

EXHIBITS

CASE # DCI2025-00014

CASE NAME: HONC 41 MPD

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

ARE THERE ANY BOARD EXHIBITS? _____ YES _____ NO

LOCATION OF BOARDS

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

DCI2025-00014

#

Perez, Maria

From: Cindy Leal <cindyl@en-site.com>
Sent: Friday, May 22, 2026 11:13 AM
To: Schroeder, Brianna
Cc: Hearing Examiner; Richard Akin; Brian Smith; Marza Hiatt
Subject: DCI2025-00007 Honc 41
Attachments: DCI2025-00007 Sign Posting.pdf

14

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

Good morning Brianna,

Please see attached sign posting affidavit and let us know if you need anything else!

-Cindy

Cindy C. Leal Brizuela, AICP, MURP

Principal Planner



2401 First Street, Suite 201 | Fort Myers, FL 33901

office: 239.226.0024 | cell: 305.321.8756

✉ Cindyl@en-site.com | 🌐 www.en-site.com



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APPLICANT'S EXHIBIT

1

INSTRUCTIONS
(SECTION C.1.c. LEE COUNTY ADMINISTRATIVE CODE 2-8)

A zoning sign must be posted on the parcel subject to any zoning application for a minimum of fifteen (15) CALENDAR days in advance of the Hearing Examiner's Public Hearing and maintained through the Board of County Commissioners Hearing, if any. This sign will be provided by the Zoning Section in the following manner:

- a. The sign(s) for case #DCI2025-00014 must be posted by May 27, 2026.
- b. The sign must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
- c. The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
- d. The applicant must make a good faith effort to maintain the sign in place, and readable condition until the requested action has been heard and a final decision rendered.
- e. If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Zoning Section, and obtain duplicate copies of the sign from Zoning.

The applicant is required to erect additional signs on parcels with street frontages greater than 1,000 linear feet. In such instances, additional signs will be provided at a rate of one sign per 1,000 linear feet of frontage, or portion thereof. Signs must be placed at approximate equal intervals along such street frontage.

When a parcel abuts more than one (1) street, the applicant must post signs along each street. When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property, and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

NOTE: AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF POSTING NOTICE BELOW SHOULD BE RETURNED NO LATER THAN THREE (3) WORKING DAYS BEFORE THE INITIAL HEARING DATE TO LEE COUNTY ZONING SECTION, 1500 MONROE ST., FT. MYERS, FL 33901.

(Return the completed Affidavit below to the Zoning Section as indicated in previous paragraph.)

fhxhearing.rpt

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED

Brian R. Smith

WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION C.1.c. OF THE LEE COUNTY ADMINISTRATIVE CODE 2-8 ON THE PARCEL COVERED IN THE ZONING APPLICATION REFERENCED BELOW:

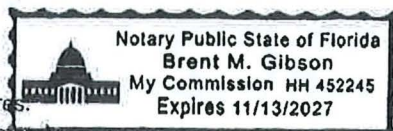
BRS
SIGNATURE OF APPLICANT OR AGENT
BRIAN R. SMITH
NAME (TYPED OR PRINTED)
2401 FIRST ST. STE 201
ST. OR PO BOX
FOOT MYERS, FL 33901
CITY, STATE & ZIP

#DCI2025-00014/Honc 41 MPD

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this

21 day of May, 2026 (year), by Brian Smith



My Commission Expires.
(Stamp with serial number)

Brent M. Gibson
Signature of Notary Public
Brent M. Gibson
Printed Name of Notary Public



Perez, Maria

From: Cindy Leal <cindyl@en-site.com>
Sent: Monday, June 8, 2026 3:46 PM
To: Hearing Examiner
Cc: Schroeder, Brianna; Workman, Elizabeth; Brian Smith; Richard Akin; Perez, Maria
Subject: DCI2025-00014 Applicant's 48 Hour Letter
Attachments: DCI2025-00014 Applicant's 48-Hour Letter FINAL.pdf

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

Good afternoon,

Please see attached Applicant's 48-hour letter for DCI2025-00014 (Honc 41 MPD)

Should you need anything additional ahead of the hearing this Thursday, please don't hesitate to reach out.

-Cindy

Cindy C. Leal Brizuela, AICP, MURP

Principal Planner



2401 First Street, Suite 201 | Fort Myers, FL 33901

office: 239.226.0024 | cell: 305.321.8756

✉ CindyL@en-site.com | www.en-site.com



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APPLICANT'S EXHIBIT
2

June 8, 2026

Office of the Hearing Examiner
1500 Monroe Street
Fort Myers, FL 33901



RE: Honc 41(DCI2025-00014)

Madame Hearing Examiner,

Please be advised that EnSite, Inc. and Henderson Franklin, P.A. represent the Applicant for the requested zoning case DCI2025-00014 to be heard on June 11, 2026 for the subject property in unincorporated Lee County identified as STRAP:

- 22-43-24-01-00001.0160

In addition to the witnesses listed in section A (Witness Summary) the Applicant will be represented by Mr. Richard Akin, attorney at Henderson, Franklin, Starnes & Holt, P.A

A. Witness Summary: (Please see attached Witness List for details)

Brian R. Smith, Project Manager and Site Planner, EnSite, Inc., 2401 First St, Suite 201, Fort Myers, FL 33901

Yury Bykau, PE, Project Traffic Engineer, TR Transportation Consultants Inc., 2726 Oak Ridge Ct., Suite 503, Fort Myers, FL 33901

Betsie Hiatt, Project Environmental Consultant, Pennoni Associates Inc., 4706 Chiquita Boulevard South, 200-E02

The Applicant also reserves the right to rely upon and call any of the Expert Witnesses listed by the Staff Report, as that may be added to or supplemented.

B. Outstanding Issues:

The Applicant is in agreement with Staff's recommendation of approval and the two (2) new recommended deviations, however, the following items referenced in the Staff Report should be clarified ahead of the upcoming hearing:

Introduction

The "Area Subject to Request" is ± 19.36 acres in the Staff Report introduction but then states that it is ± 17.96 acres in the "Summary of Request and Recommendation". The property is ± 17.96 acres per the boundary survey.

Schedule of Uses

The Schedule of Uses in the Staff Report is located on Attachment C and begins on page 1 of the attachment. The industrial tract's Schedule of Uses appears to have been cut off, listing "Repair Shops, All Groups" as the final use. The Applicant's Schedule of Uses includes the following which were omitted from this section of the Staff Report:

- Research and development laboratories
 - Group I
 - Group IV
- Retail and wholesale sales, when clearly incidental and subordinate to a permitted principal use on the same premises
- Signs in accordance with Ch 30
- Storage:
 - Indoor
 - Open Storage
- Transportation services,
 - Groups II and IV
- Vehicle and equipment dealers, all groups
- Warehouse
 - High cube
 - Hybrid
 - Mini-warehouse
 - Private
 - Public
- Wholesale establishments,
 - Group I
 - Group III
 - Group IV

Schedule of Deviations

The Staff Report mentions that there are four (4) deviations requested (page 3) and lists five (5) deviations (page 4). The latest Schedule of Deviations prepared by the Applicant was provided in the 5th resubmittal and only features three (3) deviations:

- Deviation from LDC Sec. 10-291(3) to allow one means of ingress/egress
- Deviation from LDC Sec. 10-610(e) to allow no parking interconnection to the south
- Deviation from LDC Sec. 10-329(d)(1)3 to allow a 30' excavation setback

Staff have recommended two (2) additional deviations which are as follows:

- Deviation from LDC Sec. 10-425(f)(2)
 - This code section requires a 10-foot-wide buffer with Type B plantings along property lines which abut single-family residences however, the subject property does not abut any single-family residences. The western buffer descriptor on pages 11 and 12 of the Staff Report indicates that the subdivision in the City of Cape Coral features single-family residences. The Isles of Porto Vista are townhomes, not single-family residences. This deviation is not applicable and carries into the Site Development Regulations (#4 - Landscape Buffers) and Deviation #4 in Attachment C of the Staff Report.
- Deviation from LDC Sec. 30-183(1)a
 - This code section limits billboards to specific future land use categories outside of the Central Urban FLU where the property is located. The subject property currently features six (6) billboards which can be seen on aerial imagery dating as far back as 1984. The Applicant previously submitted a proposed condition in agreement with removing five (5) of

the six (6) existing on-site billboards prior to obtaining a Certificate of Occupancy. Staff's proposed Deviation 5 is consistent with the intent of the previously proposed condition. The Applicant is in agreement with Staff's recommended Deviation 5. The Applicant will submit a revised Master Concept Plan indicating this new deviation as Deviation #4 at the time of the hearing.

Environmental

Page 7 of the Staff Report references "presence of a foraging little blue heron and tricolored heron which are both State threatened species." The Applicant would like to clarify that their presence was observed in the off-site ditch abutting US 41.

Additionally, it should be noted that the wood stork (also referenced on page 7 of the staff report) has been delisted by the USFWS as of March 12, 2026. Due to this change in the wood storks' status, permittees are no longer required by federal law to purchase mitigation credits for impacts to Core Foraging Areas.

C. Exhibit List:

- Applicant's Schedule of Uses
- Applicant's Updated Master Concept Plan (New Recommended Billboard Deviation)
- Applicant's PowerPoint Presentation

**APPLICANT'S EXPERT WITNESS INFORMATION
PROVIDED PURSUANT TO AC-2-6, SECTION 2.3.D.5.b**

Case Number: DCI2025-00014

Project Name: Honc 41

Hearing Examiner Date: June 11, 2026

Brian R. Smith, Project Manager and Site Planner, EnSite Inc., 2401 First St, Suite 201, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. A current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, the Lee Plan, Zoning, Site Planning and Land Use Planning, as they relate to Lee County zoning and planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the Applicant as part of the subject application.

Yury Bykau, PE, Project Traffic Engineer, TR Transportation Consultants Inc., 2726 Oak Ridge Ct, Suite 503, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. A current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in traffic regarding the Lee Plan, Lee County Land Development Code as they relate to Lee County zoning and planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the Applicant as part of the subject application.

Betsie Hiatt, Project Environmental Consultant, Pennoni Associates Inc., 4706 Chiquita Boulevard South, 200-E02, Cape Coral, FL 33914

- Previously qualified as an expert witness by the Lee County Hearing Examiner. A current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, the Lee Plan, and environmental consulting and permitting, as they relate to Lee County zoning and planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the Applicant as part of the subject application.

If your office needs anything ahead of the hearing, please do not hesitate to contact us at (239) 226-0024 or CindyL@en-site.com.

Sincerely,



Cindy C. Leal Brizuela, AICP, MURP
Principal Planner

cc: Richard Akin - Henderson Franklin

HONC 41

Mixed Use Planned Development

Applicant: Honc Docks and Lifts, Inc.

Lee County Hearing Examiner
June 11, 2026



APPLICANT'S EXHIBIT
3

Project Consultants

Richard Akin

Project Attorney



Brian Smith

Project Manager



Betsie Hiatt

Ecologist



Yury Bykau, PE

Transportation Engineer



Richard Akin

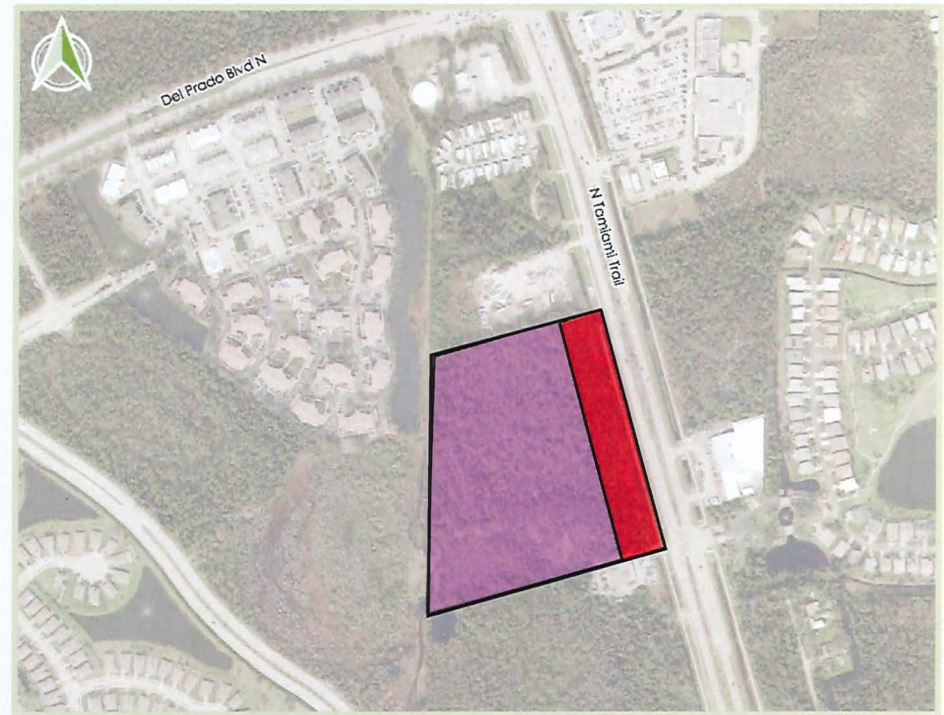
Project Attorney

Background & Request

17701 N Tamiami Trail

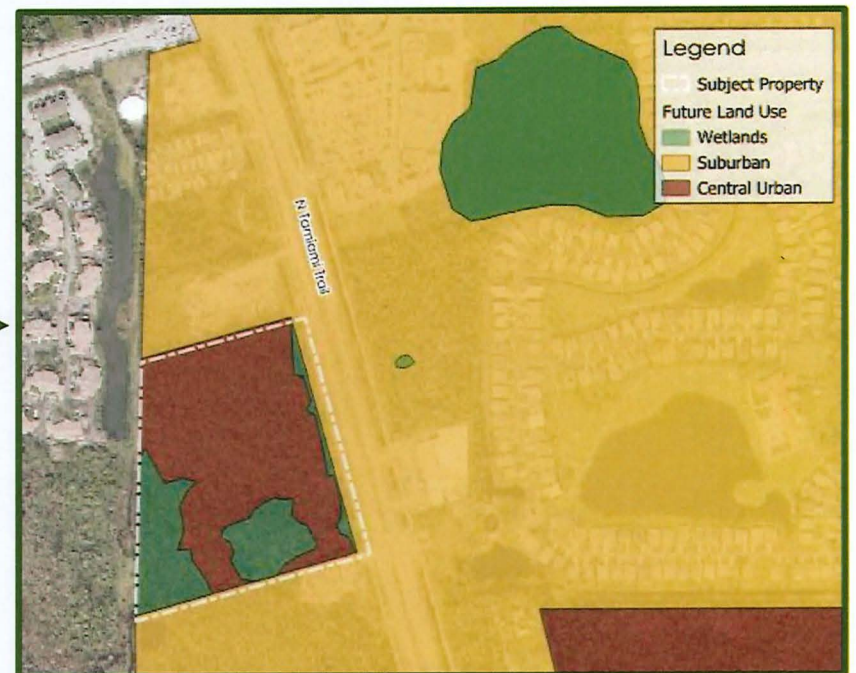
- **Area:** 17.96 Acres
- **Current Zoning:** Light Industrial (rear) and Commercial General (frontage)
- North Fort Myers Community Plan Area
- **Future Land Use:** Central Urban and Wetlands
 - Map Amendment (CPA2025-00001) changed FLU from Suburban to Central Urban to allow for industrial uses

Request: To rezone from IL and CG to MPD (Mixed-Use Planned Development) consisting of Commercial and Industrial land uses





Previous FLU



Current FLU

CPA2025-00001

Suburban FLU does not allow for industrial land uses,
map amendment to Central Urban was approved via
Ordinance 25-22 on Nov 5, 2025

Surrounding Land Uses

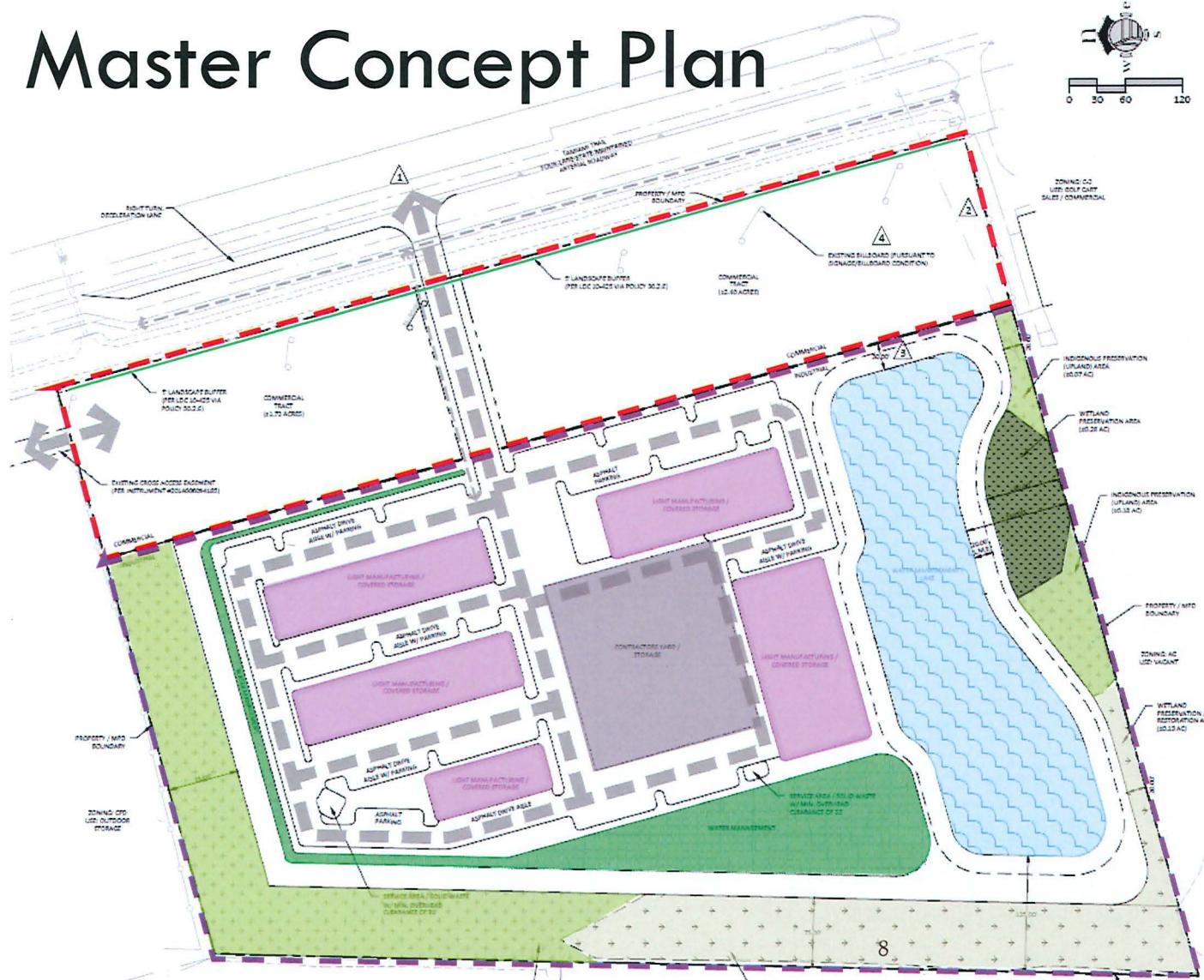
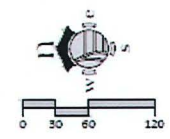
	Existing Use	Zoning	Future Land Use	Jurisdiction
North	Auto Repair and Service	CPD	Suburban	Lee County
East	Commercial/General Office	AG-2, CPD, RPD	Suburban	Lee County
South	Golf cart dealership	C-2, AG-2	Suburban	Lee County
West	Residential (Isles of Porto Vista)	RML	Mixed Use	Cape Coral

- Surrounded by unincorporated Lee County, except to the west, where it is the City of Cape Coral
- Located along N Tamiami Trail, a state-maintained four (4) lane arterial

Brian Smith

Project Manager

Master Concept Plan



Legend	
	Commercial Tract
	Industrial Tract
	5' Landscape Buffer
	Light Manufacturing/Covered Storage
	Contractors Yard/Storage
	Water Management/Pre-Treatment
	Water Management/Lake
	Indigenous Preservation
	Wetland Preservation Area
	Wetland Preservation/Restoration Area

Open Space Calculations (Acres)	
Total Project Area	17.96
Total Commercial Area	4.36
Total Industrial Area	13.60
Required Open Space	3.59
Provided Open Space	3.59
Required Indigenous Open Space	1.80
Provided Indigenous Open Space	3.46
Publicly Accessible Open Space	1.80

[illegible]

Betsie Hiatt

Ecologist

FLUCCS



- Significant percent of exotics throughout wetland areas indicating poor quality wetland areas
- Jurisdictional Wetland Determination issued through SFWMD on Dec. 10, 2024

FLUCCS Code	Description	Acreage	Federal Status	State Status
411 E3	Pine Flatwoods (Exotics 51-75%)	12.82	N	N
428 E2	Cabbage Palm Hammock (Exotics 26-50%)	0.22	N	N
619	Melaleuca	2.66	NJD	W
641 E2	Freshwater Marsh (Exotics 26-50%)	1.80	NJD	W
740 H	Hydric Disturbed Land	0.46	NJD	W
Total		17.96		

Yury Bykau, PE

Transportation Engineer

Traffic Impact Analysis

- TIS based on 120,000 Sq. Ft. of Industrial & 30,000 Sq. Ft. of Commercial
- **Link LOS Analysis**
 - Based on Previous County's Concurrency Report
 - US 41 (FDOT Arterial) - LOS "F" both with and without project
 - Based on Current/Latest County's Concurrency Report
 - US 41 (FDOT Arterial) - LOS "C" both with and without project
- Staff agree that the project will not have a detrimental impact on the surrounding roadway system
- Will require a more detailed traffic analysis during Development Order process
- Project is consistent with the Lee Plan & LDC Transportation Element

Brian Smith

Project Manager

Lee Plan Consistency

Policy 1.1.3: Central Urban FLU

- most heavily settled with the highest range of public services
- permits light industrial and encourages mixed-use where appropriate

Objective 2.1: Development Location

- readily available access to utilities and services
- located on N Tamiami Trail, a state-maintained arterial
- abuts City of Cape Coral

Objective 2.2: Development Timing

- “infill development” as defined by the Lee Plan

Lee Plan Consistency

Standard 4.1.1: Water

- Located within Lee Plan Map 4-A
- Applicant received a Letter of Availability from Lee County Utilities

Standard 4.1.2: Sewer

- Not located within Lee Plan Map 4-B
- Applicant received a Letter of Availability from Florida Governmental Utility Authority

Standard 4.1.4: Environmental Factors

- Environmental assessment conducted November 2023 by Pennoni
- Property is heavily impacted by exotic vegetation
- Jurisdictional Determination issued through SFWMD on Dec. 10, 2024

Lee Plan Consistency

Policy 5.1.5: Protecting Residential Areas

- adequate buffering according to the LDC to prevent the encroachment of uses that are potentially destructive to the character and integrity of the residential development
- residential development proximate to the property is separated by an existing stormwater lake on the residential property (City of Cape Coral)
- MCO shows a 75' wide preserved wetland and indigenous preservation area
- 100-foot-wide FPL easement separates the proposed land use and existing residential

Lee Plan Consistency

Goal 6: Commercial Land Uses

- Current zoning configuration promotes strip commercial development
- PD application alters this by creating additional depth for commercial tracts, effectively creating outparcels to the industrial portion of the development

Policy 6.1.4: Compatibility

- compatible with adjacent existing and planned uses
- PD clarifies location and square footage of commercial uses, which would provide additional economic growth and diversity in the North Fort Myers community at an appropriate location

Lee Plan Consistency

Policy 6.1.5: Protection of Traffic-Carrying Capacity

- companion TIS supports the assessment that the uses will not trigger a level of service deficiency for the adjacent road network

Policy 6.1.6: Land Development Regulations

- appropriate landscaping, open space, and buffering consistent with the LDC

Policy 6.1.7: Commercial Development Configuration

- infill development, prevents strip commercial

Policy 6.1.8: Schools

- not located near an existing or planned school

Lee Plan Consistency

Goal 7: Well-Planned Industrial Development

- PD further defines the development parameters for the proposed limited light industrial

Policy 7.1.3: Topography, Access, Utilities, Air, Water, Compatibility

- Location along an arterial supports ability for easy access without traversing through residential communities

Policy 7.1.4: Availability and Adequacy of Services

- Letters of Availability received from FGUA, LCU
- Also received LOAs from LC Solid Waste, LC Sheriff's Office, & local fire department during CPA request

Lee Plan Consistency

Policy 7.1.6: Land Development Regulations

- Buffering and screening consistent with the LDC
- Limited visibility to the industrial area from N Tamiami Trail

Policy 7.1.7: Industrial Traffic

- The property's location along N Tamiami Trail, a major transportation corridor, allows for site to be directly accessible from the arterial roadway

Lee Plan Consistency

Goal 30: North Fort Myers Community Plan Livability and Economic Vitality

- The proposed development will improve the economic vitality of the North Fort Myers Community

Policy 30.2.6: Town and Neighborhood Centers and Corridor Overlay Districts may use Mixed Use Overlay Development Standards

- The subject property is located within a Commercial Corridor along N Tamiami Trail

Policy 30.3.1: Streetscape and Landscape Improvements

- Consistent with LDC Sec. 10-435(f)(1), the buffer adjacent to the N Tamiami Trail is required to be 5-feet wide and planted with five (5) trees per 100-linear feet

Lee Plan Consistency

Policy 124.1.2: Wetlands Protect Regulations

- MCP depicts clustering of development to minimize adverse impacts on wetlands
- Low-quality wetlands found throughout subject property per FLUCCS

Policy 126.1.4: Maintaining or Improving Surface Water Flows, Groundwater Levels, and Lake Levels

- A Surface Water Management Plan was provided during staff review period, detailed stormwater management system to be designed at time of Development Order and will be consistent with SFWMD permitting requirements

Rezoning Criteria: LDC Sec. 34-145(d)(4)(a)(1)

The Hearing Examiner must find the request:

a) Complies with the Lee Plan

- Consistent with Policy 1.13, Objective 2.1, Objective 2.2, Goal 4 and its sub-policies, Policy 5.1.5, Goal 6 and its sub-policies, Goal 7 and its sub-policies, Goal 30 and its sub-policies, Policy 124.1.2, and Policy 126.1.4.

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

- Applicant has requested three (3) deviations from Chapter 10
- Staff has recommended one (1) deviation from Chapter 30

[illegible]

- The development cannot provide due to minimum required connection separation distances.
- There is an existing access easement located on the northern property for cross access.

- The development cannot provide due to minimum required connection separation distances.
- There is an existing access easement located on the northern property for cross access.

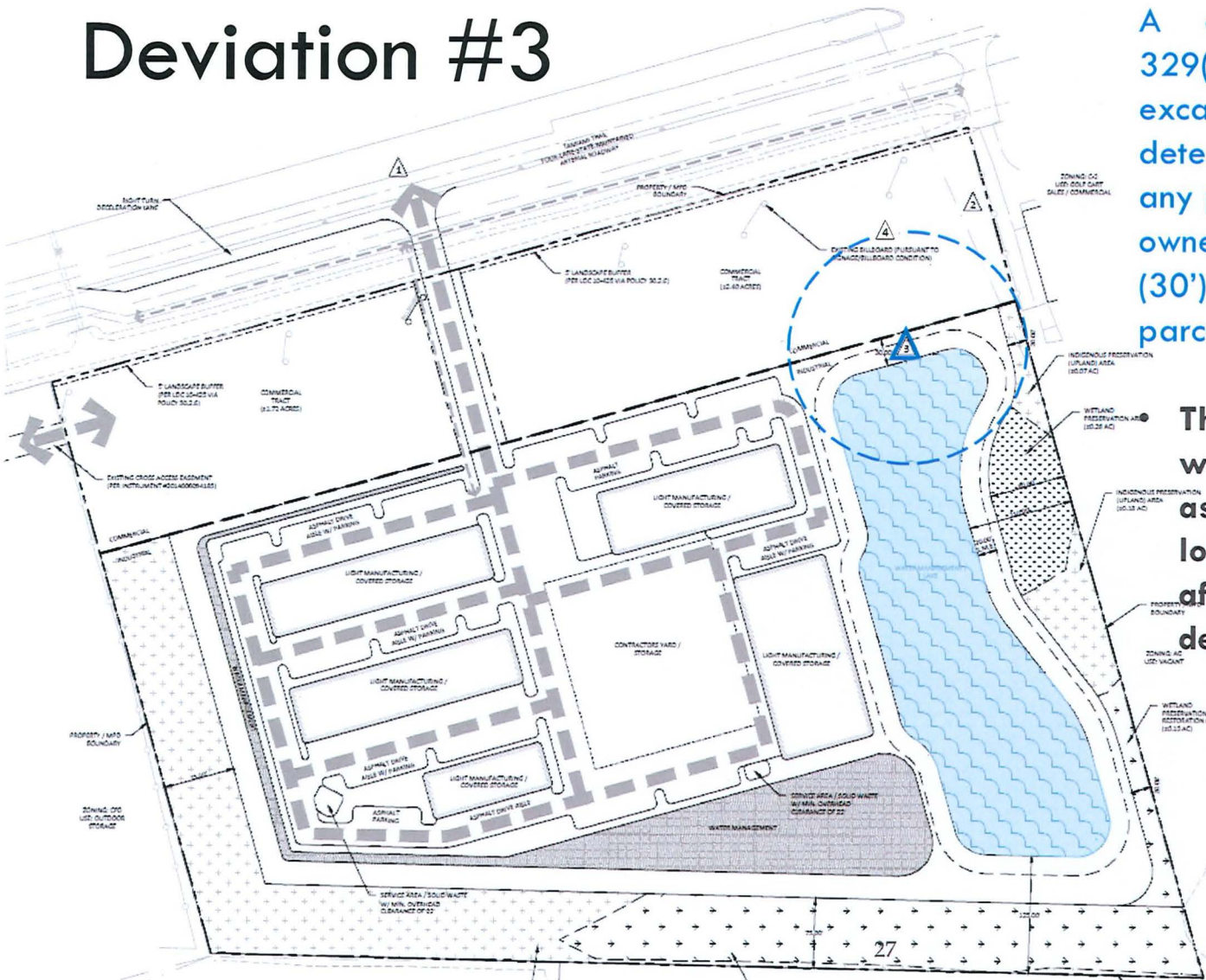
Deviation #2

The site plan for Deviation #2 illustrates a proposed industrial or commercial development. Key features include:

- Property / MFD Boundary:** A dashed line defining the project's perimeter.
- Zoning:** The site is primarily zoned for commercial use (C-2), with adjacent areas in Zoning AC (Use: Office, Retail, Commercial) and Zoning AG (Use: Agricultural).
- Internal Layout:** The plan shows several rectangular lots, each designated for "LIGHT MANUFACTURING / COVERED STORAGE". These lots are separated by "ASPHALT DRIVE" and "ASPHALT DRIVE WITH PARKING" areas.
- Service Area:** A "SERVICE AREA / SOLID WASTE" is located at the bottom right, with a note indicating it will have a "MIN. OUTSIDE DRAINAGE OF 2%".
- Water Management:** A "WATER MANAGEMENT" area is shown at the bottom right, adjacent to the service area.
- Surrounding Context:** The site is bordered by a "TERRACE TRAIL FOUR LANE STATE HIGHWAY" to the north and a "TERRACE TRAIL" to the east. A "NORTH" arrow is located in the top left corner.
- Other Features:** The plan includes a "CONCRETE TRAIL" (12' x 40' x 20'), a "CONCRETE TRAIL" (12' x 40' x 20'), and a "CONCRETE TRAIL" (12' x 40' x 20'). It also shows a "CONCRETE TRAIL" (12' x 40' x 20') and a "CONCRETE TRAIL" (12' x 40' x 20').

- It would be detrimental to the adjacent property owner to require a connection with the subject property; this would result in the loss of area on their property.

Deviation #3



A deviation from LDC Sec. 10-329(d)(1)3, which requires new excavations for water retention and detention setback of fifty (50') feet of any private property line under separate ownership, to allow a setback of thirty (30') feet from the future commercial parcel internal to the development.

This will allow for a greater area of water management on the site and as the project is proposing interior lot lines within the project, does not affect properties outside this MPD development.

Deviation #4

The site plan for Deviation #4 illustrates a proposed industrial development. Key features include:

- Proposed Industrial Zones:**
 - Light Manufacturing / Covered Storage:** Multiple rectangular buildings arranged in a central cluster.
 - Contractors Yard / Storage:** A large open area in the center-right.
 - Service Area / Solid Waste:** Located at the bottom center, with a note: "W/ MIN. OVERHEAD CLEARANCE OF 22'".
 - Water Management:** A designated area at the bottom right.
- Access and Infrastructure:**
 - Asphalt Drive:** Multiple access points labeled "ASPHALT DRIVE (80' W/ PARKING)".
 - Commercial Highway:** Located along the top and right boundaries.
 - Existing Cross Access Easement:** Indicated on the left side.
 - Property / MPO Boundary:** Dashed lines delineating the site from adjacent areas.
- Landscaping and Environmental Features:**
 - Landscaping Buffer:** Two buffers are shown, each "PER LDC CHART VIA POLICY 30.2.2".
 - Wetland Preservation Area:** Shaded areas on the right side, labeled "WETLAND PRESERVATION AREA (10.28 AC)".
 - Indigenous Preservation:** Shaded areas on the right side, labeled "INDIGENOUS PRESERVATION (10.12 AC)".
- Other Notes:**
 - Existing Buildings (Pursuant to Council/Board Decision):** A red dashed circle highlights an area near the top right.
 - Commercial Road:** Labeled "COMMERCIAL ROAD (10' WIDE)".
 - Service Area / Solid Waste:** Labeled "SERVICE AREA / SOLID WASTE (W/ MIN. OVERHEAD CLEARANCE OF 22')".
 - Water Management:** Labeled "WATER MANAGEMENT".
 - Wetland Preservation Area:** Labeled "WETLAND PRESERVATION AREA (10.28 AC)".
 - Indigenous Preservation:** Labeled "INDIGENOUS PRESERVATION (10.12 AC)".
 - Property / MPO Boundary:** Labeled "PROPERTY / MPO BOUNDARY".
 - Commercial Highway:** Labeled "COMMERCIAL HIGHWAY".
 - Existing Cross Access Easement:** Labeled "EXISTING CROSS ACCESS EASEMENT (PER INSTRUMENT #201400084-115)".
 - Landscaping Buffer:** Labeled "LANDSCAPING BUFFER PER LDC CHART VIA POLICY 30.2.2".
 - Commercial Road:** Labeled "COMMERCIAL ROAD (10' WIDE)".
 - Service Area / Solid Waste:** Labeled "SERVICE AREA / SOLID WASTE (W/ MIN. OVERHEAD CLEARANCE OF 22')".
 - Water Management:** Labeled "WATER MANAGEMENT".
 - Wetland Preservation Area:** Labeled "WETLAND PRESERVATION AREA (10.28 AC)".
 - Indigenous Preservation:** Labeled "INDIGENOUS PRESERVATION (10.12 AC)".
 - Property / MPO Boundary:** Labeled "PROPERTY / MPO BOUNDARY".
 - Commercial Highway:** Labeled "COMMERCIAL HIGHWAY".
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 - Water Management:** Labeled "WATER MANAGEMENT".
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 - Property / MPO Boundary:** Labeled "PROPERTY / MPO BOUNDARY".
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 - Landscaping Buffer:** Labeled "LANDSCAPING BUFFER PER LDC CHART VIA POLICY 30.2.2".
 - Commercial Road:** Labeled "COMMERCIAL ROAD (10' WIDE)".
 - Service Area / Solid Waste:** Labeled "SERVICE AREA / SOLID WASTE (W/ MIN. OVERHEAD CLEARANCE OF 22')".
 - Water Management:** Labeled "WATER MANAGEMENT".
 - Wetland Preservation Area:** Labeled "WETLAND PRESERVATION AREA (10.28 AC)".
 - Indigenous Preservation:** Labeled "INDIGENOUS PRESERVATION (10.12 AC)".
 - Property / MPO Boundary:** Labeled "PROPERTY / MPO BOUNDARY".
 - Commercial Highway:** Labeled "COMMERCIAL HIGHWAY".
 - Existing Cross Access Easement:** Labeled "EXISTING CROSS ACCESS EASEMENT (PER INSTRUMENT #201400084-115)".
 - Landscaping Buffer:** Labeled "LANDSCAPING BUFFER PER LDC CHART VIA POLICY 30.2.2".
 - Commercial Road:** Labeled "COMMERCIAL ROAD (10' WIDE)".
 - Service Area / Solid Waste:** Labeled "SERVICE AREA / SOLID WASTE (W/ MIN. OVERHEAD CLEARANCE OF 22')".
 - Water Management:** Labeled "WATER MANAGEMENT".
 - Wetland Preservation Area:** Labeled "WETLAND PRESERVATION AREA (10.28 AC)".
 - Indigenous Preservation:** Labeled "INDIGENOUS PRESERVATION (10.12 AC)".
 - Property / MPO Boundary:** Labeled "PROPERTY / MPO BOUNDARY".
 - Commercial Highway:** Labeled "COMMERCIAL HIGHWAY".
 - Existing Cross Access Easement:** Labeled "EXISTING CROSS ACCESS EASEMENT (PER INSTRUMENT #201400084-115)".
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 - Commercial Road:** Labeled "COMMERCIAL ROAD (10' WIDE)".
 - Service Area / Solid Waste:** Labeled "SERVICE AREA / SOLID WASTE (W/ MIN. OVERHEAD CLEARANCE OF 22')".
 - Water Management:** Labeled "WATER MANAGEMENT".
 - Wetland Preservation Area:** Labeled "WETLAND PRESERVATION AREA (10.28 AC)".
 - Indigenous Preservation:** Labeled "

- The subject property currently features six (6) billboards, which can be seen on aerial imagery dating as far back as 1984.
- Staff has recommended a new deviation to clarify that the removal of five (5) billboards will be completed prior to Certificate of Compliance.

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- Staff has recommended a new deviation to clarify that the removal of five (5) billboards will be completed prior to Certificate of Compliance.

Rezoning Criteria: LDC Sec. 34-145(d)(4)(a)(1)

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

- Property abuts N Tamiami Trail, making it part of the North Fort Myers Commercial Corridor, per LDC Sec. 33-1566(b)
- Commercial properties exist along the surrounding corridor

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

- Property has frontage on N Tamiami Trail, a state-maintained arterial roadway

Rezoning Criteria: LDC Sec. 34-145(d)(4)(a)(1)

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

- TIS analysis indicates that the addition of the project trips to the network will not be responsible for reduced LOS on surrounding road network
- More detailed TIS will be required at time of Development Order

e) Will not adversely affect environmentally critical or sensitive areas and natural resources; and

- Subject property is heavily impacted by exotic vegetation
- 3.59 acres of open space provided

f) Will be served by public services, defined in the Lee Plan, if located in a Future Urban area category

- LCU (potable water) and FGUA (sanitary sewer) Letters of Availability were received

PD Rezoning Criteria: LDC Sec. 34-145(d)(4)(a)(2)

The Hearing Examiner must also find:

a) The proposed use or mix of uses is appropriate at the proposed location.

- The proposed configuration of commercial and industrial uses is highly compatible with surrounding land uses and compliments future planned uses as well

b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.

- The proposed development will not be detrimental to public interest and will enhance the corridor through site improvements while diversifying the local economy

PD Rezoning Criteria: LDC Sec. 34-145(d)(4)(a)(2)

c) If the application includes deviations pursuant to Section 34-373(a)(9), that each requested deviation:

1) Enhances the achievement of the objectives of the planned development; and

2) Protects the public health, safety, and welfare.

- the requested deviations are tailored to the subject property and its proposed uses to facilitate public health, safety, and welfare

Questions & Comments



17701 N. TAMiami
HONC 41 MPD
NORTH FORT MYERS

CLIENT NAME AND ADDRESS

PROJECT NAME AND LOCATION

APPLICANT EXHIBIT# 4

TOTAL PROJECT AREA	117.96 AC.
TOTAL COMMERCIAL AREA	14.36 AC.
COMMERCIAL OPEN SPACE REQUIREMENT (20% OF TOTAL):	10.87 AC. *
(50% OF REQ'D OPEN SPACE INDIGENOUS)	10.44 AC
TOTAL INDUSTRIAL AREA:	113.60 AC.
INDUSTRIAL OPEN SPACE REQUIREMENT (20% OF TOTAL)	12.72 AC.
(50% OF REQ'D OPEN SPACE INDIGENOUS)	11.36 AC.)
TOTAL OPEN SPACE REQUIREMENTS:	
REQUIRED OPEN SPACE	13.59 AC
PROVIDED OPEN SPACE	13.59 AC **
REQUIRED INDIGENOUS OPEN SPACE	11.80 AC
PROVIDED INDIGENOUS OPEN SPACE	13.46 AC
OTHER	10.04 AC

TOTAL PROJECT AREA ±17.96 AC.
PER SECTION 33-1572 10% OF SITE AREA DEVOTED TO PUBLICLY ACCESSIBLE OPEN SPACE:
17.96 AC X 10% = 1.80 ACRES REQUIRED.

AREA TO BE PROVIDED DURING DEVELOPMENT ORDER REVIEW.

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%

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

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%

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 INTERCHANGE TO THE SOUTH.
3	DEVIATION FROM LDC 10-329(d)(4)(1)(3), WHICH REQUIRES NEW EXCAVATIONS FOR WATER RETENTION AND DETENTION SETBACK OF FIFTY (50') FEET OF ANY PRIVATE PROPERTY LINE UNDER SEPARATE OWNERSHIP, TO ALLOW A SETBACK OF THIRTY (30') FEET FROM THE FUTURE COMMERCIAL PARCEL INTERNAL TO THE DEVELOPMENT.
4	A DEVIATION FROM LDC 30-183(1), WHICH LIMITS BILLBOARDS TO THE INTENSIVE DEVELOPMENT, INDUSTRIAL DEVELOPMENT, INTERCHANGE AREAS, AND TRADEPORT VEHICLE LAND USE CATEGORIES, TO ALLOW ONE OF THE SIX EXISTING BILLBOARDS TO REMAIN ON THE SUBJECT PROPERTY.

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

NO.	REVISION	DATE
R1	PER LEE COUNTY COMMENTS	9-10-25
R2	PER LEE COUNTY COMMENTS	12-02-25
R3	PER LEE COUNTY COMMENTS	01-16-26
R4	PER LEE COUNTY COMMENTS	03-03-26
R5	HEARING EXAMINER	05-08-26

REVISIONS DESCRIPTION	

DATE:	05-27-25
PROJECT NO.	1333-01
FILE NO.	1333-03 CON.dwg
SCALE:	AS SHOWN

MASTER CONCEPT PLAN

SHEET TITLE

MCP-01

SHEET NUMBER

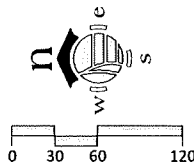
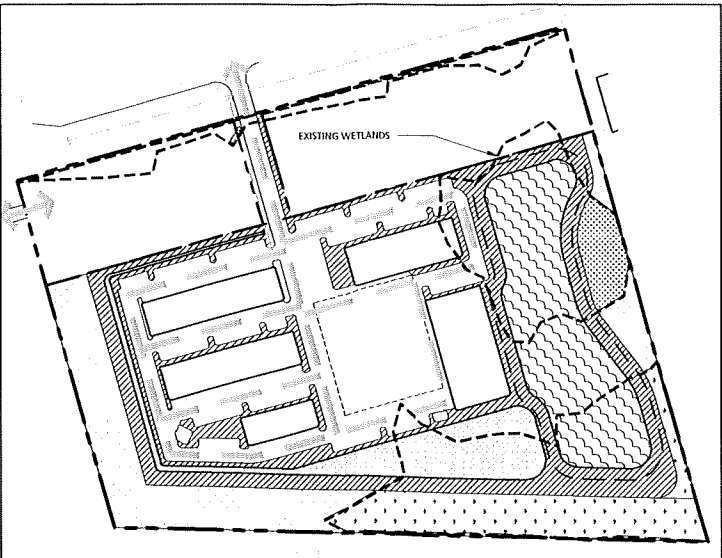
DEVIATIONS

- 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(4), WHICH REQUIRES ADJACENT COMMERCIAL USES TO PROVIDE PARKING LOT INTERCONNECTIONS FOR AUTOMOBILE, BICYCLE, AND PEDESTRIAN TRAFFIC, TO ALLOW NO INTERCONNECT TO THE SOUTH.
- 3 DEVIATION FROM LDC 10-329(d)(11), WHICH REQUIRES NEW EXCAVATIONS FOR WATER RETENTION AND DETENTION SETBACK OF FIFTY (50') FEET OF ANY PRIVATE PROPERTY LINE UNDER SEPARATE OWNERSHIP, TO ALLOW A SETBACK OF THIRTY (30') FEET FROM THE FUTURE COMMERCIAL PARCEL INTERNAL TO THE DEVELOPMENT.
- 4 A DEVIATION FROM LDC 30-183(1), WHICH LIMITS BILLBOARDS TO THE INTENSIVE DEVELOPMENT, INDUSTRIAL DEVELOPMENT, INTERCHANGE AREAS, AND TRADEPORT FUTURE LAND USE CATEGORIES, TO ALLOW ONE OF THE SIX EXISTING BILLBOARDS TO REMAIN ON THE SUBJECT PROPERTY.

NOTES:

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.



