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**VILLAGE OF ESTERO, FLORIDA  
ZONING  
ORDINANCE NO. 2023-06**

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**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF ESTERO, FLORIDA, CONSIDERING A  
REZONING FROM MIXED USE PLANNED  
DEVELOPMENT (MPD) TO ESTERO PLANNED  
DEVELOPMENT (EPD) FOR A 45.6-ACRE PARCEL ON  
THE NORTHWEST CORNER OF US-41 AND COCONUT  
ROAD; PROVIDING FOR CONFLICTS; PROVIDING FOR  
SEVERABILITY; AND PROVIDING AN EFFECTIVE  
DATE.**

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**WHEREAS**, Coconut Road Estero Apartments, LLC, represented by Ross Abramson (the “Applicant”), filed for a rezoning on property located on the northwest corner of US-41 and Coconut Road for a project known as **Coconut Road EPD**; and

**WHEREAS**, the Property STRAP numbers are 09-47-25-E2-U1902.2012, 09-47-25-E2-U1900.2033, 09-47-25-E2-U1908.2037, 09-47-25-E2-U1908.2404; 09-47-25-E1-U1874.2023 and 09-47-25-E1-U1877.2039, and the Properties are legally described in Exhibit A attached hereto; and

**WHEREAS**, the Property was zoned as Mixed Use Planned Development by Lee County; and

**WHEREAS**, the Applicant has requested a rezoning to Estero Planned Development (EPD) (Case No. DCI2022-E005); and

**WHEREAS**, the Applicant has requested deviations; and

**WHEREAS**, a Public Information Meeting was held on February 21, 2023 at the Planning Zoning and Design Board; and

**WHEREAS**, at a public hearing held on June 13, 2023 the Planning Zoning and Design Board recommended approval with conditions of the rezoning request; and

**WHEREAS**, a duly noticed first reading was held before the Village Council on June 21, 2023; and

**WHEREAS**, a duly noticed second reading and public hearing was held before the Village Council on July 5, 2023, at which time the Village Council gave consideration to the evidence presented by the Applicant and the Village staff, the recommendations of the Planning, Zoning, and Design Board and the comments of the public.

45 NOW, THEREFORE, be it ordained by the Village Council of the Village of Estero,  
46 Florida:

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48 **Section 1. Rezoning.**

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50 The Village Council approves/denies the rezoning from Mixed Use Planned  
51 Development to Estero Planned Development with the following conditions and deviations.

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53 **Section 2. Conditions of Approval.**

54  
55 1. Master Concept Plan

56  
57 Development of this project must be consistent with the Master Concept Plan  
58 (MCP) titled “Woodfield – Estero Planned Development”, dated May 26, 2023.  
59 Resolution Z-98-075 and all prior zoning actions and administrative amendments  
60 issued by Lee County are null and void as a result of this zoning action and are  
61 superseded by this Zoning Ordinance.

62  
63 2. Development Parameters

64  
65 This project is limited to a maximum of 596 multiple family and townhouse  
66 dwelling units, 42,000 square feet of medical and general office use, 82,000 square  
67 feet of commercial retail and dining use, 260 hotel rooms, and 6,000 square feet of  
68 civic space. Uses must be consistent with the Schedule of Uses below.

69  
70 3. Maximum Building Height and Stories

71  
72 70 feet for Hotel (Block 7) (6 stories)  
73 60 feet for Blocks 3, 6 & 8 (Residential & Commercial) (4 stories)  
74 45 feet for Blocks 1-2, 4-5, and 9-10 (Residential, Commercial and Civic) (3  
75 stories)  
76 Architectural features may extend up to 15 feet above maximum height but may  
77 not exceed 20% of the total roof area.

