



**Henning RMS CPD  
Zoning Staff Report**

**For Planning Zoning and Design Board  
May 19, 2026**

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<b>PROJECT NAME:</b>	<b>Henning RMS CPD</b>
<b>CASE TYPE:</b>	<b>Rezoning</b>
<b>CASE NUMBER:</b>	<b>DCI2024-E007</b>
<b>PLANNING ZONING &amp; DESIGN BOARD DATE:</b>	<b>May 19, 2026</b>

**SUMMARY OF REQUEST**

The applicant is requesting a rezoning from Commercial Planned Development (CPD) and Urban Commercial Redevelopment (UCR) to Commercial Planned Development (CPD). The approximately 2-acre site is located on the east side of US 41, approximately ¼ mile south of the intersection of US 41 and Broadway Ave E.

The property consists of two parcels with different zoning categories. The rezoning is proposed for the construction of a 16,000 square foot commercial building. Currently there are two buildings on the site used for contractor offices.

**STAFF RECOMMENDATION**

Staff recommends approval with conditions in the Council ordinance.

**GENERAL INFORMATION**

Applicant/Owner  
HLR Investments LP

Authorized Agent  
D. Wayne Arnold, AICP, Pape-Dawson Consulting Engineers, LLC

Location

The subject properties are located at 20741 and 20771 S Tamiami Trail

STRAP Numbers

28-46-25-E3-05000.0060 and 28-46-25-E3-05000.0030

Size of Property

Approximately 1.96 acres in total

Surrounding Zoning and Land Use

North Estero United Methodist Church – Community Facilities Planned Development (CFPD) – Future Land Use (FLU): Urban Commercial

East Embarq utility building, zoned Agriculture and church Mixed Use Planned Development (MPD) to the southeast – FLU: Urban Commercial.

South Stilwell Solar contractor office, zoned Urban Commercial Redevelopment (UCR), then Estero Fire Station 41, zoned Agriculture, and church Mixed Use Planned Development (MPD) to the southeast – FLU: Urban Commercial

West US 41, then Campbell Auto Center, zoned Urban Commercial Redevelopment (UCR) and Sunny Grove Mobile Home Park, zoned Agriculture – FLU: Village Neighborhood 2

Zoning

Both properties are within the Marshall's Estero River Groves, Unit I subdivision. Lot 6, the northern parcel is zoned Commercial Planned Development (CPD) and Lots 3, 4, and 5, the southern parcel is zoned Urban Commercial Redevelopment (UCR). The site is also within the US 41 Overlay District.

Comprehensive Plan Land Use Category

Urban Commercial

Zoning History

The northern parcel was originally rezoned from Commercial (C-1A) to Commercial Planned Development (CPD) under Lee County Resolution Z-01-058 in 2002, which is attached. The original rezoning permitted a maximum of 21,000 sq ft of commercial retail/office uses, including an animal clinic and kennel, not to exceed 35 feet in height. The southern parcel is conventionally zoned as Urban Commercial Redevelopment. The site, which includes both properties, is currently developed with two commercial buildings utilized as Henning RMS contractor offices.

Public Information Meeting

A Public Information Meeting was held at the Planning Zoning and Design Board on September 10, 2024.

**STAFF ANALYSIS**

The applicant is proposing a rezoning from Commercial Planned Development (CPD) and Urban Commercial Redevelopment (UCR) to Commercial Planned Development (CPD) to develop a single 16,000 sq ft commercial building.

Master Concept Plan

The applicant has provided a revised Master Concept Plan that shows the following:

- The proposed location of the 16,000 sq ft commercial building
- US 41 and Estero Ct access (east side of property)
- Parking area
- Dumpster enclosure and loading zone
- Landscape buffers
- Dry detention areas
- Existing billboard sign

#### Perimeter Buffers and Landscaping

The Master Concept Plan shows the following proposed landscape buffers:

- 20 ft Type “D” buffer with 2 - to 3 – foot high berm along the western property line fronting US 41
- 5 ft Type “A” buffers along the northern and southern property lines
- 5 ft Type “A” buffer along the northeastern property line
- 20 ft Type “D” buffer along the southeastern property line along Estero Ct

There is an existing sidewalk along US 41. The proposed MCP shows one pedestrian connection to this sidewalk.

