



Consolidated Review Comments

Record Number: [DCI2025-00026](#)

Click the record number to open it in the eConnect/ACA portal.

Department of Community Development
Zoning
P.O. Box 398
Fort Myers, FL 33902

Report Date: 01/16/2026

Record Type: Planned Development

Address: 0 DANIELS PKWY, FORT MYERS, FL 33913

Project Name: Daniels Tradeport MPD

Record Description: Rezone 841+- acres from AG-2 to MPD to allow for an Industrial and Commercial planned development with associated site infrastructure.

The Zoning Section has reviewed the submission package for the above-referenced application in accordance with the submittal requirements contained in the Lee County Land Development Code (LDC). Please be advised that the application is insufficient at this time. The application cannot be deemed sufficient for public hearing until the deficiencies provided in the attached comments are addressed.

If you are unable to resubmit within thirty (30) days of this letter, you may request an extension and waive the statutory review deadlines set forth in F.S. 125.022 by completing and returning the [Request for Waiver Form](#).

If you have any questions prior to resubmitting, please contact the lead reviewer for a meeting to discuss the attached comments.

GENERAL COMMENTS:

The information below is an advisory summary of any significant issues identified for the project.

<u>Corrections</u>	<u>Review Comments</u>	<u>Reviewer</u>	<u>Status</u>	<u>Comment ID</u>
<u>Development Services Review</u>				
Yes	Development Services 1. Please provide a Letter of No Objection from the local fire department (South Trail Fire District) and emergency services in regards to Deviation #1 from LDC Section [10-291(3)]. 2. Pursuant to LDC Section [10-256(b)(2)c.3.] sidewalks on both sides of all internal streets are required for all new nonresidential developments and must extend from intersection to intersection. •NOTE: At time of development order the applicant must demonstrate compliance with this requirement. 3. [10-329(d)(1)a.3.] Excavation Setback from Other Property. Excavations must be set back fifty (50) feet from any property line under separate ownership. Please demonstrate compliance with this requirement. 4. [10-328(a)] Open Drainage easements. On one side of the watercourse,	Allyson Hall	Open	15

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	drainageway, canal, IDD easement, lake, pond or stream, a 20-foot wide easement for maintenance purposes must be provided. 5. Please provide the location of all points of vehicular ingress and egress from the proposed internal rights-of-way or easements into the commercial, or industrial use lots. 6. Excess Spoil Removal is listed within the approved Schedule of Uses. Please advise how many cubic yards of material are proposed to be moved off-site. 7. INFORMATIONAL COMMENT: Development order approval is required in addition to this zoning action. Compliance with Chapter 10 of the Lee County Land Development Code will be reviewed further at that time.			
<u>DOT Review</u>				
Yes	TIS (Rezoning Only): There are omissions in the Daniels Tradeport Traffic Impact Statement (TIS) based on Administrative Code AC-13-17. 1. Incomplete Area of Influence (Fig 2): The project traffic distribution map is incomplete. Per AC-13-17, the Area of Influence must demonstrate development-generated traffic impacts on the surrounding roadway network where project traffic meets/exceeds 10% of the LOS "C" service volumes for the links at build-out. 2. Missing Intersection Analysis: Intersections within the project's area of influence have not been analyzed. Consistent with the AC-13-17 requirements for projects generating over 300 peak hour trips, analyses must be provided for all intersections within the area of influence. These analyses must compare conditions with and without the project traffic and indicate the LOS for each intersection, considering the summation of all four approaches for each scenario. 3. Omission of Road Segment Improvements: While the consultant identifies LOS F conditions on Daniels Parkway and SR 82, the TIS fails to provide a specific "analysis of the improvements necessary to offset the added traffic impacts." While F.S. §163.3180 protects the applicant from fixing "backlogged" roads, AC-13-17 requires them to identify the mitigation required for their specific contribution to the failure. Even if the developer is only responsible for a proportionate share under F.S. §163.3180, which is captured by the collection of impact fees, the technical analysis of what is needed to restore an acceptable LOS must be included in the TIS to satisfy the requirements of the Administrative Code. 4. Table 6A - Data is missing for the following: FDOT Sta. # 126071 (K & D factors), FDOT Sta. # 124909 (2024 ADT for Roadway segment " S of SR 82")	John Podczerwinsky	Open	11
Yes	DOT 1. The developer remains responsible for site-adjacent mitigation to ensure safe and efficient access. Site-Specific Improvements: Turn lane improvements at the site access intersection on Daniels Parkway will be required at the time of DO. 2. A Traffic Signal Warrant Analysis for the single access point shall be required at the time of DO. If a signal is warranted at this location, it is considered site related and shall be at the developer's cost. 3. Interconnection: The application states there will be a cross-access easement pursued with the adjacent LCPA property, however the interconnection is not shown on the MCP. Interconnection is a requirement of LDC Sec. Sec. 10-295, therefore the applicant must demonstrate the intended ingress/egress cross-access easement with the Lee County Port Authority (LCPA), as well as the adjacent Daniels Creek MPD to the northeast of this project.	John Podczerwinsky	Open	12