MCP / FLUCCS OVERLAY:

OPEN SPACE CALCULATIONS:

TOTAL PROJECT AREA	±17.96 AC.
TOTAL COMMERCIAL AREA	±4.36 AC.
COMMERCIAL OPEN SPACE REQUIREMENT (20% OF TOTAL):	±0.87 AC. *
(50% OF REQ'D OPEN SPACE INDIGENOUS)	±0.44 AC.
TOTAL INDUSTRIAL AREA:	±13.60 AC.
INDUSTRIAL OPEN SPACE REQUIREMENT (20% OF TOTAL)	±2.72 AC.
(50% OF REQ'D OPEN SPACE INDIGENOUS)	±1.36 AC.
TOTAL OPEN SPACE REQUIREMENTS:	
REQUIRED OPEN SPACE	±3.59 AC.
PROVIDED OPEN SPACE	±3.59 AC. **
REQUIRED INDIGENOUS OPEN SPACE	±1.80 AC.
PROVIDED INDIGENOUS OPEN SPACE	±3.46 AC.
OTHER	±0.04 AC.

*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.

PUBLICLY ACCESSIBLE SPACE CALCULATIONS:

TOTAL PROJECT AREA	±17.96 AC.
PER SECTION 33-1572, 10% OF SITE AREA DEVOTED TO PUBLICLY ACCESSIBLE OPEN SPACE:	
17.96 AC X 10% = 1.80 ACRES REQUIRED.	
AREA TO BE PROVIDED DURING DEVELOPMENT ORDER REVIEW.	

COMMERCIAL TRACT

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%

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

INDUSTRIAL TRACT

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%

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

LEGEND (OPEN SPACE):

	OPEN SPACE		WETLAND PRESERVATION AREA
	INDIGENOUS PRESERVATION		WETLAND PRESERVATION / RESTORATION AREA
	WATER MANAGEMENT		

ensite

2401 FIRST STREET, SUITE 201
FORT MYERS, FLORIDA 33901
PH: (239)-226-0024
EB-26544 CA-LC26000374

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

CLIENT NAME AND ADDRESS

17701 N. TAMAMI
TRAIL PROJECT
NORTH FORT MYERS

PROJECT NAME AND LOCATION

NO.	REVISION	DATE
1	PER LEE COUNTY COMMENTS	9-10-25
2	PER LEE COUNTY COMMENTS	12-02-25
3	PER LEE COUNTY COMMENTS	01-16-26
4	PER LEE COUNTY COMMENTS	03-03-26
5	REVISION EXAMINER	06-08-26

DATE:	01-08-24
PROJECT NO.	1333-01
FILE NO.	1333-03 CON.dwg
SCALE:	AS SHOWN

OPEN SPACE
PLAN

SHEET TITLE

MCP-02

SHEET NUMBER

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



HONC 41
Mixed Use Planned Development
SCHEDULE OF USES

Commercial Tract

Accessory uses and structures
Administrative Offices
Animal Clinic
ATM
Banks and financial establishments, all groups
Boat parts store
Broadcast studio, commercial radio and television
Building materials sales
Business services, all groups
Car wash
Clothing stores, general
Clubs:
 Fraternal, membership organization,
 Private
Convenience food and beverage store
Day care center, child, adult
Drive through facility for any permitted use
Drugstore, pharmacy
Entrance gates and gatehouse
EMS, fire or sheriff's station
Essential services
Excavation
 Water retention
Fences, walls
Hardware store
Hobby, toy and game shops
Household and office furnishings, all groups
Insurance companies
Lawn and garden supply stores
Medical office
Nonstore retailers, Group I
Package store
Parking lot:
 Accessory
 Temporary
Personal services, all groups
Pet services
Pet shop
Plant nursery
Post office
Printing and publishing
Recreation facilities, commercial
 Group I
Rental or leasing establishment,
 Group I
 Group II
 Group III
Repair shops,
 Group I

planning | landscape architecture | engineering | urban design | sustainability

2401 First Street, Suite 201 | Fort Myers, Florida 33901

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APPLICANT'S EXHIBIT

5

- Group II
- Group III
- Restaurant, fast food
- Restaurants, all groups
- Schools:
 - Commercial
- Signs in accordance with Ch 30
- Specialty retail shops,
 - Group I
 - Group II
 - Group III
- Studios
- Temporary uses
- Theater, indoor or outdoor (drive-in)
- Transportation services,
 - Group II
- Used merchandise stores,
 - Group I
 - Group II
- Variety store
- Vehicle and equipment dealers,
 - Group I
 - Group II

Industrial Tract

- Accessory uses and structures
- Administrative Offices
- ATM
- Automobile repair and service, all groups
- Automobile service station
- Boats:
 - Boat repair and service
 - Boatyard
- Building materials sales
- Business services
 - Group II
- Cleaning and maintenance services
- Cold storage, pre-cooling warehouse and processing plant
- Computer and data processing services
- Contractors and builders, all groups
- Drive through facility for any permitted use
- Entrance gates and gatehouse
- Essential services
- Excavation
 - Water retention
- Factory outlets (point of manufacture only)
- Farm equipment, sales, storage, rental or service
- Fences, walls
- Freight and cargo handling establishments
- Parcel and express services
- Parking lot:
 - Accessory
 - Temporary
- Processing or packaging for agricultural or fish products
- Processing and warehousing
- Recycling facility
- Rental or leasing establishment, all groups
- Repair shops, all groups

Research and development laboratories

Group I

Group IV

Retail and wholesale sales, when clearly incidental and subordinate to a permitted principal use on the same premises

Signs in accordance with Ch 30

Storage:

Indoor

Open Storage

Transportation services,

Groups II and IV

Vehicle and equipment dealers, all groups

Warehouse

High cube

Hybrid

Mini-warehouse

Private

Public

Wholesale establishments,

Group I

Group III

Group IV

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
17701 N. TAMIAMI TRAIL

TOTAL PROJECT TRAFFIC AM =	126	VPH	IN =	102	OUT=	24
TOTAL PROJECT TRAFFIC PM =	166	VPH	IN=	66	OUT=	100

							2024	2029					2029	2029		
							PK HR	PK HR	PK SEASON	PERCENT			BCKGRND		BCKGRND	
			BASE YR	LATEST	YRS OF	ANNUAL	PK SEASON	PEAK DIRECTION	PROJECT	AM PROJ	PM PROJ		+ AM PROJ		+ PM PROJ	
ROADWAY	SEGMENT	STA #	ADT	ADT	GROWTH	RATE	PEAK DIR. ¹	VOLUME	LOS	TRAFFIC	TRAFFIC	TRAFFIC	VOLUME	LOS	VOLUME	LOS
US 41	N. of Site Access	120036	23,500	35,000	15	2.69%	1,410	1,610	C	100%	102	100	1,712	C	1,710	C
	S. of Site Access	120036	23,500	35,000	15	2.69%	1,410	1,610	C	100%	102	100	1,712	C	1,710	C

1 Current peak hour peak season peak direction traffic volumes for all roadways were obtained from the 2025 Lee County Public Facilities Level of Service and Concurrency Report.
2 Historic traffic volumes were obtained from Florida Traffic Online.

LEE COUNTY ROAD LINK VOLUMES (County- and State-Maintained Roadways)

Link No.	ROAD NAME	LOCATION		ROAD TYPE	PERFORMANCE STANDARD		2024 100TH HIGHEST HOUR			2029 FUTURE FORECAST*			Notes
		FROM	TO		LOS ⁽¹⁾	CAPACITY ⁽²⁾	LOS ⁽¹⁾	VOLUME ⁽²⁾	V/C ⁽³⁾	LOS ⁽¹⁾	VOLUME ⁽²⁾	V/C ⁽³⁾	
31500	US 41 (N TAMiami TR)	BUS 41	DEL PRADO BLVD	4LD	D	1,900	C	1,410	0.74	D	1,605	0.84	
31600	US 41 (N TAMiami TR)	DEL PRADO BLVD	CHARLOTTE CO. LINE	4LD	D	1,900	D	1,843	0.97	F	2,109	1.11	Tara Woods Phase III B, D & E Expansion
27200	VETERANS MEM. PKWY	SR 78	CHIQUITA	4LD	D	2,040	A	1,123	0.55	A	1,181	0.58	partially located in City of Cape Coral
27300	VETERANS MEM. PKWY	CHIQUITA	SKYLINE	4LD	D	2,040	B	1,407	0.69	B	1,479	0.73	City of Cape Coral
27400	VETERANS MEM. PKWY	SKYLINE	SANTA BARBARA BLVD	6LD	D	3,080	B	2,474	0.80	B	2,600	0.84	City of Cape Coral
27500	VETERANS MEM. PKWY	SANTA BARBARA BLVD	COUNTRY CLUB BLVD	6LD	D	3,080	E	3,068	1.00	F	3,172	1.03	City of Cape Coral
27600	VETERANS MEM. PKWY	COUNTRY CLUB BLVD	MIDPOINT BRDG TOLL P	6LD	D	3,080	F	3,274	1.06	F	3,441	1.12	City of Cape Coral
27700	VETERANS MEM. PKWY	MIDPOINT BRDG TOLL P	McGREGOR BLVD	4LB	D	4,000	D	2,958	0.74	D	3,109	0.78	City of Fort Myers
29000	W 6TH ST	WILLIAMS AVE	JOEL BLVD	2LN	E	860	C	198	0.23	C	209	0.24	
29100	W 12TH ST	GUNNERY RD	SUNSHINE BLVD	2LN	E	860	C	314	0.37	C	330	0.38	
29200	W 12TH ST	SUNSHINE BLVD	WILLIAMS AVE	2LN	E	860	C	91	0.11	C	105	0.12	old count projection (2010)
29300	W 12TH ST	WILLIAMS AVE	JOEL BLVD	2LN	E	860	C	110	0.13	C	116	0.13	old count projection (2010)
29400	W 14TH ST	SUNSHINE BLVD	RICHMOND AVE	2LN	E	860	C	57	0.07	C	60	0.07	old count projection (2010)
26400	SW 23RD ST	GUNNERY RD	SUNSHINE BLVD	2LN	E	860	D	769	0.89	F	904	1.05	Classic Hills (Copperhead) Golf Community(4)
15200	WESTGATE BLVD	GUNNERY RD	LEE BLVD	2LN	E	860	C	622	0.72	D	654	0.76	
27900	WHISKEY CREEK DR	COLLEGE PKWY	SAUTERN DR	2LD	E	910	C	324	0.36	C	340	0.37	
28000	WHISKEY CREEK DR	SAUTERN DR	McGREGOR BLVD	2LD	E	910	C	324	0.36	C	340	0.37	
28200	WILLIAMS AVE	LEE BLVD	W. 6TH ST	2LN	E	860	F	962	1.12	F	1,011	1.18	
28300	WINKLER RD	STOCKBRIDGE DR	SUMMERLIN RD	2LN	E	860	C	465	0.54	C	489	0.57	(4)
28400	WINKLER RD	SUMMERLIN RD	GLADIOLUS DR	4LD	E	1,520	C	297	0.20	C	312	0.21	
28500	WINKLER RD	GLADIOLUS DR	BRANDYWINE CIR	2LN	E	880	B	599	0.68	B	630	0.72	
28600	WINKLER RD	BRANDYWINE CIR	CYPRESS LAKE DR	2LN	E	880	B	599	0.68	B	630	0.72	
28700	WINKLER RD	CYPRESS LAKE DR	COLLEGE PKWY	4LD	E	1,780	D	738	0.41	D	776	0.44	
28800	WINKLER RD	COLLEGE PKWY	McGREGOR BLVD	2LN	E	800	B	393	0.49	B	413	0.52	
28900	WOODLAND BLVD	US 41	AUSTIN ST	2LN	E	860	C	272	0.32	C	286	0.33	(4)

⁽¹⁾ level of service; ⁽²⁾ directional; vehicles/hour; ⁽³⁾ directional volume-to-capacity ratio; ⁽⁴⁾ previous years data; ⁽⁵⁾ EEPco Study
 *Future forecast on State maintained facilities are Year 2030 forecast

- County-Maintained Collector Roadway - Unincorporated Lee County
- County-Maintained Collector Roadway - Incorporated Lee County
- County-Maintained Arterial Roadway - Unincorporated Lee County
- County-Maintained Arterial Roadway - Incorporated Lee County

- County-Maintained Controlled Access Arterial Facility
- County-Maintained Expressway
- State-Maintained Arterial Roadway - Unincorporated Lee County

LEE COUNTY, FLORIDA
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING SECTION
STAFF REPORT

RECEIVED

MAY 27 2026

BY: HEARING EXAMINER'S OFFICE

Case Number: DCI2025-00014
Type of Case: Major Planned Development
Case Name: Honc 41 MPD
Area Subject to Request: ±19.36 acres
Commissioner District: District 4 (Commissioner Hamman)
Sufficiency Date: April 20, 2026
Hearing Examiner Date: June 11, 2026

Summary of Request and Recommendation

EnSite, Inc., on behalf of property owner Honc Docks and Lifts, Inc, has requested to rezone ±17.96 acres of land from General Commercial (CG) and Light Industrial (IL) to Mixed Use Planned Development (MPD) to allow up to 30,000 square feet of commercial uses and 120,000 square feet of light industrial uses.

The subject property is located at 17701 North Tamiami Trail, North Fort Myers, FL 33903 (STRAP # 22-43-24-01-00001.0160) A legal description of the property is attached hereto as Attachment F.

Staff recommends **APPROVAL** of the applicant's request subject to the conditions and deviations found in Attachment C.

History of Parcel and Character of Area

The subject property is approximately ±17.96 acres in area and is generally located south of Del Prado Boulevard North and west of North Tamiami Trail. In November of 2025, a Comprehensive Plan Amendment, CPA2025-00001, was adopted to change the future land use designation of the property from Suburban to Central Urban (see Attachment Q). The subject property is also within the North Fort Myers Community Plan area, and the entire property is also within the North Fort Myers Community Plan Area's Neighborhood Center #2 as designated by **LDC Appendix I, Map 8** (see Attachment P). In addition, **LDC Section 33-1566** notes that any commercially zoned properties "with frontage on, or contiguous to and developed in conjunction with properties with frontage on North Tamiami Trail" must abide by the provisions of the North Fort Myers Commercial Corridor. The subject property is currently located in the North Fort Myers Commercial Corridor. The applicant seeks to rezone the entire property to Mixed Use Planned Development (MPD) with the commercial abutting North Tamiami Trail (U.S. 41) and the light industrial development tracts located away from this roadway. Should this request be approved, the development will have its own permitted set of commercial and light industrial uses (see Attachment C).

Areas surrounding the subject property can be characterized as follows:

North

Property to the north is zoned Commercial Planned Development (CPD) by Resolution Z-92-016 and pursuant to Lee County Records and aerial overviews, the property is developed and has

undergone changes through different uses. According to aerial imagery, the subject property is currently being utilized as either Contractors and Builders, Group III or Automotive repair and service. Resolution Z-92-016 approved a variety of different commercial uses for the subject property. Further north are properties zoned Commercial Planned Development (CPD), Residential Mobile Home (MH-2), and Community Commercial (CC). The property currently zoned Community Commercial (CC) is developed with a convenience food and beverage store and the property zoned Residential Mobile Home (MH-2), developed with mobile homes and is known as “Winter Dream” mobile home park. All properties are within the Suburban Future Land Use Category.

South

Property to the south is zoned Agricultural (AG-2) and Commercial (C-2). The property zoned Agricultural (AG-2) is currently undeveloped and the property zoned Commercial (C-2) is developed as a golf cart dealership (Vehicle and Equipment Dealer, Group II) pursuant to Lee County Records. Further south is a property split zoned Agricultural (AG-2) and Commercial (C-2) and pursuant to Lee County Records and aerial imagery, this property is currently undeveloped. These properties are within the Suburban Future Land Use Category.

East

Properties to the east are separated by North Tamiami Trail (U.S. 41) and are zoned Commercial Planned Development and General Commercial (CG). These properties are primarily undeveloped except for the southernmost CPD, which is developed with low intensity commercial uses such as, but not limited to, Business Services, Group I and Specialty Repair Shops, Groups I and II. The Commercial Planned Development (CPD), to the north of the developed Commercial Planned Development (CPD) is currently undeveloped. The CPD was rezoned by Resolution Z-13-015 for a warehouse or commercial building. There is currently a Development Order (DOS2024-00118) in review to develop this site with a self-storage facility. Further east is a Residential Planned Development (RPD) that is currently developed with a residential community known as “Sabal Springs”. These properties are within the Suburban Future Land Use Category.

West

Properties to the west are within the City of Cape Coral and are currently developed with a residential community known as “The Isles of Porto Vista.”

Availability of Public Services

Public services are defined by the Lee Plan as “the requisite services, facilities, capital improvements, and infrastructure necessary to support growth and development.” The level of urban services currently serving the subject property are as follows:

Public Water, Sewer, and Solid Waste: The proposed project is within the Lee County Future Water Service Area in accordance with Lee Plan Map 4-A. The applicant has provided a letter of availability for potable water from Lee County Utilities. Sanitary sewer will be provided by FGUA (see Attachments K and L).

Police, Fire, and Emergency Services: The closest fire station and closest Emergency Medical Service (EMS) station is located at 2900 and 2910 Trail Dairy Circle, North Fort Myers, FL 33917, which is approximately ±1 mile away from the site. The closest Lee County Sheriff’s office and

furthest Emergency Medical Service (EMS) station is located at 121 Pondella Road, North Fort Myers, FL 33903, approximately ±3.85 miles from the site.

Public transit and pedestrian facilities: The proposed project is less than a mile away from Lee Tran route 590, bus stop 2310, which is located on North Cleveland Avenue.

Property Development Regulations

The applicant has provided a proposed property development regulations table on the Master Concept Plan (MCP) and on a separate document (see Attachments D and I). Proposed Property Development Regulations comply with **LDC Section 34-935**, which establishes the minimum property development regulations for planned developments.

Schedule of Uses and Master Concept Plan

The applicant has provided a proposed Master Concept Plan (MCP) (see Attachment D) and schedule of uses (see Attachment H) for the Mixed Use Planned Development (MPD) that specifies the proposed uses for the Commercial Tract and the Industrial Tract. The Master Concept Plan (MCP) has been designed to keep all of commercial activity along North Tamiami Trail (U.S. 41) and keep all light industrial and some commercial activity behind the commercial tracts. **LDC Section 34-934** provides a list of allowable uses in the Mixed Use Planned Development (MPD) zoning district. **LDC Section 33-1596** establishes properties that are located on the North Fort Myers Commercial Corridor may request specific uses that require a Special Exception for approval may also be requested through the Planned Development rezone process. The applicant is proposing several uses that would generally require Special Exception approval, which are as follows:

Commercial Tracts:

- Printing and Publishing

Industrial Tract:

- Contractors and Builders, Group III
- Recycling facility
- Storage, Open
- Warehouse:
 - High Cube
 - Hybrid
 - Mini warehouse
 - Private
 - Public
- Wholesale establishment, Group IV

The uses being proposed are subject to any applicable supplementary regulations established in Chapter 34, Article VII of the Land Development Code (LDC).

Deviations

The applicant has requested four deviations from Chapter 10 of the Land Development Code (LDC) (see Attachment G). These deviations are as follows:

Deviation 1 seeks relief from LDC Section 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, to allow for one point of ingress or egress for the subject property. The subject property is located on North Tamiami Trail (U.S. 41), which is maintained by the State of Florida and has an Arterial functional classification. Due to the location of the property, the development from this roadway. Additionally, the property located to the north of the subject property has cross access easement (see Attachment R) located on the property, which grants adjacent parcels the right to utilize the access easement for pedestrian and vehicular ingress and egress purposes. The applicant has also provided a letter of no objection from the North Fort Myers Fire District (see Attachment S). Staff is recommending approval of this deviation with a condition that prior to development order issuance, construction of a stub out to align with the cross-access easement (Instrument # 2014000094185) located on the abutting property to the North as shown on the Master Concept Plan (MCP) (Attachment "D") must be provided.

Deviation 2 seeks relief from LDC Section 10-610(e), which requires adjacent commercial uses to provide parking lot interconnections for automobile, bicycle and pedestrian traffic, to allow no interconnection to the south. The property located to the south of the subject property is currently developed and pursuant to Lee County Records, the golf cart dealership, which also provides repair services, has been developed since 2015. The applicant was not able to obtain authorization to connect to the property to the south and with the southern property being approximately an acre in area, the requirement to provide interconnection would result in a loss of usable space for the property that is already developed and currently in operation. Staff is recommending approval of this deviation.

Deviation 3 seeks relief from LDC Section 10-329(d)(1)a.3, which requires all new excavations for water retention and detention to be set back 50 feet of any private property line under separate ownership, to allow a setback of 30 feet. The project proposes interior lot lines, as shown on the proposed Master Concept Plan (MCP) (see Attachment D), and approval of a 30-foot setback will allow for a greater area of water management on the site and will not affect properties outside of the proposed Mixed Use Planned Development (MPD). Staff is recommending approval of this deviation.

Deviation 4 is a deviation recommended by staff to seek relief from LDC Section 10-425(f)(2), which requires a ten-foot-wide buffer with Type B plantings along property lines which abut single-family residences, to allow the indigenous preserve to meet the buffer requirements. Staff is also recommending approval with a condition to ensure that the indigenous preserve restoration meets the plant specification as set forth in LDC Section 10-420(f).

Deviation 5 is a deviation recommended by staff to seek relief from LDC Section 30-183(1)a, which limits billboards to the Intensive Development, Industrial Development, Interchange Areas, and Tradeport Future Land Use Categories, to allow one of the six existing billboards to remain on the subject property, which is located in the Central Urban Future Land Use Category. Staff is recommending approval with conditions to ensure that five of the existing billboards are removed prior to obtaining a Certificate of Compliance on the Commercial Tracts, and that the one remaining billboard will be permitted to be repaired or replaced subject to the regulations established in LDC Chapter 30.

Analysis

The proposed request is to rezone ±17.96 acres of land from General Commercial (CG) and Light Industrial (IL) to Mixed Use Planned Development (MPD) to allow up to 30,000 square feet of commercial uses and 120,000 square feet of light industrial uses.

Land Development Code (LDC) Section 34-612 describes the intent of the utilization of the Planned Development zoning district. The purpose of planned developments is to further implement the goals, objectives, and policies of the Lee Plan, while providing some degree of flexibility in the planning and design of proposed developments. **LDC Section 34-145** establishes the review criteria for all rezoning requests. Before recommending approval of a rezoning request, the Hearing Examiner must find the request:

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

For Planned development rezoning requests. The Hearing Examiner must also find:

- a) The proposed use or mix of uses is appropriate at the proposed location.
- b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.
- c) If the application includes deviations pursuant to LDC Section 34-373(a)(9), that each requested deviation:
 - 1) Enhances the achievement of the objectives of the planned development; and
 - 2) Protects public health, safety and welfare.

The applicant has provided a request statement addressing the motive for rezoning and an analysis of the decision-making criteria (see Attachment E). The following provides staff's analysis of the request, as measured against the review criteria. Specifically, staff finds the request;

- a) *Complies with the Lee Plan;*

The subject property is located in the Central Urban Future Land Use Category as described in **Lee Plan Policy 1.1.3**. This 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 quasi-public, and limited light industrial land uses will continue to predominate in the Central Urban future land use category. The request is to rezone the property to a Mixed Use Planned Development (MPD), which proposes a mix of commercial and light industrial uses in an area that is already developed and zoned for commercial use, which appropriately aligns with **Lee Plan Policy 1.1.3**. In November of 2025, a Comprehensive Plan Amendment, CPA2025-00001, was

adopted to change the future land use designation of the property from Suburban to Central Urban per the Lee Plan (see Attachment Q), which allows limited Light Industrial uses to be permitted at this location while the Suburban Future Land Use Category did not. Staff find this request, as conditioned, is **consistent** with **Lee Plan Policy 1.1.3**.

Objectives 2.1 and 2.2 of the Lee Plan promote contiguous and compact growth patterns through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, and minimize the cost of services while also encouraging new growth in future urban areas where adequate facilities exist or are assured and where compact and contiguous development patterns can be created. **Lee Plan Policy 2.2.1** states that rezonings will be evaluated as to the availability and proximity of the road network, central water and sewer lines, public facilities and services, compatibility with the surrounding uses, and any other relevant facts affecting the public health, safety and welfare. As previously stated, the site is located in an area that is partially developed for commercial and residential uses and has opportunities for additional growth with the remaining undeveloped properties currently zoned for commercial use. The subject property is also located along North Tamiami Trail (U.S. 41) and is located on the City of Cape Coral's border, which opens additional job opportunities or allows residents from either the North Fort Myers community or the City of Cape Coral to utilize the site. Letters of availability for potable water with Lee County Utilities and sanitary sewer with FGUA state that both entities have capacity to serve the proposed use (see Attachments K and L). According to the Traffic Impact Statement (TIS) provided by the applicant (see Attachment O) and the Department of Transportation (DOT) (see Attachment N) memorandum, the proposed development's build-out year is 2029 and the impact roadway links were analyzed for current traffic conditions both with and without the project. Based on the roadway Level of Service (LOS) analysis, North Tamiami Trail is anticipated to operate below the adopted LOS standard both with and without the proposed project. Staff finds this request, as conditioned, **consistent** with **Objective 2.1, Objective 2.2, and Policy 2.2.1**.

Lee Plan Standards 4.1.4 and 4.1.2 require any commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area and generating more than 5,000 gallons of sewage per day to connect to a public water and sanitary sewer system. While the Master Concept Plan (MCP) does not provide an estimated square-footage for the development areas, the request proposes up to 30,000 square feet of commercial uses and 120,000 square feet of light industrial uses. The applicant has provided letters of availability from Lee County Utilities (Potable Water) and FGUA (Sanitary Sewer) (see Attachments K and L). Staff finds this request, as conditioned, **consistent** with **Lee Plan Standards 4.1.1 and 4.1.2**.

In any case where there exists or there is the probability of environmentally sensitive areas, 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. This assessment should also ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site and minimizes the need for expansion and construction of street and utility improvements as set forth in **Lee Plan Standard 4.1.4**. To ensure water quality is maintained or improved for the protection of the environment and people of Lee County, high water quality must be maintained and must meet or exceed state and federal water qualities pursuant to **Lee Plan Goal 125 and Objective 125.1**. An environmental assessment of the site was conducted in November of 2023 by Pennoni, and a

jurisdictional wetland determination has been obtained from the South Florida Water Management District (SFWMD), which found that the property is heavily impacted by exotic vegetation. Approximately ±4.82 acres of the site are found to be wetlands, which consists of melaleuca or disturbed lands. The uplands on the site are shown to have pine flatwoods and are made up of nearly up to 75% of exotics and the area described as palm hammock is made up of up to 50% of exotic vegetation. The applicant has provided a Master Concept Plan (MCP) (see Attachment D) that complies with **Lee Plan Policy 124.1.2** and indicates that reasonable efforts were made to minimize or avoid impacts on wetlands and non-residential land uses will be consistent with the property's Central Urban Future Land Use Designation. At the time of Development Order, the applicant will be required to design the artificial drainage systems with the site's grading being taken into consideration. Retention and detention areas as well as vegetated swale systems will be designed to minimize nutrient loading and pollution consistent with the Environmental Assessment. A surface water management plan (see Attachment T) has been provided to further describe surface water flows, groundwater levels and lake levels in accordance with **Lee Plan Policies 125.1.3 and 126.1.4**. Staff finds this request, as conditioned, **consistent** with **Lee Plan Standard 4.1.4, Goal 125, Objective 125.1, Policy 124.1.2, Policy 125.1.3 and Policy 126.1.4**.

The applicant provided a Protected Species Survey (see Attachment M, "Exhibit A") that indicates presence of a foraging little blue heron (*Egretta caerulea*) and tricolored heron (*Egretta tricolor*), which are both State threatened species. Additionally, the applicant notes that the subject property is within five miles of a wood stork core foraging area (CFA) as determined by the Florida Fish and Wildlife Service (FFWS). When a project is within five miles of a CFA, the applicant must provide habitat compensation within the appropriate CFA or service area if wetlands are impacted. If applicable, Florida Fish and Wildlife Services (FFWS) requires onsite restoration/wetland enhancement or the purchase of wetland mitigation credits. To be consistent with **Lee Plan Objectives 123.3 (Wildlife), 123.4 (Endangered and Threatened Species in General) and 123.10 (Wood Stork)**, the applicant must provide at the time of development order documentation demonstrating that either onsite restoration/enhancement or offsite mitigation is required by Florida Fish and Wildlife Service (FFWS). The applicant is proposing to preserve indigenous areas and restore areas that do not meet the indigenous vegetation definition. These areas may be utilized for mitigation with proper documentation from Florida Fish and Wildlife Service (FFWS). Staff recommends conditions to ensure protection of wildlife the subject property. Staff finds this request, as conditioned, **consistent** with **Lee Plan Objective 123.3, Objective 123.4, and Objective 123.10**.

To permit orderly and well-planned commercial development at appropriate locations within Lee County, **Goal 6 and Objective 6.1 of the Lee Plan** establishes policies that require the applicant to meet design standards for commercial development. **Lee Plan Policies 6.1.1, 6.1.3, 6.1.4, and 6.1.6** establish that commercial development must provide appropriate and adequate open space, buffering and screening to provide visual relief, architectural design to enhance the appearance, and parking areas to blend with the character of the existing and proposed surrounding uses and ensure that the commercial design protects traffic carrying capacity. Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities. **Lee Plan Policy 30.2.6** allows the properties within a Neighborhood Center and a Corridor Overlay to utilize the development standards allowed within the Mixed-Use Overlay. The applicant provided a Master Concept Plan (MCP) (see Attachment D) which, as conditioned, will be compliant with the landscape, open space, and indigenous open space requirements established in **LDC Sections 10-425, 10-420**

and 33-1572. The Master Concept Plan (MCP) provided with this request proposes commercial outparcels located along North Tamiami Trail (U.S. 41), and industrial tracts located behind the commercial outparcels. The proposed project abuts North Tamiami Trail (U.S. 41), which is a State Maintained Road. As previously mentioned, the Traffic Impact Statement (TIS) provided by the applicant (see Attachment O) and the Department of Transportation (DOT) (see Attachment N) memorandum establishes the proposed development's build-out year as 2029 and notes that the impact roadway links were analyzed for current traffic conditions both with and without the project. Based on the roadway Level of Service (LOS) analysis, North Tamiami Trail is anticipated to operate below the adopted LOS standard both with and without the proposed project. Staff finds this request, as conditioned, **consistent** with **Lee Plan Goal 6, Objective 6.1, and Policies 6.1.1, 6.1.3, 6.1.4 and 6.1.6.**

Lee Plan Policy 6.1.7 prohibits commercial developments from locating in such a way as to open new areas to premature, scattered, or strip development, but permits commercial development to infill on small parcels in areas where existing commercial development would make a residential use clearly unreasonable. Properties located along North Tamiami Trail (U.S. 41) are combination of commercially zoned and residentially zoned properties, with some properties already being developed for commercial use and residentially zoned properties being developed for residential use. As previously mentioned, the request is to rezone the property to a Mixed Use Planned Development (MPD), which will keep the current configuration of the property in terms of locating the commercial outparcels along North Tamiami Trail (U.S. 41) and keeping the industrial tract behind the commercial outparcels. Staff find this request, as conditioned, **consistent** with **Lee Plan Policy 6.1.7.**

Goal 7 of the Lee Plan promotes opportunities for well-planned industrial development at suitable locations within the County. **Lee Plan Policies 7.1.3, 7.1.4, 7.1.6, and 7.1.7** establishes that 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 timing and location of industrial development will be permitted only with the availability and adequacy of existing or planned services and facilities. Industrial development will not be permitted if it allows industrial traffic to travel through predominantly residential areas. Lastly, regulations from the Land Development Code (LDC) pertain to buffering and screening from adjacent existing or proposed residential uses to prevent visual blight and noise pollution must be maintained. The development will be utilizing the Mixed-Use Overlay Standards established in **LDC Section 10-425**. Additionally, the proposed configuration on the Master Concept Plan (MCP) depicts the industrial tract being located in a manner that is appropriately shielded from the North Tamiami Trail (U.S. 41) by the commercial outparcels and other abutting properties by the indigenous preserve, wetland preservation/restoration area, and water management lake surround the tract. Between what is being provided by the applicant and the existing 75-foot utility easement located to the west between the existing residential development located within the City of Cape Coral and proposed development subject to this request, it adequately buffers the proposed industrial development from the existing residential community located to the west of the subject property. Lastly, with the way the site has been designed and the location of the industrial development, there will be no industrial traffic traveling through any predominantly residential areas. Staff finds this request, as conditioned, **consistent** with **Lee Plan Goal 7, Lee Plan Policies 7.1.3, 7.1.4, 7.1.6, and 7.1.7.**

To protect existing residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment, **Lee Plan Policy 5.1.5** requires all new planned development rezone requests with potentially incompatible uses to be conditioned to provide enhanced development regulations to eliminate the potential impacts if the buffer requirements provided in Chapter 10 of the Land Development Code (LDC) are not sufficient enough. If no adequate conditions can be devised, the application will be denied altogether. The request is to rezone the property to a Mixed Use Planned Development (MPD). The applicant is meeting the minimum requirements of **LDC Section 10-425**, which establishes the minimum requirements for landscape buffers, open space, and indigenous open space. In addition to this, the proposed industrial tract is separated from the residential development located to the west by an existing stormwater lake, a 75-foot-wide FPL easement, and the proposed wetland and indigenous preservation areas as shown on the Master Concept Plan (MCP). Staff finds this request, as conditioned, consistent with **Lee Plan Policy 5.1.5**.

Goal 11 and Policy 11.1.1 of the Lee Plan encourages mixed use developments that integrate multiple land uses, public amenities and utilities at various scales and intensities in order to provide: diversified land development; a variety of housing types; greater connectivity between housing, workplaces, retail businesses, and other destinations; reduced trip lengths; more transportation options; and pedestrian and bicycle-friendly environments. Developments located within the Central Urban future land use category that have existing connectivity or can demonstrate that connectivity may be created to adjacent neighborhoods are strongly encouraged to be developed with two or more of the following uses: residential, commercial (including office), and light industrial (including research and development use). The subject property had undergone a Comprehensive Plan Amendment through CPA2025-00001 to change the property's Future Land Use designation from Suburban to Central Urban to allow limited industrial land uses to be permitted at the site. The request proposed commercial and light industrial uses and will interconnect with the neighboring property located to the north sometime in the future. Staff finds this request, as conditioned, consistent with **Lee Plan Goal 11 and Policy 11.1.1**.

Goal 30 of the Lee Plan aims to 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. **Lee Plan Policy 30.2.4** and **LDC Appendix I, Map 8** designate North Tamiami Trail (U.S. 41) and more specifically, the subject property, as a Neighborhood Center. It is preferred for these areas to be neighborhood-serving, mixed use development; pedestrian-friendly street sites and building designs. **Lee Plan Policy 30.3.1** encourages streetscape and landscape improvements along major roadways, including North Tamiami Trail (U.S. 41), consistent with the general provisions of the LeeScape Master Plan. The location of the proposed project will be a mixed-use neighborhood-serving development which will also provide improvement to the economic vitality of the North Fort Myers community by providing additional job opportunities. The proposed development will be subject to the regulations established in Chapter 33, Division 3 of the Land Development Code, which establishes the North Fort Myers Commercial Corridor Land Development Provisions. Additionally, **Lee Plan Policy 30.2.6** allows for developments within the North Fort Myers Commercial Corridor to utilize the development standards of the

Mixed-Use Overlay. Staff finds this request, as conditioned, consistent with **Lee Plan Goal 30, Lee Plan Policies 30.2.4, 30.3.1 and 30.2.6.**

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

As previously mentioned, the subject property is within the North Fort Myers Community Plan Area. **LDC Section 33-1532** establishes that properties within the North Fort Myers Community Plan Area must conduct one publicly advertised information session prior to obtaining a finding of sufficiency for a Planned Development zoning action. The applicant has provided a community meeting summary (see Attachment J) that meets the requirements as set forth in **LDC Section 33-1532(b)**. Additionally, **LDC Section 33-1566** establishes that all commercially zoned properties with frontage on, or contiguous to and developed in conjunction with properties with frontage on North Tamiami Trail (U.S. 41) are subject to the provisions of the North Fort Myers Commercial Corridor. As previously mentioned, the applicant has provided a list of commercial and light industrial uses that are permitted in a Mixed Use Planned Development (MPD) as set forth in **LDC Section 34-934** and are permitted by right or by Special Exception in the North Fort Myers Commercial Corridor as set forth in **LDC Section 33-1596**.

Billboards

The subject property currently has six billboards located on the site along North Tamiami Trail (U.S. 41). **LDC Section 30-183** permits billboards on any arterial street within Lee County; however, the billboard is subject to the limitations listed under **LDC Section 30-183(1)**, which allows billboards based on a property's designated Future Land Use Category. The subject property is located on North Tamiami Trail (Old 41), which is a State-Maintained roadway with an arterial functional classification. **LDC Section 30-183(1)a.**, allows billboards to be permitted in any zoning district provided the area is shown on the County Comprehensive Plan as Intensive Development, Industrial Development, Interchange areas or Tradeport. The subject property is within the Central Urban Future Land Use Category as set forth in the Lee Plan, which prohibits the subject property from having a billboard on the site. The applicant states that the billboards that are currently on the subject property have been on the site since 1984; however, aerial imagery does not clearly show all six billboards until 2001. LDC Section 30-55 establishes that in order to be deemed a "a legal nonconforming sign", the billboards would need to have been erected prior to August 21, 1985, or have had a permit issued. Lee County Records do not show that any of the existing billboards have been permitted. Staff recommends a deviation from LDC Section 30-183(1)a., to allow one billboard to remain within the Central Urban Future Land Use category and conditions requiring five of the six billboards to be removed prior to receiving a certificate of compliance for the first development order for the commercial tracts, and that the one remaining billboard will be permitted to be repaired or replaced subject to the regulations established in LDC Chapter 30 (see Attachment C).

Landscape Buffers and Open Space

As previously mentioned, the subject property is located within the North Fort Myers Community Plan area and Commercial Corridor, and the entire property is also within the North Fort Myers Community Plan areas, Neighborhood Center #2 as designated by **LDC Appendix I, Map 8. Lee Plan Policy 30.2.6** allows developments within a Neighborhood Center and a Corridor Overlay District to utilize **LDC Section 10-425**, which establishes the development standards allowed within the Mixed-Use Overlay. Environmental Staff has reviewed the case and provided a memo

(see Attachment M) that indicates the Landscape Buffer requirements, Open Space and the Indigenous Open Space requirements established in the Land Development Code (LDC).

The proposed project is classified as a “large project” in accordance with **LDC Section 10-415**. Pursuant to **LDC Section 10-425(a)**, large projects must provide a minimum of 20 percent open space. The proposed Commercial Tract is ± 4.36 acres in area and requires 20 percent or 0.87 acres of open space. The Industrial Tract is ± 13.60 acres in area and requires 20 percent or 2.72 acres of open space. The applicant is meeting the open space requirement established in **LDC Section 10-425(a)**. Additionally, **LDC Section 33-1572** requires all commercial and mixed-use projects to provide publicly accessible open space, with no less than 10 percent of the land area of a development with 40,000 square feet or more of non-residential area to be devoted to publicly accessible open space. The applicant is proposing a total of 150,000 square feet of non-residential floor area and must provide 1.80 acres of public accessible open space based on the total land area of 17.96 acres. The applicant has provided the calculation demonstrating that 1.80 acres of publicly accessible open space is required on the Master Concept Plan (MCP). A condition is recommended by staff for the 1.80 acres of publicly accessible open space to be depicted on the development order plans.

The applicant is meeting the indigenous open space requirement through the preservation and restoration of indigenous uplands and wetlands. Pursuant to the Florida Land Use Cover and Classification map provided in the Protected Species Survey, the wetlands consist of ± 10.3 acres. This meets the definition of indigenous vegetation as set forth in **LDC Section 10-1** due to the wetland having less than 75 percent exotic plant species. The areas of the preserve that do not meet the definition of indigenous vegetation will be required to be restored and if utilized to meet landscape perimeter buffer requirements, the restoration plants must meet the plant specifications per **LDC Section 10-420**. Staff is recommending a condition to ensure that the indigenous preservation area complies with **LDC Sections 10-1 and 10-415(b)(1)**.

The Environmental Staff Report (see Attachment M) establishes that the proposed buffers are as follows:

North: To the north, the subject property abuts a property zoned Commercial Planned Development (CPD) to the north, **LDC Section 10-425(f)(3)** does not require a landscape buffer to be provided when a property abuts another property that is commercially zoned.

East: To the east, the subject property abuts North Tamiami Trail (U.S. 41) and pursuant to **LDC Section 10-425(f)(1)**, a five-foot-wide buffer is required along the street right-of-way and planted with five trees per 100 linear feet. The required building perimeter planting may be used in lieu of buffer if adjacent to the street right-of-way. The applicant is complying with this requirement.

South: To the south, the subject property abuts properties zoned Commercial (C-2) and Agricultural (AG-2). LDC Section 10-425(f)(3) establishes that no buffer is required for properties that utilize development regulations of the Mixed-Use Overlay when abutting other Commercially and Agriculturally zoned properties.

West: To west, the subject property abuts a residential subdivision located within the City of Cape Coral. **LDC Section 10-425(f)(2)** establishes a ten-foot-wide buffer with Type B plantings is required along property lines which abut single-family residences. A 75-foot FPL easement

separates the subject property from the residential development, and the applicant is proposing to utilize the indigenous preservation area to meet the buffer requirements. As previously mentioned, staff is recommending Deviation 4 to allow the applicant to utilize the indigenous preservation area to meet the buffer requirements. Staff is also recommending a condition to ensure that the indigenous preserve restoration meets the plant specification established in **LDC Section 10-420(f)**, which requires ten-foot-tall trees.

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

As previously stated above, the project is located on North Tamiami Trail (U.S. 41), which is a State Maintained Arterial Road. The subject property is primarily surrounded by existing commercial zoning districts, which are both developed and undeveloped, with some residential zoning districts that are developed for residential use. The Master Concept Plan (MCP) has been designed to ensure the light industrial land uses being proposed remain hidden behind the commercial land uses being proposed along North Tamiami Trail (U.S. 41). Based on the information provided herein, the request, as conditioned, is compatible with the surrounding land uses.

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

The Master Concept Plan (MCP) (see Attachment D) indicates that access to the proposed development is proposed on North Tamiami Trail (U.S. 41). This roadway is a State-Maintained Arterial Road. As previously mentioned, the property zoned Commercial Planned Development (CPD) located to the north and abuts the subject property has a designated cross access easement. At the time of Development Order, the subject property will be required to provide physical and Legal access to this abutting property, therefore, creating an additional access point. Staff finds that there is sufficient access to support the proposed development, subject to the recommended conditions of approval.

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

A Traffic Impact Statement (TIS) (see Attachment O) was provided by the applicant, and LDOT has reviewed the proposed request and has provided a memorandum (see Attachment N). An analysis of the request (as shown within the memo) outlines the proposed project's trip generation for weekday AM and PM peak hours traffic volumes.

The memorandum states that Table 1 (as shown within the memo) outlines the estimated weekday AM and PM peak hour trips. As is standard for these land uses, no internal capture reductions were applied; however, pass-by reductions were factored for the retail component with 100% of the traffic from the project being assigned to North Tamiami Trail (U.S. 41) along the frontage of the subject property. New trips were also distributed across the surrounding network to assess impacts on the Level of Service (LOS) of arterial and collector sections. Pursuant to Administrative Code (AC) 13-17, a "significant impact" is defined as 10% or more of the LOS "C" service volumes at build-out. The development is assumed to reach build-out by 2029, and impacted roadway links were analyzed for current traffic conditions both with and without the project in accordance with the Infrastructure Planning Memorandum, Table 2.

North Tamiami Trail (U.S. 41) is projected to exceed the adopted Level of Service (LOS) standard with or without the proposed project. Florida Department of Transportation (FDOT) does not have capacity improvement projects planning in the immediate vicinity prior to the 2029 build-out date.

Based on Administrative Code (AC) 13-17, the total number of trips generated by the proposed project falls below the threshold requiring further detailed intersection or operational analysis.

- f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and*

The applicant has provided an Environmental Report and a Protected Species Survey (see Attachment M, "Exhibit A"). The subject property is currently undeveloped and has exotic vegetation throughout the site. An environmental assessment of the site was conducted in November of 2023 by Pennoni, and a jurisdictional wetland determination has been obtained from the South Florida Water Management District (SFWMD), which found that the property is heavily impacted by exotic vegetation. Approximately ± 4.82 acres of the site are found to be wetlands, which consists of melaleuca or disturbed lands. The uplands on the site are shown to have pine flatwoods and are made up of nearly up to 75% of exotics and the area described as palm hammock is made up of up to 50% of exotic vegetation.

As previously mentioned, the presence of a foraging little blue heron (*Egretta caerulea*) and tricolored heron (*Egretta tricolor*), which are both State threatened species (see Attachment M) was found. Additionally, the applicant has provided that the subject property is within five miles of a wood stork core foraging area (CFA) as determined by the Florida Fish and Wildlife Service (FFWS). When a project is within five miles of a CFA, the applicant must provide habitat compensation within the appropriate CFA or service area if wetlands are impacted. If applicable, Florida Fish and Wildlife Services (FFWS) requires onsite restoration/wetland enhancement or the purchase of wetland mitigation credits. Additionally, at the time of Development Order, the applicant must provide documentation demonstrating that either onsite (restoration/enhancement) or offsite mitigation (mitigation credits) is required by FFWS.

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

As previously discussed, the site will be adequately served by public services and Letters of Availability have been provided from Lee County Utilities and FGUA for Potable Water and Sanitary Sewer (see Attachments K and L). The closest fire station and closest Emergency Medical Service (EMS) is located at 2900 and 2910 Trail Dairy Circle, North Fort Myers, FL 33917, which is approximately ± 1 mile away from the site. The closest Lee County Sheriff's Office and furthest Emergency Medical Service (EMS) is located at 121 Pondella Road, North Fort Myers, FL 33903, approximately ± 3.85 miles from the site. The proposed project is less than a mile away from Lee Tran route 590, bus stop 2310, which is located on North Cleveland Avenue.

