Consolidated Review Comments

Record Number: DCI2026-00014

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

Report Date: 05/12/2026
Record Type: Planned Development
Address: 0 TICE STREET DEVELOPMENT, FORT MYERS, FL
Project Name: Tice Industrial Park
Record Description: Rezone 59.85 acres from Multi-Family Residential (RM-8) and Agriculture (AG-2) to Industrial Planned Development (IPD).

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.

Corrections	*Review Comments*	*Reviewer*	*Status*	*Comment ID*
Development Services Review				
Yes	Development Services Development Services has reviewed the plans provided and offers the following comments. These comments are intended to make the applicant aware of issues with the design that may cause delays or possible changes at time of the development order submittal. 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. [10-291(3)] More Than One Means of Ingress/Egress. Commercial or industrial development of more than ten (10) acres must provide more than one means of ingress or egress for the development. [10-256(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. Staff acknowledges receipt of Deviation #3 from LDC Section 10-256. The narrative states that the proposed site plan ensures that each lot will have direct frontage on a sidewalk, however, Lot 9 does not appear to have direct frontage on a sidewalk. Please address.	Allyson Hall	Open	12

Corrections	Review Comments	Reviewer	Status	Comment ID
	[10-296(k)(1)] Cul-de-Sacs. Dead-end streets, designed to be so permanently, must be closed at one end by a circular turnaround for vehicles and constructed in compliance with the LCLDC. [34-373(a)(6)(b)] Please show the general location of all proposed internal street rights-of-way or easements and the general location of all points of vehicular ingress and egress from the proposed internal rights-of-way or easements into multiple-family, commercial, or industrial use lots. It is not clear from the narrative or property development regulations if the parcels will be subdivided. If so, please provide the internal street rights-of-way or easements on the MCP. Please confirm that the proposed lake meets the setback requirements in LDC Section [10-329(d)(1)a.1.-3.]			
DOT Review				
Yes	TIS 1. General: It is recommended that the TIS be checked for consistency with LDC Sec. 10-286. - Traffic Impact Statements and Admin Code 13-17 prior to resubmittal. 2. LOS analysis: The report references "Table 1A" to demonstrate that Level of Service (LOS) thresholds will not be exceeded on Tice Street. No TIS analysis has been provided, Table 1A does not exist in the study or its appendices. 3. Background Growth is unverified: The study asserts that a "minimum 2% growth rate" was applied to roadway links, but it provides no data source or calculations in the appendix showing the baseline volumes, historical growth, or how they were extrapolated. The data shown on Exhibit T-02 are not representative of Concurrency Report traffic volumes on Tice Street, and represent close to a 10% growth rate if these are intended to show peak hour (K100) traffic volumes, which is unlikely to be reasonable. Therefore the conclusions regarding future 2036 traffic capacity are considered unsubstantiated. 4. Distribution: Traffic distribution shown on T-01 (50% each direction on Tice St.) is unsubstantiated. It's unclear why half of all industrial trips entering/exiting this project would distribute east to Staley Rd. 5. Assignment: Directional traffic assignment and project turning movements at the project access are not provided in the report. Exhibit T-02 is unclear on intent; no project traffic is shown.	John Podczerwinsky	Open	1
Yes	DOT 1. Consistency with Lee Plan Maps 3D & 4E: The application must provide both a designated bike lane and a sidewalk along the project frontage to be consistent with Lee Plan Maps 3D and 4E. The requirement can alternatively be fulfilled by constructing an 8-foot wide multi-use pathway along the Tice Street frontage, provided that any portion encroaching beyond the existing Tice road right-of-way is dedicated to the County via access easement or right of way conveyance. 2. Access: An exhibit with access spacing dimensions must be included in either the MCP or the TIS to demonstrate consistency with LDC Sec. 10-285 Access Spacing.	John Podczerwinsky	Open	2
Environmental Review				
Yes	Demonstrate compliance with the open space and indigenous open space requirements per LDC Section 10-415 in the Request Narrative and on the MCP. Indicate how the 15-foot-wide Tice Street right-of-way buffer is being enhanced above and beyond what LDC Section 10-416(d) requires. LDC Section 10-421(a)(5) does not allow required landscaping within drainage, utility, street or right-of-way easements. The west buffer abutting I-75 appears to be in a right-of-way that according to quit claim deed was acquired for state highway purposes. Provide more information regarding	Elizabeth Workman	Open	18