78  
79 4. Uses and Site Development Regulations

80  
81 The following uses and limits apply to the project:

82  
83 *Schedule of Uses*

84  
85 Banks and financial institutions  
86 Bar and Consumption on Premises (see Conditions 25 and 26)  
87 Brewpub or micro-brewery, -winery, or distillery (see Conditions 25 and 26)  
88 Business services, Groups I & II  
89 Cinemas and theaters

90	Clubs, lodges, or community-oriented associations
91	Convenience food and beverage store without gas service
92	Convention center or Exhibition Hall
93	Counseling, nonresidential
94	Cultural facility, noncommercial
95	Day care center
96	Drugstore
97	Dwelling, live-work Multiple-family
98	Dwelling, Multiple-family
99	Dwelling, Townhouse
100	Grocery store or food market
101	Hotels/motels
102	Dryclean & Laundry services
103	Library
104	Medical or dental lab
105	Office, general business
106	Office, medical (24-hour emergency medical office or emergency services prohibited)
107	
108	Outpatient care facilities
109	Park, Village
110	Personal services Groups I and II (excluding escort services, palm readers, fortunetellers, card readers and tattoo parlors)
111	
112	Pet services
113	Place of worship
114	Post office
115	Real estate sales office
116	Recreational facilities, indoor and outdoor
117	Repair shop, household
118	Restaurant, convenience
119	Restaurant, fast casual or fast food
120	Restaurant, standard
121	Retail sales groups I and II
122	Utility, minor
123	Vocational or trade school
124	
125	<i>Accessory Uses</i>
126	
127	Antenna
128	Automated teller machine (ATM) Automatic car wash
129	Bike parking rack
130	Bike share station
131	Clubhouse (as accessory to a residential development, golf, or tennis facility)
132	Community recreation facility (as accessory to a residential development)
133	Cool roof
134	Dock

- 135 Electric vehicle (EV) level 1, 2 or 3 charging station
- 136 Excavation, water retention
- 137 Fences, walls
- 138 Garage or carport
- 139 Greenhouse
- 140 Green roof
- 141 Home garden
- 142 Home occupation
- 143 Laundromat (as accessory to a multifamily dwelling)
- 144 Outdoor display of merchandise (as accessory to a retail sales use)
- 145 Outdoor seating (as accessory to an eating or drinking establishment)
- 146 Parking lot, accessory
- 147 Parking structure
- 148 Pickleball facilities (appropriate setbacks and conditions to be determined at
- 149 time of development order by Planning Zoning and Design Board)
- 150 Satellite earth stations and amateur radio antennas
- 151 Signs, in accordance with LDC Chapter 6
- 152 Solar energy collection facility, small-scale
- 153 Swimming pools, tennis courts, porches, decks, and similar recreational
- 154 facilities

155

156 Property Development Regulations

- 157
- 158 Minimum Lot Area: N/A
- 159 Minimum Lot Width: N/A
- 160 Minimum Lot Depth: N/A
- 161 Minimum Building Separation: 25 feet<sup>1</sup>
- 162 Maximum Lot Coverage: 55%
- 163 Maximum Height: See Condition 3

164

165 Note: If Property is subdivided, a zoning amendment will be necessary to establish

166 alternative property development regulations.

167

168 <sup>1</sup>All buildings will provide separation in accordance with applicable fire codes. 10

169 feet of separation is allowed between accessory structures/buildings, and between

170 the civic buildings and adjoining structures.

171

172 Minimum Building Setbacks

- 173
- 174 Street, Principal & Accessory:
- 175 US-41: 45 feet minimum
- 176 Coconut Road: 25 feet minimum (except balconies may
- 177 encroach up to 5 feet in the setback)
- 178 Side: 15 feet Principal
- 179 Rear: 10 feet Principal

180 Waterbody: 10 feet Principal, 5 feet Accessory  
181 Accessory: 5 feet  
182 Minimum Open Space: 40%

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5. Connectivity

The developer will be responsible for roadway and pedestrian connections to US-41, Coconut Road and Lyden Drive rights-of-way. The roadway connections and pedestrian connections must be installed prior to the issuance of the first Certificate of Compliance within the planned development.

6. Traffic Signal – Modified by PZDB

The developer will be responsible for the installation of a traffic light or roundabout as a site-related improvement at the intersection of Coconut Road and Walden Center Drive. If sufficient right-of-way is available and a roundabout is elected by the Village, the roundabout will be constructed in the existing right-of-way. The roundabout or traffic light, roadway connections, and pedestrian connections must be installed prior to the issuance of the first Certificate of Compliance within the planned development. The roundabout or traffic light is not eligible for impact fee credits.