#### US 41 Overlay

The Land Development Code (LDC) standards for the US 41 Overlay district encourage locating parking to the side and rear of buildings exceeding 7,500 sq ft. The Master Concept Plan proposes parking along the west (facing US 41) and south sides of the building, with no parking provided at the rear facing Estero Ct.

Because the applicant proposes parking adjacent to US 41, the LDC requires appropriate screening, including a Type D buffer and a 2 - to 3 - foot undulating landscaped berm. Staff recommends a condition regarding the landscape buffer to include a taller hedge at time of planting to help screen the site from the view of the parking lot along the western property line fronting US 41.

#### Pattern Book

The applicant has submitted a Pattern Book with conceptual landscape plans, existing conditions, interior concept plan, architectural renderings, architectural elevations, and conceptual signage.

#### Architecture

The proposed commercial building reflects a Mediterranean-inspired design with contemporary elements according to the applicant. The architecture includes arched entry features, a variety of windows and doors, varying roof heights, and articulated facades that help break up the massing. Exterior materials, including a barrel tile roof and an earth-toned color palette, reinforce the building’s simplified Mediterranean character.

The proposed building paint colors include 3 colors: Westhighland White (SW7566), Natural Tan (SW 7567), and Tony Taupe (SW 7038). The Pattern Book doesn't show where the colors are located so staff has proposed a condition to limit the white color.

### Building Height

The proposed commercial building is limited to a maximum height of 35 feet and will not exceed two stories. Although the Pattern Book illustrates a one-story building, the applicant has stated that a loft or mezzanine may be included.

### Traffic

A Traffic Impact Statement (TIS) was prepared by JMB Transportation Engineering Inc. in July 2024 and is included as 'Attachment E'. The report concludes that the proposed Henning RMS CPD "will not significantly or adversely impact the surrounding road network."

The site currently has two access points off US 41. The project is proposed with two points of access: one connection to US 41 and secondary access via Estero Ct. Estero Ct connects to County Rd, which provides signalized access to US 41. Access changes on US 41 require FDOT approval.

According to the TIS, US 41 currently operates at Level of Service (LOS) E and is projected to continue operating at LOS E during the peak hour in the peak direction. The total new daily traffic was reported as 679 vehicle trips, with a new AM peak hour of 27 vph and new PM peak hour of 76 vph.

### Stormwater Management

The Master Concept Plan identifies multiple dry detention areas which the applicant states will serve as the overall surface water management system for the project. The final design of the surface water management system will be provided at the time of development order.

### Uses

The applicant has proposed eliminating several uses from the existing CPD Schedule of Uses as part of the proposed rezoning. The revised schedule focuses on retaining office uses, including medical offices, as well as retail, restaurant, and similar commercial uses. Higher-intensity or less compatible uses such as nightclubs and broadcast studios have been eliminated. The applicant's proposed Schedule of Uses is attached (Attachment G).

### Signage

There is an existing permitted billboard located on the subject property. Staff recommends a condition removing the billboard to enhance the aesthetics on the property and ensure that no additional Code Enforcement issues occur.

The applicant is also proposing two monument signs, which will replace the existing monument signs. One monument sign will be located facing US 41 on the northwest side of the property and the secondary monument sign will be located on the southeast side of the property, facing Estero Ct. A conceptual rendering is included in the Pattern Book, but no detail on setbacks and other criteria has been provided. Signage details will be reviewed at time of development order.

## Utilities

The site is currently using a septic tank. Lee County Utilities is the service provider. Staff proposes a condition to require connection to central sewer when available.

## **DEVIATIONS**

The applicant is not requesting any deviations from the Land Development Code.

## **COMPREHENSIVE PLAN ANALYSIS**

The site is in the Urban Commercial Future Land Use category.

***FLU 1.2.9 URBAN COMMERCIAL. The main purpose for the Urban Commercial designation is to foster development of a unique destinations rather than a strip development pattern. Urban Commercial areas are characterized by primarily existing or emerging developments along the Village's corridors where primarily single use retail, restaurant, office, and assisted living uses are concentrated. These properties are generally small in size (less than 10 acres) and serve nearby residential neighborhoods and consumers from outside Estero with daily and occasional needs for goods and services. Urban services are in place or readily expandable to support moderately intense levels of commercial development. Residential uses are also allowable, however they are not incentivized. These areas were typically designated Urban Community or Suburban and within the Mixed-Use Overlay per the Village's Transitional Comprehensive Plan. Urban Commercial areas are generally the individual development sites along major corridors of U.S. 41, Corkscrew Road, and Three Oaks Parkway. These areas are located in close proximity to: public transit routes; education facilities; recreation opportunities; and existing residential, shopping and employment centers.***