Corrections	Review Comments	Reviewer	Status	Comment ID
	the quit claim deed and how it affects the 15-foot-wide buffer requirement. The buffer must be relocated to the east of the FDOT easement because LDC 10-421(a)(5) prohibits deviations or variances. Revise the MCP to indicate if the water management tract is a preserve or lake. Indicate why it is labeled differently than the proposed lake. Revise the wetland tract and water management hatching to be different, if applicable. Revise the MCP to provide the indigenous open space acreage for each preserve and total indigenous being provided. The north property line requires a Type C or F buffer. Revise the MCP to meet LDC Section 10-416(d). If the preserve area is being used to meet the buffer, please provide a deviation. Provide a restoration management plan for both wetland preserves (FLUCCS 621E3). The surface water management plan indicates that Basin 2 (southeast wetland) will be rehydrated and maintain the hydroperiods. Demonstrate how the stormwater levels will be controlled to provide and maintain the indigenous species. The restoration/preserve management plan must include this information to tie into the design of the plant species utilized for the restoration.			
LeeTran Review				
Yes	LeeTran has reviewed the proposed development and determined that it has no impact to transit, based on Lee County Transit LDC section 10-441.	Jose Perez	Open	20
Legal Review				
Yes	Legal Review The legal descriptions included in the Title opinion, boundary survey, and legal description and accompanying sketch do not match the legal description provided by the title insurance policy. The Policy description includes an ≈25 foot strip of land which is labeled as 25' bike path on the boundary survey. Please explain the discrepancy between the two legal descriptions. The legal description from the title policy has a closure gap of only. 0.01 feet while the closure gap on the other legal descriptions is about a foot.	Richard Burris	Open	19
Natural Resources Review				
Yes	Pursuant to LDC 14-476, identify those uses for which the applicant will provide water quality monitoring data at the time of development order approval. Staff have Identified uses proposed by the applicant that have the potential to lower existing water quality below state and federal standards.	William Lange	Open	3
Yes	The applicant appears to be proposing to outfall onto a county right of way, approval for this discharge will be required in accordance with LDC 10-330 before development order issuance.	William Lange	Open	4
Yes	Pursuant to LDC 10-329(d), no excavations will be allowed within 50 feet or any private property line under separate ownership unless granted a deviation. The setback may not be less than 25 feet.	William Lange	Open	5
Yes	Pursuant to LDC 10-324, open drainage ways within 100 feet of school sites shall not be permitted unless specifically approved by the Board.	William Lange	Open	6
Yes	Provide a revised complete analysis of Lee Plan section 4.1.1 and provide an analysis of Lee Plan policy 4.1.2.	William Lange	Open	7
Yes	Provide an analysis of Lee Plan Policy 60.1.2; the previous zoning approval appears to have protected the entire extent of the hydrologic system through a conservation easement.	William Lange	Open	8

Corrections	Review Comments	Reviewer	Status	Comment ID
Yes	Provide a revised analysis of Lee Plan Policy 60.4.1 and 60.4.2. The applicant appears to be impacting portions of the natural hydrologic system preserved from the previous zoning approval.	William Lange	Open	9
Yes	Identify the proposed irrigation source.	William Lange	Open	10
Yes	Any proposed outfall into a surface water or conveyance not owned or controlled by the applicant requires authorization from the entity who retains ownership.	William Lange	Open	11
Zoning Review				
Yes	Prior to resubmitting, the applicant must pay the balance as this application is a major planned development and has a per acre balance due on record. Balance must be paid prior to resubmittal in response to RAI. Revise the Request Narrative, Lee Plan Analysis, and all supporting maps and documents referencing the Future Land Use Category to include the Wetlands Future Land Use Category in addition to the Central Urban Future Land Use Category. All development in the Wetlands Future Land Use Category must be consistent with Goal 124. Demonstrate compliance with Goal 124 by providing a Formal Jurisdictional Wetland Determination issued by the State of Florida and explain how any impacts to State wetlands will be mitigated to allow the impacted wetland area to be developed with the uses proposed. Provide the Property Development Regulations and Schedule of Uses as separate documents. The Schedule of Uses must be reviewed and revised to comply with the allowable uses in the Industrial Planned Development zoning district per LDC Section 34-934. The applicant has noted that the use "Chemical and Allied Products" is "EO". Clarify what this means as it is not an allowable use per LDC Section 34-934. The Request Narrative indicates that the proposed IPD is focused on Light Industrial but the Schedule of Uses does not focus on Light Industrial Uses. The Manufacturing section includes high intensity fabrication and manufacturing that is not compatible with the surrounding land uses and consistent with the Caloosahatchee Shores Community Plan. The Schedule of Uses also includes commercial uses such as Bait and Tackle Shops, Food Truck Parks, Public Warehouse, Mini Warehouse, etc. Revise the Request Narrative and to analyze how these uses meet the Lee Plan and will not effect the surrounding land uses per the LDC rezoning criteria. Remove the focus of Light Industrial and include information regarding the design being geared to industrial and commercial. If Recreational Facilities proposed in the Schedule of Uses are not shown on the MCP but are in the Schedule of Uses, additional zoning actions must be submitted if the use is pursued per LDC Section 34-934(NOTE 3). Shredding and Composting and the majority of the manufacturing uses are too intense and must be removed from the Schedule of Uses. These are not considered Light Industrial. Revise the Property Development Regulations to be in compliance with LDC Section 34-2443. Some of the manufacturing uses require anywhere from a 660 foot to 100 foot setback from the planned development perimeter. The current planned development perimeter setbacks do not comply with the setbacks required for these uses. Revise.	Elizabeth Workman	Open	15

