



**Planning, Zoning and Design Board**  
*Staff Report*

<b>Project Name</b>
Pickleball at The Villages at Country Creek Limited Development Order
<b>CASE NUMBER</b>
LDO2022-E044
<b>MEETING DATE</b>
July 25, 2023
<b>REQUEST</b>
Development order for the use of one existing tennis court to be also used for pickleball during certain hours of the day until 8 p.m.
<b>APPLICANT</b>
The Villages at Country Creek
<b>LOCATION</b>
21180 Country Creek Drive
<b>PROPERTY SIZE</b>
84.95 acres
<b>ZONING</b>
The development is zoned Residential Planned Development
<b>PUBLIC INFORMATION MEETING DATES</b>
The PZDB conducted a Public Information Meeting on October 25, 2022

**Request**

The applicant is requesting approval of a Limited Development Order for pickleball on one tennis court at The Villages at Country Creek clubhouse during certain hours of the day until 8 pm. The clubhouse is located interior to the development. The project was reviewed by the Planning Zoning and Design Board at a Public Information Meeting on October 25, 2022. Staff has also reviewed the plans in detail.

**Staff Recommendation**

Due to the proximity of the existing homes, the location is not ideal for siting the pickleball court. If the Planning Zoning and Design Board wishes to approve the Limited Development Order, then staff would recommend the below stipulations with conditions related to hours of operation and noise.

### **Transportation**

This project will not add additional trips to the development.

### **Stormwater**

The stormwater does not require any modifications for this project.

### **Lighting**

The project is not requesting additional site lighting.

### **Landscaping and Buffers**

The project will not impact the landscaping of the site.

### **Compatibility and Other Issues**

The Land Development Code Section 5-13 addresses Residential Impact Standards. The purpose under Section 5-1301 “is to ensure that residential uses are not adversely impacted by noise, parking and other impacts from nearby commercial activity”. This Code section applies within 300 feet of residential areas. Standards reviewed include parking, access and connectivity, perimeter buffers, noise, other hazards or adverse impacts, and operational standards. Operational standards include hours and days of operation.

#### ***E. Operational Standards***

*Hours and days of operation of development subject to this section may be limited to minimize detrimental impacts to nearby lands that contain residential uses or are zoned for residential use.*

Staff believes that, if approved, the hours of operation for pickleball should be limited as follows:

*Sunday-Saturday 8:00 a.m. – 8:00 p.m.*

Staff is concerned about the compatibility of the use in close proximity to existing homes. The closest home is 89 feet from the court. Other locations have been discussed with Country Creek in the past but were less appropriate. The location is at the existing clubhouse.

The applicant submitted a sound study (attached) which indicates the use of certain paddles, balls, and the installation of solid vinyl screen (not Acousti-Mat) to reduce noise. If the measures to reduce the noise are determined by the Village to be inadequate, they shall install the acoustic fence and other remediation measures as determined by the Village.

### **Recommended Conditions**

Since the site is to be used for both tennis and pickleball staff believes that the following Conditions are necessary for the project site:

CONDITION: Hours of operation for pickleball are limited to 8:00 a.m. to 8:00 p.m., seven days per week.

CONDITION: Subject to installation of solid vinyl screens and approved paddles and balls.

CONDITION: Project site shall conform with the noise levels and the methodology in ANSI (American National Standards Institute) S12.9 Parts 4 and 5. Maximum of 55 dB.

CONDITION: If it is determined that based on legitimate documented complaints received from adjacent property owners that the noise created by the pickleball play creates an adverse impact, remediation of the impact must be accomplished within 90 days of the written determination from the Village. Noise may be mitigated through the placement of sound absorbing materials on the fencing, types or use of paddles and balls, reduced hours of play, and/or other modifications as approved by the Village.

CONDITION: Within 30 days of approval of a development order, the property owner must send a letter to every owner of record within 750 feet of the pickleball facility area. The letter must include a telephone number for Country Creek management to be used to register a complaint in the event homeowners are disturbed by noise related to the pickleball play or facility. If the contact information changes in the future, a new letter must be sent out in accordance with this condition. A copy of said letter will be provided to the Village of Estero Director of Community Development for inclusion in the official file for this case. All complaints received by the owner shall be submitted to the Community Development Director regarding noise from pickleball play or facility operations.

Attachment:

1. Sound Study