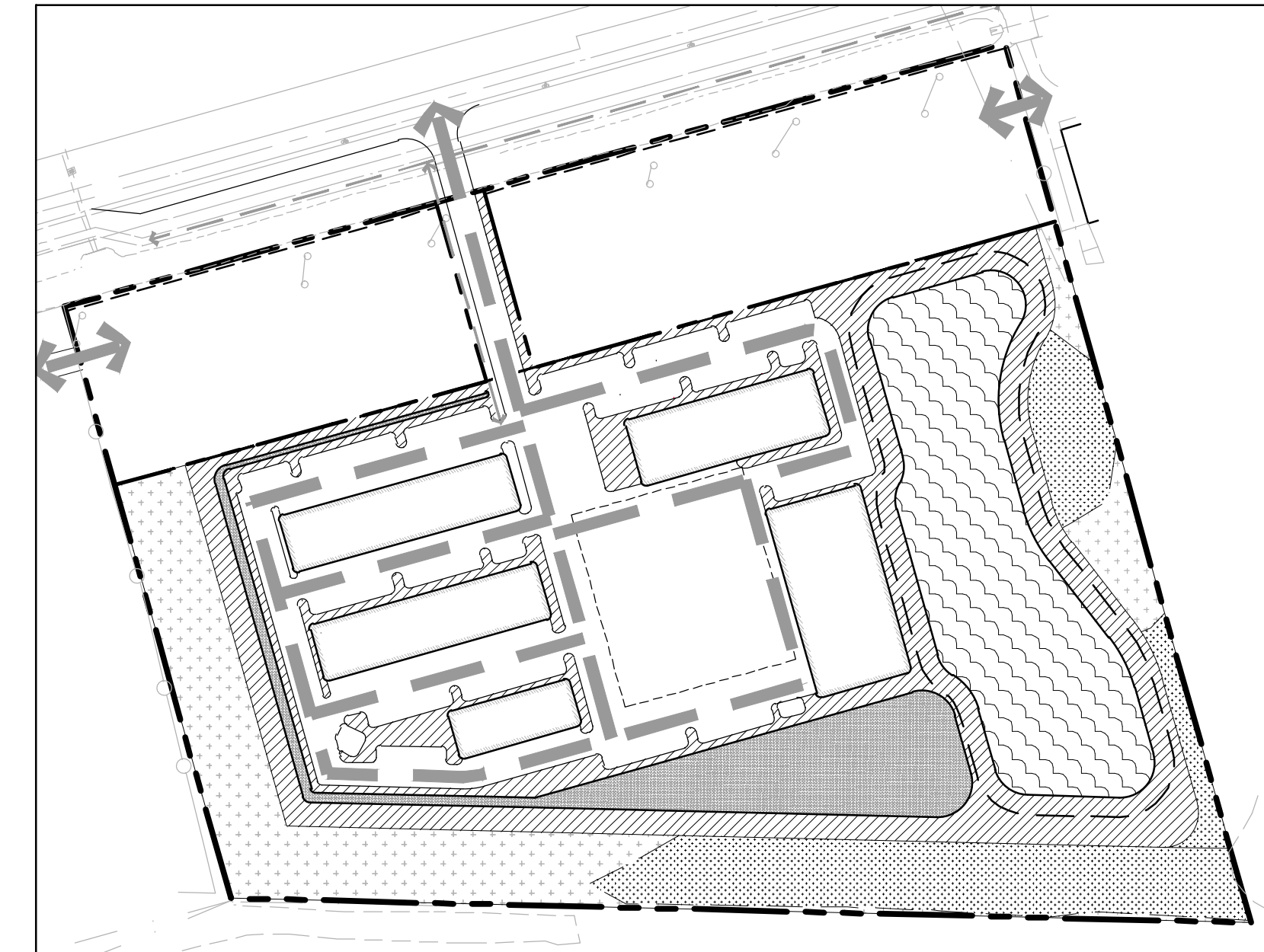
	VEHICULAR / PARKING CIRCULATION		PEDESTRIAN CONNECTION
	WATER MANAGEMENT / PRE-TREATMENT		WATER MANAGEMENT / LAKE
	INDIGENOUS PRESERVATION		WETLAND PRESERVATION AREA

HONC DOCKS
& LIFTS
1130-C PONDELLA ROAD
CAPE CORAL, FL 33909

17701 N. TAMiami
HONC 41 MPD
NORTH FORT MYERS

MASTER CONCEPT PLAN

MCP-01



OPEN SPACE CALCULATIONS:

*EACH OUT PARCEL SHALL HAVE 20% OPEN SPACE AS THEY WOULD BE CONSIDERED SMALL DEVELOPMENTS.
 **NOTE: 50% INDIGENOUS REQUIREMENT IS MET THROUGH THE INDIGENOUS/WETLAND PRESERVATION AREA.

INTENSITY	30,000 S.F.
SETBACKS (BUILDING)	PROPOSED
NORTH (SIDE)	15'
EAST (FRONT)	25'
WEST (REAR)	25'
SOUTH (SIDE)	15'
WATER BODY SETBACK	25'
HEIGHT OF BUILDINGS	35'
OPEN SPACE	20%
MAX LOT COVERAGE	40%

INTENSITY	120,000 S.F.
SETBACKS (BUILDING)	PROPOSED
NORTH (SIDE)	25'
EAST (FRONT)	25'
WEST (REAR)	25'
SOUTH (SIDE)	25'
BUILDING SEPARATION	20'
WATER BODY SETBACK	25'
HEIGHT OF BUILDINGS	35'
OPEN SPACE	20%
MAX LOT COVERAGE	40%

THE PLANNED DEVELOPMENT COMPLIES OR WILL COMPLY WITH APPLICABLE PORTIONS OF LAND DEVELOPMENT CODE, INCLUDING BUT NOT LIMITED TO, ARTICLE IV. - PLANNED DEVELOPMENT DISTRICTS. THE INTERNAL MECHANISMS OF THE SITE, SUCH AS WATER MANAGEMENT, ARE ALSO SUBJECT TO OTHER AGENCY PERMITTING REQUIREMENT. ALL OUTDOOR LIGHTING MUST COMPLY WITH SECTION 34-625.

Legend:

- OPEN SPACE
- WETLAND PRESERVATION AREA
- INDIGENOUS PRESERVATION
- WATER MANAGEMENT



PROJECT NAME AND LOCATION

SHEET TITLE

SHEET NUMBER