For Planned Development rezoning requests, the Hearing Examiner must also find:

- a) The proposed use or mix of uses is appropriate at the proposed location.*

The proposed uses for the proposed Mixed Use Planned Development (MPD) are appropriate within the subject property given the consistency with the Lee Plan Policies for the Central Urban

Future Land Use Category and the North Fort Myers Neighborhood Center and Commercial Corridor. The supplemental regulations established in the Land Development Code (LDC) and recommended conditions of approval help provide compatibility with the surrounding area.

- b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.*

Staff finds the proposed conditions appropriate for approval and as conditions the public's interests are sufficiently addressed.

- c) If the application includes deviations pursuant to Section 34-373(a)(9), that each requested deviation:*
- 1) Enhances the achievement of the objectives of the planned development; and*
 - 2) Protects the public health, safety and welfare.*

Staff finds the proposed deviations will enhance the achievement of the objectives of the planned development and will preserve and promote the general intent of this Code to protect the public health, safety, and welfare.

Conclusion

Based upon an analysis of the application, the requested rezoning from General Commercial (CG) and Light Industrial (IL) to Mixed Use Planned Development (MPD) (to allow up to 30,000 square feet of commercial uses and 120,000 square feet of light industrial uses), as conditioned, is compatible with the existing and planned uses in the surrounding area and will provide sufficient access to support the proposed development intensity. The request will not have a detrimental impact on the surrounding roadway system or have any adverse effect on environmentally critical or sensitive areas and natural resources. The site will be adequately served by public services, as defined in the Lee Plan. The proposed mix of uses are appropriate at the proposed location and the conditions recommended by staff provide sufficient safeguards for the public interest. Therefore, staff finds the request, as conditioned, meets the criteria for a rezone request pursuant to Land Development Code (LDC) Section 34-145, and recommends approval of the request with the conditions found in Attachment C.

Attachments:

- A – Expert Witness List
- B – Aerial, Current Zoning, and Future Land Use Maps
- C – Conditions and Deviations
- D – Master Concept Plan (MCP) dated March 18, 2026
- E – Applicant's Request Narrative
- F – Legal Sketch and Description
- G – Deviations and Justification
- H – Schedule of Uses
- I – Property Development Regulations
- J – Community Meeting Summary
- K – Florida Governmental Authority (FGUA) (Sewer)
- L – Lee County Utilities (Water)

M – Environmental Staff Memorandum
N – Infrastructure Planning Memorandum
O – Traffic Impact Statement (TIS)
P – Appendix I – Neighborhood Center #2 Map
Q - CPA2025-00001
R - Access Easement (Northern Parcel)
S - North Fort Myers Fire District Letter of No Objection
T – Surface Water Management Plan

ATTACHMENT A

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

Brianna Schroeder, Planner, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

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

Paige Carroll, Environmental Planner, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, zoning, and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Elizabeth Workman, Principal Planner, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

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

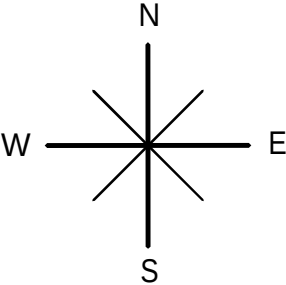
Robert Price, Director, Department of Transportation, 1500 Monroe Street, Fort Myers, FL 33901

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

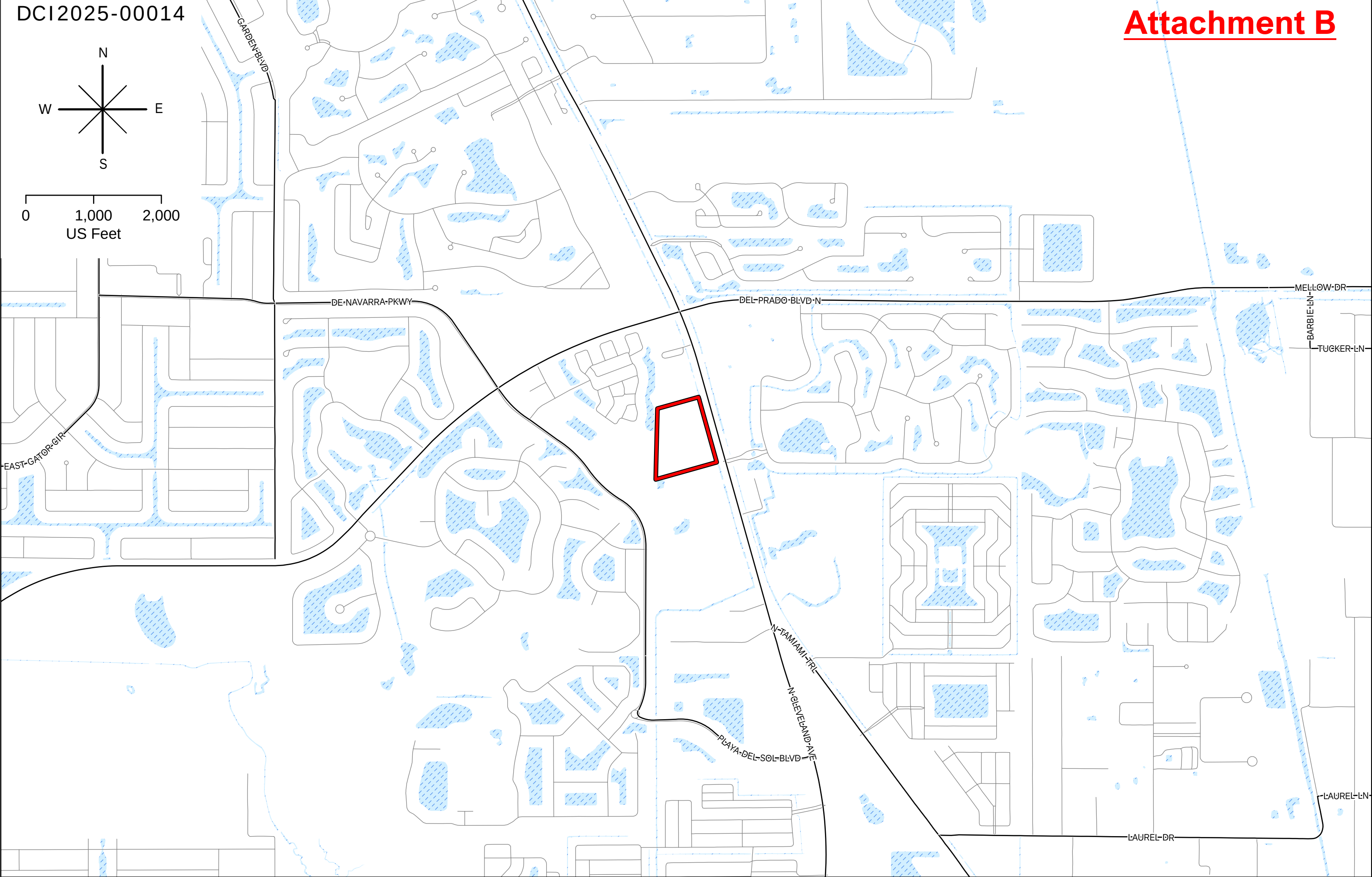
Jillian Schollar, Deputy Director, Department of Transportation, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, zoning, and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land

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



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US Feet

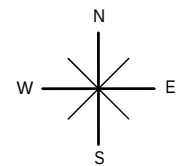




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Aerial

 Subject Property

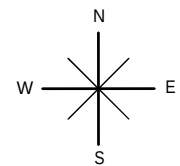
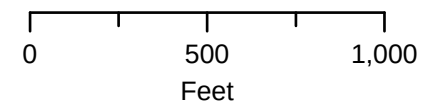


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Feet

DCI2025-00014

Future Land Use

-  Subject Property
-  Central Urban
-  Suburban
-  Wetlands



MH-2

CPD

AG-2

PUD

DEL PRADO BLVD N

CC

CPD

MH-2

CPD

AG-2

RPD

DE NAVARRA PKWY

IL

CG

N MIAMI FRL

AG-2

C-2

RPD

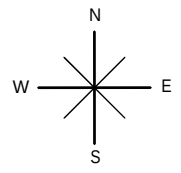
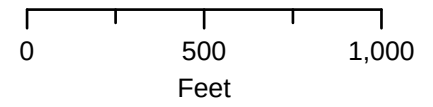
AG-2

CG

DCI2025-00014

Zoning

 Subject Property



Honc 41 MPD (DCI2025-00014)

Attachment C – Conditions and Deviations

Section A. – Conditions

1. The development of this project must be consistent with the Master Concept Plan (MCP) entitled “Honc 41 MPD” prepared by EnSite dated March 18, 2026 (Attachment D). This development must comply with all requirements of the Lee County LDC at the time of local development order, except as may be granted by deviation as part of this planned development. If changes to the MCP or conditions or deviations are subsequently pursued, appropriate approval will be necessary.

This project is limited to 30,000 square feet of commercial uses and 120,000 square feet of light industrial uses, subject to the conditions enumerated herein.

2. The following limits apply to the project and uses:

a. Schedule of Uses

1. Commercial Tracts
Accessory Uses and Structures
Administrative Offices
Animals, Clinic
ATM (Automatic Teller Machine)
Banks and Financial Establishments, All Groups
Boat Parts Store
Broadcast Studio, Commercial Radio and Television
Building Materials Sales
Business Services, All Groups
Car Wash
Clothing Stores, General
Clubs:
 Fraternal
 Membership Organization
 Private
Convenience Food and Beverage Store
Day Care Center, Adult, Child
Drive Through Facility for Any Permitted Use
Drugstore
Pharmacy
Entrance Gates and Gatehouses
EMS, Fire or Sheriff's Station
Essential Services
Excavation:
 Water Retention
Fences and Walls
Hardware Store
Hobby, Toy and Game Shops

Household and Office Furnishings, All Groups

Insurance Companies

Lawn and Garden Supply Stores

Medical Office

Nonstore Retailers, Group I

Package Store

Parking Lot:

Accessory

Temporary

Personal Services, All Groups

Pet Services

Pet Shop

Plant Nursery

Post Office

Printing and Publishing

Recreational Facilities, Commercial:

Group I

Group IV, limited to only "Theater, indoor"

Rental or Leasing Establishment:

Group I

Group II

Group III

Repair Shops:

Group I

Group II

Group III

Restaurant, Fast Food

Restaurants, All Groups

Schools:

Commercial

Signs

Specialty Retail Shops:

Group I

Group II

Group III

Studio

Temporary Uses

Theatre, Drive-in

Transportation Services:

Group II

Used Merchandise Stores:

Group I

Group II

Variety Store

Vehicle and Equipment Dealer:

Group I

Group II

2. Industrial Tract

Accessory Uses and Structures
Administrative Offices
ATM (Automatic Teller Machine)
Automobile Repair and Service, All Groups
Automobile Service Station
Boats:
 Boat Repair and Service
 Boatyard
Building Materials Sales
Business Services:
 Group II
Cleaning and Maintenance Services
Cold Storage, Pre-cooling Warehouse and Processing Plant
Computer and Data Processing Services
Contractors and Builders, All Groups
Drive Through Facility for any Permitted Use
Entrance Gates and Gatehouses
Essential Services
Excavation:
 Water retention
Factory Outlets (point of manufacture only)
Farm Equipment, Sales, Storage, Rental or Service
Fences and Walls
Freight and Cargo Handling Establishments
Parcel and Express Services
Parking Lot:
 Accessory
 Temporary
Processing or Packaging for Agricultural or Fish Products
Processing and Warehousing
Recycling Facility
Rental or Leasing Establishment, All Groups
Repair Shops, All Groups

b. Site Development Regulations

1. Commercial Tracts – Setbacks, Height, and Lot Coverage

Setbacks (Building):

North (Side) – 15 feet
East (Street) – 25 feet
West (Rear) – 25 feet
South (Side) – 15 feet
Waterbody – 25 feet

Height: 35 feet

Open Space: 20%

Maximum Lot Coverage: 40%

2. Industrial Tract - Setbacks, Height, and Lot Coverage

Setbacks (Building):

North (Side) – 25 feet

East (Street) – 25 feet

West (Rear) – 25 feet

South (Side) – 25 feet

Waterbody – 25 feet

Height: 35 feet

Open Space: 20%

Maximum Lot Coverage: 40%

3. Open Space, Indigenous Open Space, and Publicly Accessible Open Space

a. Commercial Tracts:

Open Space: Prior to the issuance of a development order for the commercial tract, the applicant must depict 20 percent (0.87 acres) of open space.

Indigenous Open Space: The first development order for the Commercial Tract must depict 0.44 acres of indigenous open space and provide an Indigenous Management Plan. If exotic vegetation is over 75 percent of the total indigenous open space area, an Indigenous Restoration Plan is required.

b. Industrial Tract

Open Space: Prior to the issuance of a development order for the industrial tract, the applicant must depict 20 percent (2.72 acres) of open space.

Indigenous Open Space: The first development order for the Industrial Tract must depict 1.36 acres of indigenous open space and provide an Indigenous Management Plan. If exotic vegetation is over 75 percent of the total indigenous open space area, an Indigenous Restoration Plan is required.

c. The first development order for both tracts must depict 1.80 acres of publicly accessible open space, if consolidated, the applicant must demonstrate compliance with LDC Section 33-1572(c).

4. Landscape Buffers: The applicant may provide restoration planting areas to meet the buffer requirements to the west, if the restoration planting meets the buffer specifications pursuant to LDC Section 10-420(f).

5. Protected Species

- a. Prior to any development order approval, the applicant or successor must submit documentation from Florida Fish and Wildlife Service regarding the protection measures for the protected species. If onsite mitigation is required, the Indigenous Restoration Plan must incorporate onsite mitigation plans into the restoration plan.
 - b. Prior to the issuance of a Vegetation Removal Permit for any improvements to land, the applicant must provide a receipt of payment for offsite mitigation, if applicable.
6. Billboard: Prior to obtaining a Certificate of Compliance for the commercial tracts, only one of the six existing billboards will be permitted to remain on-site and may be repaired or replaced subject to the regulations established in LDC Chapter 30.

Section B. Deviations

1. **Deviation (1)** seeks relief from **LDC Section 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, to allow for one point of ingress or egress for the subject property.

This deviation is **APPROVED**, subject to the condition that prior to development order issuance, construction of a stub out to align with the cross-access easement (Instrument # 2014000094185) located on the abutting property to the North as shown on the Master Concept Plan (MCP) (Attachment "D") must be provided.

2. **Deviation (2)** seeks relief from **LDC Section 10-610(e)**, which requires adjacent commercial uses to provide parking lot interconnections for automobile, bicycle and pedestrian traffic, to allow no interconnection to the south.

This deviation is **APPROVED**.

3. **Deviation (3)** seeks relief from **LDC Section 10-329(d)(1)a.3**, which requires all new excavations for water retention and detention to be setback 50 feet from any private property line under separate ownership, to allow a setback of 30 feet from any private property line under separate ownership.

This deviation is **APPROVED**.

4. **Deviation (4)** seeks relief from **LDC Section 10-425(f)(2)**, which requires a ten-foot-wide buffer with Type B plantings along property lines which abut single-family residences, to allow the indigenous preserve to meet the buffer requirements.

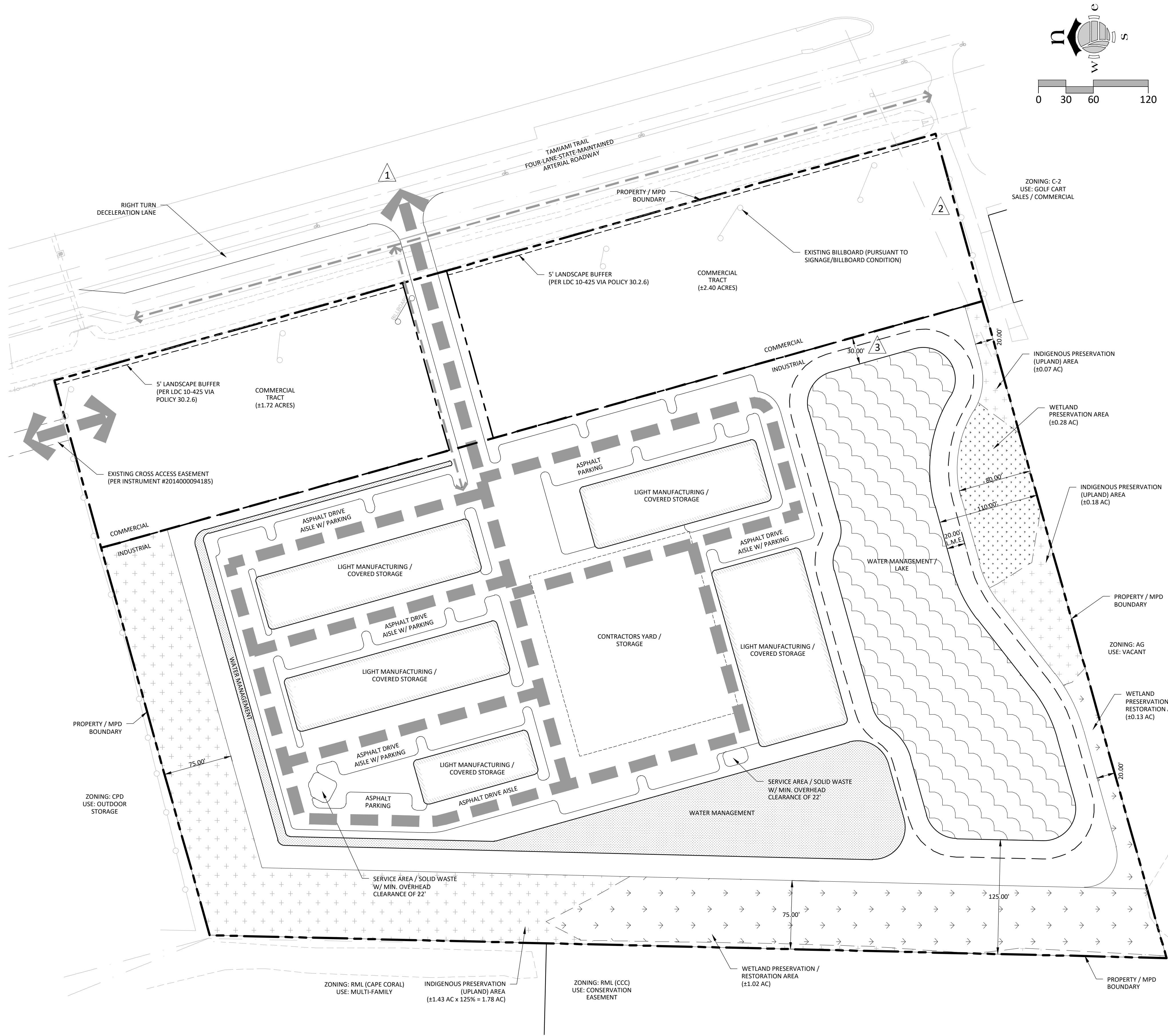
This deviation is **APPROVED**, subject to Condition 4.

5. **Deviation (5)** seeks relief from **LDC Section 30-183(1)a**, which limits billboards to the Intensive Development, Industrial Development, Interchange Areas, and Tradeport Future

Land Use Categories, to allow one of the six existing billboards to remain on the subject property, which is located in the Central Urban Future Land Use Category.

This deviation is **APPROVED**, subject to Condition 6.

Attachment D



OPEN SPACE CALCULATIONS:

TOTAL PROJECT AREA	±17.96 AC.
TOTAL COMMERCIAL AREA	±4.36 AC.
COMMERCIAL OPEN SPACE REQUIREMENT (20% OF TOTAL):	±0.87 AC. *
(50% OF REQ'D OPEN SPACE INDIGENOUS)	±0.44 AC)
TOTAL INDUSTRIAL AREA:	±13.60 AC.
INDUSTRIAL OPEN SPACE REQUIREMENT (20% OF TOTAL)	±2.72 AC.
(50% OF REQ'D OPEN SPACE INDIGENOUS)	±1.36 AC.)
TOTAL OPEN SPACE REQUIREMENTS:	
REQUIRED OPEN SPACE	±3.59 AC
PROVIDED OPEN SPACE	±3.59 AC **
REQUIRED INDIGENOUS OPEN SPACE	±1.80 AC
PROVIDED INDIGENOUS OPEN SPACE	±3.46 AC
OTHER	±0.04 AC

*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.

PUBLICLY ACCESSIBLE SPACE CALCULATIONS:

TOTAL PROJECT AREA	±17.96 AC.
PER SECTION 33-1572 10% OF SITE AREA DEVOTED TO PUBLICLY ACCESSIBLE OPEN SPACE:	17.96 AC X 10% = 1.80 ACRES REQUIRED.
AREA TO BE PROVIDED DURING DEVELOPMENT ORDER REVIEW.	

COMMERCIAL TRACT

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%

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

INDUSTRIAL TRACT

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

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

NOTES:

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.

DEVIATIONS

- 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.
- 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.
- DEVIATION FROM LDC 10-328(d)(13), WHICH REQUIRES NEW EXCAVATIONS FOR WATER RETENTION AND DETENTION SETBACK OF FIFTY (50') FEET OF ANY PRIVATE PROPERTY LINE UNDER SEPARATE OWNERSHIP, TO ALLOW A SETBACK OF THIRTY (30') FEET FROM THE FUTURE COMMERCIAL PARCEL INTERNAL TO THE DEVELOPMENT.

LEGEND:

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

ensite
2401 FIRST STREET, SUITE 201
FORT MYERS, FLORIDA 33901
PH: (239)-226-0024
EB-26544 CA-LC26000374

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

CLIENT NAME AND ADDRESS

17701 N. TAMAMI
HONC 41 MPD
NORTH FORT MYERS

PROJECT NAME AND LOCATION

NO.	REVISION	DATE
R1	PER LEE COUNTY COMMENTS	9-10-25
R2	PER LEE COUNTY COMMENTS	12-02-25
R3	PER LEE COUNTY COMMENTS	01-15-26
R4	PER LEE COUNTY COMMENTS	03-03-26

DATE:	05-27-25
PROJECT NO.	1333-01
FILE NO.	1333-03 CON.dwg
SCALE:	AS SHOWN

MASTER
CONCEPT PLAN

SHEET TITLE

MCP-01

SHEET NUMBER

SHEET NUMBER

Attachment E

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

**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

DESCRIPTION TO ACCOMPANY SKETCH

EXHIBIT "A"

A PARCEL OF LAND BEING A PORTION OF LOTS 16, 17, 18, 19, 20, 21, 22, 23, 24 & 25, BLOCK 1, TAMIAMI CITY,

(PLAT BOOK 9, PAGES 6-7)
SECTION 22, TOWNSHIP 43 SOUTH, RANGE 24 EAST,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA

DESCRIPTION:

A PLOT OR PARCEL OF LAND LYING IN A PORTION OF LOTS 16, 17, 18, 19, 20, 21, 22, 23, 24 AND 25, AS RECORDED IN PLAT BOOK 9, PAGES 6 THROUGH 7, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID PLOT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 43 SOUTH, RANGE 24 EAST, THENCE RUN S.01°22'01"W. ALONG THE WEST LINE OF SAID SECTION TO THE NORTHWEST CORNER OF THE AFORESAID LOT 16, BLOCK 1, FOR 1,653.65 FEET, FOR A POINT OF BEGINNING; THENCE RUN N.74°21'15"E. ALONG THE NORTHERLY LINE OF SAID LOT 16 TO A POINT ALONG THE WESTERLY RIGHT OF WAY LINE OF TAMIAMI TRAIL (U.S. 41 / S.R. 45, 250.00 FEET WIDE), LYING 50.00 FEET WESTERLY OF THE EASTERLY LINE OF THE AFORESAID BLOCK 1, FOR 629.73 FEET; THENCE RUN S.15°38'45"E., 50.00 FEET WESTERLY, AS MEASURED ON A PERPENDICULAR AND PARALLEL TO SAID EASTERLY LINE OF BLOCK 1, TO A POINT ALONG THE SOUTHERLY LINE OF THE AFORESAID LOT 25, FOR 999.70 FEET; THENCE RUN S.74°21'15"W. ALONG SAID SOUTHERLY LINE TO THE WEST LINE OF SAID BLOCK 1, BEING A POINT ALONG THE AFORESAID WEST LINE OF SECTION 22, FOR 935.61 FEET; THENCE RUN N.01°22'01"E. ALONG SAID WEST LINE OF BLOCK 1 AND SECTION 22, FOR 1045.45 FEET; TO THE POINT OF BEGINNING.

CONTAINING 782,432 SQUARE FEET OR 17.96 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE AFORESAID WEST LINE OF SECTION 22, TOWNSHIP 43 SOUTH, RANGE 24 EAST, AS BEING S.01°22'01"W.

Phillip M
Mould, LS6515,
State of Florida

Digitally signed by
Phillip M Mould,

LS6515, State of Florida

Date: 2025.05.16

08:14:25 -04'00'

PHILLIP M. MOULD
PROFESSIONAL SURVEYOR AND MAPPER, LS6515
MAY 14, 2025

REVIEWED

Project: DCI2025-00014

By: Richard Burris

Dept: Legal Review

Date: 07/15/2025

SHEET 2 OF 2

TC-B1-L16

Attachment G

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 for the subject property.

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. There is an existing access easement located on the northern property for cross access and eventually, upon development of the north parcel off-site and this site, two access points on US 41 would exist.

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, to allow no interconnect to the south.

JUSTIFICATION: The proposed deviation would allow for no parking lot interconnection between the subject property and the southern abutting property. The southern abutting property is developed as a golf cart sales/repair/storage facility, and authorization to connect to that parcel has not been obtained to date. It would be detrimental to the adjacent property owner to require a connection with the subject property, this would result in the loss of usable area on their property.

3. A deviation from LDC Sec. 10-329(d)(1)3, which requires new excavations for water retention and detention setback of fifty (50') feet of any private property line under separate ownership, to allow a setback of thirty (30') feet from the future commercial parcel internal to the development.

JUSTIFICATION: The proposed deviation would allow for a smaller water body setback for the proposed interior lot lines of the development. This will allow for a greater area of water management on the site and as the project is proposing interior lot lines within the project, does not affect properties outside this MPD development.

Attachment H

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

**Commercial Tract**

Accessory uses and structures
 Administrative Offices
 Animal Clinic
 ATM
 Banks and financial establishments, all groups
 Boat parts store
 Broadcast studio, commercial radio and television
 Building materials sales
 Business services, all groups
 Car wash
 Clothing stores, general
 Clubs:
 Fraternal, membership organization,
 Private
 Convenience food and beverage store
 Day care center, child, adult
 Drive through facility for any permitted use
 Drugstore, pharmacy
 Entrance gates and gatehouse
 EMS, fire or sheriff's station
 Essential services
 Excavation
 Water retention
 Fences, walls
 Hardware store
 Hobby, toy and game shops
 Household and office furnishings, all groups
 Insurance companies
 Lawn and garden supply stores
 Medical office
 Nonstore retailers, Group I
 Package store
 Parking lot:
 Accessory
 Temporary
 Personal services, all groups
 Pet services
 Pet shop
 Plant nursery
 Post office
 Printing and publishing
 Recreation facilities, commercial
 Group I
 Rental or leasing establishment,
 Group I
 Group II
 Group III
 Repair shops,
 Group I

- Group II
- Group III
- Restaurant, fast food
- Restaurants, all groups
- Schools:
 - Commercial
- Signs in accordance with Ch 30
- Specialty retail shops,
 - Group I
 - Group II
 - Group III
- Studios
- Temporary uses
- Theater, indoor or outdoor (drive-in)
- Transportation services,
 - Group II
- Used merchandise stores,
 - Group I
 - Group II
- Variety store
- Vehicle and equipment dealers,
 - Group I
 - Group II

Industrial Tract

- Accessory uses and structures
- Administrative Offices
- ATM
- Automobile repair and service, all groups
- Automobile service station
- Boats:
 - Boat repair and service
 - Boatyard
- Building materials sales
- Business services
 - Group II
- Cleaning and maintenance services
- Cold storage, pre-cooling warehouse and processing plant
- Computer and data processing services
- Contractors and builders, all groups
- Drive through facility for any permitted use
- Entrance gates and gatehouse
- Essential services
- Excavation
 - Water retention
- Factory outlets (point of manufacture only)
- Farm equipment, sales, storage, rental or service
- Fences, walls
- Freight and cargo handling establishments
- Parcel and express services
- Parking lot:
 - Accessory
 - Temporary
- Processing or packaging for agricultural or fish products
- Processing and warehousing
- Recycling facility
- Rental or leasing establishment, all groups
- Repair shops, all groups

Research and development laboratories

Group I

Group IV

Retail and wholesale sales, when clearly incidental and subordinate to a permitted principal use on the same premises

Signs in accordance with Ch 30

Storage:

Indoor

Open Storage

Transportation services,

Groups II and IV

Vehicle and equipment dealers, all groups

Warehouse

High cube

Hybrid

Mini-warehouse

Private

Public

Wholesale establishments,

Group I

Group III

Group IV

Attachment I

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



HONC 41

Mixed Use Planned Development
PROPERTY DEVELOPMENT REGULATIONS

COMMERCIAL TRACT

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%

INDUSTRIAL TRACT

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%

Attachment J

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.

A handwritten signature in blue ink, appearing to read "Cindy Leal Brizuela".

Cindy C. Leal Brizuela, AICP, MURP
Principal Planner



PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

EnSite, Inc.
2401 First St, Suite 201
Fort Myers FL 33901

STATE OF WISCONSIN, COUNTY OF BROWN

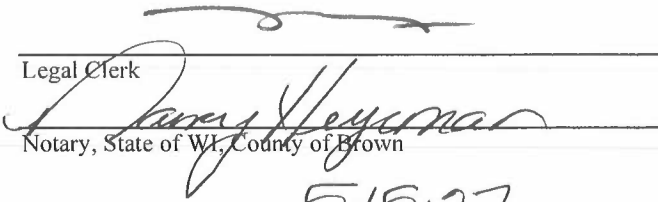
Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Public Notices,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

06/16/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

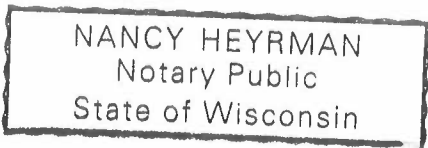
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 06/16/2025

Legal Clerk


Notary, State of WI, County of Brown

My commission expires

Publication Cost:	\$106.78	
Tax Amount:	\$0.00	
Payment Cost:	\$106.78	
Order No:	11389833	# of Copies:
Customer No:	1491162	0
PO #:	LSAR0312517	

THIS IS NOT AN INVOICE!*Please do not use this form for payment remittance.*

NANCY HEYRMAN
Notary Public
State of Wisconsin

Future Land Use Change & Rezoning Public Notice

A Public Informational Meeting will be held on July 1st at 6 PM at North Fort Myers Recreation Center, located at 2000 North Recreation Park Way, North Fort Myers, FL 33903. The meeting presentation will discuss a proposed Comprehensive Plan Amendment and a Mixed Use Planned Development (no residential units proposed) of +/-17 acres of property. The comprehensive plan amendment is to alter the future land use from Suburban to Central Urban. The project site is identified as Lee County STRAP #22-43-24-01-00001.0160 located at 17701 N Tamiami Trail. The Applicant will be seeking project review from the NFM Design Review Panel for this effort. For more information, please contact nfmplanningpanel@gmail.com, the NFM Design Review Panel. Cindy Leal Brizuela, AICP, MURP with EnSite, Inc. and Richard Akin with Henderson Franklin will be the representatives for the Applicant.
June 16 2025
LSAR0312517

HONC 41

North Fort Myers Design Review Panel

July 1, 2025



► **Applicant:** Honc Docks & Lifts

► +/- 17.96 AC

► Abuts N Tamiami Trail

► **Future Land Use:** Suburban

► **Zoning:** Industrial Light (IL) and Commercial General (CG)

► **Request #1:**

to change future land use designation from Suburban to Central Urban; *Lee Plan Policy does not allow for industrial uses within the "Suburban" FLU category*

► **Request #2:**

to rezone from IL and CG to MPD (Mixed-Use Planned Development); *commercial along the frontage and industrial at the rear of the property.*



Existing Future Land Use

[Policy 1.1.5 – Suburban]

The suburban future land use category will consist of predominantly residential areas that are either on the fringe of the central urban or urban community future land use categories or in areas where it is appropriate to protect existing or emerging residential neighborhoods. This category provides housing near the more urban areas but does not provide the full mix of land uses typical of urban areas. **Industrial land uses are not permitted.** This category has a standard density range from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre). The maximum total density may only be increased to eight dwelling units per acre (8 du/acre) utilizing greater pine island transfer of development units except in areas that. Specifically prohibit bonus density. Other forms of bonus densities are not allowed.

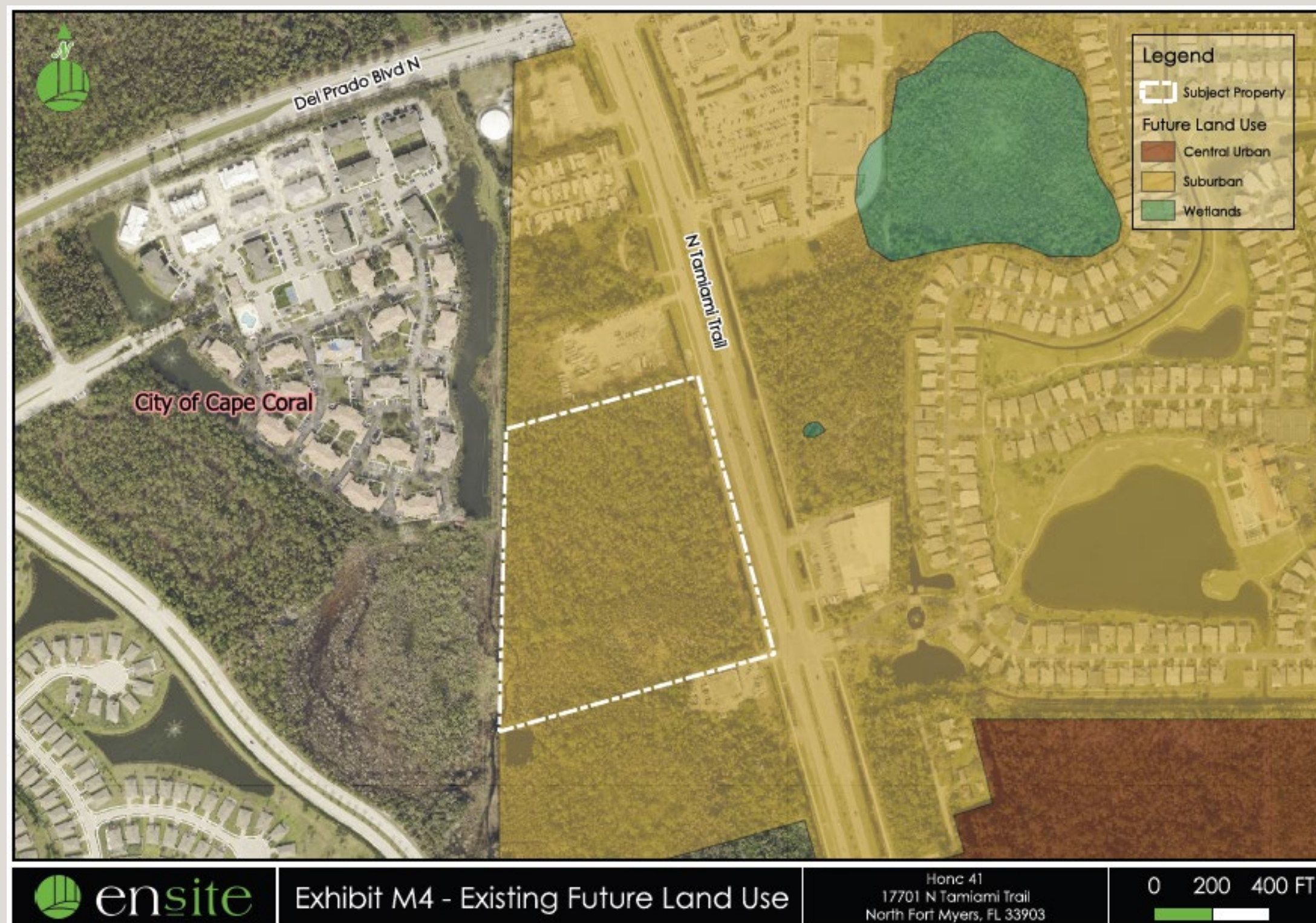
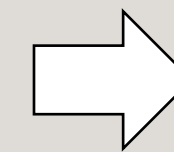
Proposed Future Land Use

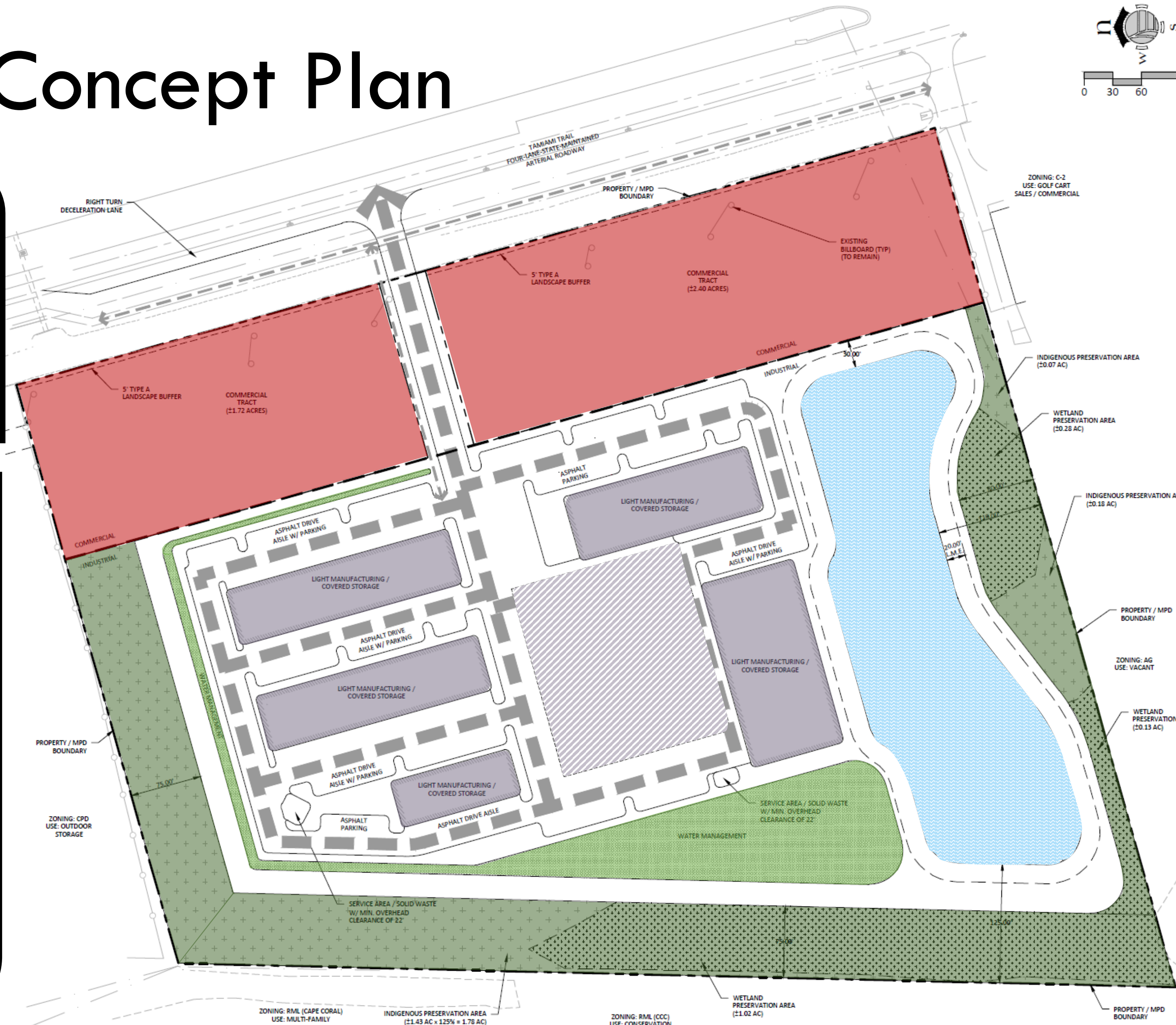
[Policy 1.1.3 – Central Urban]

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.

FLU Map Amendment

- The proposed Future Land Use map amendment would allow for light industrial uses to take place on the property.





The property's size & proposed intensity requires a planned development zoning.

**NOTE: 50% INDIGENOUS REQUIREMENT IS MET THROUGH THE INDIGENOUS/WETLAND RESTORATION & PRESERVATION AREA

NOTES:

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:

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



FGUA c/o Accenture
9400 Southpark Center Loop, Suite 400
Orlando, FL 32819
(877) 552-3482 Toll Free
(407) 629-6900 Tel

March 10, 2025

Brian Smith
EnSite
2401 First Street, Ste 201
Fort Myers, FL 33901
permitting@en-site.com

RE: Wastewater and Reclaim Water Availability – LOA ID#: 25-040 NFMD

Parcel ID No.: 22-43-24-01-00001.0160

17701 N Tamiami Trl, North Fort Myers, FL 33903

HONC US 41

Dear Mr. Smith:

The FGUA has received your Application for Service Availability, and upon review, it has been determined that wastewater disposal service is generally available to the address provided. The attached site map indicates the approximate size and location of the existing mains in the area. Please be advised that main extensions, connection to the reclaimed water system, and other system enhancements funded by the project sponsor may be required.

The application indicated that the proposed project consists of a mixed commercial and industrial project with an estimated wastewater disposal demand of 15,633 GPD. Currently, FGUA facilities are able to accommodate this demand. During the design process, if existing conditions warrant, a hydraulic analysis may need to be performed by the project engineer to evaluate the impacts the proposed project may have on the existing wastewater system.

This letter should not be construed as a commitment to serve, but only as a statement of the availability of service and is effective for twelve (12) months from the date of issue. The FGUA commitment to serve will be made once a Utility Infrastructure Conveyance and Service Agreement (CSA) is fully executed. To move this project forward, contact Development Services via email at devservices@fgua.com to receive a plan submittal package and schedule the pre-application meeting if required.

FGUA Board of Directors

PAM KEYES, P.E., Vice Chair, Lee County / KEN CHEEK, P.E., Citrus County / SHANE PARKER, P.E., Vice Chair, Hendry County / TAMARA RICHARDSON, P.E., Chair, Polk County / ADOLFO GONZALEZ, P.E., Pasco County / JOSHUA KRAMER, P.E., Marion County / HEIDI PETITO, Flagler County

Sincerely,

FLORIDA GOVERNMENTAL UTILITY AUTHORITY

Paul Arnett
Development Services Manager

CC: Mike Currier, South Region Area Manager

Encl.

1. Pre-Development Meeting Information
2. Utility Locates
3. Fee Statement/Receipt

FGUA Board of Directors

PAM KEYES, P.E., Vice Chair, Lee County / KEN CHEEK, P.E., Citrus County / SHANE PARKER, P.E., Vice Chair, Hendry County / TAMARA RICHARDSON, P.E., Chair, Polk County / ADOLFO GONZALEZ, P.E., Pasco County / JOSHUA KRAMER, P.E., Marion County/ HEIDI PETITO, Flagler County



Development Services Division

Pre-Application Meeting Information

Purpose:

The pre-application meeting is designed to be an informative discussion, specifically geared toward assisting the applicant (owner/developer/engineer) understand the FGUA's policies and development process. The pre-application meeting may be required prior to the formal submission and review of any utility construction plans by the Development Division.

It is our goal to assist you through the FGUA development process as smoothly as possible, and for your development to be a success. This pre-application meeting, if required, will provide you with the details you need to make this a successful and stress-free process.

What to Expect:

If the meeting is required, you will be provided with a variety of both general and specific information regarding the FGUA's development process. This will include, but not be limited to staff contact information, plan review guidelines, current fees, conveyance, and closeout procedures.

Who Should Attend:

It is encouraged that a representative from the property owner, developer, and engineer, at a minimum, attend this meeting. Representatives of the FGUA's Development Division, including the Development Technician, Development Services Manager, and utility system Area Manager will also be in attendance as required.

In an effort to accommodate the potential long-distance commute between the FGUA's Operations Office in Orlando, Florida and the FGUA system areas, these meetings will take place via Microsoft Teams.