7. LeeTran Bus Shelter

The developer must construct a transit bus stop shelter in accordance with LeeTran specifications, including paved walkway to and from the development and bus stop, signage, bicycle rack, bus pull-off area within right-or-way, proper curbing (Type E), shelter and lighting. The architectural design must complement the development design as approved by the Village. The bus shelter must be installed prior to the issuance of the first Certificate of Compliance within the planned development.

8. Impact Fees

Applicant or successor will pay impact fees in effect at the time of building permit issuance.

9. Transportation NOTE: This condition has been revised. See underlined.

a. At time of the first development order, the Applicant will coordinate with FDOT and Village to determine if modification of the timing of the signals for the eastbound turn lane on Coconut Road to US-41 north, and the westbound turn lane on US-41 to Coconut Road are warranted. If modifications are not needed at that time, subsequent development orders shall evaluate the need.

- 225                   b.    Once it is determined that an additional northbound left turn lane from US-41  
 226                   to Coconut Road and/or an additional eastbound left turn lane on Coconut  
 227                   Road to US-41 north is warranted, the Applicant will enter into a development  
 228                   agreement with the Village of Estero to address its proportionate fair share of  
 229                   the improvement.  
 230
- 231                   c.    The Applicant will reserve right-of-way for the additional eastbound left turn  
 232                   lane on Coconut Road to US-41 and donate the right-of-way once it is  
 233                   determined it is warranted.  
 234
- 235                   d.    If approved by FDOT, the Applicant will provide turn lanes as shown on the  
 236                   MCP, in addition to those in paragraphs a. and b. above, on US-41 at the  
 237                   following project access points at time of first development order:  
 238
- 239                               •    Southbound right turn on US-41 at Cerise Drive
  - 240                               •    Northbound left turn on US-41 at Cerise Drive
  - 241                               •    Southbound right turn on US-41 at Saffron Drive
  - 242
- 243                               If the access points or turn lanes are not approved, the Applicant will  
 244                               reanalyze the impacts as part of the development order and provide  
 245                               appropriate mitigation.  
 246
- 247                   e.    Applicant will repaint traffic signal pole at Coconut Road and US-41 with  
 248                   FDOT permission.  
 249
- 250                   f.    **PZDB recommendation** - The intersection of Coconut Road and Walden  
 251                   Center Drive will be analyzed for the highest and best capacity (traffic light,  
 252                   roundabout, etc.) at time of first development order.  
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254                   10. Landscape

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256                   Applicant or successor will be responsible for installation, irrigation, and  
 257                   maintenance of plantings along the roadway shoulder of US-41 extending along the  
 258                   east boundary of this project if approved by FDOT. Landscape palette is subject to  
 259                   review by Village staff at time of first development order.  
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261                   Applicant will provide foundation plantings (perimeter planting) that exceed the  
 262                   minimum Code requirement for residential and commercial buildings with  
 263                   specifics to be provided at time of development order.  
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265                   11. No Blasting or Pile Driving

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267                   No development blasting or pile driving is permitted as part of this project.  
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12. Utilities

The project will be developed with underground utilities, including electric. The project potable water service and sewer service is provided by Bonita Springs Utilities (BSU) and the project must connect to those services as part of any local development order for the site. Existing overhead power lines along US-41 and through the FPL Easement Area may remain.

13. Pattern Book (Modified slightly by PZDB)

The project must be consistent with the Pattern Book entitled “Woodfield Estero Planned Development Pattern Book” dated June 2, 2023. The Pattern Book is not conceptual. Photographic images may be illustrative, but development must be in substantial compliance with the Pattern Book, including a consistent architectural, landscape and signage theme for all commercial and residential development.

Specific details such as: landscaping plant species, parking lot screening from US-41 and similar buffer items; additional urban streetscape; pedestrian activity areas along the pedestrian paseo and “Rambla” Streets (north and south); hardscape; fountains in the lakes; placemaking elements; public amenities and recreational features in the public space; details of how spaces will be activated; methods to create “human scale”; addition of bike racks throughout; color scheme to ensure the variation of contrasting building colors to differentiate buildings, and architectural massing, rooflines, variation, and other details, will be evaluated as part of development order review. Taller trees shall be planted adjacent to buildings on Coconut Road to soften the massing of the tall buildings, subject to Planning Zoning and Design Board approval.

