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

ensite

MCGREGOR NURSERY
Conventional Rezoning
RESPONSE LETTER #1

Please accept the responses below to your letter dated July 30, 2026, regarding the comments for McGregor Nursery (REZ2026-00010).

Development Services Review

1. Informational Comment: Development order approval is required in addition to this zoning action. Compliance with Chapter 10 of the Lee County Land Development Code will be reviewed further at that time.

RESPONSE: Noted.

DOT Review

1. Interconnection: In accordance with LDC Sec. LDC Sec 10-285(c) and 10-295, the [existing] interconnections to the adjacent property to the southwest must be formalized as a recorded cross-access interconnection easement with 16807 McGregor Blvd.

RESPONSE: A cross-access interconnection easement will be requested at time of Development Order.

2. Access: LDC Sec 10-285 requires minimum access spacing of 440' on McGregor Blvd (Minor Arterial, >45MPH, Future Urban) between driveway connections. Neither of the two existing access points meet the connection spacing requirements. At least one access must be abandoned; if the remaining access driveway is to be retained, a deviation from Sec. 10-285 shall be required. If both access connections are abandoned and access is obtained via cross access to 16807 McGregor, then no deviation shall be necessary.

RESPONSE: The abandonment of a secondary access points or the request for a deviation shall be made at time of Development Order when a plan has been designed/engineered.

Environmental Review

1. The following comments must be provided in the narrative to comply with LDC Section 34-

145(d)(4)(a)(1)(f).

RESPONSE: Noted.

2. Please revise narrative to state landscape requirements stated in LDC Section 10-416(d) will be met.

RESPONSE: Please see revised narrative. Please note, this request is for a conventional rezoning. No landscape deviations are part of this request therefore all LDC Requirements will be met at time of Development Order.

3. Please revise narrative to demonstrate compliance with LDC Section 10-416(a) for 20% open space requirement.

RESPONSE. Please see revised narrative. Please note, this request is for a conventional rezoning. No landscape deviations are part of this request therefore all LDC Requirements will be met at time of Development Order.

4. Please revise Lee Plan analysis for Objective 4.1 for environmental standards. Please revise analysis.

RESPONSE: Please see revised narrative.

Please don't hesitate to contact me directly at CindyL@en-site.com should Staff wish to discuss any of the above comments or responses provided.

Sincerely,
EnSite, Inc.

Cindy C. Leal Brizuela, AICP, MURP
Principal Planner

cc: Juergen Schreyer, Island Home Service

Enclosures:
1. Revised Narrative

Lee County
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REQUEST NARRATIVE

I. BACKGROUND & REQUEST

The subject property is comprised of three (3) parcels with the addresses 16781, 16789, and 16799 McGregor Boulevard in unincorporated Lee County. The property is under three (3) STRAPs 02-46-23-01-0000E.0110, 02-46-23-01-0000E.0100, and 02-46-23-01-0000E.0080. The property is in the southwest area of unincorporated Lee County, specifically southeast of McGregor Blvd and west of John Morris Road. All three (3) parcels are zoned AG-2 and are in the Urban Community future land use designation. The parcels are located within the Iona/McGregor Planning District. The subject property is currently developed as a plant nursery, and the Applicant is requesting to rezone the property to from AG-2 to Commercial General (CG) to expand use of the nursery to include a lawn/garden supply store.



Figure 1. Aerial of Subject Property

II. 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
NORTH	Gas station	CC	Urban Community
EAST	Single-family residential, Plant nursery, ROW (John Morris Rd)	AG-2	Urban Community
SOUTH	Plant nursery, Single-family residence	AG-2	Urban Community
WEST	ROW (McGregor Blvd), Dollar store	CPD	Suburban

Table 1. Surrounding Land Uses

Immediately to the north of the subject property is a Circle K gas station with CC zoning. To the east of the subject property is a single-family residence located at 16670 John Morris Road. Immediately south of this home, abutting the eastern perimeter of two (2) of the subject parcels, is a plant nursery. East of the plant nursery is John Morris Road, a county-maintained major collector. To the south of the subject property is a plant nursery located at 16807 McGregor Blvd, and to the east of this nursery is a single-family residence, which abuts the southernmost subject property. The subject property is situated so that McGregor Blvd, a county-maintained arterial roadway, runs northwest of the three (3) parcels. Northwest of the subject property, across McGregor Blvd, is CPD-zoned development, which is currently developed with a Dollar General.