Meeting Requests:

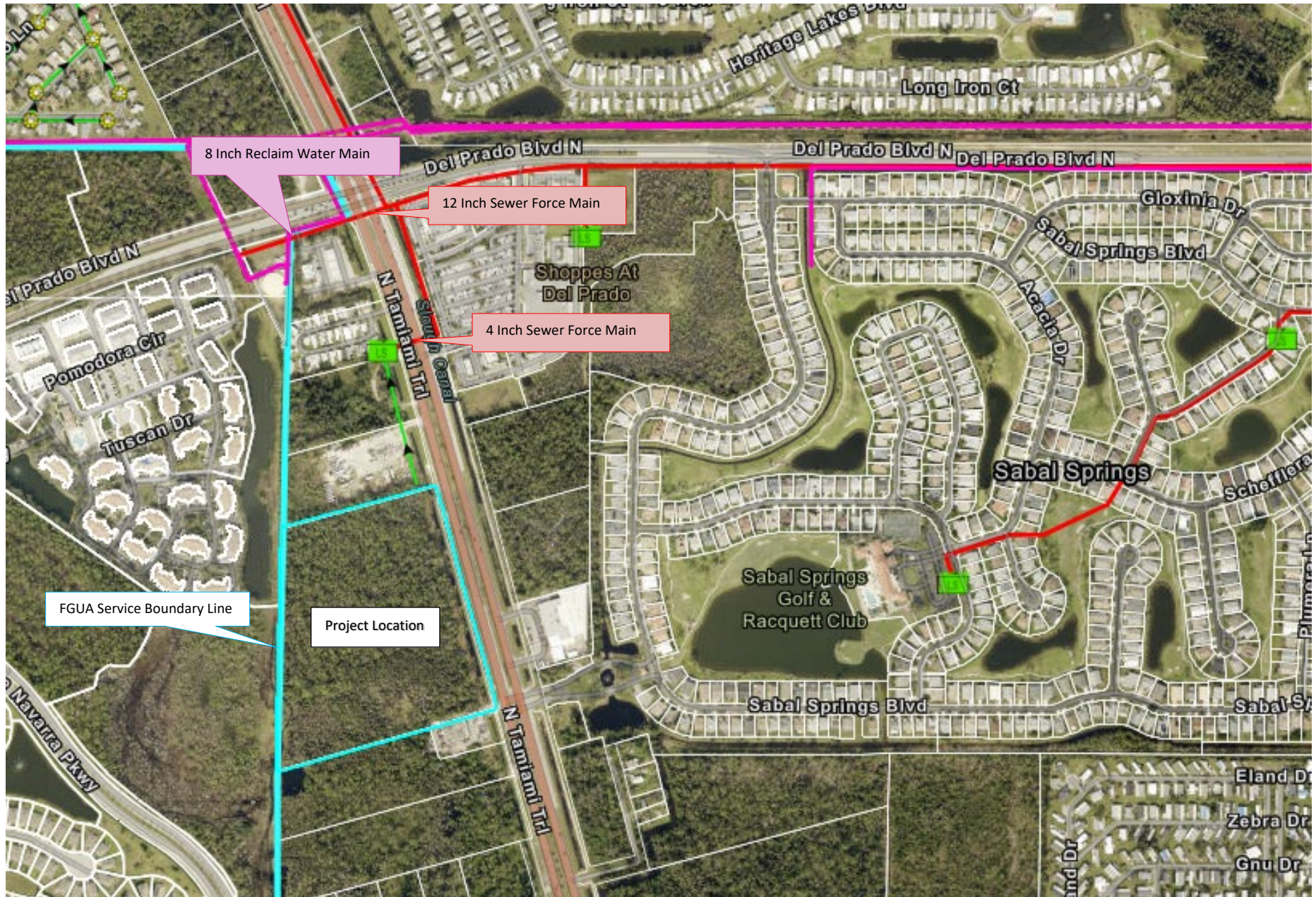
Please e-mail Development Services to request a meeting at devservices@fgua.com.

Please have your FGUA Letter of Availability (LOA) Number (included on the first page of your previously issued Letter of Availability) ready when you email to schedule this meeting.

You will also be required to provide a preliminary site utility plan for staff review before the meeting is scheduled.

FGUA Board of Directors

PAM KEYES, P.E., Vice Chair, Lee County / KEN CHEEK, P.E., Citrus County / SHANE PARKER, P.E., Vice Chair, Hendry County / TAMARA RICHARDSON, P.E., Chair, Polk County / ADOLFO GONZALEZ, P.E., Pasco County / JOSHUA KRAMER, P.E., Marion County / HEIDI PETITO, Flagler County



ALL UTILITY LOCATIONS SHOWN HERE ARE APPROXIMATE. THE DEVELOPER IS SOLELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS VIA POTHOLING OR OTHER ACCEPTABLE MEANS.



FGUA Fee Statement

Letter of Availability and/or Locate Request

Property Address or PID: 17701 N Tamiami Trl, North Fort Myers, FL 33903

System: North Fort Myers 416

Development/Project Name: HONC US 41

Date: February 27, 2025

County: Lee

LOA ID: 25-040 NFMD

All fee amounts are based on the rates in effect as of the date of this statement and are subject to change.

Fees based on:

0 Letter of Utility Location Availability and Locate Map	\$	100.00
1 Utility Availability Map (Map Only)	\$	75.00
2 Letter of Utility Location Availability (Letter Only)	\$	25.00

FGUA

G/L Code

Fees

Total fees

Amount Paid

Balance Due

LOA Request

202098	\$	100.00	\$	100.00	\$	100.00	\$	-
--------	----	--------	----	--------	----	--------	----	---

Fees Due: \$ -

Payment History

Date

Check Date

Check #

Payer Name

Amount

0 Letter and Locate Map	2/27/2025	2/12/2025	6876	EnSite Inc	\$	100.00
1 Map Only						
2 Letter Only						

Attachment L

BOARD OF COUNTY COMMISSIONERS

Kevin Ruane
District One

February 6, 2025

Via E-Mail

Cecil L Pendergrass
District Two

Brian R. Smith

David Mulicka
District Three

En-Site, Inc.

Brian Hamman
District Four

2401 First Street, Suite 201

Fort Myers, FL 33901

Mike Greenwell
District FiveRE: **Potable Water Availability**Dave Harner, II
County Manager**Honc US 41 MPD - 17701 N. Tamiami Trail, North Fort Myers, FL 33903**
STRAP # 22-43-24-01-00001.0160Richard Wm. Wesch
County Attorney

To whom this may concern:

Donna Marie Collins
County Hearing
Examiner

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

Your firm has indicated that this project will consist of four commercial units consisting of shopping center, self-storage facility, and office building with an estimated flow demand of approximately 15,633 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water service as estimated above.

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

Sanitary sewer service will be provided by Florida Governmental Utility Authority.

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

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

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

February 6, 2025

Page 2

Further, this letter of availability of potable water service is to be utilized for Planned Development Application only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

Ashanti Shahriyar

LEE COUNTY UTILITIES

Ashanti Shahriyar

Plan Reviewer

239-533-8531

UTILITIES ENGINEERING

Lee County, Florida
DEPARTMENT OF COMMUNITY DEVELOPMENT
ENVIRONMENTAL STAFF REPORT

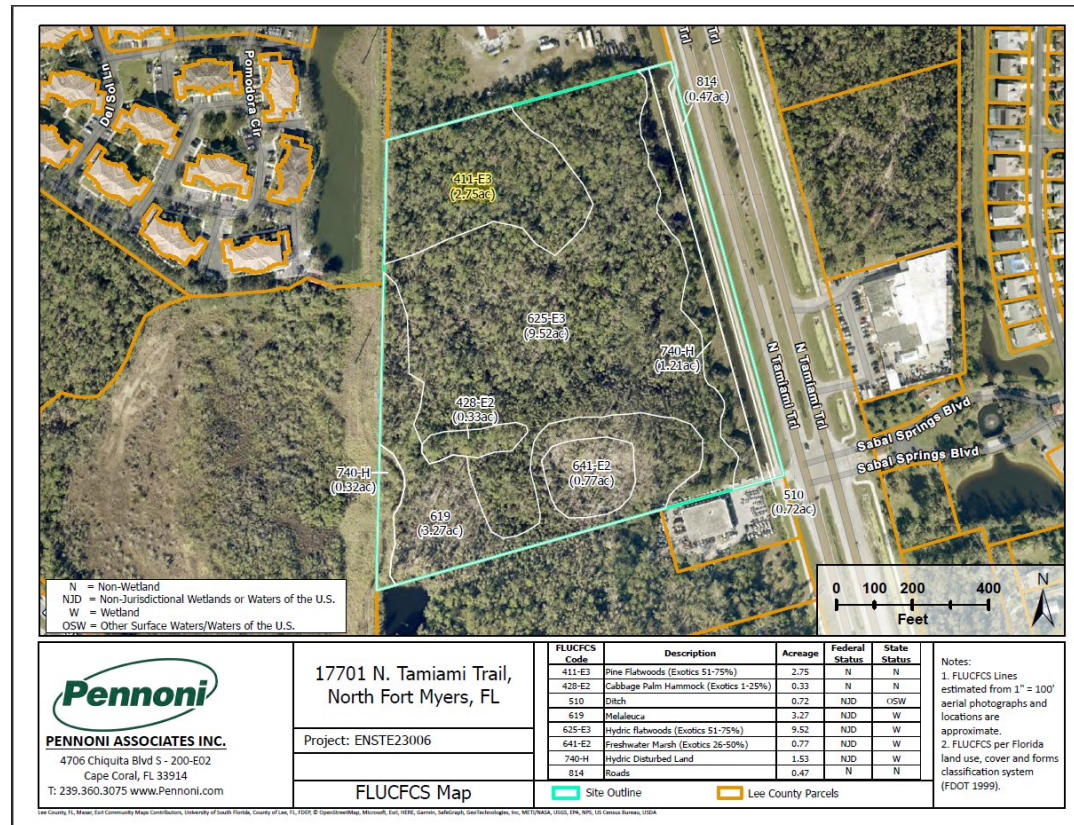
CASE NUMBER: DCI2025-00014
TYPE OF CASE: Rezone
CASE NAME: Honc 41 MPD
TOTAL ACREAGE: 17.96 ±
SUFFICIENCY DATE: 04/15/2026
HEARING EXAMINER DATE: June 25, 2026

Request

The applicant is requesting a rezoning of 17.96 acres from Light Industrial (IL) and General Commercial (CG) to Mixed-Use Planned Development (MPD) to allow for the development of 30,000 square feet of commercial uses and 120,000 square feet of industrial uses.

Existing Conditions

The subject property is located within North Fort Myers Community Planning Area (Lee Plan Goal 30) and the Central Urban and Wetland Future Land Use categories. The property is located west of N Tamiami Trail and can utilize development standards allowed within the Mixed-Use Overlay per Lee Plan Policy 30.2.6.



The subject property is currently undeveloped and has exotic vegetation throughout the site.

Buffers

The property is located west of N Tamiami Trail and can utilize development standards allowed within the Mixed-Use Overlay per Lee Plan Policy 30.2.6.

The proposed development abuts a Commercial Planned Development to the north, N Tamiami Trail to the east, Commercial (C-2) and Agricultural (AG-2) zoned properties to the south, and residential subdivision to the west in Cape Coral. The required buffers are as follows with modifications:

North: Per LDC Section 10-425(f)(3) no buffer is required for properties that utilized development regulations of the Mixed-Use Overlay when abutting other Commercially zoned properties.

East: Per LDC Section 10-425(f)(1) a five-foot-wide buffer is required along the right-of-way and planted with five trees per 100 feet linear feet. The required building perimeter planting may be used in lieu of buffer if adjacent to the right-of-way. The applicant is complying with this requirement.

South: Per LDC Section 10-425(f)(3) no buffer is required for properties that utilize development regulations of the Mixed-Use Overlay when abutting other Commercially and Agriculturally zoned properties.

West: Per LDC Section 10-425(f)(2) a ten-foot-wide buffer with Type B plantings is required along property lines which abut single-family residences. The applicant is utilizing Mixed-Use Overlay development standards, therefore, the applicant is deviating from LDC Section 10-425(f)(2) to allow the indigenous preserve to meet the buffer requirements. Staff is recommending a condition to ensure that the indigenous preserve restoration meets the plant specification per LDC Section 10-420(f) that require ten-foot tall trees.

Buffer Condition

The applicant may provide restoration planting areas to meet the buffer requirements for west buffer if the restoration planting meets the buffer specifications per LDC Section 10-420(f).

Open Space

Per LDC Section 10-425(a), large developments must provide a minimum of 20 percent open space. The proposed Commercial tract is 4.36± acres and is part of a large development requiring 20 percent open space or 0.87 acres of open space must be provided. The applicant is meeting this requirement.

Per LDC Section 10-425(a), large developments must provide a minimum of 20 percent open space. The proposed Industrial tract is 13.60 acres and is considered part of a large

development requiring 20 percent open space or 2.72 acres of open space. The applicant is meeting this requirement.

Per LDC Section 33-1572, the applicant is required to provide publicly accessible open space of 10 percent of the total land area when proposing over 40,000 square feet of nonresidential floor area. The applicant is proposing a total of 150,000 square feet of nonresidential floor area and must provide 1.80 acres of public accessible open space based on the total land area of 17.96 acres. The applicant has provided the calculation demonstrating that 1.80 acres of publicly accessible open space is required on the Master Concept Plan. Staff is recommending a condition to ensure at time of the first development order for the Industrial or Commercial Tracts that 1.80 acres of publicly accessible open space is depicted on the development order plans.

Open Space Conditions

Prior to the issuance of a development order for the commercial tract, the applicant must depict 0.87 acres of open space.

Prior to the issuance of a development order for the industrial tract, the applicant must depict 2.72 acres of open space.

Each individual lot must demonstrate 20 percent open space.

Publicly Accessible Open Space

The first development order for any tract must depict 1.80 acres of publicly accessible open space, if consolidated, the applicant must demonstrate compliance with LDC Section 33-1572(c).

Indigenous Open Space

The applicant is meeting the indigenous open space requirement through the preservation of indigenous wetlands. According to the Florida Land Use Cover and Classification map provided in the Protected Species Survey, the wetlands consist of 10.3± acres. This meets the definition of indigenous vegetation per LDC Section 10-1 due to the wetland having less than 75 percent exotic plant species.

The areas of the preserve that do not meet the definition of indigenous vegetation will be required to be restored and if utilized to meet landscape perimeter buffer requirements, the restoration plants must meet the plant specifications per LDC Section 10-420.

Staff recommends the following conditions to ensure that the indigenous preservation area complies with LDC Sections 10-1 and 10-415(b)(1):

The first development order for the Commercial Tract must depict 0.44 acres of indigenous open space and provide an Indigenous Management Plan. If exotic vegetation is over 75 percent of the total indigenous open space area, an Indigenous Restoration Plan is required.

The first development order for the Industrial Tract must depict 1.36 acres of indigenous open space and provide an Indigenous Management Plan. If exotic vegetation is over 75 percent of the total indigenous open space area, an Indigenous Restoration Plan is required.

The applicant may provide restoration planting areas to meet the buffer requirements if the restoration planting meets the buffer specifications per LDC Section 10-420.

Protected Species

The applicant provided a Protected Species Survey that indicates presence of foraging little blue heron (*Egretta caerulea*) and tricolored heron (*Egretta tricolor*), which are both state threatened species (Exhibit A). In addition, the applicant indicates that the proposed project is within five miles of a wood stork Core Foraging Area (CFA) as determined by the Florida Fish and Wildlife Service (FFWS). When a project is within five miles of CFA, the applicant must provide habitat compensation within the appropriate CFA or service area if wetlands are to be impacted. FFWS requires onsite restoration/wetland enhancement or the purchase of wetland mitigation credits, if applicable. At time of development order, the applicant must provide documentation demonstrating that either onsite (restoration/enhancement) or offsite (mitigation credits) mitigation is required by FFWS to be consistent with Lee Plan Objectives 123.3 Wildlife, 123.4 Endangered and Threatened Species in General, and 123.10 Wood Stork.

The applicant is proposing to preserve indigenous and restore areas that do not meet the indigenous vegetation definition as discussed. These areas may be utilized for mitigation with proper documentation from FFWS.

Staff recommend the following conditions to protect wildlife:

Prior to any development order approval, the applicant or successor must submit documentation from Florida Fish and Wildlife Service regarding the protection measures for the protected species. If onsite mitigation is required, the Indigenous Restoration Plan must incorporate onsite mitigation plans into the restoration plan.

Prior to the issuance of a Vegetation Removal Permit for any improvements to land, the applicant must provide a receipt of payment for offsite mitigation, if applicable.

Exhibit A

17701 N. Tamiami Trail, North Fort Myers, Florida

Environmental Assessment
November 2023

Prepared for:

EnSite

Prepared by:

Pennoni Associates Inc.
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Attachment 1: Location Map
Attachment 2: Aerial Map
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Attachment 4: Soils Map
Attachment 5: USGS Quad Map
Attachment 6: Protected Species Survey Map
Attachment 7: Eagle Buffer Zone Map
Attachment 8: National Wetlands Inventory Map

Project Purpose / Location

A due diligence site survey for a single parcel approximating 19.36 acres in North Fort Myers, Lee County with the STRAP #22-43-24-01-00001.0160, was conducted in November 2023. The parcel is west of N. Tamiami Trail and northeast of De Navarra Parkway and south of Del Prado Boulevard North. The parcels to the north and south are developed and the parcel to the west is undeveloped. The parcel is located within Section 22, Township 43 South, and Range 24 East.

Site Conditions

The parcels are located on undeveloped land in North Fort Myers (Lee County) and are a mixture of uplands and wetlands disturbed by invasive exotic plant infestations.

Vegetation Communities / FLUCFCS Codes

The cover and vegetation associations for the project area were verified and delineated using 2023 aerial photography (1" = 200") and on-site field investigations. The cover and vegetation assemblages were classified according to levels III and IV of the Florida Land Use, Cover and Forms Classification System, also known as FLUCFCS (FDOT 1999). An aerial and exhibit with FLUCFCS overlay is attached to this report. The following table outlines the FLUCFCS codes identified within the project area, followed by detailed descriptions below.

The majority (15.09 acres) of the site contains wetlands heavily impacted by nonnative invasive species. Other areas include mesic pine flatwoods, a small palm hammock and a ditch.

Table 1. FLUCFCS Codes within the Project Area

FLUCFCS Code	Description	Acreage	Federal Status	State Status
411-E3	Pine Flatwoods (Exotics 51-75%)	2.75	N	N
428-E2	Palm Hammock (Exotics 26-50%)	0.33	N	N
510	Ditch	0.72	NJD	OSW
619	Melaleuca	3.27	NJD	W
625-E3	Hydric Pine Flatwoods (Exotics 51-75%)	9.52	NJD	W
641-E2	Freshwater Marsh (Exotics 26-50%)	0.77	NJD	W
740-H	Hydric Disturbed Land	1.53	NJD	W
814	Roads	0.47	N	N

Total: 19.36 acres

LEGEND

N = Non-Wetland
NJD = Non-Jurisdictional Wetlands or Waters of the U.S.
W = Wetland
OSW = Other Surface Waters
WUS = Waters of the U.S.

FLUCFCS Code: 411-E3 Pine Flatwoods (2.75 acres)

The northwest corner of the site contains pine flatwoods invaded by invasive exotic plants. No obligate wetland plants, buttressing, nor adventitious roots were observed within this community. Dominant canopy species include slash pine (*Pinus elliottii* var *densa*), melaleuca (*Melaleuca quinquenervia*), Java plum (*Syzygium cumini*) and Brazilian pepper (*Schinus terebinthifolius*). Less dominant canopy and midstory trees include earleaf acacia (*Acacia auriculiformis*) and Australian pines (*Casuarina equisetifolia*). Mid and understory plants include saw palmetto (*Serenoa repens*), gallberry (*Ilex glabra*), wax myrtle (*Myrica cerifera*), carrotwood (*Cupaniopsis anacardioides*), climbing cassia (*Senna pendula*), beauty berry (*Callicarpa americana*), caesarsweed (*Urena lobata*), bracken fern (*Pteridium aquilinum*) and chamber bitter (*Phyllanthus urinaria*). Vines include muscadine grape (*Vitis rotundifolia*), greenbrier (*Smilax* spp.), poison ivy (*Toxicodendron radicans*) and rosary pea (*Abrus precatorius*).

FLUCFCS Code: 428E2 - Palm Hammock (0.33 acres)

The palm hammock is dominated by cabbage palms (*Sabal palmetto*), over an understory of beauty berry (*Callicarpa americana*), myrsine (*Myrsine guianensis*), and woods grass (*Oplismenus*

hirtellus). Golden polypody (*Phlebodium aureum*) and shoestring fern (*Vittaria lenata*) are on the palm trunks and boots.

FLUCFCS Code: 510-Ditch (0.72 acres)

A ditch parallels US 41 but is within the property boundary. Plants within the ditch include water hyacinth (*Eichhornia crassipes*), marshweed (*Limnophila* sp.) and common reed (*Phragmites australis*).

FLUCFCS Code: 619-Melaleuca (3.27 acres)

Melaleuca occurs in the southern portion of the site and occurs almost as a pure stand. The melaleucas are buttressed and have adventitious rooting. Widely scattered native trees include buttressed slash pines and young laurel oaks. The understory is largely bare with rafted debris. Scattered plants within the midstory include Senegal date palm (*Phoenix reclinata*), salt bush (*Baccharis halimifolia*), wax myrtle and ferns.

FLUCFCS Code: 625 E2-Hydric Flatwoods (9.52 acres)

Hydric flatwoods dominate the property. The plants within this community are similar to the pine flatwoods but with more melaleuca and fewer earleaf acacia, Australian pines and Brazilian pepper. laurel oaks (*Quercus hemisphaerica*), swamp sedge (*Cyperus ligularis*), swamp fern (*Blechnum serrulatum*) and Old-World climbing fern (*Lygodium microphyllum*) also occur.

FLUCFCS Code: 641 E2-Freshwater Marsh (0.77 acres)

The freshwater marsh is dominated by grasses including maidencane (*Panicum hemitomon*) and para grass (*Brachiaria mutica*). Other plants on the edges include pickerelweed (*Pontederia cordata*) duck potato (*Sagittaria latifolia*), Alligator flag (*Thalia geniculata*), Carolina pony foot (*Dichondra carolinensis*), fleabane (*Erigeron* sp.), horned beakrush (*Rhynchospora inundata*) and broomsedge (*Andropogon glomeratus*).

FLUCFCS Code: 740H- Disturbed Land Hydric(1.53 acres)

A mowed area occurs between the ditch and the forested portion of the property. Vegetation is a mixture of hydric and non-hydric vegetation and includes Spanish needles (*Bidens alba*), Florida snow (*Richardia grandiflora*), chocolate weed (*Melochia corchorifolia*), Caesarweed, Spermacoea (*Spermacoce verticillata*), love grass (*Eragrostis* sp.), whitetop sedge (*Rhynchospora colorata*),

broomgrass (*Andropogon virginicus*), broomsedge, smut grass (*Sporobolus indicus*), torpedo grass (*Panicum repens*), guinea grass (*Megathyrsus maximum*), cogongrass (*Imperata cylindrica*) and multiple beaksedges (*Rhynchospora* spp.) and *Cyperus* sedges.

FLUCFCS Code: 814 Roads - (0.47 acres)

A small portion of the site includes US 41 and its right of way.

Soils

The soil types that occur or occurred historically within the proposed project area was determined using the Natural Resource Conservation Service (NRCS) Geographic Information System soil layer. The site is comprised of Isles fine sand-frequently ponded (#39), Wabasso sand, limestone substratum (#42), Copeland fine sandy loam, frequently ponded (45), Cypress lake fine sand, slough (#74) and Wabasso sand, Limestone substratum-Urban land complex (#138). Both types of Wabasso sand (42 and 138) are categorized as non-hydric soils while the other three soils mapped on site are hydric. A soils map is attached to this report.

Wetlands and Other Surface Waters (OSW)

The limits of potential SFWMD and federal 404 jurisdictional wetlands have been identified in the field (see the attached FLUCFCS Map). The extent of the potential jurisdictional wetlands was established using the “Delineation of the Landward Extent of Wetlands and Surface Waters” (Chapter 62-340, Florida Administrative Code (F.A.C.) methodology. The wetland limits for the project have not yet been field verified by the SFWMD or the Florida Department of Environmental Protection (FDEP) who have assumed jurisdiction of federal 404 wetlands and Waters of the United States (WOTUS) in this area of the State of Florida. State regulatory agency personnel will have to approve the wetland limits through a jurisdictional wetland determination and therefore, the wetland limits are subject to change. A jurisdictional wetland determination can be accomplished through a Formal or Informal Jurisdictional Wetland Determination Application or through the Environmental Resource Permitting process. The site contains state jurisdictional wetlands; however, the on-site wetlands may not be considered federally jurisdictional due to their isolation and/or lack of connection to navigable waters.

Listed Species

A protected species survey was conducted on the property by Pennoni Associates Inc. environmental scientists on November 6, 2023. Meandering pedestrian transects were utilized to cover a minimum 80% coverage of the project area in accordance with methodologies outlined by the U.S. Fish and Wildlife Service (FWS) and the Florida Fish and Wildlife Conservation Commission (FWC). The purpose of the survey was to identify and document the presence of listed species inhabiting the site that are regulated by the FWS and the FWC. No state or federally listed species, nor their sign, were observed on site.

No gopher tortoise (*Gopherus polyphemus*), their burrows nor scat were observed within the property limits. An updated 100% coverage gopher tortoise survey may be required within 90 days of construction. If tortoise burrows are found, a Relocation Permit from the FWC will be required prior to any impacts proposed within 25' of a potentially occupied (active and inactive) gopher tortoise burrow. Burrows must be excavated per FWC Guidelines and any recovered tortoises relocated to an approved recipient site.

The property is outside the FWS designated Florida panther (*Puma concolor coryi*) focus areas and no panthers nor their sign were observed.

Trees on the parcel were surveyed for cavities that could be utilized by the federally endangered Florida bonneted bat (*Eumops floridanus*). The Florida bonneted bat roost site survey consisted of onsite observations of dead trees and snags with hollows, crevices, loose bark, and/or cavities and the inspection of cabbage palms to the extent possible, as no red-cockaded woodpecker (*Picoides borealis*) cavity trees, bridges, overpasses or other man-made structures exist onsite that may provide suitable roosting habitat. Cavity trees were observed onsite, however no evidence of Florida bonneted bat roosting was found during the site inspection. Updated surveys may be required by the permitting agencies prior to construction. The parcel is outside of proposed designated critical habitat.

While none was observed, suitable habitat for the federally threatened Eastern indigo snake (*Drymarchon corais couperi*) is present onsite. Potential impacts to this species can be minimized through the implementation of the FWS Standard Protection Measures for the Eastern Indigo Snake.

The closest identified bald eagle (*Haliaeetus leucocephalus*) nest (LE939) is located 0.81 miles to the southwest of the property. The subject property is well outside of the 660-foot buffer zone so no impacts to bald eagles are anticipated. Historic bald eagle nest LE-045 occurred south of the property. The nest is no longer there and has been deemed abandoned by the Lee County Eagle Technical Advisory Committee. No action is needed unless a new nest is built.

No snail kites (*Rostrhamus sociabilis*) nor wood storks (*Mycteria americana*) were seen on site during the site visits. The area is within the FWS snail kite consultation area but well outside of critical habitat. Foraging opportunities occur within the ditch for both species.

The wood stork colony known as Caloosahatchee River West is within 5 miles of the project area. Because the project is located within a Core Foraging Area (CFA) of the colony, proposed impacts to wetlands will require habitat compensation within the appropriate CFA or within the service area of a Service-approved mitigation bank. The habitat compensation required will be based on a FWS Foraging Analysis protocol and must replace the foraging value, consisting of wetland enhancement or restoration matching the hydroperiod of the wetlands affected. The purchase of wetland mitigation credits for wetland impacts may be sufficient mitigation for impacts to the wood stork foraging habitat. The federally threatened wood stork is currently being reviewed for delisting, but there is no set timeline for the determination.

Suitable foraging areas for the state threatened little blue heron (*Egretta caerulea*) and tricolored heron (*Egretta tricolor*) occur on site and both species were seen foraging within the ditch south of the property during the site visit. A nesting survey may be required prior to clearing and construction.

No additional nests, dens, burrows, tracks, scat, or signs indicative of protected species use of the property were identified during the site inspections. No federally or state listed plant species were observed on site. Species seen or heard on site include red-bellied woodpecker (*Melanerpes carolinus*), Eastern phoebe (*Sayornis phoebe*), blue jay (*Cyanocitta cristata*), fish crow (*Corvus ossifragus*), Carolina wren (*Thryothorus ludivicianus*), common yellowthroat (*Geothlysis trichas*), palm warbler (*Setophaga palmarum*), northern cardinal (*Cardinalis cardinalis*), gray squirrel (*Sciurus carolinensis*), armadillo (*Dasypus novemcinctus*), brown anole (*Anolis sagrei*), white peacock (*Anartia jatrophae*), little sulphur (*Eurima lisa*) and autumn meadowhawk (*Sympetrum vicinum*). Turkey vultures (*Cathartes aura*) and osprey (*Pandion haliaetus*) were observed flying over the site.

REFERENCES

Florida Department of Transportation, 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a.

Florida Fish and Wildlife Conservation Commission, 2011. Florida's Endangered Species, Threatened Species, and Species of Special Concern.

Florida Fish and Wildlife Conservation Commission, 2017. Gopher Tortoise Permitting Guidelines.

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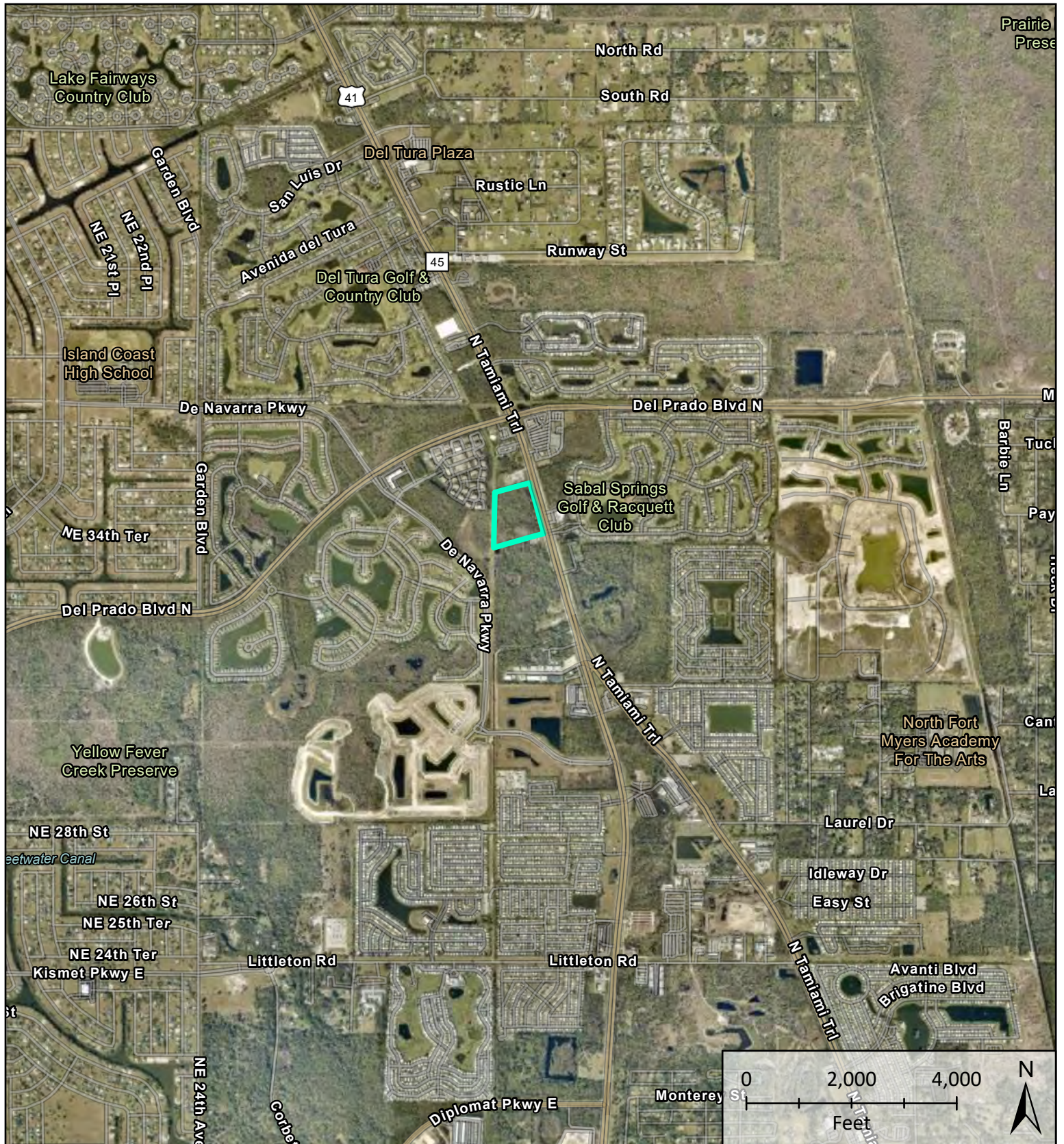
U.S. Fish and Wildlife Service, 1990. Wood Stork Habitat Management Guidelines.

U.S. Fish and Wildlife Service, 2007. Bald Eagle Monitoring Guidelines.

U.S. Fish and Wildlife Service, 2013. Standard Protection Measures for the Eastern Indigo Snake.

U.S. Fish and Wildlife Service, 2019. Florida Bonneted Bat Consultation Guidelines.

U.S. Fish and Wildlife Service, 2020. Habitat Assessment Guidelines for Florida Panther.



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17701 N Tamiami Trail
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Project: ENSTE23006

 Site Outline

Location Map



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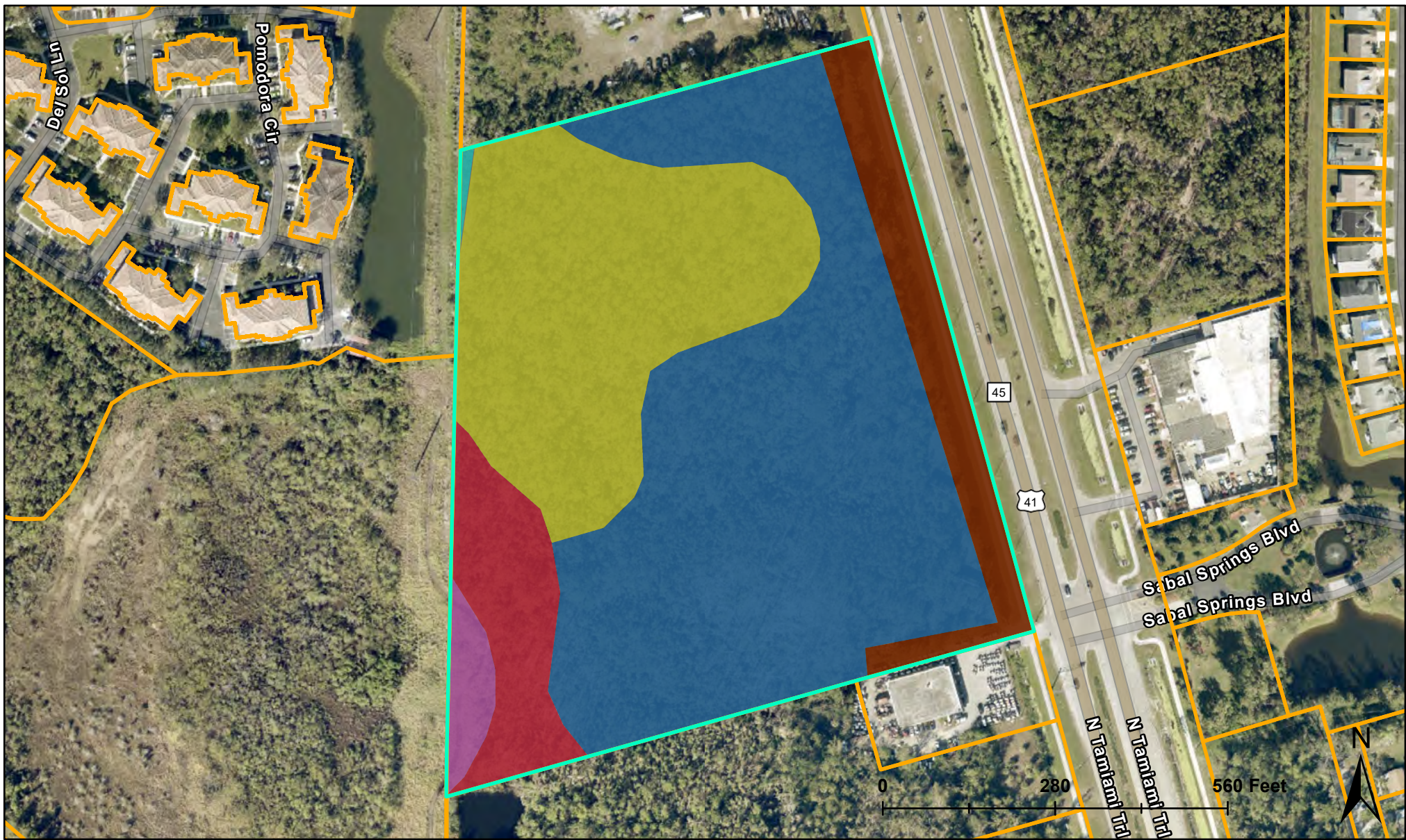
Project: ENSTE23006

- Lee County Parcels
- Site Outline

Aerial Map



<div><p>PENNONI ASSOCIATES INC.</p><p>4706 Chiquita Blvd S - 200-E02 Cape Coral, FL 33914 T: 239.360.3075 www.Pennoni.com</p></div>	17701 N. Tamiami Trail, North Fort Myers, FL	<table><tr><th>FLUCFCS Code</th><th>Description</th><th>Acreage</th><th>Federal Status</th><th>State Status</th></tr><tr><td>411-E3</td><td>Pine Flatwoods (Exotics 51-75%)</td><td>2.75</td><td>N</td><td>N</td></tr><tr><td>428-E2</td><td>Cabbage Palm Hammock (Exotics 1-25%)</td><td>0.33</td><td>N</td><td>N</td></tr><tr><td>510</td><td>Ditch</td><td>0.72</td><td>NJD</td><td>OSW</td></tr><tr><td>619</td><td>Melaleuca</td><td>3.27</td><td>NJD</td><td>W</td></tr><tr><td>625-E3</td><td>Hydric flatwoods (Exotics 51-75%)</td><td>9.52</td><td>NJD</td><td>W</td></tr><tr><td>641-E2</td><td>Freshwater Marsh (Exotics 26-50%)</td><td>0.77</td><td>NJD</td><td>W</td></tr><tr><td>740-H</td><td>Hydric Disturbed Land</td><td>1.53</td><td>NJD</td><td>W</td></tr><tr><td>814</td><td>Roads</td><td>0.47</td><td>N</td><td>N</td></tr></table>	FLUCFCS Code	Description	Acreage	Federal Status	State Status	411-E3	Pine Flatwoods (Exotics 51-75%)	2.75	N	N	428-E2	Cabbage Palm Hammock (Exotics 1-25%)	0.33	N	N	510	Ditch	0.72	NJD	OSW	619	Melaleuca	3.27	NJD	W	625-E3	Hydric flatwoods (Exotics 51-75%)	9.52	NJD	W	641-E2	Freshwater Marsh (Exotics 26-50%)	0.77	NJD	W	740-H	Hydric Disturbed Land	1.53	NJD	W	814	Roads	0.47	N	N	<div>Notes:</div> <div>1. FLUCFCS Lines estimated from 1" = 100' aerial photographs and locations are approximate.</div> <div>2. FLUCFCS per Florida land use, cover and forms classification system (FDOT 1999).</div>
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17701 N Tamiami Trail
North Fort Myers, FL

Project: ENSTE23006

Survey Date: 11/03/2023

Site Outline

Lee County Parcels

Soil #39 - Isles fine sand, frequently ponded - hydric

Soil #42 - Wabasso sand, limestone substratum - non-hydric

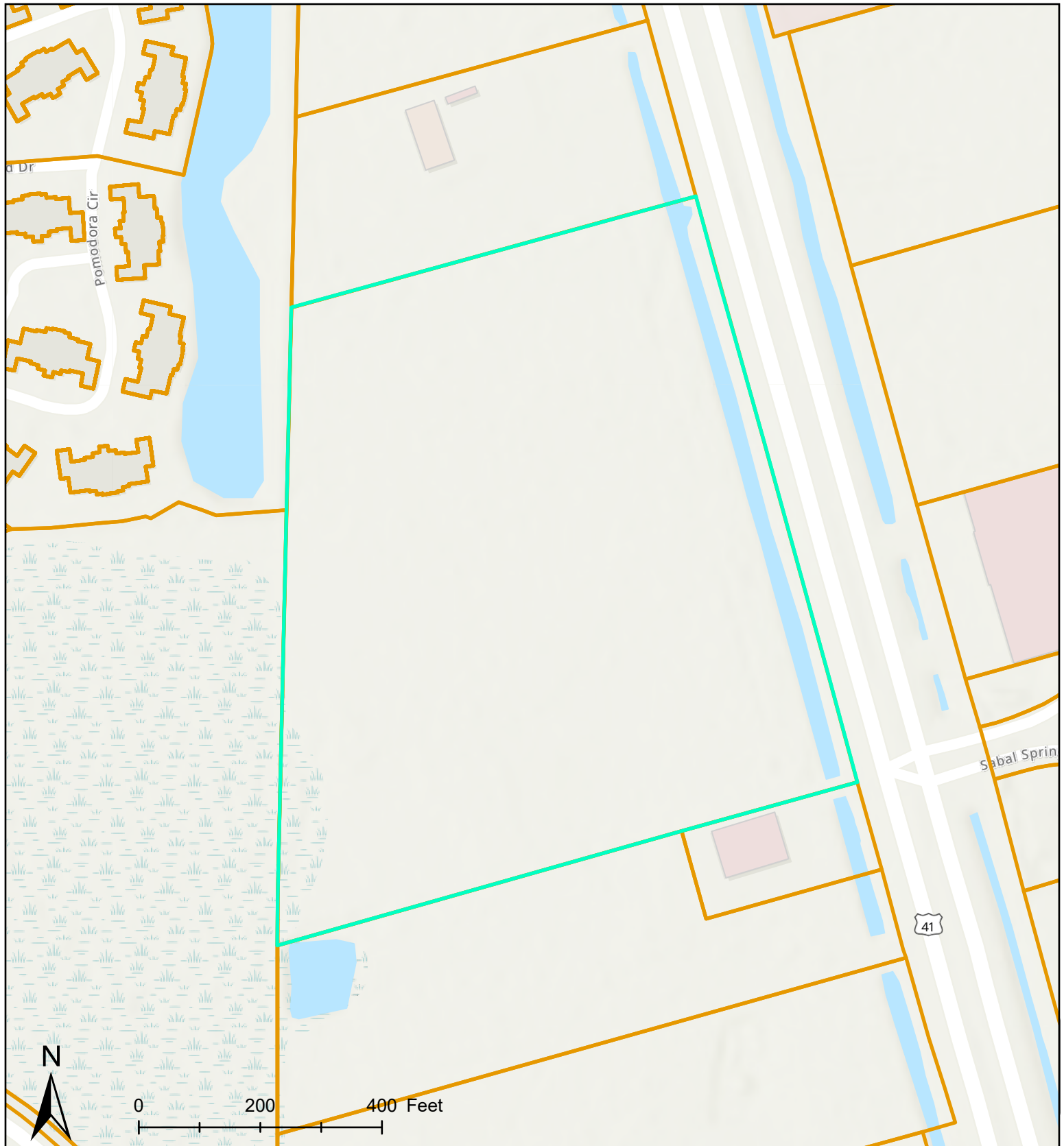
Soil #45 - Copeland fine sandy loam, frequently ponded - hydric

Soil #74 - Cypress Lake fine sand slough - hydric

Soil #142 - Cypress Lake fine sand, slough-Urban land complex - hydric

Soil #138 - Wabasso sand, limestone substratum-Urban land complex - non-hydric

Soils Map



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Site Outline
Lee County Parcels

USGS Quad Map



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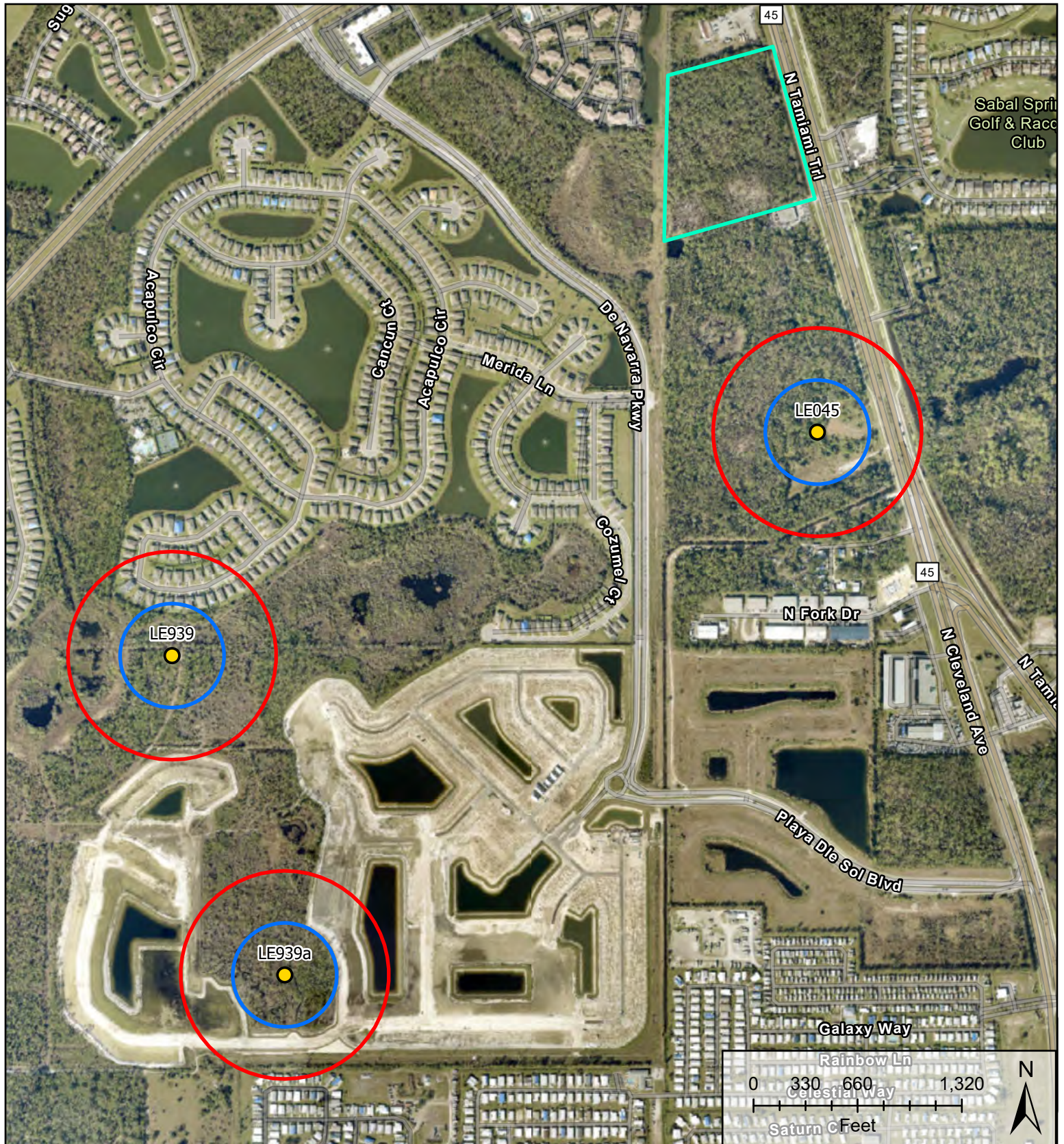
Project: ENSTE23006

Authorized Agent: GTA-20-00041 and RAG-20-00009

Survey Date: 11/10/2023

- Abandoned Gopher Tortoise Burrow
- Inactive Gopher Tortoise Burrow
- Active Gopher Tortoise Burrow
- ▭ Lee County Parcels
- ▭ Site Outline

Protected Species Survey



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17701 N Tamiami Trail
North Fort Myers, FL

Project: ENSTE23006

- Site Outline
- 330 ft buffer
- 660 ft buffer
- Bald Eagle Nest

Eagle Nest Buffer Zone Map



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17701 N Tamiami Trail
North Fort Myers, FL

Project: ENSTE23006

Survey Date: 11/03/2023

- Site Outline
- Lee County Parcels

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Riverine

National Wetland Inventory Map



DEPARTMENT OF TRANSPORTATION

Memo

To: Brianna Schroeder, Planner

From: John Podczerwinsky, AICP CTP, Principal Planner, DOT Engineering

Date: May 7, 2026

Subject: DCI2025-00014_Honc 41 MPD Transportation-Related Analysis

Proposed Development

The applicant is requesting a Rezoning to a Mixed Use Planned Development (MPD). The proposed Project would allow for the development of 30,000 SF of commercial uses and 120,000 SF of industrial use, pursuant to a companion Comprehensive Plan Amendment.