A consistent lighting theme will be provided at time of development order.

No signage plan is included in the Pattern Book. A unified signage plan will be submitted at time of development order review, including attractive signature entry features/monument signs to be reviewed by Planning Zoning and Design Board as a planned development minor amendment.

14. Buffers

As part of local development order approval for the project, the development order plans must demonstrate buffering consistent with the Master Concept Plan and the Pattern Book which show enhanced buffers and landscaping, as well as compliance with the Land Development Code. As part of local development order approval, all required buffer plantings must be 100% native vegetation.

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The buffer along Coconut Road will consist of an enhanced Type “D” buffer, minimum 20 feet wide, with 4 trees per 100 linear feet planted at 14-18 feet, and a double hedge row 48” tall at time of planting.

The buffer along US-41 will consist of an enhanced Type “D” buffer, minimum 32 feet wide, with 4 trees per 100 linear feet planted at 14-18 feet, and a double hedge row 48” tall at time of planting.

**PZDB recommendation** – Buffers along the western, northern and eastern boundaries will be installed in Phase I as part of the master infrastructure.

50-foot-wide Type “F” buffers will be provided to the North, adjacent to Marsh Landing and to the West, adjacent to the FPL Easement as shown on the Master Concept plan, regardless of existing vegetation within the indigenous preserve area. The buffer shall be 50 feet wide, with 15 trees staggered per 100 linear feet planted at 10 feet, and a double staggered hedgerow 48” at time of planting. The north and west boundary buffer will include a 6-foot tall black chain link fence installed within the buffers and screened from adjacent properties by existing or planted vegetation so as not to be visible from the project exterior.

15. Public Gathering Areas and Public Park

- a. The Applicant shall provide details regarding the improvements associated with the public areas, including the Central Green, Neighborhood Park, Crescent Park, Paseo and Rambla Street North & South as shown in the Pattern Book at the time of the first development order.
- b. The Central Green park shown on the Master Concept Plan shall be designed to include shade trees and seating areas and be open to the public through a public easement or similar document or condition acceptable to the Village attorney at time of the first development order. The Central Green park shall be constructed at the time of the first development order.
- c. A 10-foot-wide nature trail will be provided around the Western Lake Open Space. If the FPL easement becomes a multi-use path, the Applicant will provide pedestrian connections from the development to the easement.
- d. The improvements are at the Applicant’s cost and will be maintained by the Applicant or its successor.

16. Indigenous Preserve

A minimum of 7.6 acres of indigenous open space will be provided along the northern and western property lines as shown on the Master Concept Plan.



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17. Concurrency

Approval of this rezoning does not constitute a finding that the proposed project meets the regulatory concurrency requirements set forth in the Land Development Code and the Comprehensive Plan. The developer is required to demonstrate compliance with mandatory concurrency requirements prior to issuance of a local development order.

18. Project Phasing NOTE: This condition has been revised.

This project may be developed in multiple phases and must be developed in the following order. At a minimum, the project will be phased to ensure that commercial uses and public amenities in each phase are developed concurrently with residential uses to ensure the mixed use nature of the development.

- a. The first phase of the project will include the planned development master infrastructure, including stormwater retention, roadways, utilities, perimeter landscape buffers along the western, northern and eastern (US-41 frontage), and traffic signal or roundabout, at Coconut Road and Walden Center Drive.
- b. The second phase shall include Quadrant 1 (as shown ~~on the Master Concept Plan~~ in the Pattern Book) and shall include a minimum of 35,000 s.f. of commercial space along with the central park, the US-41 park, public component of restaurant row and the Rambla Street. The hotel may be constructed together with Quadrant 1 or at any time after the Phase I infrastructure.
- c. Quadrants 2 & 3 may be constructed at any time after the start of the second phase (Quadrant 1). Quadrants 2 & 3 shall include a minimum of 20,000 s.f. of commercial space, a minimum of 20,000 s.f. of office space, along with a minimum 3,000-square-foot civic building.
- d. Quadrant 4 may be constructed at any time after the start of the second phase (Quadrant 1).
- e. Parking (including garage, on-street or surface) shall be provided for each phase. Parking will meet the minimum requirements, which may be reduced proportionately per Deviation 2.
- f. Prior to the issuance of the last residential building Certificate of Compliance, a minimum of eighty-five percent (85%) of the commercial square footage shall be constructed.