Corrections	Review Comments	Reviewer	Status	Comment ID
Yes	The TIS indicates that the property is 60.33 acres and the supporting documents state 59.85 acres. Revise for consistency including the open space and indigenous open space calculation if the site is 60.33 acres. The TIS analyzed the traffic based on General Light Industrial. The Schedule of Uses includes commercial uses such as Food Truck Park, Display Sale of Vehicles, Rental and Leasing, Healthcare Facilities, etc. Revise the TIS to be consistent with the Schedule of Uses once revised per other staff comments. Revise the MCP to provide an open space summary stating the requirement of 20 percent open space per LDC Section 10-415(a) and the amount of open space being provided through preservation and each lot. Revise the MCP to provide an indigenous open space summary stating the amount of indigenous open space required and the amount provided. Revise the MCP to label the wetland tract and the stormwater management track as indigenous open space preserve. Currently the MCP depicts the same hatching for the wetland tract and the stormwater management track, which it appears these areas are the indigenous open space tracts. Please clarify. Revise the MCP to depict dry detentions verses wet detentions. Please note that dry detention areas must be landscaped per LDC Section 33-1494. Revise the MCP to depict a sinuous lake per Lee Plan Policy 61.3.12.	Elizabeth Workman	Open	16
Yes	Deviation 1 is being requested from LDC Section 10-415(b) to allow ten percent open space per lot. Provide an open space summary table providing the amount of open space being provided from each preservation area (itemize each area) and ten percent per each lot. The applicant must provide 20 percent open space for a large industrial development per LDC Section 10-415(a). Half of the open space must be provided as indigenous open space. The site is 59.85 (or 60.33?) and requires 20 percent open space = 11.97 acres of total open space. Half of the required open space must be provided as indigenous open space which would be 5.99 acres of indigenous open space. If the applicant can demonstrate compliance with code by meeting the majority of the open space from the indigenous preserve areas then a deviation is not necessary. However, it is not clear where the indigenous open space is located, what the acreage is, and how much open space will be provided per lot. Revise deviation request to provide this information. Deviation 2 states that the applicant is requesting palm trees instead of canopy trees in order to be in compliance with the utility manual setbacks. Provide a cross section of each roadway or a typical cross section (if the same throughout) depicting the entire road section, location of sidewalk, trees, and tracts. Demonstrate how the alternative is equal or better than the LDC. This deviation is consistently being requested which means that the applicant is not designing the roadway system to meet the code. Demonstrate compliance with the variance criteria per the Lee Plan Policy 21.1.2. Please revise Deviation 3 request and justification to indicate if one side of the street will meet code and the other side will meet everything but the 6-foot pedestrian facility (sidewalk). Provide a cross section of the entire roadway depicting Deviation 3. Provide a Letter of No Objection from the Fire Marshall for the applicable fire district allowing the hammerhead turnarounds. If it is determined through the Open Space Tabulation that the applicant is meeting the open space and indigenous open space requirements per	Elizabeth Workman	Open	17

Corrections	Review Comments	Reviewer	Status	Comment ID
	LDC Section 10-415, then Deviation 1 is not required. Please renumber the Deviations and Justifications and revise Deviation markers on the MCP. Submit the Community Review Meeting documents as required per LDC Section 33-1482(b).			

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.

Document: Request Statement.pdf

Corrections	Page Ref	Review Comments	Reviewer	Status	Comment ID
Planning Review					
Yes	7	Please include an analysis of Policy 21.1.2 in the request statement.	Lindsey Karczewski	Open	13
Yes	7	The subject property is within the Caloosahatchee Shores Community Plan Area, which is subject to Goal 21 of the Lee Plan. Objective 21.2 and Policy 21.2.1 identify locations that may allow for new commercial development and do not identify the subject property. Please reanalyze the uses within the schedule of uses to ensure consistency with Objective 21.2 and Policy 21.2.1.	Lindsey Karczewski	Open	14

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