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	5. Deviation: No objection is currently stated with regard to the proposed deviation for a single access point on Daniels Parkway (Controlled Access), however the deviation may not be approved without first addressing LDC Sec. 10-295 requirements for interconnection.			
<u>Environmental Review</u>				
Yes	Environmental Comments: 1. Please clarify what “other area” abutting AOPD and preservation area on open space plan. MCP depicts this area as a preservation area with a historic flow way. Please revise open space plan and MCP. 2. MCP depicts historic flow way to be preserved running through the southern portion of the property. Please show consistency on open space exhibit. 3. Please provide measurements, a cross section and depict the 50ft natural waterway buffer for the historic flow way to comply with LDC Section 10-416 (d)(9) for natural waterways. 4. Please label lake management easements on all lakes to comply with LDC Section 34-373 (a)(6)(a). 5. Open space exhibit depicts another boundary line along the south most lake and continues along FPL easement. Please revise. 6. Please provide an indigenous restoration plan and indigenous management plan to demonstrate compliance with Lee Plan Policy 1.1.13 and to support stand-alone retail in the schedule of uses. 7. Please revise Lee Plan Policy 1.1.13 analysis in the narrative to demonstrate compliance for stand-alone retail.	Paige Carroll	Open	16
<u>LeeTran Review</u>				
Yes	Based on the 2021 Transit Development Plan (TDP) and Comprehensive Map 3-C, this development will be within one-quarter mile of a future fixed-route corridor. Under LDC Sec. 10-442(a)(2), if no bus stop exists within one-quarter mile and the property abuts the route along Daniels Pkwy, the developer must provide a bus stop with signage, bicycle rack, landing pad, and walkways. Since this route is not yet in place, a fee-in-lieu is recommended in accordance with LDC Sec. 10-443.	Clarissa Marino-Diaz	Open	13
<u>Natural Resources Review</u>				
Yes	Additional comments pending outcome of CPA application. Please provide a water quality monitoring plan to demonstrate compliance with 7.1.1 and 125.1.4. Please provide analysis of Lee Plan Objective 69.3 and Policy 127.1.1.	Nicholas DeFilippo	Open	14
<u>Planning Review</u>				
Yes	Planning cannot find this application sufficient until the companion CPA has been found sufficient.	Katherine Burgess	Open	1
Yes	This application must stay consistent with the companion CPAs.	Katherine Burgess	Open	2
Yes	Because this property has a companion comprehensive plan amendment that may impact comments on the rezone as additional reviews occur, planning may create new comments on this request after the first review.	Katherine Burgess	Open	3
<u>Zoning Review</u>				