Further supporting the compatibility of the proposed rezoning, the property will need to be developed consistent with a Development Order to address site improvements which include the delineation of 20% of the site as open space consistent with LDC Sec. 10-416(a) and consistency with LDC Sec. 10-416(a) for buffering requirements. The LDC requires a 15-foot wide Type D buffer along McGregor Blvd, a 5-foot wide Type A buffer between commercial uses, and a C/F buffer where abutting a single-family residence.

III. LEE PLAN ANALYSIS

The proposed CG rezoning is consistent with several goals, objectives, and policies outlined in the Lee Plan, as noted below.

Policy 1.1.4: The Urban Community future land use category area areas characterized by a mixture of relatively intense commercial and residential uses. The residential development in these areas will be at slightly lower densities than other future urban categories described in this plan. As vacant properties within this category are developed, the existing base of public services will need to be maintained which may include expanding and strengthening them accordingly. As in the Central Urban future land use category, predominant land uses in this category will be residential, commercial, public and quasi-public, and limited light industrial with future development encouraged to be mixed use, as described in Objective 11.1, where appropriate. The standard density range is from one swelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum density of ten dwelling units per acre (10 du/acre). The maximum total density may be increased to fifteen dwelling units per acre (15 du/acre) utilizing Greater Pine Island Transfer of Development Units.

The subject property is located within the Urban Community future land use category. The request to rezone the subject property from AG-2 to CG to expand the lawn/garden supply store uses is consistent with Policy 1.1.4, as it expands commercial development, which is one of the predominant land uses characteristic of the Central Urban FLU. No residential density is proposed as part of this rezoning request.

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 McGregor Blvd, a county-maintained arterial roadway, is consistent with surrounding land uses, as it features commercial development along the corridor. The subject property is in an area that is already developed with commercial and residential uses and features compactly configured platted lots. The request allows for the expansion of commercial land uses in a location where urban services are readily available, which reduces urban sprawl, minimizes energy costs, and aids in the conservation of land, water, and natural resources. Additionally, proximity to existing and available urban services minimizes the cost of services.

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 abuts McGregor Blvd, an arterial roadway, which promotes site visibility and accessibility without requiring patrons to traverse through residential corridors. The subject property is also located in an area where the development has readily available utilities and services to support the proposed development expansion. This is further supported by the Letter of Availability received from LCU on 7/1/26.

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.*

The subject property is in the Future Water Service Area for Lee County Utilities per Map 4-A. A letter of availability has been provided by Lee County Utilities as part of this submittal package to ensure sufficient capacity for the proposed project.

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 l/4 mile from any part of the development.*
3. *If there is not sufficient capacity nor adequate infrastructure within l/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, II-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.*

The subject property is in the Future Sewer Service Areas per Map 4-B. A letter of availability has been provided by Lee County Utilities, as part of this submittal package, to ensure sufficient capacity for the proposed project.

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.*

Aerial imagery demonstrates the human activity/disturbance which has occurred on the subject property due to the existing nursery use. The subject property is not environmentally sensitive. The Applicant will need to undergo additional permitting for site related improvements including a Development Order. At time of DO, a site plan will be designed/engineered and will ensure the integration of land uses/structures with the natural topography/features of the site. Additionally, the subject property is located along an arterial roadway where street and utility improvements are unlikely to be necessary due to the high volume capacity of the adjacent roadway and its associated infrastructure.

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

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 6.1.1: All applications for commercial development will be reviewed and evaluated as to:

1. *Traffic and access impacts (rezoning and development orders);*

   The site has direct access through McGregor Blvd, an arterial roadway. The request does not require a Traffic Impact Analysis, as this request is for a conventional rezoning. Future development will be required to provide a detailed traffic study at time of Development Order.

2. *Landscaping and detailed site planning (development orders);*

   Not applicable for this request.

3. *Screening and buffering (Planned Development rezoning and development orders);*

   Not applicable for this request. The request is for a conventional rezone and will feature landscaping consistent with the Land Development Code as required at time of Development Order.

