

October 6, 2021

The [Zoning Meeting](#) of the [Board of Lee County Commissioners](#) was held on this date with the following Commissioners present:

Kevin Ruane, Chairman – *Absent*  
 Cecil Pendergrass, Vice-Chairman  
 Ray Sandelli  
 Brian Hamman  
 Franklin B. Mann – *Absent*

The Vice-Chairman called the meeting to order at 9:32 a.m.

CASE NUMBER DCI2020-00014

NAME Three Oaks Logistics Center

REQUEST Rezone 77.94± acres from Agricultural (AG-2) to Mixed Use Planned Development (MPD) to allow up to 1,050,000 square feet of commercial, retail and industrial uses. The west side of the project will be limited to 500,000 square feet with a maximum of 20% commercial/retail uses. The east side of the project will be limited to 550,000 square feet with a maximum of 80% commercial/retail uses.

LOCATION Half mile north of the intersection of Oriole and Alico Road, Gateway-Airport Planning Community, Lee County, Florida.

PROPERTY OWNER'S REPRESENTATIVE Al Quattrone  
 Quattrone & Associates, Inc.  
 4301 Veronica Shoemaker Blvd.  
 Fort Myers, Florida 33916

Department of Community Development Zoning Section Manager Senior Planner Dirk Danley briefly recapped the request stating the Hearing Examiner (HEX) recommended approval with conditions. Staff agrees with the HEX recommendations and noted there were no Participants of Record. The Board had no questions for the Applicant. The Vice-Chairman called on the Applicant and Attorney Russell Schropp from Henderson Franklin Law Firm came forward for the Applicant and stated the Applicant is in agreement with the HEX recommendations.

**Vote:** Commissioner Hamman moved approval, seconded by Commissioner Sandelli, called and carried with Commissioner Ruane and Commissioner Mann absent.

[RESOLUTION No. Z-21-012](#)

CASE NUMBER DCI2021-00006

NAME Sanibel Passage

REQUEST This request is for an amendment of Z-04-040A, to allow a deviation from LDC Sec. 10-291(3) which requires residential development of larger than five acres to provide more than one means of ingress or egress from the development to provide only one means of ingress or egress.

LOCATION 17300 McGregor Blvd., North side of McGregor Blvd. at the intersection of Punta Rassa Road, Iona/McGregor Planning Community, Lee County, Florida.

PROPERTY OWNER'S REPRESENTATIVE Peter Van Buskirk  
 Kimley - Horn and Associates, Inc.  
 1412 Jackson Street  
 Fort Myers, Florida 33901

Department of Community Development Zoning Section Manager Senior Planner Dirk Danley briefly recapped the request stating the Hearing Examiner (HEX) recommended approval of the deviation as well as moving forward the existing conditions of approval. Staff agrees with the HEX

recommendations and noted there were six (6) Participants of Record. Commissioner Hamman ask if Staff could confirm his understand which is that the task in front of the Board is to review the merits of the deviation not to reopen the entire case. Deputy County Attorney Michael Jacob confirmed that the question Commissioner Hamman posed was correct. The Vice-Chairman called on the Applicant and the Applicant Representative Neal Montgomery from Pavese Law Firm stated she did not need to give a presentation. However, she then proceeded to give a brief description of the item. She stated the Applicant is in agreement with the HEX recommendation and that she was only present for the topic of deviation. Commissioner Hamman asked Ms. Montgomery to give a brief summary of the traffic impacts relating to the deviation. Ms. Montgomery stated there are no traffic impacts related to the deviation. Ms. Montgomery stated the only reason for the hearing today is because the rules changed from 2005 to now. The Vice-Chairman called on each Participant of Record by name and four (4) came forward to speak. After public comment Ms. Montgomery gave some clarification on public comments and stated that the HEX knows that 98.6% of the site is preserves and has open space. She stated that some of the public comment was pertaining to the 2005 proceedings not the deviation which is what is before the Board today. She also stated that the projects development foot print has not changed since it was approved and requested that the Board uphold the HEX recommendation.

**Vote:** Commissioner Hamman moved approval, seconded by Commissioner Sandelli, called and carried with Commissioner Ruane and Commissioner Mann absent.

[RESOLUTION No. Z-21-011](#)

The Vice-Chairman adjourned the meeting at 9:49 a.m.

ATTEST:

LINDA DOGGETT, CLERK

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Chairman, Lee County Commission