<u>Corrections</u>	<u>Review Comments</u>	<u>Reviewer</u>	<u>Status</u>	<u>Comment ID</u>
Yes	1. ☒ Surrounding Property Owners Map: For instances where fewer than ten surrounding property owners are notified per the Surrounding Property Owners List and Map requirements (LDC § 34-202), the notification distance must be expanded to include all owners of property within 750 feet of the subject property. The names and addresses must reflect the current Lee County tax rolls. Please update the report to reflect a 750-foot notification radius from the property boundary. Note: Once the application is deemed sufficient, the applicant will be required to submit an updated list and mailing labels.	Adam Mendez	Open	17
Yes	2. ☒ Existing Agricultural Use Affidavit: A preliminary affidavit was submitted; however, it is not signed, notarized, and does not include the required sketch. For compliance, the affidavit must be signed by the property owner and notarized. It must also include: i. A statement specifying the type and location of agricultural uses currently on the property; and ii. A sketch of the property in metes and bounds showing the location and type of ongoing agricultural uses. Please provide a complete, executed affidavit with the attached sketch to meet the LDC requirements.	Adam Mendez	Open	18
Yes	3. ☒ Archaeological Sensitivity Map: Portions of the subject property appear to fall within a Level 2 Archaeological Sensitivity Zone. However, the map provided does not delineate the boundaries of the subject property as required by LDC § 34-373(a)(4)(b). See the GIS Data Explorer Archaeological Sensitivity sublayer under Planning.	Adam Mendez	Open	19
Yes	4. ☒ Master Concept Plan – Internal Vehicular Access: If the project involves a subdivision, the Master Concept Plan must show the general location of all points of vehicular ingress and egress from the proposed internal rights-of-way or easements into any commercial or industrial lots, as required by LDC § 34-373(a)(6).	Adam Mendez	Open	20
Yes	5. ☒ “Bar and Cocktail Lounge in Conjunction with Restaurant”: A bar or cocktail lounge that is accessory to and operates within a restaurant during food service is listed in the Planned Development (LDC § 34-934) Schedule of Uses as a restaurant (specify group), with consumption on premises listed as a separate use. Based on the existing and planned residential development and other surrounding uses subject to separation requirements (e.g., schools, hospitals, and similar facilities), it appears likely that the 500-foot separation requirement of LDC § 34-1264(b)(1) could be met on the conceptual development parcels. However, it should be noted that separation distances are measured to the boundary line of the protected use, not to the physical structure, and surrounding conditions may change over time. If the intent of this request is to identify or demarcate future consumption-on-premises (COP) areas in conjunction with certain uses in order to avoid additional zoning approvals, please refer to LDC § 34-1264(a)(3). Even if separation requirements are met at the time of a COP request submitted via the ABT form, failure to identify these locations as part of the rezoning process will require each individual establishment to pursue additional zoning action, which may include administrative approval under LDC § 34-1264.	Adam Mendez	Open	21

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	If the intent is to allow a bar or cocktail lounge as a principal use within the MPD, and the establishment will not meet the separation requirements of LDC § 34-1264(b)(1), the individual establishment or facility proposing consumption on premises must be specifically identified on the Master Concept Plan and include a requested deviation from LDC § 34-1264(b)(1).			
Yes	6. ☐ "Convenience Food and Beverage Store with Fuel Pumps" "Note 27 of LDC Table 34-934 limits the number of self-service fuel pumps to eight, unless a different number is specifically requested and approved as part of this Planned Development. Similarly, self-service fuel pumps in conjunction with other uses are subject to the limitation under Note 24 of the same table."	Adam Mendez	Open	22
Yes	7. ☐ Essential Service Facilities, Group II: Group II essential service facilities include specific uses that require approval through the Planned Development process, such as: • ☐ Aboveground water storage facilities; • ☐ Communications, telephone, and electrical distribution facilities exceeding 425 square feet or 10 feet in height; • ☐ Sewage disposal or treatment facilities; • ☐ Solid waste transfer stations; and • ☐ Water treatment facilities. Please confirm which of these uses are proposed as part of this Planned Development, particularly given their proximity to airport operations and planned residential areas, to ensure compatibility and proper review.	Adam Mendez	Open	23
Yes	8. ☐ "Dewatering" Dewatering is a defined site development activity, not a separate use classification under LDC § 34-934. This activity is subject to LDC § 10-329(c)(5) and any conditions of approval that may be imposed as part of this rezoning.	Adam Mendez	Open	24
Yes	9. ☐ "Excess Spoil Removal" Excess spoil removal is defined in LDC § 10-1 and regulated under LDC § 10-329. Please review § 10-329(c) and provide the required information and details referenced therein to allow staff to evaluate the associated impacts.	Adam Mendez	Open	25
Yes	10. ☐ Helistop/Heliport If the intent is to allow helistops or heliports as permitted by right within this Mixed-Use Planned Development, please provide additional details regarding these defined uses to allow for proper review. Please also refer to the Lee County Port Authority memorandum attached to this response for additional comments and considerations.	Adam Mendez	Open	26
Yes	11. ☐ Drive-in Theater Provide analysis of this use in proximity to RSW.	Adam Mendez	Open	27
Yes	12. ☐ Food Stores Trip generation for the permitted and proposed development on the subject site was based on ITE Land Use Code 821 (Shopping Plaza, 40,000–150,000 square feet), which applies to shopping plazas without food stores, per the Applicant's Zoning Traffic Study. Food Stores (All Groups) are included within the proposed schedule of uses, please clarify.	Adam Mendez	Open	28
Yes	13. ☐ Health Care and Social Service Facilities. LDC § 34-373(a)(8) requires a development summary that includes the number of beds proposed in conjunction with health care and social service facilities. These uses are further regulated by the Airport Noise Zones delineated within the development areas of the site. Please provide the required summary details and an analysis addressing the appropriateness of these facilities in proximity to airport noise.	Adam Mendez	Open	29