Site Location

The subject property is located on the west side of US 41 (N. Tamiami Trail), approximately ¼ mile south of the intersection of US 41 (N. Tamiami Trail) and Del Prado Blvd N., in North Fort Myers.

Site Access

Access to the site will be provided via right-in/right-out maneuvers from the existing roadway network, specifically US 41 (N. Tamiami Trail). This is an FDOT-maintained, 4-lane arterial roadway with a posted speed limit of 55 mph. The access driveway onto N. Tamiami Trail (US 41) and associated construction activities within the right-of-way are subject to Florida Department of Transportation (FDOT) approval.

Trip Generation Review

Trip generation for the proposed Project was determined using the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 11th Edition. Table 1 outlines the estimated weekday AM and PM peak hour trips. As is standard for these land uses, no internal capture reductions were applied; however, pass-by reductions were factored for the retail component.

Table 1: Project Trip Generation

Land Use	Weekday A.M Peak Hour	Weekday P.M Peak Hour
-----------------	----------------------------------	----------------------------------

	In	Out	Total	In	Out	Total
(Proposed) LUC 110 Light Industrial	75	10	85	6	40	46
(Proposed) LUC 822 Shopping Center	36	23	59	85	85	170
Total Project Traffic	111	33	144	91	125	216
Less: Internal Capture (Driveway Traffic Volumes)	0	0	0	0	0	0
Less: Pass-By Trips	9	9	18	25	25	50
Total Net New Trips (External Trips Impacting Roadway)	102	24	126	66	100	166

Project Traffic Distribution

100% of Project traffic was assigned to US 41 (N Tamiami Trail) along the frontage of the Project.

Roadway Level of Service Analysis

New trips were distributed across the surrounding network to assess impacts on the Level of Service (LOS) of arterial and collector sections. Per Administrative Code AC-13-17, a "significant impact" is defined as 10% or more of the LOS "C" service volumes at build-out.

The development is assumed to reach build-out by 2029. Impacted roadway links were analyzed for current traffic conditions both with and without the project (Table 2).

Table 2: Impacted Arterial/Collector Roadway Sections

Roadway	Location		Level of Service (LOS)	
	From	To	2029 Conditions without Project	2029 Conditions with Project
US 41	Business 41	Del Prado Blvd N	F	F

US 41 (N. Tamiami Trail) is projected to exceed the adopted LOS standard regardless of the proposed project. Per Florida Statutes § 163.3180(h)1.d.2, “*An applicant shall not be held responsible for the additional cost of reducing or eliminating deficiencies.*”

FDOT does not currently have capacity improvement projects planned in the immediate vicinity prior to the 2029 build-out date.

Roadway Intersection Traffic Operation LOS Analysis

Based on Administrative Code AC-13-17, the total number of trips generated by this Project falls below the threshold requiring further detailed intersection or operational analysis.

Deviation Reviews

No transportation-related deviations are requested.

Conclusion

Based on the roadway LOS analysis, US 41 (N. Tamiami Trail) is anticipated to operate below the adopted LOS standard both with and without the proposed project through the build-out year (2029).



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TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

17701 N. TAMiami TRAIL

(PROJECT NO. F2405.03)

PREPARED BY:
TR Transportation Consultants, Inc.
Certificate of Authorization Number: 27003
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090

May 29, 2025



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IV. TRIP GENERATION

V. TRIP DISTRIBUTION

VI. FUTURE TRAFFIC CONDITIONS

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

VIII. INTERSECTION ANALYSIS

IX. CONCLUSION



I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking a rezoning approval. The proposed development is located at 17701 N. Tamiami Trail in Lee County, Florida. The approximate location of the subject site is illustrated on **Figure 1**.

The approximate 17.96 acre site is zoned Light Industrial (IL) and Commercial General (CG). The applicant is proposing to rezone the entire site to Commercial Planned Development (CPD) to permit a development of up to 120,000 square feet of industrial uses as well as up to 30,000 square feet of commercial retail uses. Access to the subject site is proposed to US 41 via a single right-in/right-out only connection.

This report examines the impact of the development on the surrounding roadways. Trip generation and assignments to the various site access drives were completed and an analysis conducted to determine the impacts of the development on the surrounding streets.

II. EXISTING CONDITIONS

The subject site is currently vacant. The subject site is bordered by industrial uses to the north, US 41 to the east, vacant land to the south, and by a pond and vacant land to the west.

US 41 is a four-lane divided arterial roadway that borders the subject site to the east. US 41 has a posted speed limit of 55 mph and is under the jurisdiction of the Florida Department of Transportation (FDOT). US 41 has a Context Classification of C3R-Suburban Residential.

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III. PROPOSED DEVELOPMENT

The approximate 17.96 acre site is zoned Light Industrial (IL) and Commercial General (CG). The applicant is proposing to rezone the entire site to Commercial Planned Development (CPD) to permit a development of up to 120,000 square feet of industrial uses as well as up to 30,000 square feet of commercial retail uses. **Table 1** summarizes the land use utilized for the purposes of this analysis.

Table 1
Land Use
17701 N. Tamiami Trail

Land Use	Permitted
Industrial	120,000 Sq. Ft.
Retail	30,000 Sq. Ft.

Access to the subject site is proposed to US 41 via a single right-in/right-out only connection.

IV. TRIP GENERATION

The trip generation for the proposed zoning was determined by referencing the Institute of Transportation Engineer’s (ITE) report, titled ***Trip Generation Manual***, 11th Edition. Land Use Code 110 (General Light Industrial) was utilized for the trip generation purposes of the proposed industrial uses. Land Use Code 822 (Strip Retail Plaza <40k) was utilized for the trip generation purposes of the proposed commercial retail uses. The trip generation equations utilized from these land uses are attached to the Appendix for reference. **Table 2** outlines the anticipated weekday A.M. and P.M. peak hour and daily trip generation of the development as currently proposed.



Table 2
Trip Generation
17701 N. Tamiami Trail

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
General Light Industrial (120,000 Sq. Ft.)	75	10	85	6	40	46	502
Strip Retail Plaza (30,000 SQ. Ft.)	36	23	59	85	85	170	1,496
Total	111	33	144	91	125	216	1,998

The trips shown in Table 2 will not all be new trips added to the adjacent roadway system. ITE estimates that a shopping plaza use of a comparable size may attract a significant amount of its traffic from vehicles already traveling on the adjoining roadway system. This traffic, called “pass-by” traffic, reduces the development’s overall impact on the surrounding roadway system but does not decrease the actual driveway volumes. For Shopping Centers, Lee County permits a maximum reduction in trips due to “pass-by” of thirty percent (30%). Therefore, thirty percent (30%) pass-by reduction was utilized for the proposed retail uses.

For this analysis, the “pass-by” traffic was accounted for in order to determine the number of “new” trips the development will add to the surrounding roadways. **Table 3** summarizes the “pass-by” percentage for the proposed use. **Table 4** summarizes the development traffic and the breakdown between the new trips the development is anticipated to generate and the “pass-by” trips the development is anticipated to attract. It should be noted that the driveway volumes are not reduced as a result of the “pass-by” reduction, only the traffic added to the surrounding streets and intersections.

Table 3
Pass-by Trip Reduction Factors
17701 N. Tamiami Trail

Land Use	Percentage Trip Reduction
Strip Retail Plaza	30%



Table 4
Trip Generation – New Trips
17701 N. Tamiami Trail

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Total Trips	111	33	144	91	125	216	1,998
Less Pass-by	-9	-9	-18	-25	-25	-50	-449
New Trips	102	24	126	66	100	166	1,549

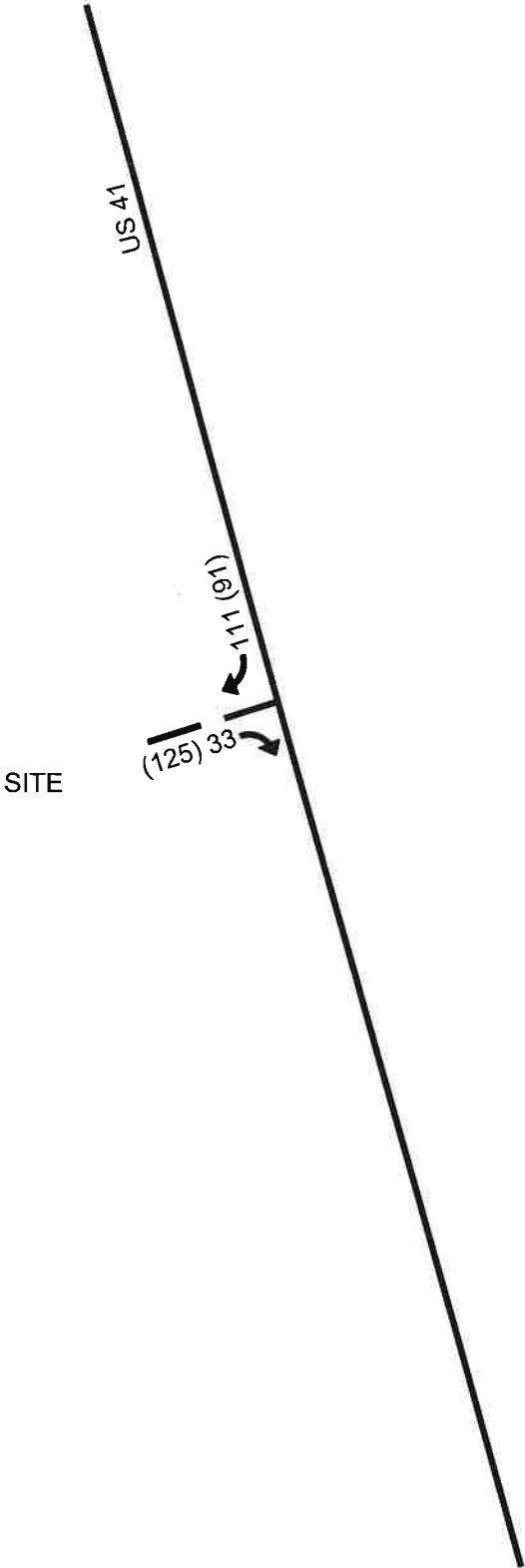
V. TRIP DISTRIBUTION

The trips the proposed development is anticipated to generate as shown in Table 4 were then assigned to the site access drives and the surrounding roadway network. The net new trips anticipated to be added to the surrounding roadway network were assigned based upon the routes drivers are anticipated to utilize to approach the subject site. Attached **Figure A-1** illustrates the percent project traffic distribution and assignment of the net new project trips. Attached **Figure A-2** illustrates the percent project traffic distribution and assignment of pass-by trips. **Figure 2** illustrates the resulting assignment of all project related trips (net new + pass-by).

In order to determine which roadway segments surrounding the site may be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**, in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour Level of Service “C” volumes. The Level of Service threshold volumes were obtained from the FDOT’s **Generalized Service Volume Tables**. Based on Table 1A, no roadway segments will be significantly impacted as a result of the proposed development.



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LEGEND

- ← 000 WEEKDAY AM PEAK HOUR SITE TRAFFIC
- ← (000) WEEKDAY PM PEAK HOUR SITE TRAFFIC



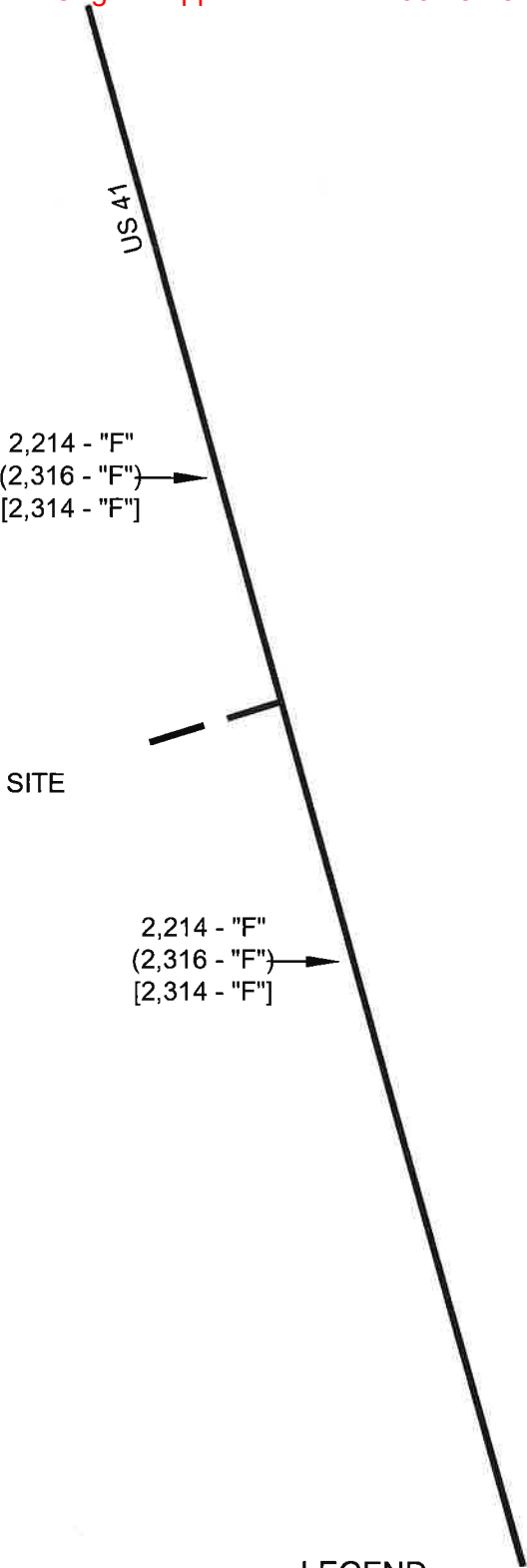
VI. FUTURE TRAFFIC CONDITIONS

A horizon year analysis of 2029 was selected as the analysis year to evaluate the future impacts this project will have on the surrounding roadway network. Based on this horizon year, a growth rate was applied to the existing traffic conditions for all roadway links in the study area. Annual growth rates were formulated based on the historical traffic data obtained from the FDOT's *Florida Traffic Online* webpage. Based on the project distribution illustrated on Figure 2, the link data was analyzed for the year 2029 without the development and year 2029 with the development.

Table 2A in the Appendix of the report indicates the methodology utilized to obtain the year 2029 build-out traffic volumes as well as the growth rate utilized for each roadway segment. The base year traffic volumes were obtained from the 2024 *Lee County Public Facilities Level of Service and Concurrency Report*.

Figure 3 indicates the year 2029 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M. and P.M. peak hours with the development traffic added to the roadways. This figure is derived from Table 2A contained in the Appendix.

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- LEGEND
- XXX - "X" 2029 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC AND LEVEL OF SERVICE DESIGNATION
 - (XXX -"X") 2029 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC PLUS AM PEAK PROJECT TRAFFIC AND LEVEL OF SERVICE DESIGNATION
 - [XXX -"X"] 2029 PEAK SEASON PEAK HOUR PEAK DIRECTION BACKGROUND TRAFFIC PLUS PM PEAK PROJECT TRAFFIC AND LEVEL OF SERVICE DESIGNATION



VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

Adverse impacts are defined as a degradation of the Level of Service beyond the adopted Level of Service Thresholds for those links as indicated in Table 1A. In comparing the links' functional classification and calculated 2029 traffic volumes to the Service Volume Tables, it was determined that US 41 north and south of the subject site is shown to operate below the minimum acceptable Level of Service both with and without the proposed development. Therefore, US 41 north and south of the subject site is considered as a background deficiency that this project should not be responsible for mitigating. Therefore, roadway capacity improvements will not be warranted as a result of the additional traffic to be generated by the proposed development.

Turn lane analysis will be conducted at the time of the Local Development Order approval, which is when more specific end-users/intensities will be known.

VIII. INTERSECTION ANALYSIS

Intersection analysis was performed at the proposed site access drive on US 41 utilizing the latest version of the *Highway Capacity Software (HCS®)*. The analysis was based on the projected 2029 weekday A.M. and P.M. peak hour traffic conditions with the project traffic conditions. The through traffic volumes adjacent to the site were determined based on the traffic counts that were conducted at the adjacent intersection of US 41 and Sabal Springs Boulevard between the hours of 7:00 to 9:00 A.M. and 4:00 to 6:00 P.M. on March 17, 2022. The traffic counts were conducted during peak season conditions based on the peak season factor data obtained from the attached FDOT's *Florida Traffic Online*.

The existing weekday peak hour traffic volumes were then increased by a growth rate factor to determine the projected 2029 background turning movement volumes. The turning volumes projected to be added to the intersection as shown on Figure 2 were then added to the 2029 background volumes to estimate the future 2029 traffic volumes with



the project. These volumes are based on the data from the spreadsheets contained in the Appendix of this report titled *Development of Future Year Background Turning Volumes*.

The results of the intersection analysis at the proposed site access drive on US 41 indicate all movements to operate at an acceptable Level of Service in 2029 both with and without the project trips added to the intersections in the AM and PM peak hour traffic conditions. Therefore, no intersection improvements will be warranted as a result of the proposed development. *HCS*® summary sheets are attached to the Appendix of this report for reference.

IX. CONCLUSION

The proposed development is located at 17701 N. Tamiami Trail in Lee County, Florida. The Level of Service analysis conducted as part of this report indicated that US 41 north and south of the subject site is shown to operate below the minimum acceptable Level of Service both with and without the proposed development. Therefore, US 41 north and south of the subject site is considered as a background deficiency that this project should not be responsible for mitigating. Therefore, roadway capacity improvements will not be warranted as a result of the additional traffic to be generated by the proposed development.

Turn lane analysis will be conducted at the time of the Local Development Order approval, which is when more specific end-users/intensities will be known.

The results of the intersection analysis at the proposed site access drive on US 41 indicate all movements to operate at an acceptable Level of Service in 2029 both with and without the project trips added to the intersections in the AM and PM peak hour traffic conditions. Therefore, no intersection improvements will be warranted as a result of the proposed development.

APPENDIX

TABLE 1A & 2A

TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES
17701 N. TAMiami TRAIL

TOTAL AM PEAK HOUR PROJECT TRAFFIC =	126 VPH	IN=	102	OUT=	24
TOTAL PM PEAK HOUR PROJECT TRAFFIC =	166 VPH	IN=	66	OUT=	100

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>ROADWAY</u> <u>CLASS</u>	<u>LOS A</u> <u>VOLUME</u>	<u>LOS B</u> <u>VOLUME</u>	<u>LOS C</u> <u>VOLUME</u>	<u>LOS D</u> <u>VOLUME</u>	<u>LOS E</u> <u>VOLUME</u>	PERCENT		
								PROJECT	PROJECT	PROJ/
								TRAFFIC	TRAFFIC	LOS C
US 41	N. of Site Access	4LD	0	0	1,785	1,942	1,942	100%	102	5.7%
	S. of Site Access	4LD	0	0	1,785	1,942	1,942	100%	102	5.7%

* Level of Service thresholds were obtained from the FDOT's Generalized Service Volume Tables.

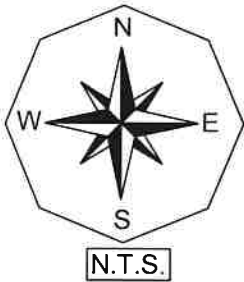
**TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
17701 N. TAMIAMI TRAIL**

TOTAL PROJECT TRAFFIC AM =	126	VPH	IN =	102	OUT=	24
TOTAL PROJECT TRAFFIC PM =	166	VPH	IN=	66	OUT=	100

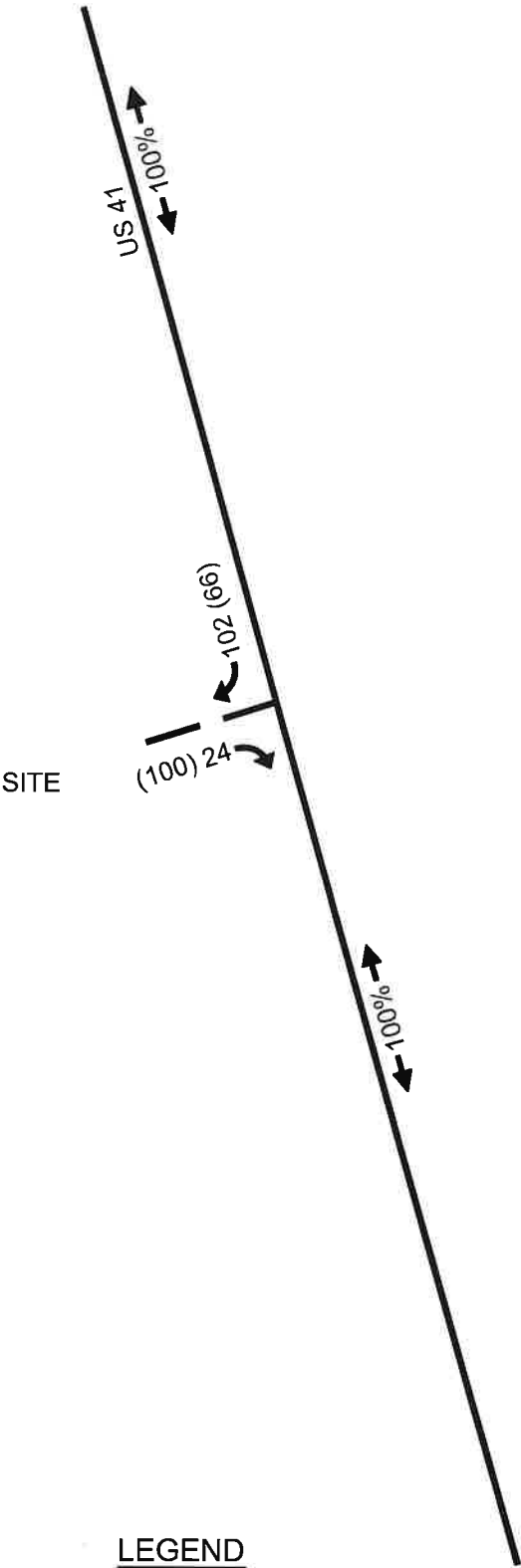
								2023	2029								2029	2029
								PK HR	PK HR	PK SEASON							BCKGRND	BCKGRND
								PK SEASON	PEAK DIRECTION	PERCENT							+ AM PROJ	+ PM PROJ
<u>ROADWAY</u>	<u>SEGMENT</u>	<u>STA #</u>	<u>ADT</u>	<u>ADT</u>	<u>GROWTH</u>	<u>RATE</u>	<u>PEAK DIR.</u> ¹	<u>VOLUME</u>	<u>LOS</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>VOLUME</u>	<u>LOS</u>	<u>VOLUME</u>	<u>LOS</u>	<u>VOLUME</u>	<u>LOS</u>
US 41	N. of Site Access	120036	23,500	35,000	15	2.69%	1,888	2,214	F	100%	102	100	2,316	F	2,314	F	2,314	F
	S. of Site Access	120036	23,500	35,000	15	2.69%	1,888	2,214	F	100%	102	100	2,316	F	2,314	F	2,314	F

1 Current peak hour peak season peak direction traffic volumes for all roadways were obtained from the 2024 Lee County Public Facilities Level of Service and Concurrency Report.
2 Historic traffic volumes were obtained from Florida Traffic Online.

SUPPLEMENTAL FIGURES
A-1 & A-2



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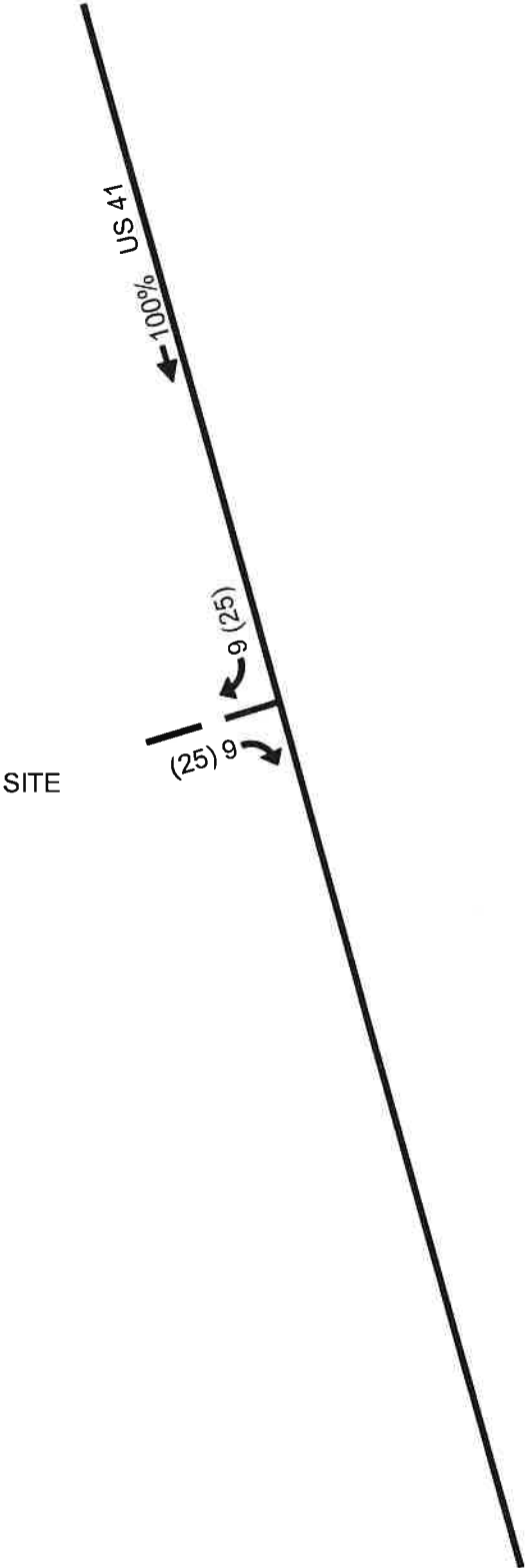


LEGEND

- ← 000 WEEKDAY AM PEAK HOUR SITE TRAFFIC
- ← (000) WEEKDAY PM PEAK HOUR SITE TRAFFIC
- ← 20% → PERCENT TRIP DISTRIBUTION



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LEGEND

- ← 000 WEEKDAY AM PEAK HOUR SITE TRAFFIC
- ← (000) WEEKDAY PM PEAK HOUR SITE TRAFFIC
- ← 20% ONE-WAY TRIP DISTRIBUTION

**FDOT GENERALIZED SERVICE
VOLUME TABLES**

C3C & C3R

Motor Vehicle Arterial Generalized Service Volume Tables

Peak Hour Directional

	B	C	D	E
1 Lane	*	760	1,070	**
2 Lane	*	1,520	1,810	**
3 Lane	*	2,360	2,680	**
4 Lane	*	3,170	3,180	**

Peak Hour Two-Way

	B	C	D	E
2 Lane	*	1,380	1,950	**
4 Lane	*	2,760	3,290	**
6 Lane	*	4,290	4,870	**
8 Lane	*	5,760	5,780	**

AADT

	B	C	D	E
2 Lane	*	15,300	21,700	**
4 Lane	*	30,700	36,600	**
6 Lane	*	47,700	54,100	**
8 Lane	*	64,000	64,200	**



(C3C-Suburban Commercial)



(C3R-Suburban Residential)

	B	C	D	E
1 Lane	*	970	1,110	**
2 Lane	*	1,700	1,850	**
3 Lane	*	2,620	2,730	**

	B	C	D	E
2 Lane	*	1,760	2,020	**
4 Lane	*	3,090	3,360	**
6 Lane	*	4,760	4,960	**

	B	C	D	E
2 Lane	*	19,600	22,400	**
4 Lane	*	34,300	37,300	**
6 Lane	*	52,900	55,100	**

Adjustment Factors

The peak hour directional service volumes should be adjust by multiplying by 1.2 for one-way facilities
The AADT service volumes should be adjusted by multiplying 0.6 for one way facilities 2 Lane Divided
Roadway with an Exclusive Left Turn Lane(s): Multiply by 1.05
2 lane Undivided Roadway with No Exclusive Left Turn Lane(s): Multiply by 0.80

Exclusive right turn lane(s): Multiply by 1.05
Multilane Undivided Roadway with an Exclusive Left Turn Lane(s): Multiply by 0.95
Multilane Roadway with No Exclusive Left Turn Lane(s): Multiply by 0.75
Non-State Signalized Roadway: Multiply by 0.90

This table does not constitute a standard and should be used only for general planning applications. The table should not be used for corridor or intersection design, where more refined techniques exist.

* Cannot be achieved using table input value defaults.

** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached.

**TRAFFIC DATA FROM THE LEE
COUNTY PUBLIC FACILITIES LEVEL
OF SERVICE AND CONCURRENCY
REPORT**

LEE COUNTY ROAD LINK VOLUMES (County- and State-Maintained Roadways)

Link No.	ROAD NAME	LOCATION		ROAD TYPE	PERFORMANCE STANDARD		2023 100TH HIGHEST HOUR			2028 FUTURE FORECAST*			Notes
		FROM	TO		LOS ⁽¹⁾	CAPACITY ⁽²⁾	LOS ⁽¹⁾	VOLUME ⁽²⁾	V/C ⁽³⁾	LOS ⁽¹⁾	VOLUME ⁽²⁾	V/C ⁽³⁾	
31500	US 41 (N TAMIA MI TR)	BUS 41	DEL PRADO BLVD	4LD	D	1,900	D	1,888	0.99	F	2,148	1.13	
31600	US 41 (N TAMIA MI TR)	DEL PRADO BLVD	CHARLOTTE CO. LINE	4LD	D	2,910	B	1,186	0.41	B	1,416	0.49	Tara Woods Phase III B, D & E Expansion
27200	VETERANS MEM. PKWY	SR 78	CHIQUITA	4LD	D	2,040	A	927	0.45	A	974	0.48	partially located in City of Cape Coral
27300	VETERANS MEM. PKWY	CHIQUITA	SKYLINE	4LD	D	2,040	B	1,453	0.71	B	1,527	0.75	City of Cape Coral
27400	VETERANS MEM. PKWY	SKYLINE	SANTA BARBARA BLVD	6LD	D	3,080	B	2,518	0.82	B	2,646	0.86	⁽⁴⁾ ; City of Cape Coral
27500	VETERANS MEM. PKWY	SANTA BARBARA BLVD	COUNTRY CLUB BLVD	6LD	D	3,080	F	3,084	1.00	F	3,241	1.05	City of Cape Coral
27600	VETERANS MEM. PKWY	COUNTRY CLUB BLVD	MIDPOINT BRDG TOLL P	6LD	D	3,080	F	3,317	1.08	F	3,486	1.13	City of Cape Coral
27700	VETERANS MEM. PKWY	MIDPOINT BRDG TOLL P	McGREGOR BLVD	4LB	D	4,000	D	2,937	0.73	D	3,087	0.77	City of Fort Myers
29000	W 6TH ST	WILLIAMS AVE	JOEL BLVD	2LN	E	860	C	188	0.22	C	202	0.23	
29100	W 12TH ST	GUNNERY RD	SUNSHINE BLVD	2LN	E	860	C	299	0.35	C	314	0.37	⁽⁴⁾
29200	W 12TH ST	SUNSHINE BLVD	WILLIAMS AVE	2LN	E	860	C	91	0.11	C	105	0.12	old count projection (2010)
29300	W 12TH ST	WILLIAMS AVE	JOEL BLVD	2LN	E	860	C	110	0.13	C	116	0.13	old count projection (2010)
29400	W 14TH ST	SUNSHINE BLVD	RICHMOND AVE	2LN	E	860	C	57	0.07	C	60	0.07	old count projection (2010)
26400	SW 23RD ST	GUNNERY RD	SUNSHINE BLVD	2LN	E	860	D	714	0.83	F	893	1.04	⁽⁴⁾ ; Ibis Landing (a.k.a. Copperhead Glf Comm)
15200	WESTGATE BLVD	GUNNERY RD	LEE BLVD	2LN	E	860	C	492	0.57	C	642	0.75	pre-development order res development
27900	WHISKEY CREEK DR	COLLEGE PKWY	SAUTERN DR	2LD	E	910	C	308	0.34	C	324	0.36	
28000	WHISKEY CREEK DR	SAUTERN DR	McGREGOR BLVD	2LD	E	910	C	308	0.34	C	324	0.36	
28200	WILLIAMS AVE	LEE BLVD	W. 6TH ST	2LN	E	860	D	677	0.79	D	714	0.83	Carlton Park
28300	WINKLER RD	STOCKBRIDGE DR	SUMMERLIN RD	2LN	E	860	C	465	0.54	C	489	0.57	⁽⁴⁾
28400	WINKLER RD	SUMMERLIN RD	GLADIOLUS DR	4LD	E	1,520	C	321	0.21	C	337	0.22	
28500	WINKLER RD	GLADIOLUS DR	BRANDYWINE CIR	2LN	E	880	B	518	0.59	B	544	0.62	
28600	WINKLER RD	BRANDYWINE CIR	CYPRESS LAKE DR	2LN	E	880	B	518	0.59	B	544	0.62	
28700	WINKLER RD	CYPRESS LAKE DR	COLLEGE PKWY	4LD	E	1,780	D	703	0.39	D	739	0.42	
28800	WINKLER RD	COLLEGE PKWY	McGREGOR BLVD	2LN	E	800	B	425	0.53	B	447	0.56	
28900	WOODLAND BLVD	US 41	AUSTIN ST	2LN	E	860	C	272	0.32	C	286	0.33	⁽⁴⁾

⁽¹⁾ level of service; ⁽²⁾ directional; vehicles/hour; ⁽³⁾ directional volume-to-capacity ratio; ⁽⁴⁾ previous years data; ⁽⁵⁾ EEPKO Study

*Future forecast on State maintained facilities are Year 2029 forecast

 County-Maintained Collector Roadway - Unincorporated Lee County

 County-Maintained Collector Roadway - Incorporated Lee County

 County-Maintained Arterial Roadway - Unincorporated Lee County

 County-Maintained Arterial Roadway - Incorporated Lee County

 County-Maintained Controlled Access Arterial Facility

 County-Maintained Expressway

 State-Maintained Arterial Roadway - Unincorporated Lee County

Revised : December 13, 2024

**PEAK SEASON
CORRECTION FACTOR**

WEEK	DATES	SF	MOCF: 0.94 PSCF
1	01/01/2024 - 01/06/2024	1.00	1.06
2	01/07/2024 - 01/13/2024	1.00	1.06
3	01/14/2024 - 01/20/2024	0.99	1.05
4	01/21/2024 - 01/27/2024	0.97	1.03
* 5	01/28/2024 - 02/03/2024	0.96	1.02
* 6	02/04/2024 - 02/10/2024	0.94	1.00
* 7	02/11/2024 - 02/17/2024	0.93	0.99
* 8	02/18/2024 - 02/24/2024	0.93	0.99
* 9	02/25/2024 - 03/02/2024	0.93	0.99
*10	03/03/2024 - 03/09/2024	0.93	0.99
*11	03/10/2024 - 03/16/2024	0.93	0.99
*12	03/17/2024 - 03/23/2024	0.93	0.99
*13	03/24/2024 - 03/30/2024	0.94	1.00
*14	03/31/2024 - 04/06/2024	0.94	1.00
*15	04/07/2024 - 04/13/2024	0.94	1.00
*16	04/14/2024 - 04/20/2024	0.95	1.01
*17	04/21/2024 - 04/27/2024	0.96	1.02
18	04/28/2024 - 05/04/2024	0.98	1.04
19	05/05/2024 - 05/11/2024	0.99	1.05
20	05/12/2024 - 05/18/2024	1.00	1.06
21	05/19/2024 - 05/25/2024	1.02	1.09
22	05/26/2024 - 06/01/2024	1.04	1.11
23	06/02/2024 - 06/08/2024	1.05	1.12
24	06/09/2024 - 06/15/2024	1.07	1.14
25	06/16/2024 - 06/22/2024	1.07	1.14
26	06/23/2024 - 06/29/2024	1.07	1.14
27	06/30/2024 - 07/06/2024	1.07	1.14
28	07/07/2024 - 07/13/2024	1.07	1.14
29	07/14/2024 - 07/20/2024	1.07	1.14
30	07/21/2024 - 07/27/2024	1.06	1.13
31	07/28/2024 - 08/03/2024	1.06	1.13
32	08/04/2024 - 08/10/2024	1.05	1.12
33	08/11/2024 - 08/17/2024	1.04	1.11
34	08/18/2024 - 08/24/2024	1.05	1.12
35	08/25/2024 - 08/31/2024	1.06	1.13
36	09/01/2024 - 09/07/2024	1.06	1.13
37	09/08/2024 - 09/14/2024	1.07	1.14
38	09/15/2024 - 09/21/2024	1.08	1.15
39	09/22/2024 - 09/28/2024	1.07	1.14
40	09/29/2024 - 10/05/2024	1.06	1.13
41	10/06/2024 - 10/12/2024	1.06	1.13
42	10/13/2024 - 10/19/2024	1.05	1.12
43	10/20/2024 - 10/26/2024	1.03	1.10
44	10/27/2024 - 11/02/2024	1.02	1.09
45	11/03/2024 - 11/09/2024	1.00	1.06
46	11/10/2024 - 11/16/2024	0.99	1.05
47	11/17/2024 - 11/23/2024	0.99	1.05
48	11/24/2024 - 11/30/2024	0.99	1.05
49	12/01/2024 - 12/07/2024	1.00	1.06
50	12/08/2024 - 12/14/2024	1.00	1.06
51	12/15/2024 - 12/21/2024	1.00	1.06
52	12/22/2024 - 12/28/2024	1.00	1.06
53	12/29/2024 - 12/31/2024	0.99	1.05

* PEAK SEASON

04-MAR-2025 16:32:50

830UPD

1_1200_PKSEASON.TXT

TRAFFIC DATA FROM FDOT FLORIDA TRAFFIC ONLINE

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2024 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0036 - SR 45/US 41/TAMIAMI TRAIL, NW OF SR 739/US BUS 41

YEAR	AADT		DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2024	35000	S	N 18000	S 17000	9.00	53.90	11.20
2023	36000	F	N 18500	S 17500	9.00	53.80	11.20
2022	35000	C	N 18000	S 17000	9.00	53.70	11.20
2021	26000	C	N 13500	S 12500	9.00	53.10	9.40
2020	34000	C	N 17500	S 16500	9.00	52.80	6.90
2019	26500	C	N 13500	S 13000	9.00	53.30	7.60
2018	30500	C	N 15500	S 15000	9.00	53.30	6.70
2017	25000	C	N 13000	S 12000	9.00	53.20	6.90
2016	29000	C	N 15000	S 14000	9.00	56.20	6.50
2015	26500	C	N 13500	S 13000	9.00	54.50	6.70
2014	27500	C	N 14000	S 13500	9.00	54.60	6.30
2013	25000	C	N 12500	S 12500	9.00	59.70	6.30
2012	23000	C	N 11500	S 11500	9.00	54.30	6.20
2011	24000	C	N 12000	S 12000	9.00	55.00	6.00
2010	24500	C	N 12500	S 12000	10.32	57.60	6.50
2009	23500	C	N 12000	S 11500	10.24	54.47	6.30

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

TRAFFIC COUNTS
US 41 @ SABAL SPRINGS

US 41 @ Sabal Springs Blvd 3-17-22 AM

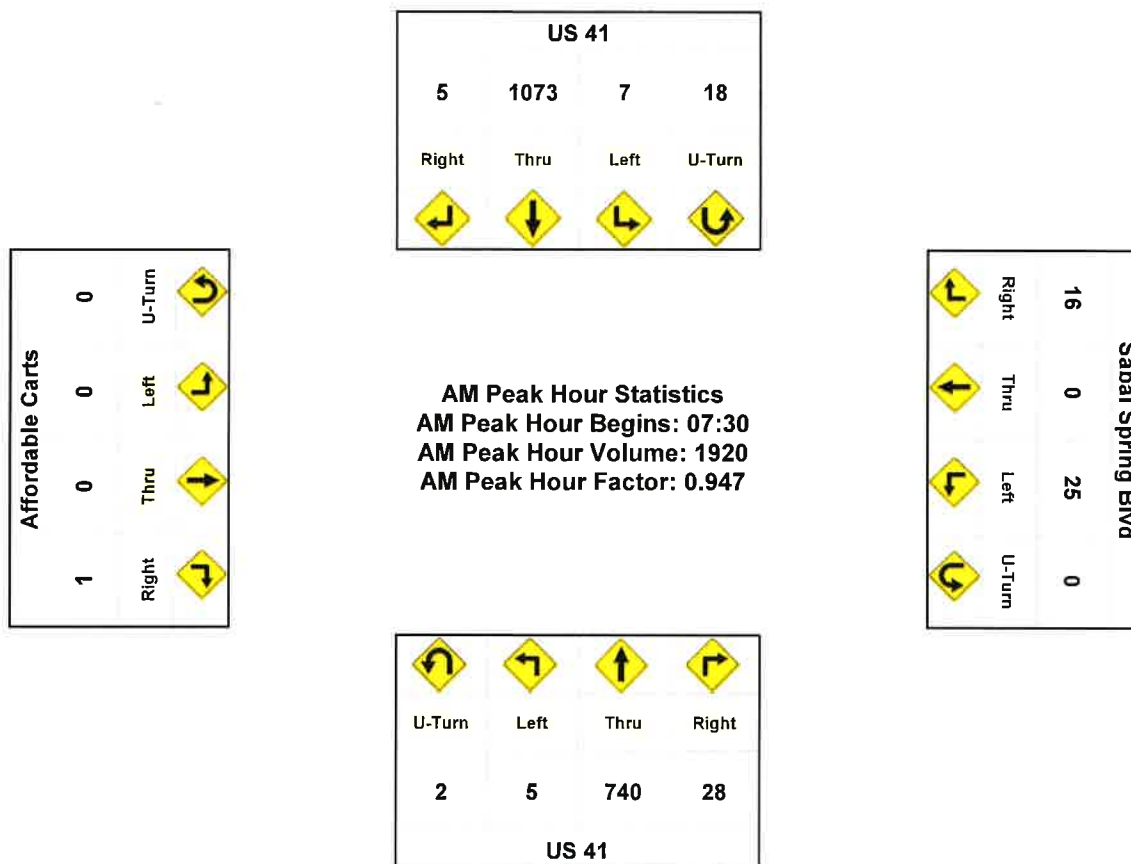
File Name: US 41 @ Sabal Springs Blvd 3-17-22 AM

Location:

All Vehicles

Site Code:

Study Date: 03/17/2022



US 41 @ Sabal Springs Blvd 3-17-22 PM

File Name: US 41 @ Sabal Springs Blvd 3-17-22 PM

Site Code:

Location:

Cars and Peds

Study Date: 03/17/2022

Time	US 41 Southbound						Sabal Springs Blvd Westbound						US 41 Northbound						Affordable Carts Eastbound						Int Total
	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	
16:00		0	204	4	6	214		4	0	8	0	12		7	332	0	1	340		2	0	0	0	2	568
16:15		0	219	2	5	226		4	0	6	0	10		11	325	2	1	339		1	0	0	0	1	576
16:30		0	256	5	3	264		6	0	12	0	18		14	336	1	1	352		0	0	0	0	0	634
16:45		0	226	7	4	237		4	0	9	1	14		10	318	0	0	328		0	0	0	0	0	579
Total	0	0	905	18	18	941	0	18	0	35	1	54	0	42	1311	3	3	1359	0	3	0	0	0	3	2357
17:00		0	282	4	6	292		3	0	4	0	7		12	342	0	0	354		7	0	3	0	10	663
17:15		0	218	8	10	236		5	0	7	0	12		14	325	0	3	342		2	0	0	0	2	592
17:30		0	224	1	8	233		1	0	5	0	6		12	314	0	1	327		0	0	0	0	0	566
17:45		0	220	3	3	226		3	0	6	0	9		9	329	0	3	341		0	0	1	0	1	577
Total	0	0	944	16	27	987	0	12	0	22	0	34	0	47	1310	0	7	1364	0	9	0	4	0	13	2398
Grand Total	0	0	1849	34	45	1928	0	30	0	57	1	88	0	89	2621	3	10	2723	0	12	0	4	0	16	4755
Appr %		0	95.9	1.8	2.3			34.1	0	64.8	1.1			3.3	96.3	0.1	0.4			75	0	25	0		
Total %		0	38.9	0.7	0.9			0.6	0	1.2	0			1.9	55.1	0.1	0.2			0.3	0	0.1	0		
PM Pk Hr		16:30	16:30	16:30	16:30	16:30		16:30	16:30	16:30	16:30	16:30		16:30	16:30	16:30	16:30	16:30		16:30	16:30	16:30	16:30	16:30	16:30
PM Pk Vol		0	982	24	23	1029		18	0	32	1	51		50	1321	1	4	1376		9	0	3	0	12	2468
PM PHF		NaN	0.871	0.750	0.575	0.881		0.750	NaN	0.667	0.250	0.708		0.893	0.966	0.250	0.333	0.972		0.321	NaN	0.250	NaN	0.300	0.931

US 41 @ Sabal Springs Blvd 3-17-22 PM

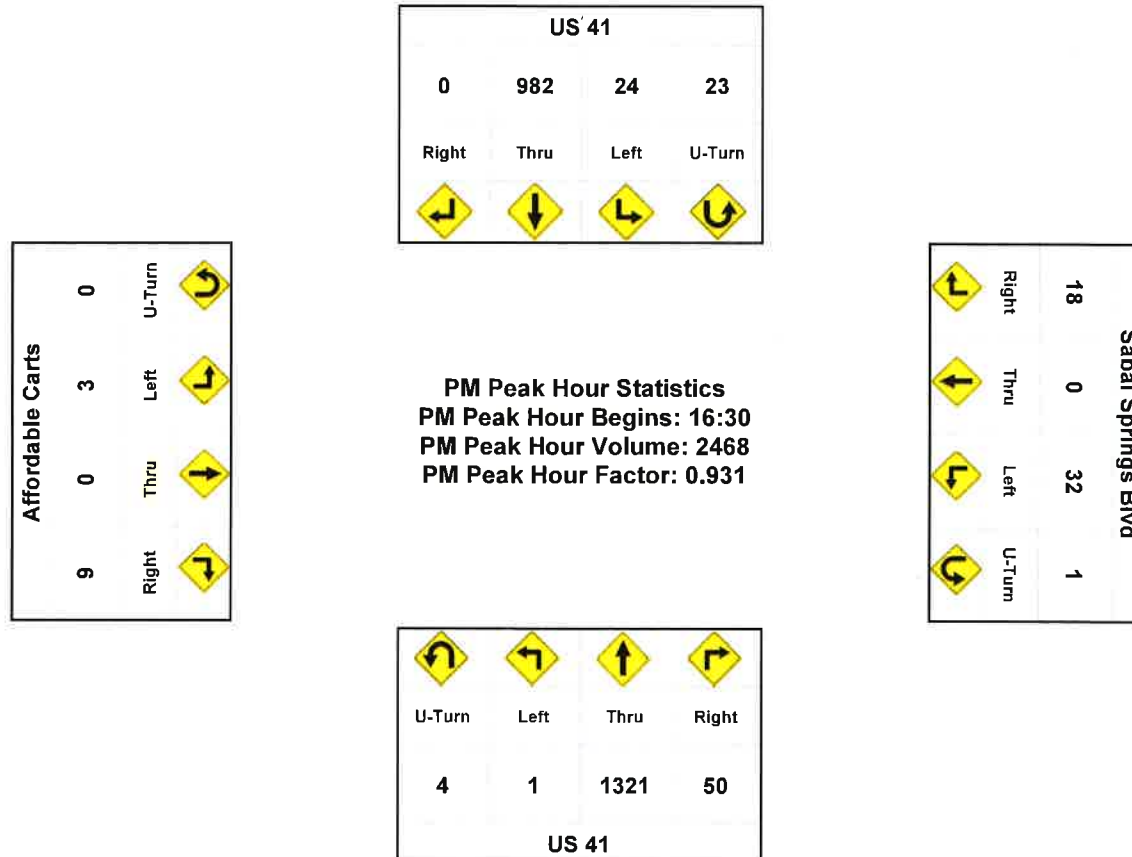
File Name: US 41 @ Sabal Springs Blvd 3-17-22 PM

Location:

All Vehicles

Site Code:

Study Date: 03/17/2022



US 41 @ Sabal Springs Blvd 3-17-22 AM

File Name: US 41 @ Sabal Springs Blvd 3-17-22 AM

Site Code:

Location:

Cars and Peds

Study Date: 03/17/2022

Time	US 41 Southbound						Sabal Spring Blvd Westbound						US 41 Northbound						Affordable Carts Eastbound						Int Total
	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	Peds	Right	Thru	Left	U-Turn	Appr Total	
07:00		2	249	0	5	256		5	0	4	0	9		1	173	1	0	175		0	0	0	0	0	440
07:15		0	276	4	4	284		0	0	5	0	5		2	183	0	1	186		1	0	0	0	0	476
07:30		0	291	0	5	296		1	0	5	0	6		6	198	1	0	205		0	0	0	0	0	507
07:45		0	287	1	5	293		5	0	1	0	6		5	185	4	2	196		0	0	0	0	0	495
Total	0	2	1103	5	19	1129	0	11	0	15	0	26	0	14	739	6	3	762	0	1	0	0	0	1	1918
08:00		5	240	3	5	253		4	0	10	0	14		8	164	0	0	172		1	0	0	0	1	440
08:15		0	255	3	3	261		6	0	9	0	15		9	193	0	0	202		0	0	0	0	0	478
08:30		1	275	3	4	283		4	0	12	0	16		3	168	0	1	172		0	0	0	0	0	471
08:45		2	251	7	8	268		3	0	11	0	14		13	203	0	0	216		1	0	0	0	1	499
Total	0	8	1021	16	20	1065	0	17	0	42	0	59	0	33	728	0	1	762	0	2	0	0	0	2	1888
Grand Total	0	10	2124	21	39	2194	0	28	0	57	0	85	0	47	1467	6	4	1524	0	3	0	0	0	3	3806
Appr %		0.5	96.8	1	1.8			32.9	0	67.1	0			3.1	96.3	0.4	0.3			100	0	0	0		
Total %		0.3	55.8	0.6	1			0.7	0	1.5	0			1.2	38.5	0.2	0.1			0.1	0	0	0		
AM Pk Hr		07:30	07:30	07:30	07:30	07:30		07:30	07:30	07:30	07:30	07:30		07:30	07:30	07:30	07:30	07:30		07:30	07:30	07:30	07:30	07:30	07:30
AM Pk Vol		5	1073	7	18	1103		16	0	25	0	41		28	740	5	2	775		1	0	0	0	1	1920
AM PHF		0.250	0.922	0.583	0.900	0.932		0.667	NaN	0.625	NaN	0.683		0.778	0.934	0.313	0.250	0.945		0.250	NaN	NaN	NaN	0.250	0.947

**DEVELOPMENT OF FUTURE YEAR
BACKGROUND TURNING VOLUMES
SPREADSHEETS**

Development of Future Year Background Turning Volumes

Intersection
Count Date
Build-Out Year

US 41 @ Site Acces
March 17, 2022
2029

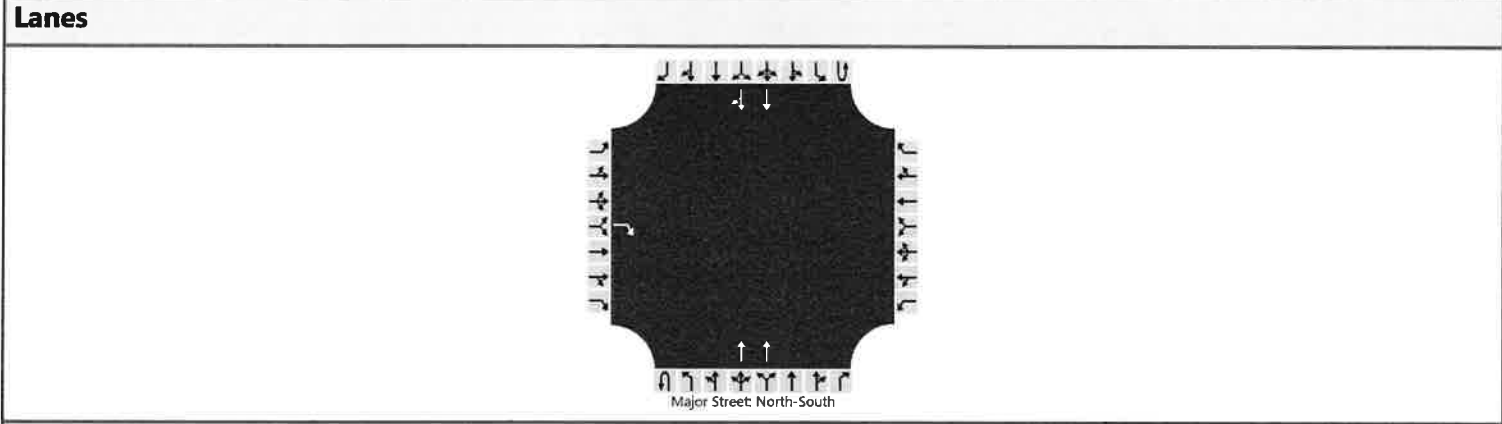
AM Peak Hour												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts		774			1,103							
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	0	774	0	0	1,103	0	0	0	0	0	0	0
Growth Rate	0.00%	2.69%	0.00%	0.00%	2.69%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Years to Build-out	7	7	7	7	7	7	7	7	7	7	7	7
2029 Background Turning Volumes	0	932	0	0	1,328	0	0	0	0	0	0	0
Project Turning Volumes						111			33			
2029 Background + Project	0	932	0	0	1,328	111	0	0	33	0	0	0

PM Peak Hour												
	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts		1,365			1,029							
Peak Season Correction Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Current Peak Season Volumes	0	1,365	0	0	1,029	0	0	0	0	0	0	0
Growth Rate	0.00%	2.69%	0.00%	0.00%	2.69%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Years to Build-out	7	7	7	7	7	7	7	7	7	7	7	7
2029 Background Turning Volumes	0	1,644	0	0	1,239	0	0	0	0	0	0	0
Project Turning Volumes						91			125			
2029 Background + Project	0	1,644	0	0	1,239	91	0	0	125	0	0	0

HCS SUMMARY SHEETS

US 41 @ SITE ACCESS

General Information		Site Information	
Analyst	JT	Intersection	US 41 @ Site Access
Agency/Co.	TrTransportation	Jurisdiction	Lee County
Date Performed	5/28/2025	East/West Street	Site Access
Analysis Year	2029	North/South Street	US 41
Time Analyzed	AM Pk Hr w Project	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	F2405.03		

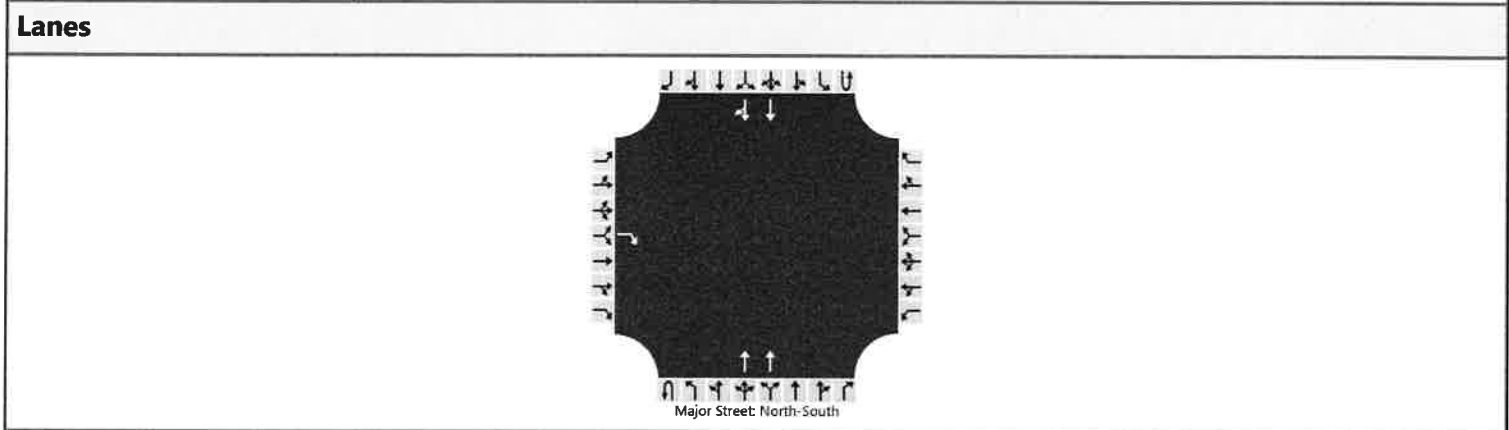


Vehicle Volumes and Adjustments																
Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	1		0	0	0	0	0	2	0	0	0	2	0
Configuration				R							T				T	TR
Volume (veh/h)				33							932				1328	111
Percent Heavy Vehicles (%)				3												
Proportion Time Blocked																
Percent Grade (%)	0															
Right Turn Channelized	No															
Median Type Storage	Undivided															

Critical and Follow-up Headways																
Base Critical Headway (sec)				6.9												
Critical Headway (sec)				6.96												
Base Follow-Up Headway (sec)				3.3												
Follow-Up Headway (sec)				3.33												

Delay, Queue Length, and Level of Service																
Flow Rate, v (veh/h)				36												
Capacity, c (veh/h)				335												
v/c Ratio				0.11												
95% Queue Length, Q ₉₅ (veh)				0.4												
95% Queue Length, Q ₉₅ (ft)				10.2												
Control Delay (s/veh)				17.0												
Level of Service (LOS)				C												
Approach Delay (s/veh)	17.0															
Approach LOS	C															

General Information		Site Information	
Analyst	JT	Intersection	US 41 @ Site Access
Agency/Co.	TrTransportation	Jurisdiction	Lee County
Date Performed	5/28/2025	East/West Street	Site Access
Analysis Year	2029	North/South Street	US 41
Time Analyzed	PM Pk Hr w Project	Peak Hour Factor	0.92
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description	F2405.03		



Vehicle Volumes and Adjustments																	
Approach	Eastbound				Westbound				Northbound				Southbound				
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R	
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6	
Number of Lanes		0	0	1		0	0	0	0	0	2	0	0	0	2	0	
Configuration				R							T				T	TR	
Volume (veh/h)				125							1644				1239	91	
Percent Heavy Vehicles (%)				3													
Proportion Time Blocked																	
Percent Grade (%)	0																
Right Turn Channelized	No																
Median Type Storage	Undivided																

Critical and Follow-up Headways																	
Base Critical Headway (sec)				6.9													
Critical Headway (sec)				6.96													
Base Follow-Up Headway (sec)				3.3													
Follow-Up Headway (sec)				3.33													

Delay, Queue Length, and Level of Service																	
Flow Rate, v (veh/h)				136													
Capacity, c (veh/h)				367													
v/c Ratio				0.37													
95% Queue Length, Q ₉₅ (veh)				1.7													
95% Queue Length, Q ₉₅ (ft)				43.5													
Control Delay (s/veh)				20.5													
Level of Service (LOS)				C													
Approach Delay (s/veh)	20.5																
Approach LOS	C																

TRIP GENERATION EQUATIONS

General Light Industrial (110)

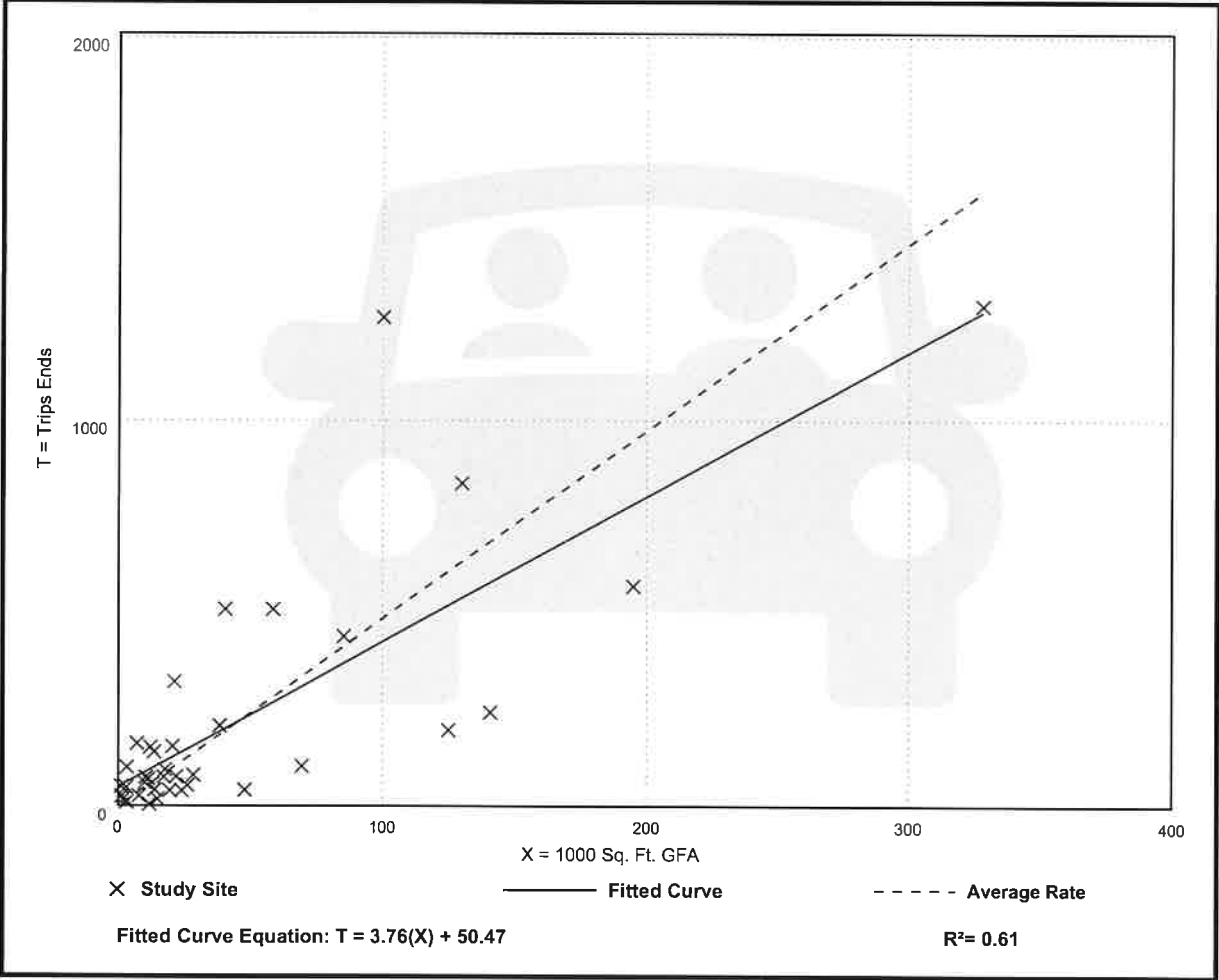
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 37
Avg. 1000 Sq. Ft. GFA: 45
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
4.87	0.34 - 43.86	4.08

Data Plot and Equation



General Light Industrial (110)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 41

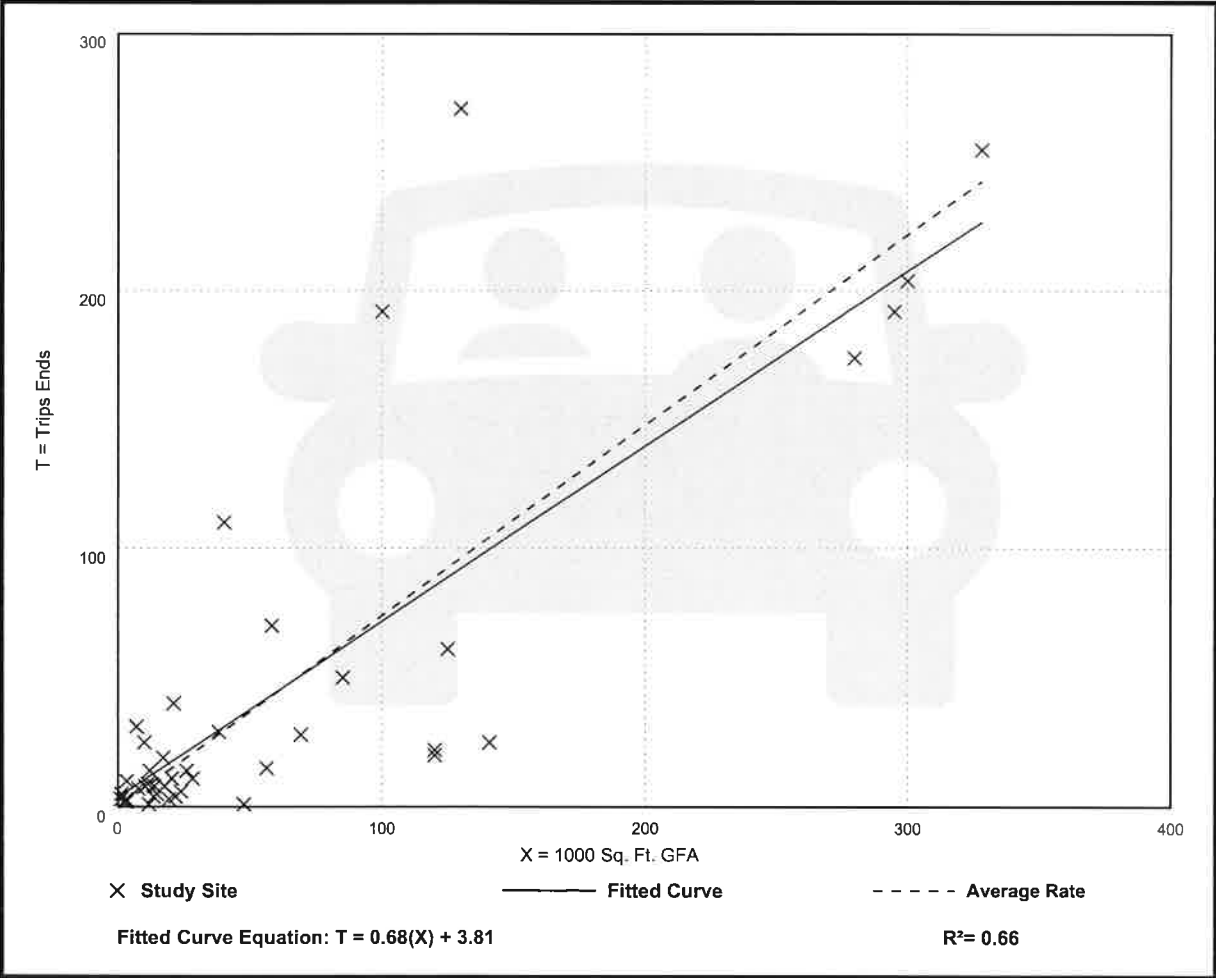
Avg. 1000 Sq. Ft. GFA: 65

Directional Distribution: 88% entering, 12% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.74	0.02 - 4.46	0.61

Data Plot and Equation



General Light Industrial (110)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA

On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 40

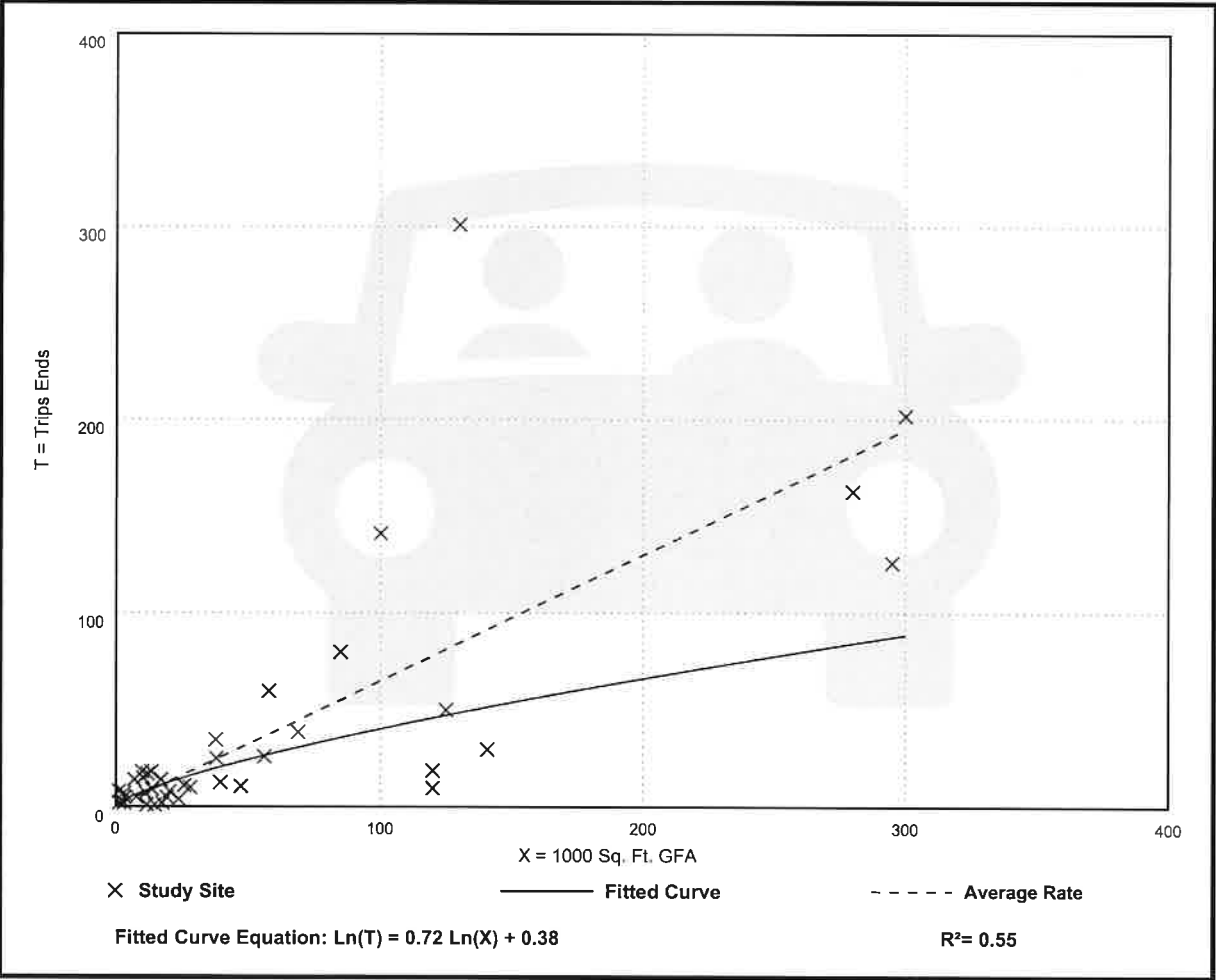
Avg. 1000 Sq. Ft. GFA: 58

Directional Distribution: 14% entering, 86% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
0.65	0.07 - 7.02	0.56

Data Plot and Equation



Strip Retail Plaza (<40k) (822)

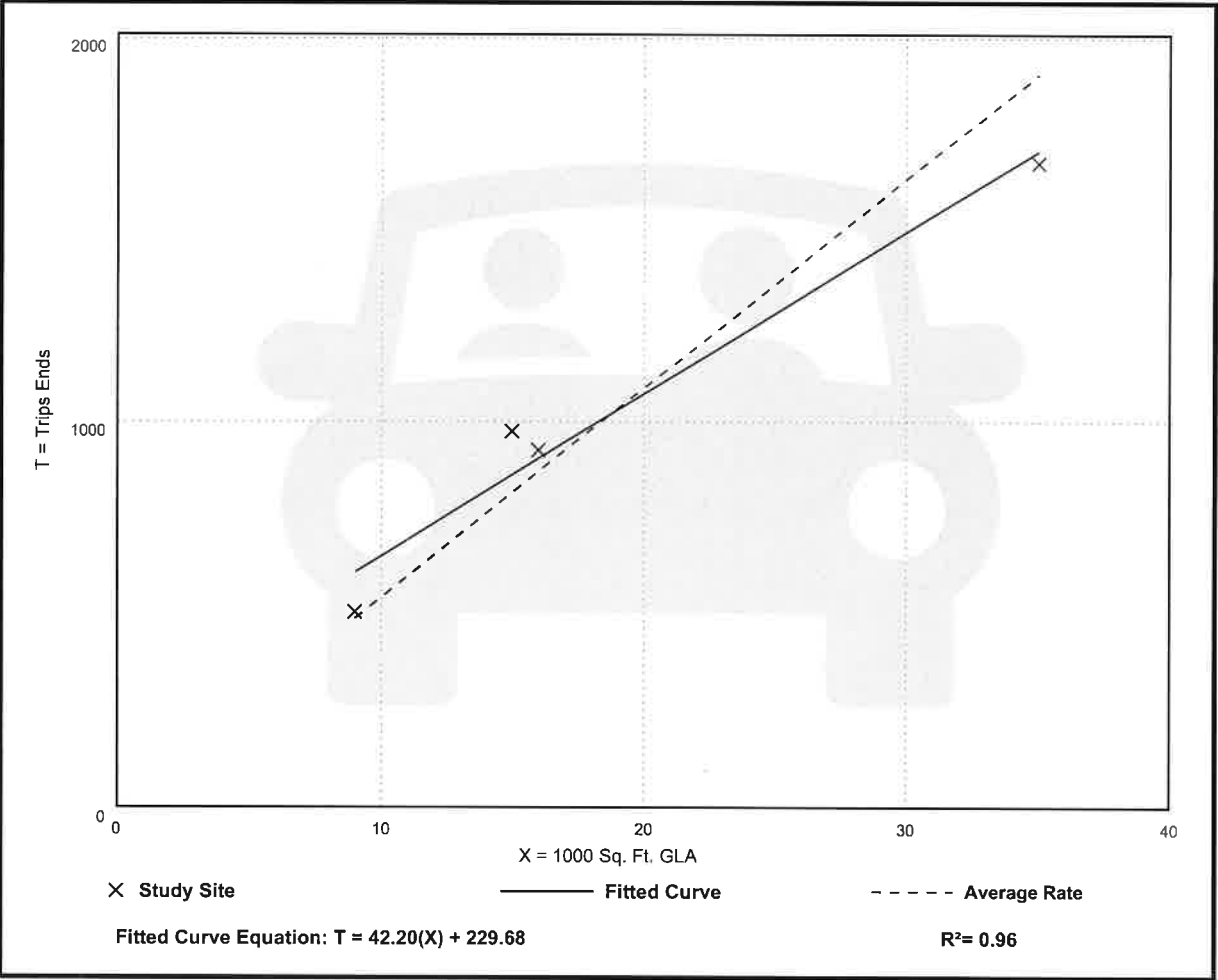
Vehicle Trip Ends vs: 1000 Sq. Ft. GLA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 4
Avg. 1000 Sq. Ft. GLA: 19
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
54.45	47.86 - 65.07	7.81

Data Plot and Equation



Strip Retail Plaza (<40k) (822)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 5

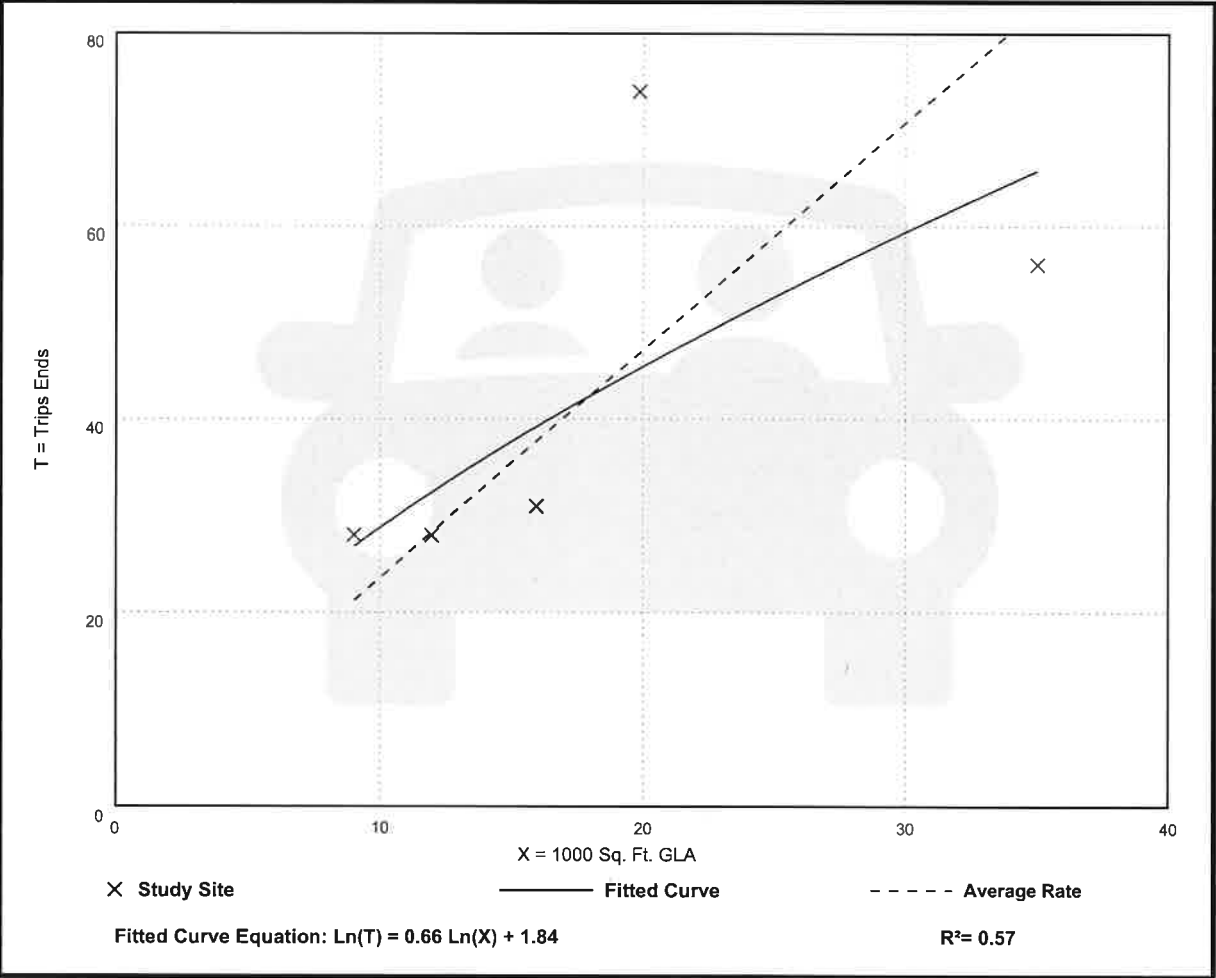
Avg. 1000 Sq. Ft. GLA: 18

Directional Distribution: 60% entering, 40% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
2.36	1.60 - 3.73	0.94

Data Plot and Equation



Strip Retail Plaza (<40k) (822)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 25

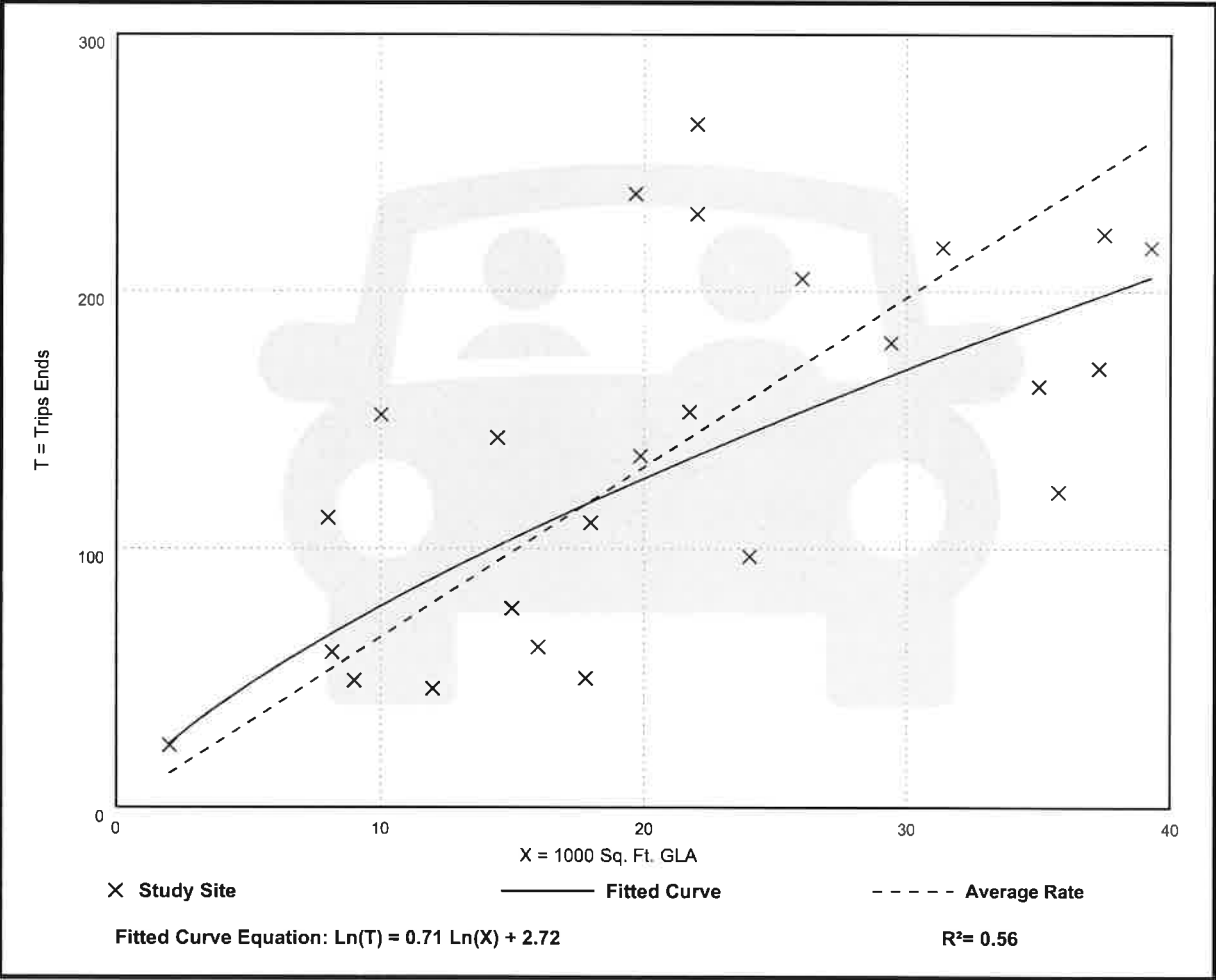
Avg. 1000 Sq. Ft. GLA: 21

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

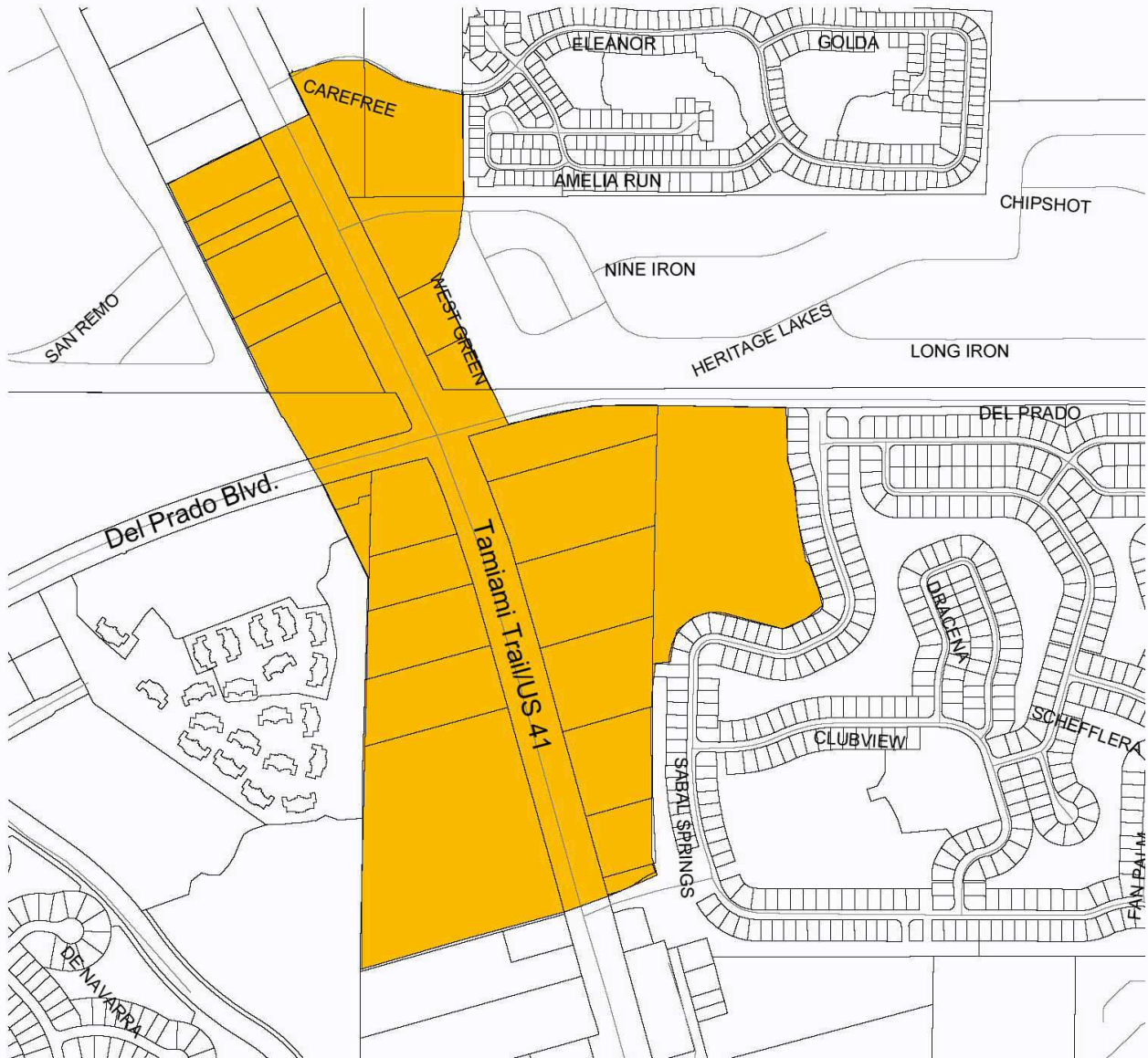
Average Rate	Range of Rates	Standard Deviation
6.59	2.81 - 15.20	2.94

Data Plot and Equation



Attachment P

**Neighborhood Center #2
North Tamiami Trail & Del Prado Blvd.**



500 0 500 1000 Feet



Attachment Q

LEE COUNTY ORDINANCE NO. 25-22

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN TO ADOPT A SMALL SCALE AMENDMENT (CPA2025-00001) PERTAINING TO HONC 41 CPA; PROVIDING FOR PURPOSE, INTENT AND SHORT TITLE; ADOPTION OF SMALL SCALE AMENDMENT TO LEE PLAN MAP 1-A, THE FUTURE LAND USE MAP; LEGAL EFFECT OF THE "LEE PLAN"; PERTAINING TO MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; GEOGRAPHICAL APPLICABILITY; SEVERABILITY; INCLUSION IN CODE, CODIFICATION AND SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan ("*Lee Plan*") and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners ("*Board*"); and

WHEREAS, the Board, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6, provide an opportunity for private individuals to request amendment to the Future Land Use Map through a small scale amendment public hearing process; and

WHEREAS, the Local Planning Agency ("*LPA*") held a public hearing on the adoption of the proposed amendment on August 25, 2025. At that hearing the LPA found the proposed amendment to be consistent with the Lee Plan and recommended that the Board adopt the amendment; and

WHEREAS, the Board held a public hearing for the adoption of the proposed amendment on November 5, 2025. At that hearing, the Board approved a motion to adopt proposed amendment CPA2025-00001 pertaining to HONC 41, amending Map 1-A of the Lee Plan, the Future Land Use Map. The subject parcel is located along the west side of North Tamiami Trail, approximately 0.25 miles south of Del Prado Boulevard North.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted a public hearing to review a proposed small scale amendment to the Future Land Use Map Series of the Lee Plan. The purpose of this ordinance is to adopt the amendment to the Lee Plan discussed at that meeting and later approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." This amending ordinance may be referred to as the "HONC 41(CPA2025-00001)".

SECTION TWO: ADOPTION OF SMALL SCALE AMENDMENT TO LEE PLAN FUTURE LAND USE MAP SERIES, MAP 1-A

The Lee County Board of County Commissioners hereby amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment to the Future Land Use Map Series, Map 1-A, the Future Land Use Map to redesignate the 19.36-acre subject property to the Central Urban future land use category from the Suburban future land use category. The subject parcel is located along the west side of North Tamiami Trail, approximately 0.25 miles south of Del Prado Boulevard North. The corresponding staff report and analysis, along with all attachments for this amendment, are adopted as "support documentation" for the Lee Plan.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

SECTION FOUR: MODIFICATION

It is the intent of the Board of County Commissioners that the provisions of this Ordinance may be modified as a result of consideration that may arise during Public Hearing(s). Such modifications shall be incorporated into the final version.