401 g. **Applicant new requested language:** All phases of the project may be built  
402 concurrently as long as the minimum public components and commercial  
403 spaces have been incorporated.  
404

405 19. Green Building Standards, Residential Impact Standards, and Hurricane  
406 Preparedness

407  
408 The Applicant will provide sufficient information at the time of development order  
409 to demonstrate compliance with Green Building Standards (LDC 5-8), Residential  
410 Impact Standards (5-13), compliance with the Hurricane Preparedness (LDC 7-5)  
411 and Mitigation. The Applicant should consider solar panels on parking garage  
412 rooftops.  
413

414 20. Stormwater Management **NOTE: This condition has been revised.**

415  
416 The project's proposed stormwater outfall discharges to a ditch along the east side  
417 of the FPL transmission line on property owned by Coconut Shores Community  
418 Association and Marsh Landing Community Association. At time of first  
419 development order, the Applicant will use all reasonable efforts to obtain a drainage  
420 easement to secure drainage rights and maintain authority over the ditch. The  
421 easement will include the ditch from the project's outfall to the wetland flowway  
422 located between Marsh Landing and Fountain Lakes. Should the adjacent property  
423 owners not agree to provide the easement, the easement will not be required for  
424 development order approval.  
425

426 ~~The project's proposed stormwater outfall discharges to a ditch along the FPL~~  
427 ~~transmission line on property owned by Coconut Shores Community Association~~  
428 ~~and Marsh landing Community Association. At the time of first development order,~~  
429 ~~the Applicant will work with the property owners to obtain an easement to maintain~~  
430 ~~the ditch from the project's outfall to the wetland flowway located between Marsh~~  
431 ~~Landing and Fountain Lakes.~~  
432

433 21. Incentive Offerings

434  
435 The Applicant's incentive offerings, and the time by which each offering must be  
436 completed, are incorporated into this zoning approval as part of the Master Concept  
437 Plan and Pattern Book.  
438

439 22. Maintenance

440  
441 The Applicant or successor will maintain in good condition all common areas  
442 including, but not limited to the Neighborhood Park, Rambla Street Linear Park,  
443 Central Green and Plaza/Paseo, shall be maintained in perpetuity by a Property  
444 Owners Association or similar entity that will consist of both the residential and  
445 commercial parcels.

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23. Building Construction

Buildings will be constructed of concrete block or poured concrete, and all buildings 3-story or greater will contain elevators, except that townhomes as approved by Deviation 6 are not required to have elevators.

24. Construction Traffic Management Plan

A Construction Traffic Management Plan shall be submitted with the first development order application indicating construction hours of operation, and access, equipment and staging details. The Plan shall designate a contact person for the public to contact for construction issues, such as noise, dust, etc.

25. Outdoor Consumption on Premises

Prior to development order approval, any outdoor seating areas in conjunction with consumption on premises of alcoholic beverages must demonstrate compliance with the following:

- a. The development order site plan must show the proposed location and square footage of the outdoor seating area.
- b. Outdoor Consumption on Premises is limited to 10 a.m. to 11 p.m. Sunday through Thursday, and 10 a.m. to 12 a.m., Friday and Saturday. Any variation from these hours would require a minor amendment to be reviewed by the Planning Zoning and Design Board in a public hearing.
- c. For the purposes of this condition, outdoor seating shall be defined as roofed or non-roofed areas of a restaurant, bar or microbrewery which are not enclosed.
- d. Notwithstanding the above, temporary outdoor consumption permits may be issued as allowed in the Land Development Code.

26. Outdoor Entertainment/Live Music

Outdoor entertainment or live music for restaurant, bar, microbrewery or similar use will be limited to the Central Green and Plaza/Paseo areas and limited to the hours of 10 a.m. to 11 p.m. Sunday through Thursday, and 10 a.m. to 12 a.m., Friday and Saturday. Any variation from these hours would require a minor amendment to be reviewed by the Planning Zoning and Design Board in a public hearing. Notwithstanding the above, temporary permits may be issued as allowed in the Land Development Code.