***A. Uses: A broad mix of commercial uses is allowed in the Urban Commercial areas to foster convenience and efficiency for a broader live/work/play environment, including neighborhood and community scale commercial including shopping, restaurant, hotel and office, all subject to the compatibility standards of FLU-1.10. Assisted living facilities, public and quasi-public uses are allowed in the Urban Commercial future land use category. Residential development is allowed subject to compatibility standards, and limited to parcels of 5 or more acres in size or parcels subject to an approved and effective Development of Regional Impact (DRI) that designates residential development as allowable on the parcel.***

### Staff Comment:

The proposed CPD is consistent with the Urban Commercial designation. The proposed 16,000 sq ft commercial building will primarily include office use with tenant spaces that could provide additional office, retail, or restaurant uses. The removal of less compatible uses from the Schedule of Uses enhances the compatibility with the surrounding commercial developments and aligns with the intent to serve any nearby residential areas. The site is located along US 41, a primary corridor. The proposed rezoning will allow redevelopment of an older site with a new building and landscaping.

***FLU-1.10.1 COMMERCIAL DEVELOPMENT FORM. To permit orderly and well-planned commercial development at appropriate locations, all applications for commercial development will be reviewed and evaluated as to their compatibility with adjacent and nearby uses, including consideration of the following:***

- A. Traffic and access impacts (rezoning and development orders);***
- B. Architectural and landscape architectural design (rezoning and development orders);***
- C. Site planning, interconnectivity, and public space (rezoning and development orders);***
- D. Screening, landscaping and buffering (rezoning and development orders);***
- E. Availability and adequacy of services and facilities (rezoning and development orders);***
- F. Impact on adjacent land uses and surrounding neighborhoods (rezoning);***

Staff Comment:

The applicant has provided a traffic analysis that evaluated the roadway capacity on US 41 and the report found that the rezoning would not significantly or adversely impact the surrounding road network. The site is also within the US 41 Overlay District and staff proposes a condition to enhance the US 41 buffer with a taller hedge. The proposed architecture for the 16,000 sq ft commercial building is consistent with the LDC and is an improvement compared to the existing commercial developments in the area.

## **CONCLUSION**

The proposed project will provide for redevelopment to improve an older area along US 41 which is the intent of the Urban Commercial land use category. Staff recommends approval with the conditions in the draft ordinance and the following findings.

## **FINDINGS OF FACT**

Rezoning is subject to a quasi-judicial process and hearing by both Planning Zoning and Design Board and the Village Council. In reviewing a rezoning, the following shall be considered:

**1. Is the rezoning consistent with the Comprehensive Plan;**

The site is located within the Urban Commercial future land use category. As established in the Comprehensive Plan, a broad mix of commercial uses is allowed in the Urban Commercial areas to foster convenience and efficiency for a broader live/work/play environment. The project is in compliance with the Comprehensive Plan.

**2. The rezoning is not in conflict with any portion of the Land Development Code;**

The application is not in conflict with the Land Development Code.

**3. The rezoning addresses a demonstrated community need;**

The proposed project will help revitalize an older corridor along US 41 and provide compatible commercial uses for the surrounding area.

**4. The rezoning is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zoning district for the land;**

With the staff's proposed conditions and modifications to the site plan, the rezoning is compatible.

**5. The rezoning would result in a logical and orderly development pattern;**

The site has an existing use in an area where the development pattern is already established.

**6. The rezoning would not adversely affect the property values in the area;**

The new project should increase property values as it is redeveloped.

**7. The rezoning would result in development that is adequately served by public facilities (road, potable water, wastewater, solid waste, storm water, schools, parks, police, and fire and emergency medical facilities);**

Facilities are existing except for central sewer.

**8. The rezoning would not result in significantly adverse impacts on the natural environment including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, environmentally critical areas, and the natural functioning of the environment;**

The site is developed already.

**9. The rezoning is compatible with existing or planned uses in the surrounding uses;**

See #4.

**ATTACHMENTS**

- A. Location Map
- B. Zoning Resolution Z-01-058
- C. Master Concept Plan
- D. Pattern Book
- E. Traffic Impact Statement
- F. Applicant's Schedule of Uses