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Yes	14. ☒ Lot Coverage. The proposed Property Development Regulations include Note 5, which states, "Maximum lot coverage based on first-floor building area." This language may be construed as an attempt to redefine "lot coverage" as defined in Section 34-2. A deviation from a definition cannot be granted. Please clarify the intent of exempting upper floors from lot coverage and, if applicable, identify alternative means of achieving the applicable development standards for the proposed project.	Adam Mendez	Open	30
Yes	Utilities Review Comment: Utilities Please correct the following statement in the 4.1.1 and 4.1.2 evaluation "The proposed development will connect to public potable water and sanitary sewer prior to development order approval." This is done as part of the DO.	Adam Mendez	Open	31

CORRECTIONS NEEDED:

Items marked Yes must be resolved before the plan review can be approved. Items marks "No" may be deferred to subsequent submittals and are not required to be addressed prior to approval of plans and documents.

REVIEWER CONTACT INFORMATION:

<u>Reviewer Name</u>	<u>Reviewer Email</u>	<u>Reviewer Phone</u>
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January 6, 2026

Adam Mendez
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

RE: Daniels Tradeport MPD
DCI2025-00026

Dear Mr. Mendez,

Thank you for allowing the Lee County Port Authority (LCPA) to review the proposed Mixed Use Planned Development application for the project called, Daniels Tradeport.

As the managing authority for Southwest Florida International Airport (RSW), the LCPA reviews applications for airport compatibility to ensure that aviation safety is maintained and the utility of the airport is not diminished.

This project has the potential to affect the safety and usability of RSW if the property is not designed to ensure airport compatibility in compliance with Section 34-1101 et seq. of the Lee County Land Development Code (LDC) Airport Compatibility District. As such, the LCPA offers the following general comments:

- The project is located near a highly active arrival/departure corridor for Runway 06/24 at RSW and will be subject to numerous daily overflights at low altitudes.
- The western portion of the subject property is located within a Airport Residential and Educational Protection Zone as described in section 34-1106 of the LDC. This zone specifically prohibits residential construction or the construction of an educational facility within the 60 DNL Noise Contour.
- The LCPA is supportive of the proposed cross-access easement as shown on the applicant's submitted Master Concept Plan. However, the final easement location and dimensions must be coordinated with and approved by Lee County and the LCPA, and shall be formalized as a condition of approval in the zoning resolution.
- This project is located entirely within the 10,000' hazardous wildlife buffer. Section 34-1110(a)9 of the LDC states that all water management ponds, lakes, conveyances, and other features within 10,000 feet of any public airport are encouraged to be designed and built-in accordance with FAA recommendations. Of particular concern are pond slopes, littoral zones, wetlands, and landscaping since they could attract birds and be a hazard to air navigation. As such, it is requested that the developer comply with the LCPA Airport Compatible/Incompatible Planting Lists and also incorporate 4:1 side slopes along manmade ponds with minimal littoral zones.