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27. Leases

All rental leases for the project must require minimum 12-month leases. Lease restrictions are not applicable to the Hotel.

28. Public Easements

Public easements must be provided for public’s use of public easement areas identified on Pattern Book page 10 including Rambla Street Linear Park, Plaza/Paseo, Central Green, and Neighborhood Park prior to the Certificate of Compliance for each improvement. Documents are subject to approval by the Village Attorney.

29. Radio Enhancement

The Applicant shall conduct an assessment model at the time of development order to determine if the minimum radio signal’s strength for the fire department communication is in compliance with NFPA1:11.10, NFPA 1221:11.3.9, standards for inbound and outbound signal strength and quality. If minimum signal strength is not available, the Applicant shall install radio enhancement in the building. This will be evaluated at time of development order.

30. Civic Space

**PZDB recommendation** – The civic space will be available for use by established charities and civic organizations, such as art leagues. Such use is subject to approval by owner, which shall not be unreasonably withheld and coordination of schedules with other users, at a nominal administrative fee to cover utility service costs, plus customary janitorial costs and the cost of repair for any damages incurred during use. Charities and civic users will need to provide appropriate liability insurance. The coordinated schedule shall be made available on a monthly basis, no less than 30 days in advance. The civic space will be available to the established charities and civic organizations a minimum of 50% of operating hours.

31. Land Development Code (LDC)

Where the Village LDC is referenced in these conditions of approval for implementation of the condition at the time of development order, the LDC in effect at the time of the development order shall be applicable. Any subsequent amendments to the local development order shall require compliance with the Land Development Code in effect at the time.

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**Section 3.     Deviations (If Rezoning is Approved)**

1. A request to deviate from Land Development Code (LDC) Section 5-408.I.6., which states that hardened shoreline structures may comprise up to 20 percent of an individual lake shoreline; to allow hardened shoreline structures to comprise up to 26% percent.

APPROVED for those portions of the lake that abut Buildings A & B and the pool area between those buildings. The equivalent littoral shelf design will be provided at time of development order.

2. A request to deviate from Land Development Code (LDC) Section 5-204.B.1. Minimum Number of Off-Street Parking Spaces, which requires a total of 2,107 parking spaces for the proposed mix of uses, density and intensity; to allow for a total of 1,872 parking spaces.

APPROVED.

3. A request for relief from Village LDC Section 7-206 (G)(3)(A)(1) which requires excavation to occur no less than 50 feet from an existing property line and collector or arterial street, to allow for excavation to occur no less than 25 feet from an existing property line. LDC Section 2-506 (C) allows for this deviation request.

APPROVED for Lakeside Street and Crescent Lake area shown in Pattern Book. Staff will review at time of development order to determine if additional protective measures for wayward vehicles are needed.

4. A request to deviate from Land Development Code (LDC) 5-304(1)(A) which requires 125 feet between intersections on local roads to allow for a minimum separation of 46', 106' and 109' for 3 intersections within the project as identified in the Pattern Book.

APPROVED AS SHOWN IN THE PATTERN BOOK.

5. A request to deviate from Section 3-707.H.3.A. of the Estero Land Development Code which encourages connecting streets to follow the typical cross-sections shown on Figure 3-707.T.3. to allow connecting streets to be provided per the cross-sections depicted on the proposed Tiered Development Plan.

APPROVED AS SHOWN IN THE PATTERN BOOK.

6. **Added at PZDB** - Deviation from LDC Section 4-219 which requires elevators in 3-story and taller multifamily/townhouse buildings, to omit elevators in the townhome buildings only (58 units) as shown on the Master Concept Plan.