4. *Availability and adequacy of services and facilities (rezoning and development orders);*

   The subject property is located within both the Lee County Utilities Future Sewer and Potable Water Service Areas per Lee Plan Maps 4-A and 4-B. A Letter of Availability from LCU has been provided to further support this request. The subject property also abuts an arterial roadway, which promotes accessibility to the site and facilitates travel for patrons who will not need to traverse through residential corridors to access the subject property.

5. *Impact on adjacent land uses and surrounding neighborhoods (rezoning);*

   The proposed rezone is consistent with the adjacent land uses and surrounding neighborhoods. There are numerous commercial uses developed on McGregor Blvd in proximity to the site, which include a gas station, dollar store, and a number of plant nurseries.

6. *Proximity to other similar centers (rezoning); and*

   The subject property is developed with a plant nursery and is in an area developed with various commercial uses along an arterial roadway, McGregor Blvd. The purpose of the request is to provide local patrons with lawn/garden supply operations in addition to the existing plant nursery.

7. *Environmental considerations (rezoning and development orders).*

   The request is for a conventional rezone, which does not require an environmental report or protected species survey; however, future improvements to the subject property will require environmental assessments at the time of Development Order to ensure consistency with the Lee Plan and the Land Development Code.

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 CG rezone compliments the surrounding commercial zoning and development along the McGregor Blvd corridor. The property abuts McGregor Blvd, an arterial roadway, which supports the proposed land uses. Additionally, the project will be serviced via

Lee County Utilities for potable water and sanitary sewer, as noted in the Letter of Availability provided.

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.

Any future improvements to the subject parcel will be required to undergo a development order; during this time, a detailed traffic analysis will be required to ensure protection of McGregor Boulevard's capacity and subsequent Level of Service.

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

The request is for a conventional rezoning, and therefore, the subject property will provide appropriate landscaping, open space, and buffering consistent with the Land Development Code's requirements at time of Development Order

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.

The subject property is currently developed with commercial uses, preventing new areas from being developed with premature, scattered, or strip development. The request expands the land uses, which may be developed on small parcels that directly abut an arterial roadway. This configuration, in conjunction with the surrounding land uses, makes residential use at this location clearly unreasonable.

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.

The subject property is not located near an existing or planned school.

IV. REVIEW CRITERIA

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

Section 34-145(d)(4)(a)(1) of the Land Development Code establishes the review criteria for all zoning matters. The review criteria applicability for this application is as follows:

a) *Complies with the Lee Plan;*

As described in the above Lee Plan consistency, the request complies with Policy 1.1.4, Objectives 2.1 & 2.2, Goal 4 and its sub-policies, and Goal 6 and its sub-policies.

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

The proposed request meets or exceeds County regulations and does not request deviations.

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

The use is highly compatible with existing and planned uses in the surrounding area, as the proposed request is complimentary to existing commercial development along McGregor Blvd.

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

The subject property abuts McGregor Blvd, an arterial roadway, and it is in proximity to John Morris Rd, a major collector roadway. These roadways provide sufficient access to the site for the expansion of the requested commercial land uses. Additionally, a detailed traffic analysis will be required at time of Development Order when future improvements on the subject property are determined.

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

As previously mentioned, a detailed traffic analysis will be required at time of Development Order when future improvements on the subject property are determined.

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

The subject property will be required to undergo environmental analysis, consistent with the County's Land Development Code, at the time of Development Order to ensure compliance with local permitting requirements.

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

The subject property is located within a Future Urban area category, specifically the Urban Community FLU. The site is serviced by Lee County Utilities for water and wastewater uses and is proximate to existing urban services, such as the Iona McGregor Fire Department (Station 75) and the Lee County Sheriff's Office (West District).

V. CONCLUSION

The proposed rezoning from AG-2 to CG is consistent with several policies set forth by the Lee Plan. The request is also compatible with existing and planned developments in this corridor, as the subject property is in proximity to both an arterial roadway and a major collector roadway, surrounded by developed commercial land uses, and proximate to readily available urban services. The proposed request is further supported by a Letter of Availability from Lee County Utilities for potable water and sanitary sewer. As an already developed plant nursery, the rezone to CG would allow for the expansion of commercial land uses in this corridor.

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