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- Any object or structure, including temporary equipment used for construction such as cranes, derricks, or concrete pumper trucks, must comply with the height and notification requirements of the Lee County Port Authority (LCPA) and the Federal Aviation Administration (FAA). In accordance with Lee County Land Development Code Section 34-1107 and Administrative Code AC-13-7, a Tall Structures Permit is required from the LCPA for any object proposed within an Airport Obstruction Notification Zone or exceeding a height defined by a 125:1 slope extending from any SWFIA runway, up to and including anything above 125 feet above mean sea level (AMSL). Furthermore, as mandated by 14 CFR Part 77, any permanent or temporary structure exceeding a 100:1 slope for 20,000 feet from a runway, or reaching a height of 200 feet above ground level (AGL), requires the sponsor to file FAA Form 7460-1 and obtain a "Determination of No Hazard". Applicants must coordinate the specific locations and maximum operating heights of all temporary construction equipment with the LCPA prior to their arrival on-site to ensure no interference with airport operations. No local development orders or building permits shall be issued until all required permits and determinations are secured.
- As part of the RSW Master Plan Update and Airport Layout Plan, the LCPA intends to build a second parallel runway south of the existing runway. To prepare for this future project, the authority secured an easement on May 18, 2017, from the Jared F. Holes Land Trust to relocate the Florida Power & Light electrical transmission line (Instr# 2017000115216). The line's future relocation is critical for the safety and security of aircraft using the new runway.
- Per Section 34-1110(a)(1) of the LDC, lights or illumination used in conjunction with streets, parking, signs, or use of land and structures must be arranged and operated in a manner that is not misleading or dangerous to aircraft operating from a public airport.
- The schedule of uses listed in the proposal includes broadcast studio - commercial radio and television, which would be subject to Federal Aviation Administration and Federal Communication Commission review and approval.
- The schedule of uses listed in the proposal also includes various Manufacturing uses. Please ensure the proposed uses comply with Sec. 34-1110(a)(3) of the LDC that prohibits operations that produce smoke, dust, visible fumes or vapors, glare, or other visual hazards within three statute miles of a public airport runway.
- The schedule of uses listed in the proposal includes Recreational Facilities (including outdoor facilities). Due to the potential issues that certain recreational uses could have on airport/aircraft operations, the LCPA would request that the applicant demonstrate compliance with LDC 34-1110.
- The schedule of uses listed in the proposal includes Essential Service Facilities Group 1, which allows for the use of solar panels. Due to the close proximity to the airport, we would request that the developer have the FAA evaluate any potential glare and / or interference issues before installing any solar panels in the proposed development.
- The schedule of uses listed in the proposal includes heliport/helistop. The Florida Department of Transportation reviews/approves/registers all authorized heliports/helistops in the State. The developer must fully coordinate any proposed future heliport/helistop with the FDOT Aviation and Spaceports Office to avoid interference with the operation of SWFIA. If the helipad is approved, the LCPA requests all manned flights to and from the proposed helipad follow all state and federal requirements, including but not limited to, maintaining proper communication with Federal Aviation Administration (FAA) Air Traffic Control prior to arriving and/or departing the helipad.
- The development proposal identifies communications towers as a permitted use within the zoning application's schedule of uses. Please be advised that such uses are governed by Division 11 of the Lee County Land Development Code (LDC). Specifically, Section 34-1446(a)(6)a requires applicants to provide written consent from the Executive Director of the Lee County Port Authority (LCPA) if

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the wireless facility is located within the airspace notification limits defined in Section 34-1107.

The LCPA understands that this is a unique situation and we are more than happy to meet and discuss this project further with you and/or the applicant. We appreciate the opportunity to comment on this matter and please let me know you have any questions or concerns. You can contact me by phone at (239) 590-4603 or by email at iosikonia@flylcpa.com.

Sincerely,

LEE COUNTY PORT AUTHORITY

Ian Sikonia, AACP

Ian Sikonia, AACP
Airport Planner, Planning & Environmental Compliance