SECTION FIVE: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION SIX: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board of County Commissioners that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

SECTION SEVEN: INCLUSION IN CODE, CODIFICATION AND SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be re-numbered or re-lettered and the word "ordinance" may be changed to "section," "article" or other appropriate word or phrase in order to accomplish this intention; and regardless of whether inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent may be authorized by the County Manager, or designee, without need of a public hearing, by filing a corrected or re-codified copy with the Clerk of the Circuit Court.

SECTION EIGHT: EFFECTIVE DATE

The small scale Lee Plan amendment adopted by this ordinance will be effective 31 days after adoption unless challenged within 30 days after adoption. If challenged within 30 days after adoption, the small scale amendment to the Lee Plan will not be effective until the Florida Department of Commerce or the Administration Commission issues a final order determining the small scale amendment is in compliance with Florida Statutes, Section 163.3184. No development orders, development permits or land uses dependent on this amendment may be issued or commence before the amendment has become effective.

Commissioner Pendergrass made a motion to adopt the foregoing ordinance, seconded by Commissioner Hamman. The vote was as follows:

Kevin Ruane	Aye
Cecil L Pendergrass	Aye
David Mulicka	Absent
Brian Hamman	Aye
Vacant	_____

DONE AND ADOPTED this 5th of November, 2025.

ATTEST:
KEVIN C. KARNES
CLERK OF CIRCUIT COURT

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Kevin C. Karnes
Deputy Clerk

BY: [Signature]
Kevin Ruane, Chair

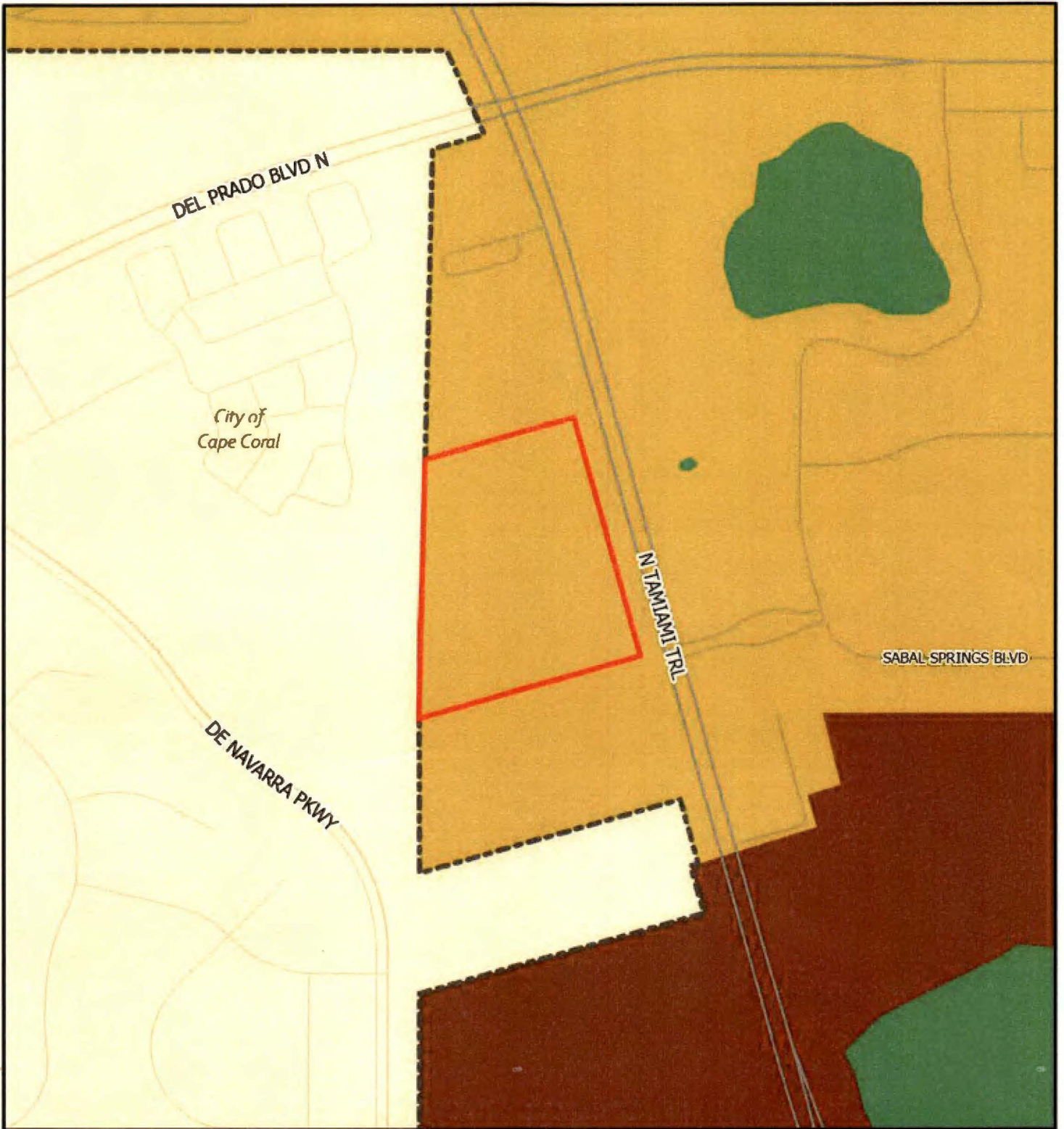
DATE: 11/06/2025



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

[Signature]
Lee County Attorney's Office

Exhibit A (Adopted by BOCC on November 5, 2025):
Adopted existing Future Land Use Map 1-A
Adopted proposed Future Land Use Map 1-A

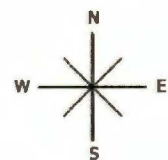


CPA2025-00001

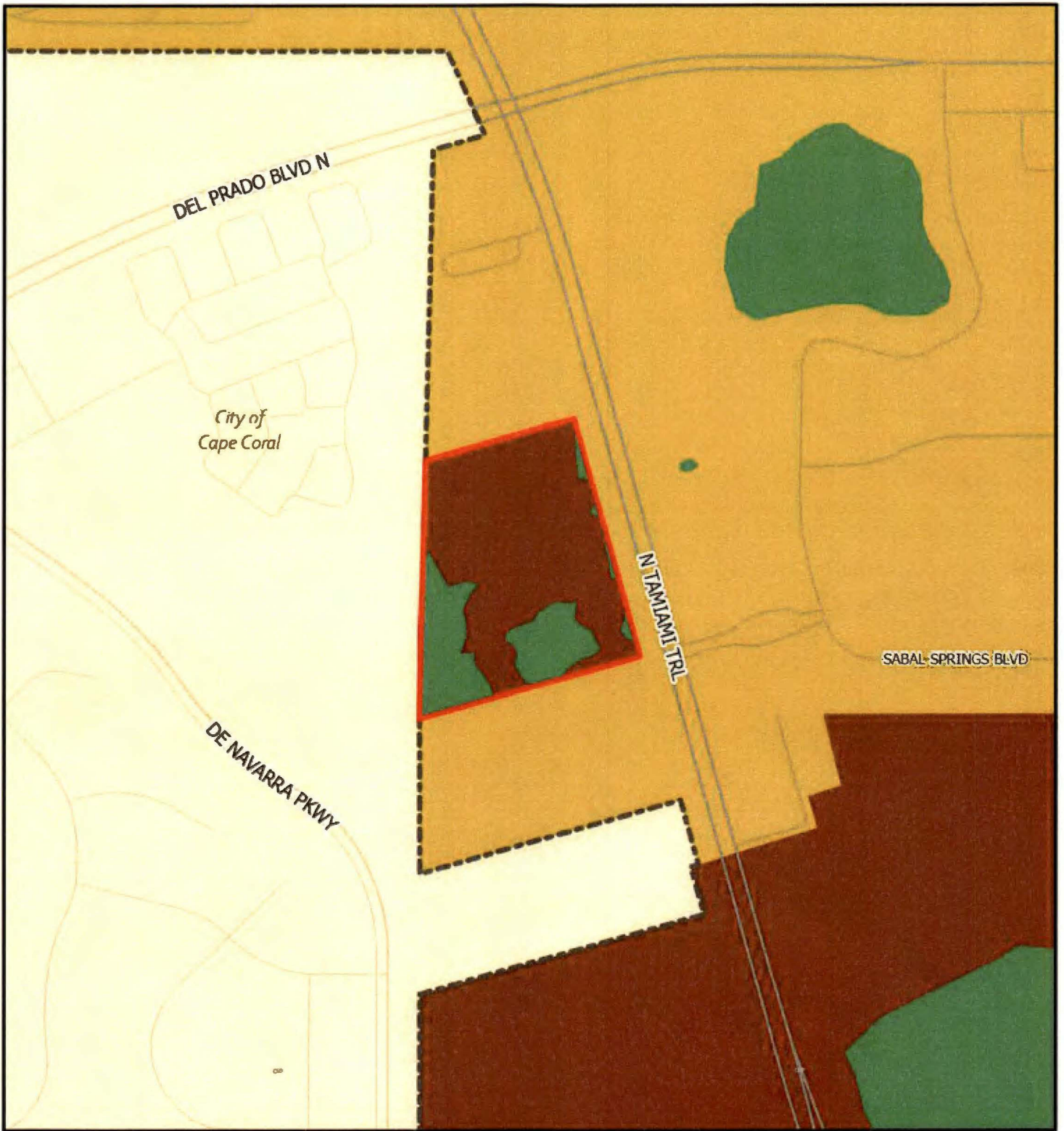
Existing Future Land Use



- Subject Property
- Central Urban
- Suburban
- Wetlands



Map Generated: July 2025



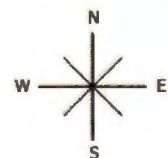
CPA2025-00001

Proposed Future Land



Lee County
Southwest Florida

-  Subject Property
-  Central Urban
-  Suburban
-  Wetlands



0 1,000
Feet

Map Generated: July 2025



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

November 13, 2025

Kevin Karnes
Clerk of the Circuit Courts
Lee County
Post Office Box 2469
Fort Myers, Florida 33902-2469

Dear Kevin Karnes:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Lee County Ordinance No. 25-22, which was filed in this office on November 13, 2025

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

RECEIVED

By Melissa Butler at 4:19 pm, Nov 13, 2025

**FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
CODRS CODING FORM**

COUNTY: Lee

COUNTY ORDINANCE #: 25-22
(e.g., 93-001)

PRIMARY KEYFIELD

DESCRIPTOR: Comprehensive Planning

SECONDARY KEYFIELD

DESCRIPTOR: Planning

OTHER KEYFIELD

DESCRIPTOR: Land Use Planning

ORDINANCE DESCRIPTION: Honc 41 CPA
(25 Characters Maximum Including Spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT #1: 89-02 AMENDMENT #2: _____

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL #1: _____ ; REPEAL #3: _____
REPEAL #2: _____ ; REPEAL #4: _____

(Others Repealed: List All That Apply): _____

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: _____

KEYFIELD 1 CODE: _____ KEYFIELD 2 CODE: _____

KEYFIELD 3 CODE: _____

Rev. 09/11/02

CODING

**MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY**

VIA HAND DELIVERY

DATE: November 5, 2025

To: Commissioner Kevin Ruane

Chair, Board of County
Commissioners

FROM: David W. Halverson

Assistant County Attorney

**RE: Lee County Ordinance Amending the Lee County Comprehensive Plan
Ord #25-22 (CPA2025-00001) Honc 41 CPA
Adoption Hearing on November 5, 2025**

On November 5, 2025, the Board of County Commissioners adopted an ordinance amending the Lee County Comprehensive Plan. The original ordinance is attached to this memorandum for execution. Kindly execute the ordinance at your earliest convenience and then forward to the Minutes Department.

By copy of this memorandum to Minutes, I request that a clerk attest to the Chair's signature on the attached ordinance and email a copy of the fully executed ordinance with all exhibits to my attention.

Insofar as State Statute mandates that the ordinance reach Tallahassee within ten (10) days of the adoption, please expedite the above request so that the ordinance arrives in Tallahassee no later than November 15, 2025. Also attached please find the Data Retrieval form to accompany the ordinance when transmitted to the State.

Thank you for your assistance.

DWH/slk

Attachment: Ord #25-22 (CPA2025-00001)

cc via email only: leeclerkminutes@leeclerk.org
Brandon Dunn, Planning Manager, Planning
Becky Sweigert, Senior Manager, Growth Management, DCD
Janet Miller, Administrative Specialist, DCD
Lauren Schaefer, Legal Administrative Specialist

2025 NOV - 7 AM 10:59
MINUTES DEPT.

Attachment R

EASEMENT DEED AND AGREEMENT

This Easement Deed and Agreement (the "Agreement") is granted this 06th day of MAY, 2014 by JAMES E LANCASTER (hereinafter referred to as "Grantor"). The following statements are a material part of this agreement:

- A. Grantor owns real property located in North Fort Myers, Lee County, Florida as more particularly described as (TAMIAMI CITY, BLK 1 PB 9 PG 6, LOTS 13 THRU 15, Folio # 22-43-24-01-00001.0130) by reference (the "Del Prado 41 Center Parcel")
- B. Tyus Astrid I Est, C/O Lisa Tyus Morrison, his successors, assigns and heirs ("Grantee") is the owner of certain real property located in North Fort Myers, Lee County, Florida as more particularly described as (TAMIAMI CITY BLK 1, PB 9 PG 6 LOTS 16 THRU 25, INCL LESS E 50 FT R/W, Folio # 22-43-24-01-00001.0160) by reference (the "South Adjacent Parcel")
- C. LiteStar LLC, his successors, assigns and heirs ("Grantee") is the owner of certain real property located in North Fort Myers, Lee County, Florida as more particularly described as (TAMIAMI CITY, BLK 1 PB 9 PG 6, LOTS 10 THRU 12, Folio # 22-43-24-01-00001.0100) by reference (the "North Adjacent Parcel")
- D. Grantor wisher to establish an access easement through the Del Prado 41 Center Parcel and set forth roles and responsibilities with respect to such easement areas.

NOW, THEREFORE, in consideration of the above premises, and for and in consideration of ten (\$10.00) dollars, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- 1. ACCESS EASEMENT. Grantor herby declares, creates and imposes for the benefit of the Grantee, a perpetual and non-exclusive easement for pedestrian and vehicular ingress and egress purposes, over, across, upon and through that portion of the Del Prado 41 Center Parcel that may exists from time to time as legally described and depicted on Exhibit "A" (the "Access Easement"). The Adjacent Parcels will have the right to use of the access easement. Such right will be exercised in a reasonable manner for the purposed stated above. All costs associated with improvement of the easement area shall be the responsibility of the owner of the Adjacent Parcels.
- 2. COVENANT RUNNING WITH LAND. The terms of this Agreement and the easement established by this Agreement shall constitute covenants running with, and shall be appurtenant to, the land affected. The rights contained within this Agreement shall inure to and be for the benefit of Grantor and Grantee.

3. NOTICE. Grantor's address is 829 Norwest Rd, Kingston On K7p 2n3, Canada. All notices shall be sent by nationally recognize overnight mail carrier or certified mail, return receipt requested, to the addresses provided for in this paragraph and shall be dement given when received or first refused.

IN WITNESS WHEREOF, Grantor has executed this Grant of Easement on the day and year first written above.

WITNESS:

Signature

ANDRES BORAL

Printed Name

GRANTOR:

Signature

JAMES E LANCASTER

Printed Name

WITNESS:

Signature

MATT MIKOVIC

Printed Name

STATE OF

Florida

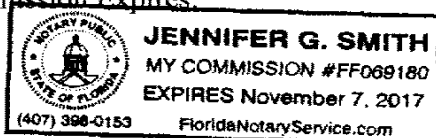
COUNTY OF

Lee

The foregoing instrument was acknowledged before me this 6 day of May 2014 by James Lancaster

He/she is personally known to me or has produced _____ as identification.

My Commission Expires:



Signature of Notary

Printed name of Notary

Commission No:

11/7/17

EXHIBIT "A" - Access Easement

EXHIBIT "A" - PAGE 1 OF 2

DESCRIPTION:

AN EASEMENT FOR CROSS ACCESS AND INGRESS - EGRESS OVER ACROSS AND THROUGH A PORTION OF LOTS 13, 14 AND 15, BLOCK 1, TAMiami CITY, AS RECORDED IN PLAT BOOK 9, AT PAGE 6, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, FURTHER DESCRIBED AND SHOWN HEREON AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 13, BLOCK 1, SAID TAMiami CITY SUBDIVISION; THENCE RUN N.74°29'00"E. ALONG THE NORTH LINE OF SAID LOT 13, BLOCK 1 FOR 470.96 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE N.74°29'00"E. ALONG SAID NORTH LINE FOR 24.00 FEET; THENCE RUN S.15°31'00"E. 131.75 FEET; THENCE RUN N.74°29'00"E. TO THE EXISTING RIGHT-OF-WAY LINE OF TAMiami TRAIL (US 41 / S.R. 45) FOR 43.00 FEET; THENCE RUN S.15°31'00"E. ALONG THE EXISTING RIGHT-OF-WAY LINE OF TAMiami TRAIL (US 41 / S.R. 45) FOR 28.00 FEET; THENCE RUN S.74°29'00"W. FOR 43.00 FEET; THENCE RUN S.15°31'00"E. TO A POINT ALONG THE SOUTHERLY LINE OF LOT 15, BLOCK 1, SAID TAMiami CITY SUBDIVISION FOR 140.16 FEET; THENCE RUN S.74°29'00"W. ALONG SAID SOUTHERLY LINE FOR 24.00 FEET; THENCE RUN N.15°31'00"W. TO A POINT ALONG THE NORTH LINE OF LOT 13, BLOCK 1, SAID TAMiami CITY SUBDIVISION FOR 299.91 FEET TO THE POINT OF BEGINNING.

CONTAINING: 8401.77 SQUARE FEET

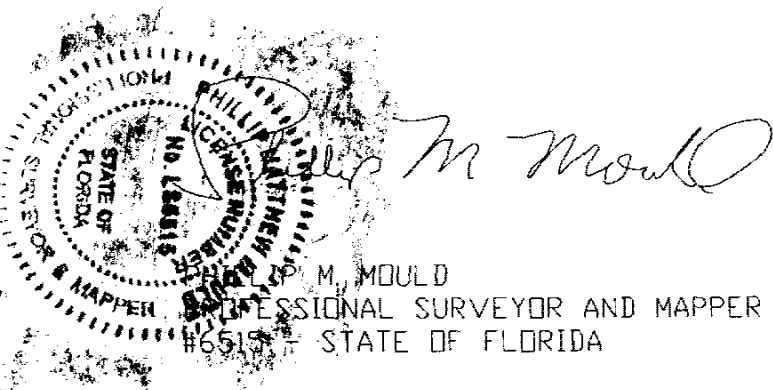
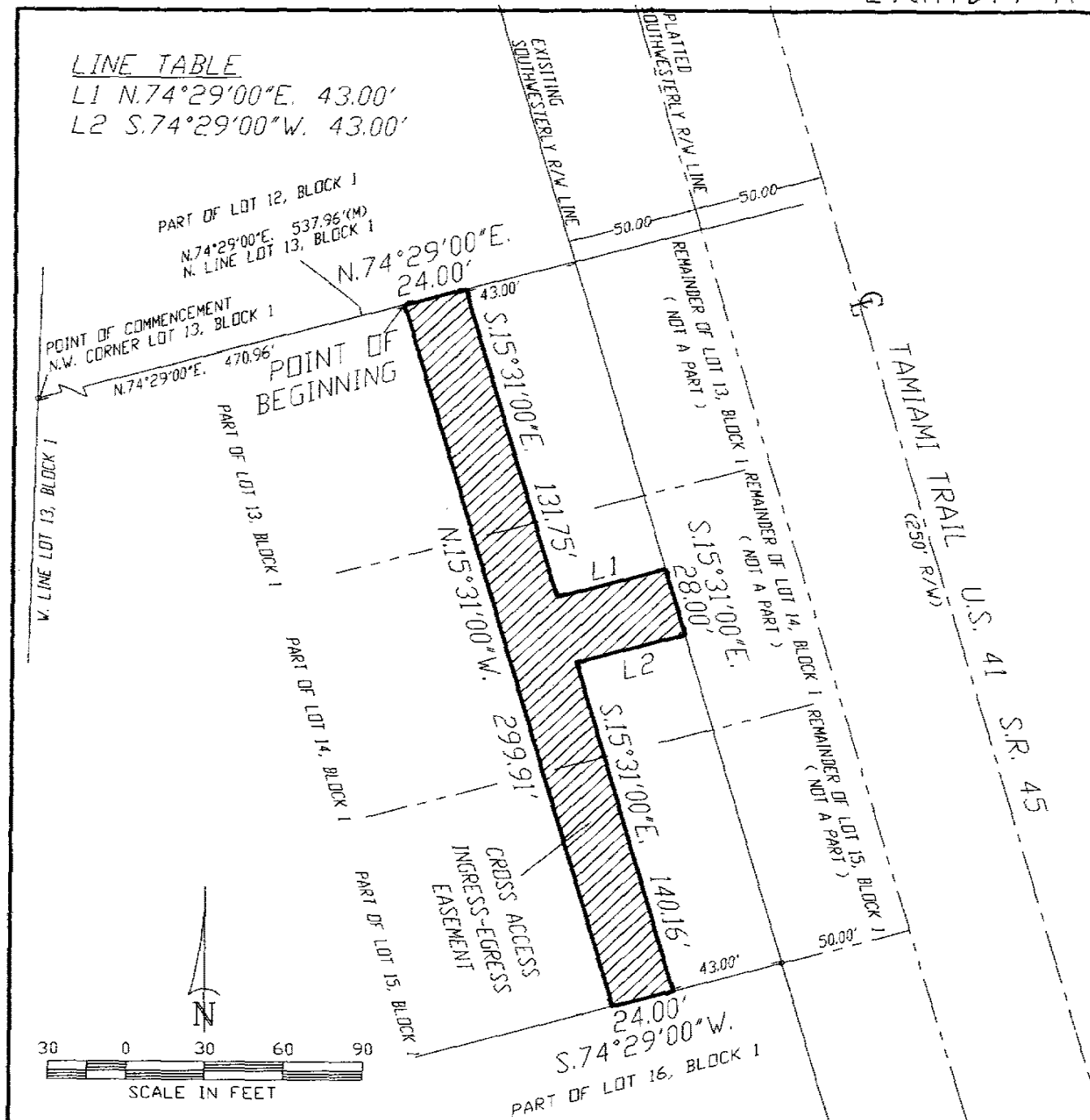


EXHIBIT "A" - PAGE 2 OF 2



SKETCH AND DESCRIPTION FOR:
 A CROSS ACCESS, INGRESS - EGRESS EASEMENT
 OVER, ACROSS AND THROUGH:

**PART OF LOTS 13 THRU 15
 BLOCK 1, TAMAMI CITY**

A SUBDIVISION LYING IN SECTION 22,
 TOWNSHIP 43 SOUTH, RANGE 24 EAST (PLAT
 BOOK 9, PAGE 6) LEE COUNTY, FLORIDA

DESCRIPTION:

AN EASEMENT FOR CROSS ACCESS AND INGRESS - EGRESS OVER ACROSS AND THROUGH A PORTION OF LOTS 13, 14 AND 15, BLOCK 1, TAMAMI CITY, AS RECORDED IN PLAT BOOK 9, AT PAGE 6, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, FURTHER DESCRIBED AND SHOWN HEREON AS FOLLOWS:

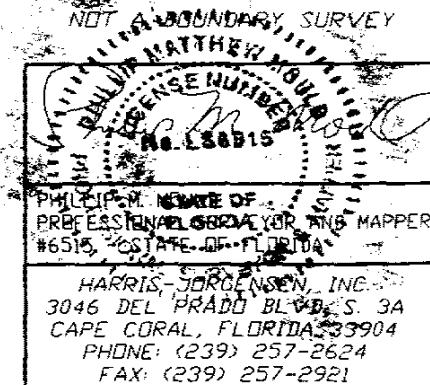
COMMENCING AT THE NORTHWEST CORNER OF LOT 13, BLOCK 1, SAID TAMAMI CITY SUBDIVISION; THENCE RUN N.74°29'00"E. ALONG THE NORTH LINE OF SAID LOT 13, BLOCK 1 FOR 470.96 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE N.74°29'00"E. ALONG SAID NORTH LINE FOR 24.00 FEET; THENCE RUN S.15°31'00"E. 131.75 FEET; THENCE RUN N.74°29'00"E. TO THE EXISTING RIGHT-OF-WAY LINE OF TAMAMI TRAIL (US 41 / S.R. 45) FOR 43.00 FEET; THENCE RUN S.15°31'00"E. ALONG THE EXISTING RIGHT-OF-WAY LINE OF TAMAMI TRAIL (US 41 / S.R. 45) FOR 28.00 FEET; THENCE RUN S.74°29'00"W. FOR 43.00 FEET; THENCE RUN S.15°31'00"E. TO A POINT ALONG THE SOUTHERLY LINE OF LOT 15, BLOCK 1, SAID TAMAMI CITY SUBDIVISION FOR 140.16 FEET; THENCE RUN S.74°29'00"W. ALONG SAID SOUTHERLY LINE FOR 24.00 FEET; THENCE RUN N.15°31'00"W. TO A POINT ALONG THE NORTH LINE OF LOT 13, BLOCK 1, SAID TAMAMI CITY SUBDIVISION FOR 299.91 FEET TO THE POINT OF BEGINNING.

CONTAINING: 8401.77 SQUARE FEET

SKETCH NOTES:

1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF TAMAMI TRAIL, AS BEING S.15°31'00"E.
2. FIELD NOTES IN TAMAMI CITY.
3. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
4. THIS SURVEY WAS BASED ON TITLE OPINION BY BILL MCFARLAND, P.A., DATED NOVEMBER 12, 2012.
5. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
6. THIS MAP/PLAT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
7. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.

THIS SURVEY IS CERTIFIED TO:
 JAMES LANCASTER





January 22, 2026

Brian Smith
Ensite, Inc.
2401 First Street, Suite 201
Ft. Myers, FL 33901

Re: 17701 N Tamiami Trail

Mr. Smith,

The North Fort Myers Fire Department has reviewed your proposed concept plan for the above-mentioned project. As this project is depicted, our department has **“No Objection”** to the proposed one entrance concept. If you have any additional questions, please contact our office @ 239-731-1931.

Respectfully,

Rick Jones
Fire Marshal

Attachment T

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



Mixed Use Planned Development
STORMWATER MANAGEMENT NARRATIVE

- a. *The runoff characteristics of the property in its existing state;*

According to survey of the property, the site is relatively flat with +/-3.4' of elevation change ranging from 13.3' to 16.7' in elevation (NAVD). The low points are located within the wetland areas of the site, towards the south. The site generally sheet flows west towards the Entrada Subdivision, east towards FDOT ROW and south towards the existing wetlands.

- b. *In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies including how drainage flow from adjacent properties will be maintained;*

The site will have a master water management system proposed, which will consist of various treatment and water management techniques. These techniques will ensure that the project will meet the requirements of the South Florida Water Management District (SFWMD) Environmental Resource Permit (ERP) requirements. Any site that has existing wetlands or is over 10 acres in size or has over 2 acres or more of impervious area is required to be submitted to the SFWMD for the master water management permit. The site may utilize open swales, detention areas, surface water lake, sub-surface storage, structures, and pipes to achieve the required pre-treatment and attenuation of the site. Final discharge of stormwater will typically be through a control structure with discharge likely to occur to the west or south into the existing wetlands proposed to remain on site.

As previously mentioned in the existing conditions, the site currently sheet flows off site and therefore creating a master water management system will stop post development flows from off-site surrounding properties. When the master system is designed with the required perimeter berm, no adverse impacts will be proposed.

- c. *The retention features (including existing natural features) that will be incorporated into the drainage system and the legal mechanism which will guarantee their maintenance;*

As previously mentioned, the site may include various systems for stormwater management and treatment areas. Each may be utilized to treat and storm stormwater prior to discharge into the exiting wetlands or other approved area that will except stormwater discharge. This is required per SFWMD requirements. All master stormwater systems on a site are required to maintain the system in perpetuity.

- d. *How existing natural features will be preserved. Include an estimate of the ranges of existing and post development water table elevations, where appropriate;*

The site is proposing to retain a large portion of the existing wetlands and indigenous vegetation along the western and southern boundary of the project. The appropriate buffer (min. 25') will be provided around the wetland areas that are being preserved. The wet season water table elevation will be determined by a geo technical report and that elevation is a determining factor for the design of the stormwater management system as there is not a minimum 100 year flood elevation of the site as it is located with Zone X.

- e. *If the property is subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expectable flooding.*

The site is not within a 100-year flood zone or flow way.

Perez, Maria

From: Schroeder, Brianna
Sent: Tuesday, June 9, 2026 1:36 PM
To: Perez, Maria; Cindy Leal
Cc: Workman, Elizabeth; Brian Smith; Richard Akin; Rodriguez, Anthony; Sweigert, Rebecca; Adams, Joseph; Carroll, Paige
Subject: RE: DCI2025-00014 Staff's 48 Hour Letter
Attachments: DCI2025-00014 Honc 41 48-Hour Letter.pdf

Hello,

Please see attached for Staff's 48-Hour Letter for DCI2025-00014.

Thank you,



Brianna Schroeder | Planner

Department of Community Development, Zoning Section

1500 Monroe St, Fort Myers, FL 33901

office: (239) 533-8350

email: BSchroeder@leegov.com

web: www.leegov.com/dcd

Connect With Us On Social Media



From: Perez, Maria <MPerez@leegov.com>

Sent: Tuesday, June 9, 2026 8:08 AM

To: Cindy Leal <cindyl@en-site.com>

Cc: Schroeder, Brianna <BSchroeder@leegov.com>; Workman, Elizabeth <EWorkman@leegov.com>; Brian Smith <brians@en-site.com>; Richard Akin <richard.akin@henlaw.com>

Subject: RE: DCI2025-00014 Applicant's 48 Hour Letter

Received and thank you.

MARIA D. PEREZ
EXECUTIVE ASSISTANT
LEE COUNTY HEARING EXAMINER'S OFFICE
BOARD OF COUNTY COMMISSIONERS
P.O. Box 398
(1500 Monroe Street)
Fort Myers, Florida 33902
Tel: (239) 533-8100

STAFF'S EXHIBIT # 2

E-mail: perezmd@leegov.com

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Please note our general office email address: hex@leegov.com

From: Cindy Leal <cindyl@en-site.com>

Sent: Monday, June 8, 2026 3:46 PM

To: Hearing Examiner <hex@leegov.com>

Cc: Schroeder, Brianna <BSchroeder@leegov.com>; Workman, Elizabeth <EWorkman@leegov.com>; Brian Smith <brians@en-site.com>; Richard Akin <richard.akin@henlaw.com>; Perez, Maria <MPerez@leegov.com>

Subject: DCI2025-00014 Applicant's 48 Hour Letter

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

Good afternoon,

Please see attached Applicant's 48-hour letter for DCI2025-00014 (Honc 41 MPD)

Should you need anything additional ahead of the hearing this Thursday, please don't hesitate to reach out.

-Cindy

Cindy C. Leal Brizuela, AICP, MURP

Principal Planner



2401 First Street, Suite 201 | Fort Myers, FL 33901

office: 239.226.0024 | cell: 305.321.8756

✉ CindyL@en-site.com | www.en-site.com



Think Green. Please consider the environment before printing this e-mail.

MEMORANDUM
FROM
THE DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Ms. Amanda Rivera
Deputy Hearing Examiner

DATE: June 9, 2026

FROM: Brianna Schroeder
Planner

RE: Staff 48-Hour Letter
Honc 41 MPD (DCI2025-00014)

Madame Hearing Examiner,
Staff respectfully would like to submit the Affidavit of Publication (attached) for the Planned Development rezone request (DCI2025-00014) and is scheduled to be heard on June 11, 2026.

Staff acknowledges and agrees with most of the corrections brought forth by the applicant through their 48-Hour Letter. Regarding the Staff recommended Deviation 4 (Page 4 of the published Staff Report), to avoid ambiguity with LDC Section 10-425 and the residential community located to the west of the subject property, Staff recommended approval of Deviation 4 to allow the applicant to utilize the indigenous preservation area as a buffer from the nearby residential use to enhance the compatibility between the two land use types (residential and industrial). Staff does not dispute the type of buffer required, but recommended this deviation to allow the proposed indigenous preserve to meet the buffer requirement.

Respectfully Submitted,
Brianna Schroeder
Planner, Zoning Section

USA TODAY CO.



PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Mark Ledesma
Lcbc-Dept Of Comm Development-D
1500 MONROE ST
Fort Myers FL 33901

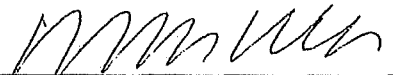
STATE OF WISCONSIN, COUNTY OF BROWN

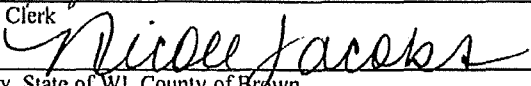
Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Advertising Representative of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of Govt Public Notices,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

FNP Fort Myers News-Press 05/28/2026
FNP news-press.com 05/28/2026

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 05/28/2026



Legal Clerk


Notary, State of WI, County of Brown
8-21-26

My commission expires

Publication Cost:	\$248.74	
Tax Amount:	\$0.00	
Payment Cost:	\$248.74	
Order No:	12343156	# of Copies:
Customer No:	1124450	1
PO #:		

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING
The Hearing Examiner of Lee County will hold public hearings on Thursday, June 11, 2026, in the Hearing Examiner Meeting Room, 1500 Monroe St., Ft. Myers, FL. An interested individual may appear in person, through counsel, or an authorized agent and provide testimony, legal argument or other evidence at the hearing. If you do not appear before the Hearing Examiner or otherwise become a participant for that case in which you wish to testify, the law does not permit you to address the Board of County Commissioners. Any document that a participant of record intends to submit to the BoCC during the Board Zoning Hearing must be submitted as an exhibit as part of the record in the hearing before the Hearing Examiner. If the document is not submitted and is not relevant new evidence that was not known or could not have been reasonably discovered by the participant at the time of the hearing before the Hearing Examiner, then the document may not be submitted to the Board. After the Hearing Examiner has made a written recommendation, the case will be scheduled for a public hearing before the Board of County Commissioners who will review the recommendation and make a final decision. Copies of the staff report are available two weeks prior to the hearing. The file can be reviewed at the Zoning Section, 1500 Monroe St., Fort Myers, FL. Call Brianna Schroeder at (239) 533-8585 for additional information. In accordance with the Americans with Disabilities Act, Lee County will not discriminate against qualified individuals with disabilities in its services, programs, or activities. To request an auxiliary aid or service for effective communication or a reasonable modification to participate, contact the ADA Coordinator, Ranice Monroe, (239) 533-0255, ADARequests@leggov.com or Florida Relay Service 711. Accommodation will be provided at no cost to the requestor. Requests should be made at least five business days in advance. The following case will be heard: DCI2025-00014, Honec 41 MPD, 9:00 am. Request to rezone 17.96± acres from Light Industrial (IL) and General Commercial (CG) to Mixed-Use Planned Development (MPD), Located at 17701 N Tamiami Trail, Lee County, FL; North Fort Myers Planning District. Property Owner: Honec Docks and Lifts, Inc. Property Owner's Representatives: Cindy C. Leal Brizuela, (239) 226-0024.
5/28/26 12343156

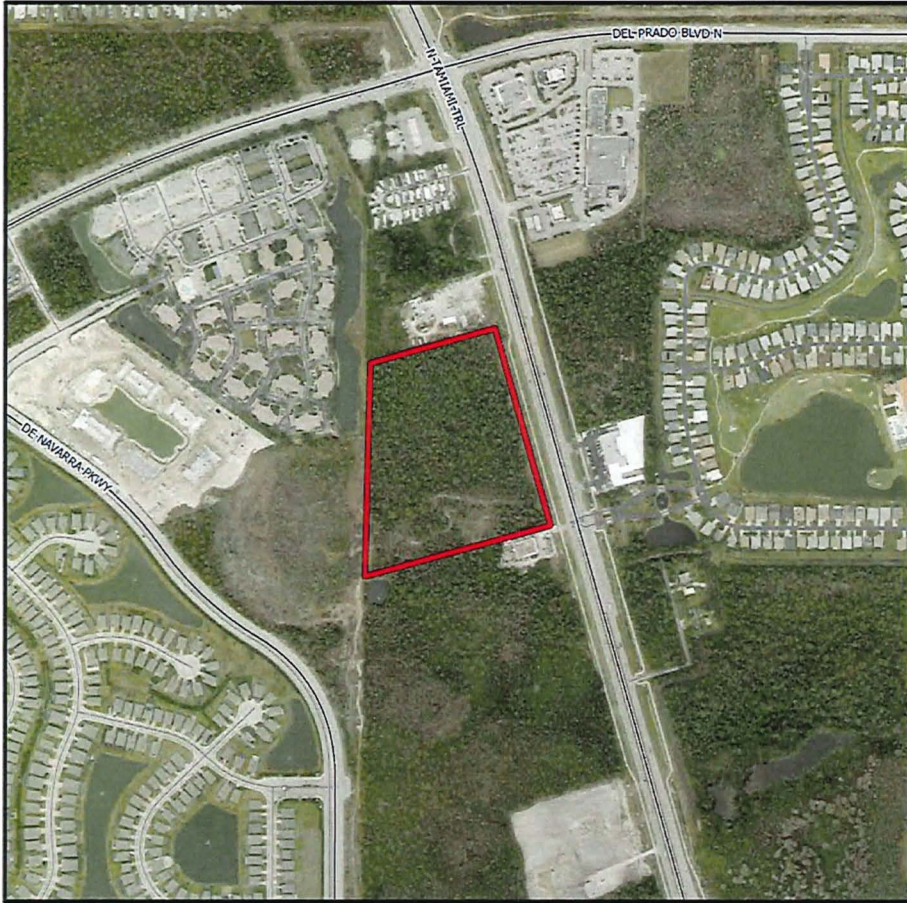


Lee County
Southwest Florida

DCI2025-00014
Honc 41 MPD

Staff Presentation – June 11, 2026

No Content Here!



 Subject Property

Request and Recommendation

Rezone ± 17.96 acres of land from General Commercial (CG) and Light Industrial (IL) to Mixed Use Planned Development (MPD)

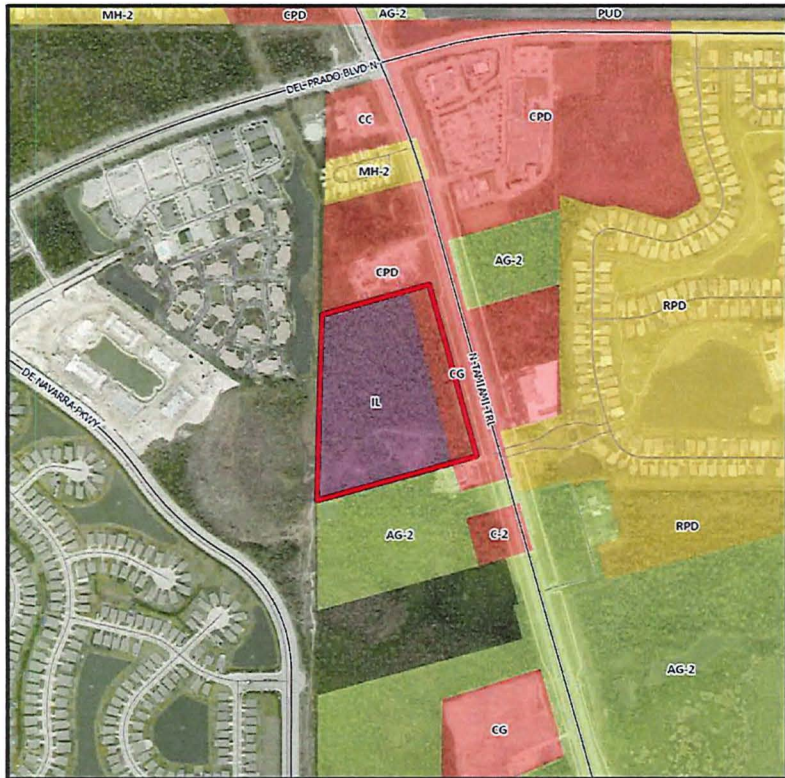
Allow up to:

- 30,000 square feet of commercial uses.
- 120,000 square feet of light industrial uses.

Staff recommends **APPROVAL** of the request and deviations with conditions

No Content Here!

Zoning and Future Land Use Category



Subject Property

General Commercial (CG) and Light Industrial (IL)



DCI2025-00014

CPA2025-0001:
Changed the FLUC
from Suburban to
Central Urban



Subject Property

Central Urban

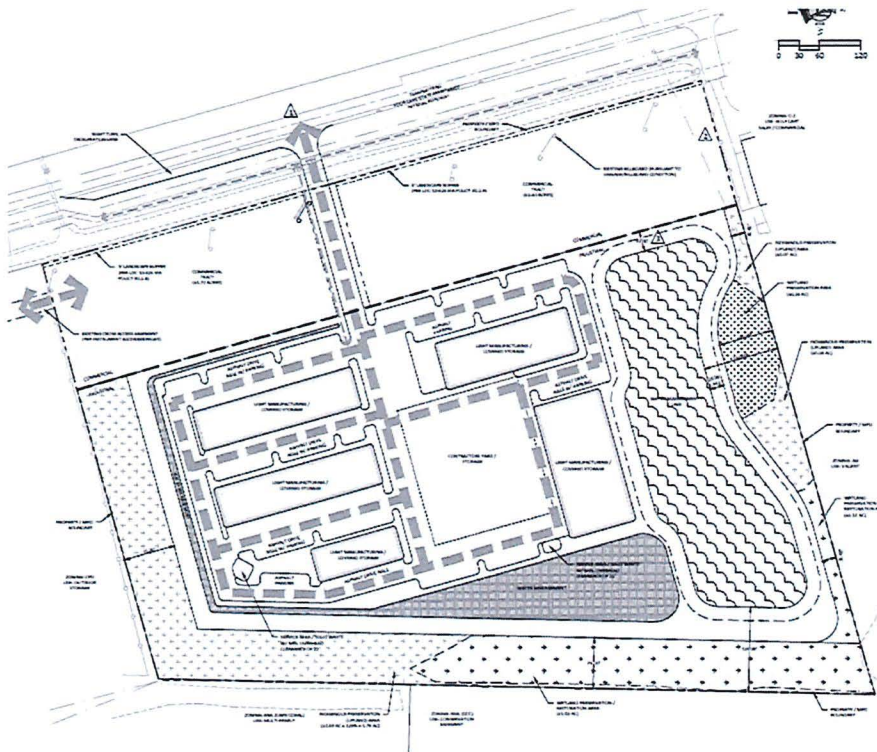
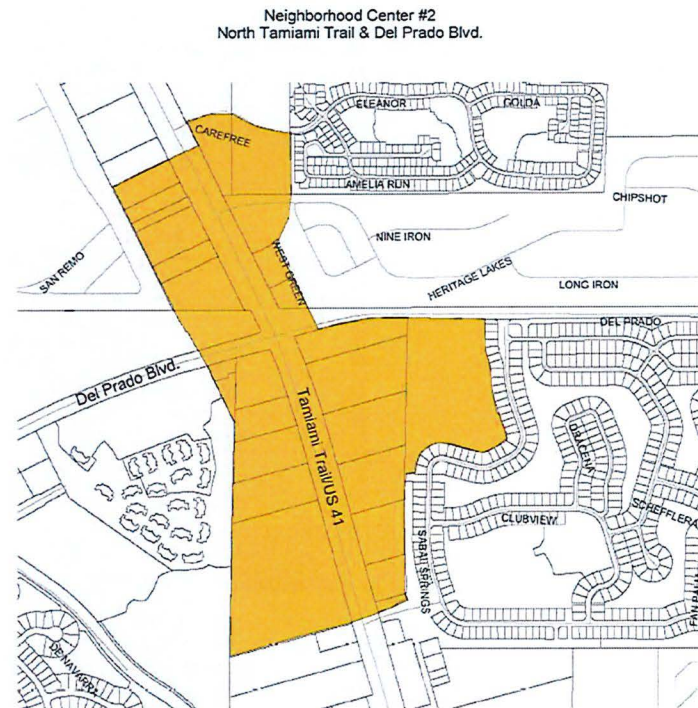
Suburban

Wetlands

No Content Here!

6/11/2026

Property Information



- North Fort Myers Community Plan area
 - Neighborhood Center #2
- North Fort Myers Commercial Corridor

No Content Here!

Surrounding Properties

North:

Zoned: CPD, Residential Mobile Home (MH-2), and Community Commercial (CC)

FLUC: Suburban

- All properties are developed

South:

Zoned: Agricultural (AG-2) and Commercial (C-2)

FLUC: Suburban

- Property zoned AG-2 is not developed while the property zoned C-2 is developed as a golf cart dealership

East:

Zoned: CPD, RPD, and General Commercial (CG)

FLUC: Suburban

- RPD: Developed with a residential community known as “Sabal Springs”
- CPD (17630 N Tamiami Trail) is undeveloped but approved for a warehouse or commercial building and there is a Development Order in review for a self-storage facility
- CPD (17570 N Tamiami Trail) is developed for low intense commercial uses.

West:

Within the City of Cape Coral and developed with a residential community known as “The Isles of Porto Vista”

No Content Here!

Availability of Urban Services

Public water, Sewer, and Solid Waste: The proposed project is within the Lee County Future Water Service Area in accordance with Lee Plan Map 4-A. The applicant has provided a letter of availability for potable water from Lee County Utilities. Sanitary sewer will be provided by FGUA.

Police, Fire, and Emergency Services:

- Closest Fire Station and EMS Stations are less than a mile away and are located at 2900 and 2910 Trail Dairy Circle, North Fort Myers, FL 33917.
- Lee County Sheriff's Office and furthest EMS Station is located ± 3.85 miles from the site and is located at 121 Pondella Road, North Fort Myers, FL 33903

Public Transit and Pedestrian Facilities: The proposed project is less than a mile away from Lee Tran route 590, bus stop 2310, which is located on North Cleveland Avenue.