581 APPROVED FOR TOWNHOMES ONLY AS SHOWN ON THE MASTER CONCEPT  
582 PLAN.

583  
584 **Section 4. Findings and Conclusions**

585  
586 Based upon the analysis of the application and standards for the approval in the Land  
587 Development Code for the Estero Planned Development Zoning District, the following  
588 findings are made:

- 589  
590 1. The Applicant has (has not) provided sufficient justification for the rezoning by  
591 demonstrating compliance with the Comprehensive Plan and the Land Development  
592 Code.  
593  
594 2. The request with the proposed conditions will (will not) meet or exceed all  
595 performance and locational standards set forth for the potential uses allowed by the  
596 request.  
597  
598 3. The request is consistent with the densities, intensities and general uses set forth in  
599 the Village of Estero Comprehensive Plan.  
600  
601 4. The proposed uses with the conditions in this Ordinance are (are not) compatible  
602 with existing and proposed uses in the surrounding area.  
603  
604 5. Adequate public facilities are (are not) available to serve the proposed use  
605 (Transportation).  
606  
607 6. The request will not adversely affect environmentally critical areas and natural  
608 resources.  
609  
610 7. The development should not adversely affect property values in the area.  
611  
612 8. The project will (will not) result in an orderly development pattern and address a  
613 community need for mixed-use development patterns.  
614  
615 9. The proposal, as conditioned, is (is not) consistent with the general criteria of the  
616 Estero Planned Development zoning district as follows:  
617  
618 a. Goals. The mixed-use nature of the site will promote social vitality in the area  
619 and create a walkable community as well as streets that are safe and attractive  
620 for walking or bicycling.  
621  
622 b. Reasonable Standards. The Applicant has used physical form and the  
623 relationship of the building with the landscaping and public space to meet the  
624 Village Center goals.  
625

- 626 c. Accessibility. Public spaces are accessible, physically connected and  
627 walkable.  
628  
629 d. Streets. A connected and continuous street network has been designed to  
630 encourage the mix of uses within the project.  
631  
632 e. Street Design. Distances between intersections enhance the walkability and  
633 connectivity of streets.  
634  
635 f. Lots and Blocks. A network of streets has been provided to create blocks and  
636 lots.  
637  
638 g. The Visual Edge. A visual edge is created by the project design.  
639  
640 h. Architecture. The building design is consistent with the Village architectural  
641 standards and will create a distinctive project.  
642  
643 i. Quality of Buildings. Concrete block construction is proposed.  
644

645 **Section 5. Exhibits**

646  
647 The following exhibits are attached to this Ordinance and incorporated herein by  
648 reference:

- 649 Exhibit A Legal Description  
650 Exhibit B Woodfield Estero Planned Development Master Concept Plan dated  
651 5/6/2023  
652 Exhibit C Woodfield Estero Planned Development Pattern Book dated June 2, 2023  
653

654 **Section 6 Severability.**

655  
656 Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance  
657 subsequent to its effective date be declared by a court of competent jurisdiction to be  
658 invalid, such decision shall not affect the validity of this Ordinance as a whole or any  
659 portion thereof, other than the part so declared to be invalid.  
660

661 **Section 7 Effective Date.**

662  
663 This Ordinance shall take effect immediately upon adoption.  
664

665 **PASSED** on first reading the 21<sup>st</sup> day of June, 2023.  
666

667 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,  
668 Florida on second reading this 5<sup>th</sup> day of July, 2023.  
669  
670

671 Attest:

**VILLAGE OF ESTERO, FLORIDA**

672

673

674

675 \_\_\_\_\_  
Carol Sacco, Village Clerk

\_\_\_\_\_  
Jon McLain, Mayor

676

677

678 Reviewed for legal sufficiency:

679

680

681 By: \_\_\_\_\_

682 Nancy Stroud, Esq., Village Attorney

683

684

685 Vote:                                    AYE                                    NAY

686 Mayor McLain                                    \_\_\_\_\_                                    \_\_\_\_\_

687 Vice Mayor Ribble                                    \_\_\_\_\_                                    \_\_\_\_\_

688 Councilmember Fiesel                                    \_\_\_\_\_                                    \_\_\_\_\_

689 Councilmember Fayhee                                    \_\_\_\_\_                                    \_\_\_\_\_

690 Councilmember Lopez                                    \_\_\_\_\_                                    \_\_\_\_\_

691 Councilmember Ward                                    \_\_\_\_\_                                    \_\_\_\_\_

692 Councilmember Zalucki                                    \_\_\_\_\_                                    \_\_\_\_\_