



REQUEST STATEMENT

THREE OAKS MARKETPLACE MPD AMENDMENT

STRAPS#: 03-46-25-L4-08001.0100 and 03-46-25-L4-05000.0020
8901 / 9151 Alico Road, Fort Myers, FL 33912

REQUEST NARRATIVE

The applicant, Alan C. Freeman, is requesting Administrative Approval to amend the Three Oaks Marketplace MPD. The intent of this application is to remove previously approved minimum square footage requirements that were included solely to satisfy former minimum square-footage thresholds under Section 34-940 of the Lee County Land Development Code regarding square footage thresholds in Multi-Use Planned Developments. The amendment aligns the MPD with the current code while maintaining the approved mix of uses and previously approved deviations.

The original ± 40.10 -acre Three Oaks Marketplace MPD, with an address of 8901 / 9151 Alico Road is in Sections 03 & 04, Township 46 South, Range 25 East, Lee County, Florida which is on Alico Road between Three Oaks Parkway and Oriole Road. The property is in the portion of the Industrial Commercial Interchange Future Land Use Category that was created prior to January 1, 2007, and is in the Gateway/ Airport Planning Community.

On August 15, 2016, the Lee County Board of County Commissioners adopted Resolution No. Z-16-013 to rezone the ± 40.10 -acre project from AG-2 to MPD to permit a maximum of 400,000 square feet of commercial, industrial, and retail uses (including a minimum of 30,000 square feet of commercial and a minimum of 30,000 square feet of industrial) and a maximum of 130 hotel rooms. The maximum building height approved was 65 feet. The maximum wireless communication facility height was 90 feet.

On May 22, 2019, the Lee County Board of County Commissioners adopted Resolution No. Z-18-037 to modify condition 4 regarding termination of Agriculture Use.

On July 21, 2021, a subsequence administrative zoning ADD20221-00076 was approved to revise the MCP to reflect lot and road configuration, propose a deviation to allow a 60' driveway separation on a local road and a 180ft driveway separation on a Oriole Road.

On August 15, 2024, a subsequence administrative zoning ADD2024-00105 was approved to reduce driveway separation for lot C-2.2.

REQUEST NARRATIVE

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

The modification to the Development Parameters is as follows:



Development Parameters: The zoning resolution authorizes the development of up to 130 hotel rooms and a maximum of 400,000 square feet of commercial and industrial uses. The commercial uses will consist of office and /or retail uses. ~~The project must include a minimum of 30,000 square feet commercial and a minimum 30,000 square feet industrial use~~

In the event the development consists exclusively of commercial uses, the total commercial floor area shall not exceed 370,000 square feet.

The MPD previously included industrial square footage to meet minimum requirements under former Section 34-940. The amendment of Section 34-940 eliminated the minimum square-footage thresholds for MPD's, therefore we request the MPD be revised to remove the square footage thresholds while retaining the Schedule of Uses and overall project square footage limits, as revised by the language change above.

No new uses are proposed, and the amendment does not expand the range of permitted activities. The MPD remains compatible with surrounding land uses and continues to meet all applicable performance standards of the Land Development Code as evaluated and approved in prior Board actions.

LEE PLAN COMPLIANCE

The proposed administrative amendment to the MPD revises the minimum industrial component to align with the recently adopted amendments to LDC Section 34-940. The amendment does not increase the approved density or intensity of development, nor does it modify the range of permitted uses within the MPD.

The MPD remains consistent with the Future Land Use Map designation and continues to provide for employment-generating industrial and complementary uses consistent with the Lee Plan. The amendment implements updated LDC standards adopted to further the goals and policies of the Lee Plan related to mixed-use flexibility and economic development.

SCHEDULE OF USES

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

DEVIATION

No additional deviations are being requested at this time.

LAND DEVELOPMENT CODE

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

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

- **Response: The request to allow the Modification to Section B will not increase height, density, intensity, decrease open space below code minimums or reduce buffers.**



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

- **Response: Public resources and infrastructure previously committed to the development will not be substantially underutilized**

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

- **Response: Total open space on the Master Concept Plan will not be reduced by more than 10 percent.**

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

- **Response: Indigenous native vegetation preservation and required open space remain at or above Code-mandated levels.**

e. If changes to the buffer or landscaping areas are proposed, equivalent or better (by comparison with the approved Master Concept Plan) landscaping or buffering is provided;

- **Response: No changes to the buffer or landscaping are being proposed.**

f. Does not adversely impact surrounding land uses; and

- **Response: No changes to the already approved uses are being proposed with this amendment so the surrounding land uses will not be adversely impacted.**

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

- **Response: The amendment is consistent with the Lee Plan and all applicable land development regulations in effect at the time of the request.**

CONCLUSION

The proposed administrative amendment is consistent with the Lee Plan. The amendment does not alter the approved uses, density, or intensity of the Planned Development and is limited to revising development standards to align with the current Land Development Code. As such, the amendment remains consistent with the Future Land Use Map and applicable Lee Plan policies governing Planned Developments.