Site Development Regulations

COMMERCIAL TRACT

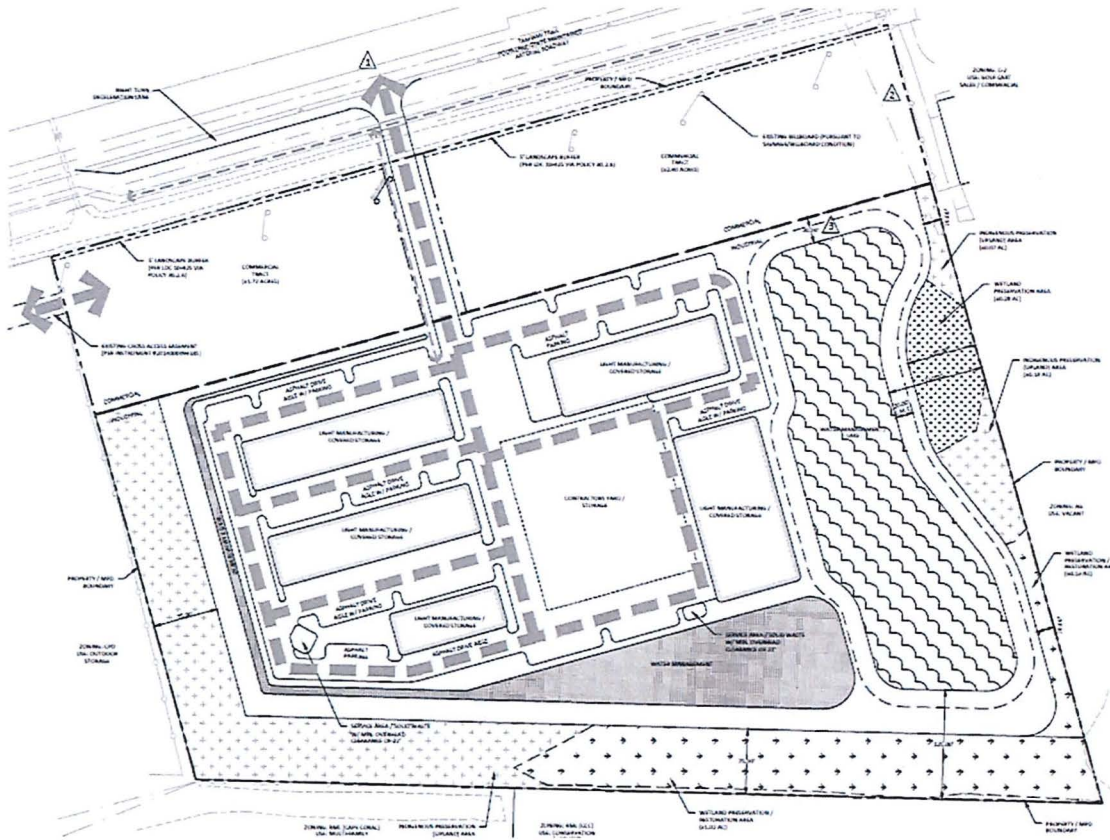
INTENSITY	30,000 S.F.
SETBACKS (BUILDING)	PROPOSED
NORTH (SIDE)	15'
EAST (FRONT)	25'
WEST (REAR)	25'
SOUTH (SIDE)	15'
WATER BODY SETBACK	25'
HEIGHT OF BUILDINGS	35'
OPEN SPACE	20%
MAX LOT COVERAGE	40%

INDUSTRIAL TRACT

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%

Proposed Property Development Regulations comply with **LDC Section 34-935**, which establishes the minimum property development regulations for planned developments.

Schedule of Uses and Master Concept Plan



Uses that would generally require Special Exception approval pursuant to LDC Section 33-1596:

Commercial Tracts:

- Printing and Publishing

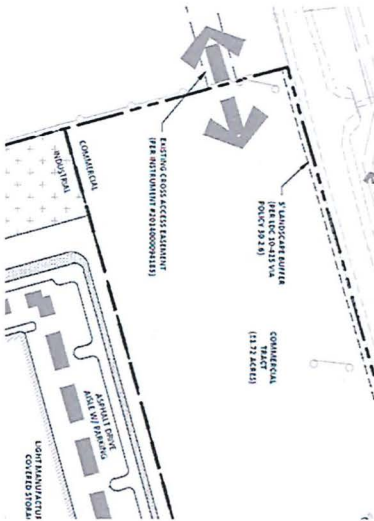
Industrial Tract:

- Contractors and Builders, Group III
- Recycling facility
- Storage, Open
- Warehouse:
 - High Cube
 - Hybrid
 - Mini warehouse
 - Private
 - Public
- Wholesale establishment, Group IV

Deviations: Five Deviations

Deviation (1) seeks relief from **LDC Section 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, to allow for one point of ingress or egress for the subject property.

Staff is recommending approval of this deviation with a condition that prior to development order issuance, construction of a stub out to align with the cross-access easement (Instrument # 2014000094185) located on the abutting property to the North as shown on the Master Concept Plan (MCP)



< >

Access Easement

Zoom to

Type 1

Type 2

Instrument Number

OR Book/Page

Width (ft)

Acres

Comment 1

Comment 2

Grantor

Grantee

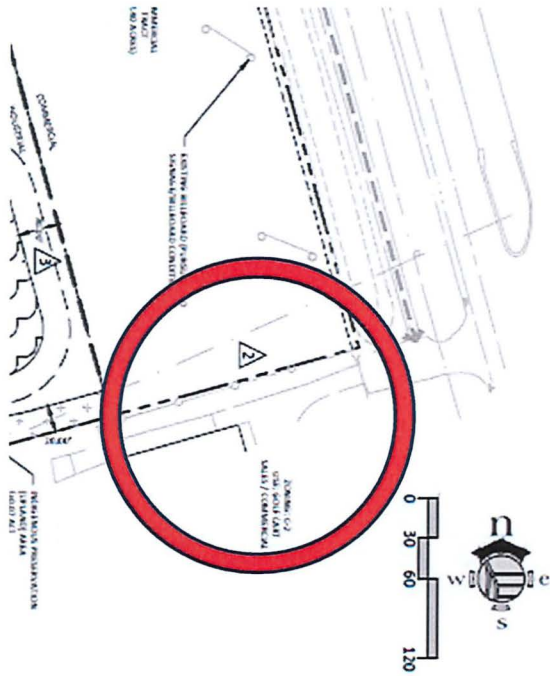
Legal Document

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Deviations: Five Deviations

Deviation (2) seeks relief from **LDC Section 10-610(e)**, which requires adjacent commercial uses to provide parking lot interconnections for automobile, bicycle and pedestrian traffic, to allow no interconnection to the south.

Staff is recommending approval of this deviation



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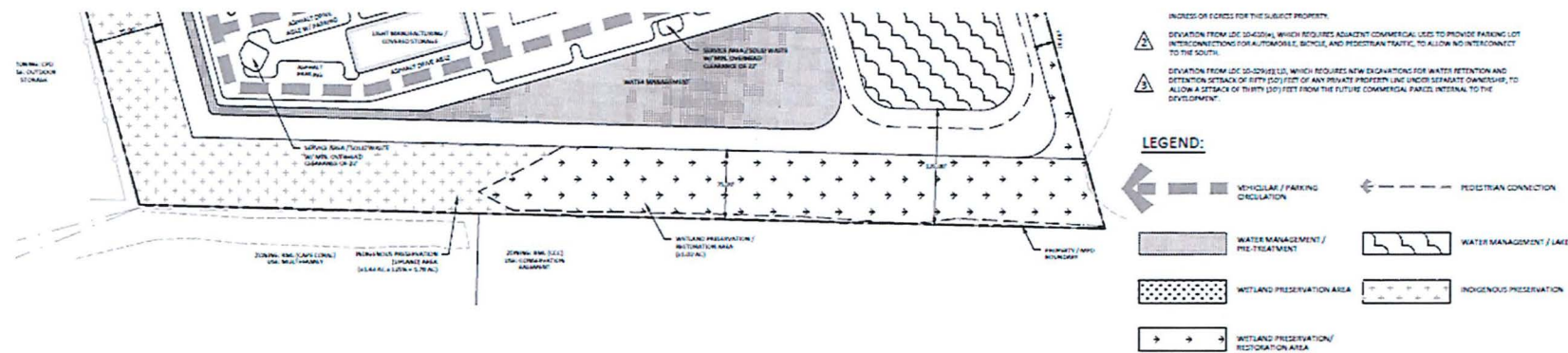
Deviations: Five Deviations

Deviation (3) seeks relief from **LDC Section 10-329(d)(1)a.3**, which requires all new excavations for water retention and detention to be set back 50 feet of any private property line under separate ownership, to allow a setback of 30 feet.

Staff is recommending approval of this deviation

Deviation (4) seeks relief from **LDC Section 10-425(f)(2)**, which requires a ten-foot-wide buffer with Type B plantings along property lines which abut single-family residences, to allow the indigenous preserve to meet the buffer requirements..

Staff is recommending approval of this deviation with a condition to ensure that the indigenous preserve restoration meets the plant specification as set forth in LDC Section 10-420(f).



Deviation 5 (Billboards)



- **LDC Section 30-183(1):** Permits billboards based on a property's designated Future Land Use Category (Intensive Development, Industrial Development, Interchange areas or Tradeport).
 - Not permitted in Central Urban Future Land Use Category
- **LDC Section 30-55:** For a sign to be deemed a "a legal nonconforming sign", the billboards would need to have been erected prior to August 21, 1985, or have had a permit issued.
 - Lee County Records do not show that any of the existing billboards have been permitted.
 - Aerial imagery does not clearly show all six billboards until 2001
- A deviation from LDC Section 30-183(1)a is being requested by staff to allow one billboard to remain within the Central Urban Future Land Use Category with conditions.

Conditions:

- Five of the existing billboards are removed prior to obtaining a CC on the Commercial Tracts
- One remaining billboard will be permitted to be repaired or replaced subject to the regulations established in LDC Chapter 30.

Rezoning and Planned Development Rezoning LDC Section 34-145(d)(4)

34-145(d)(4) Findings/review criteria.

Before recommending approval of a rezoning request, the Hearing Examiner must find the request:

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

For Planned Development rezoning requests, the Hearing Examiner must also find:

- a) The proposed use or mix of uses is appropriate at the proposed location;
- b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development; and
- c) That each requested deviation:
 - 1) Enhances the achievement of the objectives of the planned development; and
 - 2) Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.

Compliance with the Lee Plan

Policy 1.1.3: Central Urban - This 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 quasi-public, and limited light industrial land uses will continue to predominate in the Central Urban future land use category. 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) when utilizing bonus density.

- The request is to rezone the property to a Mixed Use Planned Development (MPD), which proposes a mix of commercial and light industrial uses in an area that is already developed and zoned for commercial use.
- CPA2025-00001, was adopted to change the future land use designation of the property from Suburban to Central Urban per the Lee Plan, which allows limited Light Industrial uses to be permitted at this location while the Suburban Future Land Use Category did not

Is consistent with this Lee Plan Policy



DCI2025-00014

6/11/2026

No Content Here!

Compliance with the Lee Plan

Objectives 2.1 and 2.2 of the Lee Plan promote contiguous and compact growth patterns through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, and minimize the cost of services while also encouraging new growth in future urban areas where adequate facilities exist or are assured and where compact and contiguous development patterns can be created.

Lee Plan Policy 2.2.1 states that rezonings will be evaluated as to the availability and proximity of the road network, central water and sewer lines, public facilities and services, compatibility with the surrounding uses, and any other relevant facts affecting the public health, safety and welfare.

- Area is partially developed for commercial and residential uses
- Has opportunities for additional growth
- Letters of availability for potable water with Lee County Utilities and sanitary sewer have been provided.
- North Tamiami Trail is anticipated to operate below the adopted LOS standard both with and without the proposed project



Is consistent with this Lee Plan Objective and Policies

DCI2025-00014

6/11/2026

No Content Here!

Compliance with the Lee Plan

Lee Plan Policy 5.1.5 protects existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment.

- The request is to rezone the property to a Mixed Use Planned Development (MPD). The applicant is meeting the minimum requirements of LDC Section 10-425, which establishes the minimum requirements for landscape buffers, open space, and indigenous open space.
- The proposed industrial tract is separated from the residential development located to the west by an existing stormwater lake, a 75-foot-wide FPL easement, and the proposed wetland and indigenous preservation areas as shown on the Master Concept Plan.

Is consistent with these Lee Plan Policy



DCI2025-00014

6/11/2026

No Content Here!

Compliance with the Lee Plan

Lee Plan Standards 4.1.1 and 4.1.2 require any commercial development exceeding 30,000 square feet of gross leasable (floor) area and generating more than 5,000 gallons of sewage per day to connect to a public water and sanitary sewer system.

- The request proposes up to 30,000 square feet of commercial uses and 120,000 square feet of light industrial uses. The applicant has provided letters of availability from Lee County Utilities (Potable Water) and FGUA (Sanitary Sewer)

Is consistent with these Lee Plan Standards



DCI2025-00014

6/11/2026

No Content Here!

Compliance with the Lee Plan

Lee Plan Standard 4.1.4: In any case where there exists or there is the probability of environmentally sensitive areas, 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. This assessment should also ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site and minimizes the need for expansion and construction of street and utility improvements

Lee Plan Policy 124.1.2: Establishes that the County's wetland protection regulations will be consistent with the standards listed within this Lee Plan Policy.

Lee Plan Goal 125 and Objective 125.1: Ensures water quality is maintained or improved for the protection of the environment and people of Lee County, high water quality must be maintained and must meet or exceed state and federal water qualities

Lee Plan 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

- An environmental assessment and a jurisdictional wetland determination was provided to Staff.
- Approximately ±4.82 acres of the site are found to be wetlands, which consists of melaleuca or disturbed lands.
- Uplands on the site are shown to have pine flatwoods and are made up of nearly up to 75% of exotics and the area described as palm hammock is made up of up to 50% of exotic vegetation..
- At the time of Development Order, the applicant will be required to:
 - Design the artificial drainage systems with the site's grading being taken into consideration
 - Retention and detention areas as well as vegetated swale systems will be designed to minimize nutrient loading and pollution consistent with the Environmental Assessment
- A surface water management plan has been provided to further describe surface water flows, groundwater levels and lake levels

Is consistent with these Lee Plan Goal, Objective and Policies



DCI2025-00014

6/11/2026

No Content Here!

Compliance with the Lee Plan

Goal 6 and Objective 6.1 of the Lee Plan establishes policies that require the applicant to meet design standards for commercial development.

Lee Plan Policies 6.1.1, 6.1.3, 6.1.4, and 6.1.6 establish that commercial development must provide appropriate and adequate open space, buffering and screening to provide visual relief, architectural design to enhance the appearance, and parking areas to blend with the character of the existing and proposed surrounding uses and ensure that the commercial design protects traffic carrying capacity. Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities.

Lee Plan Policy 30.2.6 allows the properties within a Neighborhood Center and a Corridor Overlay to utilize the development standards allowed within the Mixed-Use Overlay.

- The Master Concept Plan which, as conditioned, will be:
 - Compliant with **LDC Sections 10-425, 10-420 and 33-1572.**
 - Proposes commercial outparcels located along North Tamiami Trail, and industrial tracts located behind the commercial outparcels.
- The proposed project abuts North Tamiami Trail (U.S. 41), which is a State Maintained Road.
- The proposed development's build-out year as 2029
- North Tamiami Trail is anticipated to operate below the adopted LOS standard both with and without the proposed project.

Is consistent with the Lee Plan Goal and Policies shown here



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No Content Here!

Compliance with the Lee Plan

Lee Plan Policy 6.1.7 prohibits commercial developments from locating in such a way as to open new areas to premature, scattered, or strip development, but permits commercial development to infill on small parcels in areas where existing commercial development would make a residential use clearly unreasonable.

- Properties located along North Tamiami Trail are combination of commercially zoned and residentially zoned properties, with some properties already being developed for commercial use and residentially zoned properties being developed for residential use.
- As previously mentioned, the request is to rezone the property to a Mixed Use Planned Development (MPD), which will keep the current configuration of the property in terms of locating the commercial outparcels along North Tamiami Trail and keeping the industrial tract behind the commercial outparcels.

Is consistent with this Lee Plan Policy



DCI2025-00014

6/11/2026

No Content Here!

Compliance with the Lee Plan

Goal 7 of the Lee Plan promotes opportunities for well-planned industrial development at suitable locations within the County.

Lee Plan Policies 7.1.3, 7.1.4, 7.1.6, and 7.1.7 establishes that 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 timing and location of industrial development will be permitted only with the availability and adequacy of existing or planned services and facilities. Industrial development will not be permitted if it allows industrial traffic to travel through predominantly residential areas. Lastly, regulations from the Land Development Code (LDC) pertain to buffering and screening from adjacent existing or proposed residential uses to prevent visual blight and noise pollution must be maintained.

- The development will be utilizing the Mixed-Use Overlay Standards established in LDC Section 10-425 and in accordance with Lee Plan Policy 30.2.6
- Industrial tract is appropriately shielded from North Tamiami Trail by the commercial outparcels and the 75-foot utility easement, indigenous preserve, wetland preservation/restoration area, and water management lake shield the residential development.

Is consistent with this Lee Plan Goal and Policies



DCI2025-00014

6/11/2026

No Content Here!

Compliance with the Lee Plan

Lee Plan Goal 11 and Policy 11.1.1 encourages mixed use developments that integrate multiple land uses, public amenities and utilities at various scales and intensities in order to provide: diversified land development; a variety of housing types; greater connectivity between housing, workplaces, retail businesses, and other destinations; reduced trip lengths; more transportation options; and pedestrian and bicycle-friendly environments. Developments located within the Central Urban future land use category that have existing connectivity or can demonstrate that connectivity may be created to adjacent neighborhoods are strongly encouraged to be developed with two or more of the following uses: residential, commercial (including office), and light industrial (including research and development use).

Lee Plan Goal 30 and Policy 30.2.4: designates North Tamiami Trail (U.S. 41) and more specifically, the subject property, as a Neighborhood Center. It is preferred for these areas to be neighborhood-serving, mixed use development; pedestrian-friendly street sites and building designs and aims to improve the livability and economic vitality in the North Fort Myers Community Plan area.

Lee Plan Policy 30.3.1 encourages streetscape and landscape improvements along major roadways, including North Tamiami Trail (U.S. 41), consistent with the general provisions of the LeeScape Master Plan.

Lee Plan 30.2.6 allows for developments within the North Fort Myers Commercial Corridor to utilize the development standards of the Mixed-Use Overlay

- The request proposed commercial and light industrial uses and will interconnect with the neighboring property located to the north sometime in the future
- Will be a mixed-use neighborhood-serving development which will also provide improvement to the economic vitality of the North Fort Myers community by providing additional job opportunities
- Will be subject to the regulations established in Chapter 33, Division 3 of the Land Development Code, which establishes the provisions of the North Fort Myers Commercial Corridor and the MUO Standards.



Is consistent with these Lee Plan Policies

DCI2025-00014

6/11/2026

No Content Here!

Meets the Land Development Code and other applicable County regulations or qualifies for deviations

Meets the following Land Development Code Sections:

- **LDC Section 33-1532** – Public Information Session for the North Fort Myers Community Plan Area
 - ❖ Public advertised information session was held, and a community meeting summary was provided
- **LDC Section 33-1566** - All commercially zoned properties with frontage on, or contiguous to and developed in conjunction with properties with frontage on North Tamiami Trail (U.S. 41) are subject to the provisions of the North Fort Myers Commercial Corridor.
- **LDC Sections 34-934 and 33-1596** – Schedule of Use table for Planned Developments and the NFM Commercial Corridor
 - ❖ Majority of the proposed uses are permitted by right and through Special Exception
- **LDC Section 34-935** – Property development regulations for Planned Developments

Meets the Land Development Code and other applicable County regulations or qualifies for deviations

Open Space and Indigenous Open Space: LDC Sections 10-425, 10-420 and 10-415

- The applicant is meeting the indigenous open space requirement through the preservation and restoration of indigenous uplands and wetlands.
- Pursuant to the Florida Land Use Cover and Classification map provided in the Protected Species Survey, the wetlands consist of ± 10.3 acres, which meets the definition of indigenous vegetation as set forth in LDC Section 10-1.
- The areas of the preserve that do not meet the definition of indigenous vegetation will be required to be restored and if utilized to meet landscape perimeter buffer requirements, the restoration plants must meet the plant specifications per **LDC Section 10-420**.
- A condition is being recommended to ensure that the indigenous preservation area complies with LDC Sections 10-1 and 10-415(b)(1).

OPEN SPACE CALCULATIONS:

TOTAL PROJECT AREA	± 17.96 AC.
TOTAL COMMERCIAL AREA	± 4.36 AC.
COMMERCIAL OPEN SPACE REQUIREMENT (20% OF TOTAL):	± 0.87 AC. *
(50% OF REQ'D OPEN SPACE INDIGENOUS)	± 0.44 AC)
TOTAL INDUSTRIAL AREA:	± 13.60 AC.
INDUSTRIAL OPEN SPACE REQUIREMENT (20% OF TOTAL)	± 2.72 AC.
(50% OF REQ'D OPEN SPACE INDIGENOUS)	± 1.36 AC.)
TOTAL OPEN SPACE REQUIREMENTS:	
REQUIRED OPEN SPACE	± 3.59 AC
PROVIDED OPEN SPACE	± 3.59 AC **
REQUIRED INDIGENOUS OPEN SPACE	± 1.80 AC
PROVIDED INDIGENOUS OPEN SPACE	± 3.46 AC
OTHER	± 0.04 AC

*EACH OUT PARCEL SHALL HAVE 20% OPEN SPACE AS THEY WOULD BE CONSIDERED SMALL DEVELOPMENTS.

**NOTE: 50% INDIGENOUS REQUIREMENT IS MET THROUGH THE INDIGENOUS WETLANDS.

PUBLICLY ACCESSIBLE SPACE CALCULATIONS:

TOTAL PROJECT AREA	± 17.96 AC.
PER SECTION 33-1572 10% OF SITE AREA DEVOTED TO PUBLICLY ACCESSIBLE OPEN SPACE:	
$17.96 \text{ AC} \times 10\% = 1.80 \text{ ACRES REQUIRED.}$	
AREA TO BE PROVIDED DURING DEVELOPMENT ORDER REVIEW.	

Meets the Land Development Code and other applicable County regulations or qualifies for deviations

Landscape Buffers – LDC Section 10-425

COMMERCIAL TRACT

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

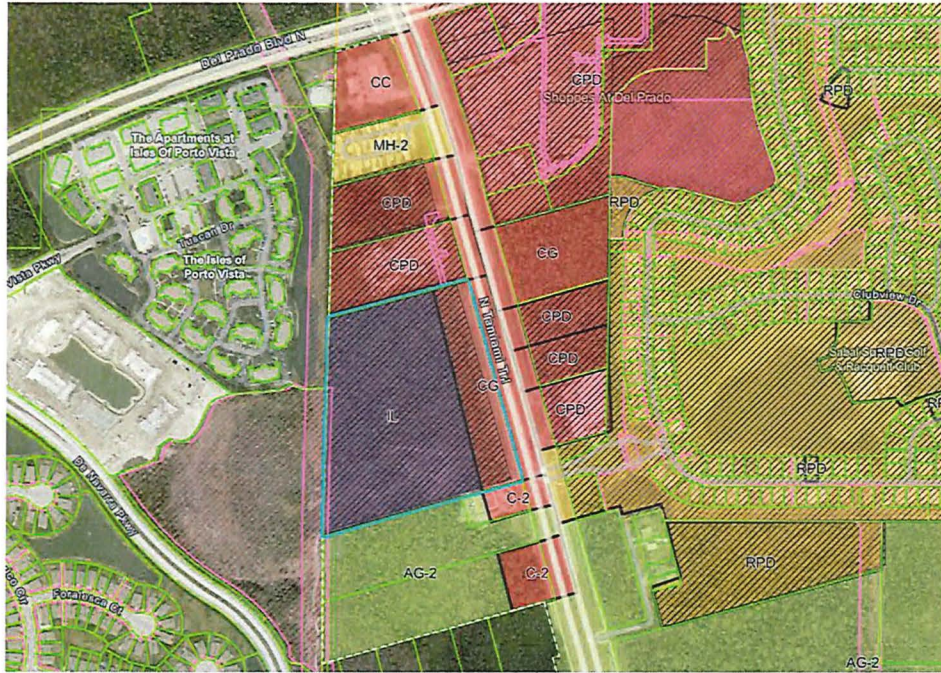
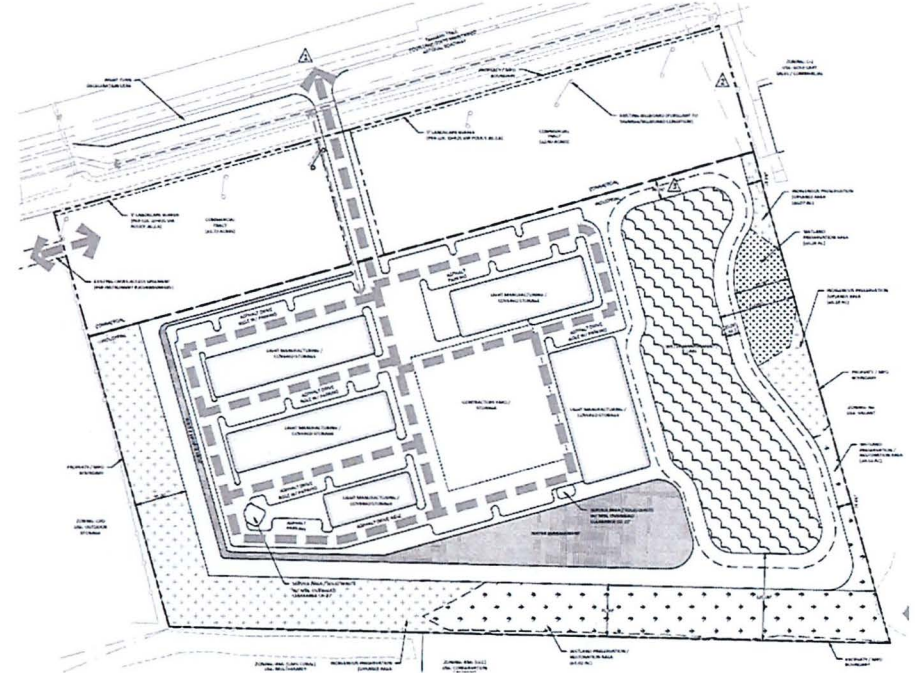
INDUSTRIAL TRACT

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

Deviation 4:

A Staff recommended deviation to allow the applicant to utilize the indigenous preservation area to meet the buffer requirements. Staff is also recommending a condition to ensure that the indigenous preserve restoration meets the plant specification established in **LDC Section 10-420(f)**, which requires ten-foot-tall trees.

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



- Located on North Tamiami Trail (U.S. 41)
- MCP Designed to hide industrial land uses behind commercial land uses

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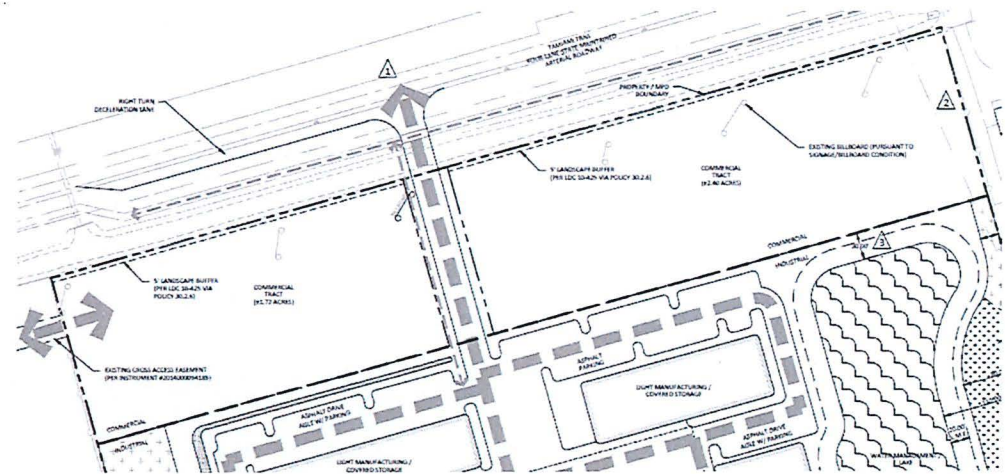
Access and Impacts on Transportation Facilities

Access Points

- Access onto North Tamiami Trail
- Cross access easement available on the northern parcel.

Transportation Facilities

- Build out date 2029
- TIS and DOT Memorandum provides that the road network will exceed the adopted Level of Service standard with or without the proposed project.
- FDOT does not have capacity improvement projects planned prior to the 2029 build-out date.
- Total number of trips falls below the threshold.



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

- Site conditions were addressed through the Environmental Report, Staff Environmental Report, and FLUCCS Map.
- Site is undeveloped and has exotic vegetation throughout the site per the jurisdictional wetland determination.
- ±4.82 acres of the site are found to be wetlands, which consists of melaleuca or disturbed lands.
- Uplands on the site are shown to have pine flatwoods and are made up of nearly up to 75% of exotics
- The area described as palm hammock is made up of up to 50% of exotic vegetation.

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

- Letters of Availability have been provided from Lee County Utilities and FGUA for Potable Water and Sanitary Sewer
- The closest fire station and closest Emergency Medical Service (EMS) is located at 2900 and 2910 Trail Dairy Circle, North Fort Myers, FL 33917, which is approximately ± 1 mile away from the site
- The closest Lee County Sheriff's Office and furthest Emergency Medical Service (EMS) is located at 121 Pondella Road, North Fort Myers, FL 33903, approximately ± 3.85 miles from the site
- The proposed project is less than a mile away from Lee Tran route 590, bus stop 2310, which is located on North Cleveland Avenue

For Planned Development rezoning requests, the Hearing Examiner must also find:

- a) *The proposed use or mix of uses is appropriate at the proposed location;*
- b) *The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development; and*
- c) *That each requested deviation:*
 - Enhances the achievement of the objectives of the planned development; and*
 - Preserves and promotes the general intent of this Code to protect the public health, safety and welfare.*

- The proposed uses are consistent with:
 - ❖ Lee Plan Policies for the Central Urban FLUC
 - ❖ North Fort Myers Neighborhood Center and Commercial Corridor
- Supplementary regulations established in the LDC and recommended conditions of approval help provide compatibility with the surrounding area.
- Recommended conditions and deviations will enhance the achievement of the objectives of the planned development and will preserve and promote the general intent of this Code to protect the public health, safety, and welfare.

Conclusion

Compatible with the existing and planned uses in the surrounding area and will provide sufficient access to support the proposed development intensity

Will not have a detrimental impact on the surrounding roadway system, or any adverse effect on environmentally critical or sensitive areas and natural resources.

Will be adequately served by public services, as defined in the Lee Plan.

The proposed mix of uses are appropriate at the proposed location and the conditions recommended by staff provide sufficient safeguards for the public interest

Meets the criteria for a rezone request pursuant to LDC Section 34-145

Perez, Maria

From: Schroeder, Brianna
Sent: Friday, June 19, 2026 8:24 AM
To: Perez, Maria; cindyl@en-site.com; brians@en-site.com; Richard.akin@henlaw.com; bhiatt@perroni.com; yury@trtrans.net
Cc: Rodriguez, Anthony; Cherry, Brienne; Ledesma, Mark; Workman, Elizabeth
Subject: RE: CASE #: DCI2025-00014 CASE NAME: HONC 41 MPD
Attachments: DCI2025-00014 Staff Memo.pdf; Attachment C - Conditions and Deviations - Edited.pdf; Attachment C - Conditions and Deviations - Version 2.pdf

Good morning,

Please see the attached written materials for DCI2025-00014.

Attached is the following:

- Staff Memorandum
- A strikethrough and underlined copy of Attachment C – Conditions and Deviations
- A clean copy of Attachment C – Conditions and Deviations

Thank you,



Brianna Schroeder | Planner

Department of Community Development, Zoning Section

1500 Monroe St, Fort Myers, FL 33901

office: (239) 533-8350

email: BSchroeder@leegov.com

web: www.leegov.com/dcd

Connect With Us On Social Media



From: Perez, Maria <MPerez@leegov.com>

Sent: Thursday, June 11, 2026 4:02 PM

To: cindyl@en-site.com; brians@en-site.com; Richard.akin@henlaw.com; bhiatt@perroni.com; yury@trtrans.net; Schroeder, Brianna <BSchroeder@leegov.com>

Cc: Sweigert, Rebecca <RSweigert@leegov.com>; Toussaint, Tracy <TToussaint@leegov.com>; Workman, Elizabeth <EWorkman@leegov.com>; Ennis, Audra <AEnnis@leegov.com>; DeFilippo, Nicholas <NDeFilippo@leegov.com>; Henderson, Abby <AHenderson@leegov.com>; Werst, Lee <LWerst@leegov.com>; Rodriguez, Jennifer <JMRodriguez@leegov.com>; Cherry, Brienne <BCherry2@leegov.com>; Gillogly, Phil <PGillogly@leegov.com>; Baucom, Warren <WBaucom@leegov.com>; Rozdolski, Mikki <MRozdolski@leegov.com>; Rodriguez, Anthony <ARodriguez4@leegov.com>; Bodach, Robert <RBodach@leegov.com>

Subject: CASE #: DCI2025-00014 CASE NAME: HONC 41 MPD

Attached is the Hearing Examiner's Order. Thank you.

MARIA D. PEREZ
EXECUTIVE ASSISTANT
LEE COUNTY HEARING EXAMINER'S OFFICE
BOARD OF COUNTY COMMISSIONERS
P.O. Box 398
(1500 Monroe Street)
Fort Myers, Florida 33902
Tel: (239) 533-8100

E-mail: perezmd@leegov.com

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Please note our general office email address: hex@leegov.com

MEMORANDUM
FROM
THE DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Ms. Amanda Rivera
Deputy Hearing Examiner

DATE: June 19, 2026

FROM: Brianna Schroeder
Planner

RE: Staff Memorandum
Honc 41 MPD (DCI2025-00014)

Staff and the applicant respectfully submit the following written materials in response to the order for Post Hearing written submission dated June 11, 2026:

1. An updated "Conditions and Deviations" document (staff report "Attachment C") that changes the following:
 - a. Pages 3 and 4, Condition 2.a.2 (Schedule of uses for Industrial Tract) has been revised to include the uses that were in the Applicant's 48-Hour Letter.
 - b. Page 5, Condition 4 (Landscape Buffers) has been revised to clarify and supplement the western buffer condition for the Industrial Tract.
 - c. Page 5, Previously Condition 5 (Protected Species) has been removed, and what was previously Condition 6 (Billboard) has been revised for clarity.
 - d. Pages 5 and 6, Condition 6 (Cross Access) has been relocated and revised for clarity, and Deviation 1 now refers to Condition 6.
 - e. Page 6, Staff recommended Deviation 4, from LDC Section 10-425(f)(2), has been removed and changes Deviation 5 to now be Deviation 4.
2. During the review of revising the proposed conditions and deviations, Staff identified a Lee Plan Policy that was not addressed in the Staff Report that warrants analysis. To ensure that all of the findings/review criteria are met for this case in accordance with LDC Section 34-145(d)(4). Specifically,

Lee Plan Policy 30.2.5 establishes that certain areas along major road corridors outside designated Town Centers and Neighborhood Centers, are located within a Corridor Overlay

District, with provisions in the LDC requiring enhanced landscaping, greater buffering and shading of parking areas, improved commercial signage, enhanced standards to ensure architectural quality and compatibility, and incentives for quality development. Within the Corridor Overlay District, deviations from landscaping, buffering, signage or architectural requirements may not be granted, unless the request meets the approval criteria for variances set forth in the LDC, Chapter 34.

While the subject property is located along U.S. 41, which is a designated commercial corridor pursuant to **LDC Section 33-1566**, the subject property is located within the North Fort Myers Community Plan Area's Neighborhood Center #2 as designated by LDC Appendix I, Map 8. Because the subject property is within the Neighborhood Center, **Lee Plan Policy 30.2.5** no longer classifies the subject property as being within the Corridor Overlay District identified in the LDC as the North Fort Myers Commercial Corridor. Therefore, the applicant is not required to meet the approval criteria for variances set forth in Chapter 34 of the Land Development Code (LDC) as it relates to the deviations from the above-referenced design requirements.

Respectfully Submitted,
Brianna Schroeder
Planner, Zoning Section

Honc 41 MPD (DCI2025-00014)

Attachment C – Conditions and Deviations

Section A. – Conditions

1. The development of this project must be consistent with the Master Concept Plan (MCP) entitled “Honc 41 MPD” prepared by EnSite dated March 18, 2026 (Attachment D). This development must comply with all requirements of the Lee County LDC at the time of local development order, except as may be granted by deviation as part of this planned development. If changes to the MCP or conditions or deviations are subsequently pursued, appropriate approval will be necessary.

This project is limited to 30,000 square feet of commercial uses and 120,000 square feet of light industrial uses, subject to the conditions enumerated herein.

2. The following limits apply to the project and uses:

a. Schedule of Uses

1. Commercial Tracts
Accessory Uses and Structures
Administrative Offices
Animals, Clinic
ATM (Automatic Teller Machine)
Banks and Financial Establishments, All Groups
Boat Parts Store
Broadcast Studio, Commercial Radio and Television
Building Materials Sales
Business Services, All Groups
Car Wash
Clothing Stores, General
Clubs:
 Fraternal
 Membership Organization
 Private
Convenience Food and Beverage Store
Day Care Center, Adult, Child
Drive Through Facility for Any Permitted Use
Drugstore
Pharmacy
Entrance Gates and Gatehouses
EMS, Fire or Sheriff's Station
Essential Services
Excavation:
 Water Retention
Fences and Walls
Hardware Store
Hobby, Toy and Game Shops

Household and Office Furnishings, All Groups

Insurance Companies

Lawn and Garden Supply Stores

Medical Office

Nonstore Retailers, Group I

Package Store

Parking Lot:

Accessory

Temporary

Personal Services, All Groups

Pet Services

Pet Shop

Plant Nursery

Post Office

Printing and Publishing

Recreational Facilities, Commercial:

Group I

Group IV, limited to only "Theater, indoor"

Rental or Leasing Establishment:

Group I

Group II

Group III

Repair Shops:

Group I

Group II

Group III

Restaurant, Fast Food

Restaurants, All Groups

Schools:

Commercial

Signs

Specialty Retail Shops:

Group I

Group II

Group III

Studio

Temporary Uses

Theatre, Drive-in

Transportation Services:

Group II

Used Merchandise Stores:

Group I

Group II

Variety Store

Vehicle and Equipment Dealer:

Group I

Group II

2. Industrial Tract

Accessory Uses and Structures

Administrative Offices

ATM (Automatic Teller Machine)

Automobile Repair and Service, All Groups

Automobile Service Station

Boats:

Boat Repair and Service

Boatyard

Building Materials Sales

Business Services:

Group II

Cleaning and Maintenance Services

Cold Storage, Pre-cooling Warehouse and Processing Plant

Computer and Data Processing Services

Contractors and Builders, All Groups

Drive Through Facility for any Permitted Use

Entrance Gates and Gatehouses

Essential Services

Excavation:

Water retention

Factory Outlets (point of manufacture only)

Farm Equipment, Sales, Storage, Rental or Service

Fences and Walls

Freight and Cargo Handling Establishments

Parcel and Express Services

Parking Lot:

Accessory

Temporary

Processing or Packaging for Agricultural or Fish Products

Processing and Warehousing

Recycling Facility

Rental or Leasing Establishment, All Groups

Repair Shops, All Groups

Research and Development Laboratories

Group I

Group IV

Retail and Wholesale Sales, when clearly incidental and subordinate to a permitted principal use on the same premises

Signs in Accordance with Chapter 30

Storage:

Indoor

Open

Transportation Services

Group II

Group IV

Vehicle and Equipment Dealers, All Groups

Warehouse
High Cube
Hybrid
Mini-Warehouse
Private
Public
Wholesale Establishments
Group I
Group III
Group IV

b. Site Development Regulations

1. Commercial Tracts – Setbacks, Height, and Lot Coverage

Setbacks (Building):
North (Side) – 15 feet
East (Street) – 25 feet
West (Rear) – 25 feet
South (Side) – 15 feet
Waterbody – 25 feet

Height: 35 feet
Open Space: 20%
Maximum Lot Coverage: 40%

2. Industrial Tract - Setbacks, Height, and Lot Coverage

Setbacks (Building):
North (Side) – 25 feet
East (Street) – 25 feet
West (Rear) – 25 feet
South (Side) – 25 feet
Waterbody – 25 feet

Height: 35 feet
Open Space: 20%
Maximum Lot Coverage: 40%

3. Open Space, Indigenous Open Space, and Publicly Accessible Open Space

a. Commercial Tracts:

Open Space: Prior to the issuance of a development order for the commercial tract, the applicant must depict 20 percent (0.87 acres) of open space.

Indigenous Open Space: The first development order for the Commercial Tract must depict 0.44 acres of indigenous open space and provide an

Indigenous Management Plan. If exotic vegetation is over 75 percent of the total indigenous open space area, an Indigenous Restoration Plan is required.

b. Industrial Tract

Open Space: Prior to the issuance of a development order for the industrial tract, the applicant must depict 20 percent (2.72 acres) of open space.

Indigenous Open Space: The first development order for the Industrial Tract must depict 1.36 acres of indigenous open space and provide an Indigenous Management Plan. If exotic vegetation is over 75 percent of the total indigenous open space area, an Indigenous Restoration Plan is required.

c. The first development order for both tracts must depict 1.80 acres of publicly accessible open space, if consolidated, the applicant must demonstrate compliance with LDC Section 33-1572(c).

4. Landscape Buffers: ~~The applicant may provide restoration planting areas to meet the buffer requirements to the west, if the restoration planting meets the buffer specifications pursuant to LDC Section 10-420(f).~~

The indigenous preservation located on the west side of the property adjacent to the existing multi-family use, as depicted on the MCP will be utilized to meet the planting intent of a modified Type B buffer. This buffer includes 5 trees and 18 shrubs per 100 linear feet. Trees and shrubs shall meet minimum heights for buffers in accordance with the Land Development Code (LDC). In the event the existing vegetation does not meet this requirement, the supplemental plantings will be provided for compliance.

Protected Species

a. ~~Prior to any development order approval, the applicant or successor must submit documentation from Florida Fish and Wildlife Service regarding the protection measures for the protected species. If onsite mitigation is required, the Indigenous Restoration Plan must incorporate onsite mitigation plans into the restoration plan.~~

b. ~~Prior to the issuance of a Vegetation Removal Permit for any improvements to land, the applicant must provide a receipt of payment for offsite mitigation, if applicable.~~

5. Billboard: Prior to obtaining a Certificate of Compliance for the commercial tracts, only one of any of the six existing billboards will be permitted to remain on-site and may be repaired or replaced subject to the regulations established in LDC Chapter 30.

6. Cross Access: At the time of the northernmost commercial tract's development order, the applicant must provide an access stub to the property adjacent to

the northern commercial parcel for future parcel interconnect. The access stub shall provide ingress and egress access to U.S. 41 for the adjacent parcels to the north and may not be gated or otherwise restricted. The applicant is not responsible for development permitting or improvements on the adjacent parcel.

Section B. Deviations

1. **Deviation (1)** seeks relief from **LDC Section 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, to allow for one point of ingress or egress for the subject property.

~~This deviation is **APPROVED**, subject to the condition that prior to development order issuance, construction of a stub out to align with the cross-access easement (Instrument # 2014000094185) located on the abutting property to the North as shown on the Master Concept Plan (MCP) (Attachment "D") must be provided.~~

This deviation is **APPROVED**, subject to Condition 6.

2. **Deviation (2)** seeks relief from **LDC Section 10-610(e)**, which requires adjacent commercial uses to provide parking lot interconnections for automobile, bicycle and pedestrian traffic, to allow no interconnection to the south.

This deviation is **APPROVED**.

3. **Deviation (3)** seeks relief from **LDC Section 10-329(d)(1)a.3**, which requires all new excavations for water retention and detention to be setback 50 feet from any private property line under separate ownership, to allow a setback of 30 feet from any private property line under separate ownership.

This deviation is **APPROVED**.

~~**Deviation (4)** seeks relief from **LDC Section 10-425(f)(2)**, which requires a ten-foot-wide buffer with Type B plantings along property lines which abut single-family residences, to allow the indigenous preserve to meet the buffer requirements.~~

~~This deviation is **APPROVED**, subject to Condition 4.~~

4. **Deviation (5)(4)** seeks relief from **LDC Section 30-183(1)a**, which limits billboards to the Intensive Development, Industrial Development, Interchange Areas, and Tradeport Future Land Use Categories, to allow one of the six existing billboards to remain on the subject property, which is located in the Central Urban Future Land Use Category.

This deviation is **APPROVED**, subject to Condition 6 5.

Honc 41 MPD (DCI2025-00014)

Attachment C – Conditions and Deviations

Section A. – Conditions

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Medical Office

Nonstore Retailers, Group I

Package Store

Parking Lot:

Accessory

Temporary

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Pet Services

Pet Shop

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Post Office

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Recreational Facilities, Commercial:

Group I

Group IV, limited to only "Theater, indoor"

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Group II

Group III

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Restaurants, All Groups

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Transportation Services:

Group II

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Group I

Group II

Variety Store

Vehicle and Equipment Dealer:

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2. Industrial Tract

Accessory Uses and Structures
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Cold Storage, Pre-cooling Warehouse and Processing Plant
Computer and Data Processing Services
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Drive Through Facility for any Permitted Use
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This deviation is **APPROVED**, subject to Condition 5.