

**VILLAGE OF ESTERO, FLORIDA
ZONING
ORDINANCE NO. 2025-02**

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ESTERO, FLORIDA, APPROVING WITH CONDITIONS AN AMENDMENT TO THE MIXED USE PLANNED DEVELOPMENT ZONING AND DEVIATIONS FOR A 2.37-ACRE PROPERTY LOCATED IN THE COCONUT POINT DEVELOPMENT OF REGIONAL IMPACT (DRI); AND APPROVING DRI DEVELOPMENT ORDER AMENDMENTS FOR PROPERTY BOUNDED BY US 41 ON THE WEST, WILLIAMS ROAD ON THE NORTH, SEMINOLE GULF RAILROAD RIGHT-OF-WAY ON THE EAST AND THE SOUTHERN BOUNDARY FOR THE VILLAGE OF ESTERO LIMITS, ALL IN THE VILLAGE OF ESTERO, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, PHG Acquisitions, LLC, represented by Ingenium Enterprises, Inc. (the “Applicant”), filed an application to amend the Mixed Use Planned Development zoning and DRI Development Order for property located within **Coconut Point**, consisting of approximately 2.37 acres for the rezoning parcel (the “Property”) for a 111-room proposed Home2 Suites hotel within Tract 2A of the 482.4-acre DRI, along with a decrease of 2,000 square feet of commercial retail floor area in Development Area 2; and

WHEREAS, the Coconut Point Development of Regional Impact (DRI) and the Coconut Point Mixed Planned Development (MPD) were approved by the Lee County Board of County Commissioners on October 21, 2002; and

WHEREAS, the zoning and DRI have been amended numerous times over the years by Lee County; and

WHEREAS, the Coconut Point DRI and Coconut Point MPD are now under the jurisdiction of the Village of Estero; and

WHEREAS, the Village of Estero adopted Ordinance 2017-02 which approved zoning amendments and the Ninth Development Order Amendment and Restatement for Coconut Point DRI on June 21, 2017; and

WHEREAS, numerous time extensions provided for by law have been submitted and accepted by Lee County and the Village of Estero; and

WHEREAS, the zoning case number is DCI2024-E005; and

47 **WHEREAS**, the Applicant proposes a 111-room, 4-story hotel (Home2 Suites), with a
48 Master Concept Plan, supplemental Pattern Book, and two deviations; and
49

50 **WHEREAS**, a noticed Public Information Meeting was held on December 12, 2023 at the
51 Planning Zoning and Design Board; and
52

53 **WHEREAS**, a duly noticed public hearing was held at the Planning Zoning and Design
54 Board on February 11, 2025; and
55

56 **WHEREAS**, a duly noticed first reading was held before the Village Council on May 21,
57 2025; and
58

59 **WHEREAS**, a duly noticed second reading and public hearing was held before the Village
60 Council on June 4, 2025, at which time the Village Council gave consideration to the evidence
61 presented by the Applicant and the Village staff, the recommendations of the Planning Zoning and
62 Design Board, and the comments of the public.
63

64 **NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero,
65 Florida:
66

67 **Section 1. DRI and Zoning Amendments.**
68

69 The Village Council approves with conditions the amendment to the zoning subject to the
70 following conditions and deviations. The Tenth Development Order Amendment and
71 Restatement for Coconut Point DRI is also approved and incorporated herein as Exhibit E.
72

73 **Section 2. Conditions.**
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75 1. Previous Resolutions and Ordinances
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77 The terms and conditions contained in previous Resolutions and Ordinances that have
78 not been deleted or amended remain in effect except as modified by the conditions in
79 this approval.
80

81 2. Master Concept Plan and Site Plan
82

83 Development of this project for the proposed hotel on 2.37 acres must be consistent
84 with the Coconut Point MPD Master Concept Plan dated April 17, 2025 (Exhibit A),
85 and the two-page site plan titled “Home2 Suites Site Plan” stamped “Received May 8,
86 2025”. (Exhibit B)
87

88 3. Development Parameters and Uses for 2.37-Acre Parcel
89

90 Development is permitted at a maximum as follows:

91 Hotel – 111 Rooms

92 Consumption on premises for hotel, per state liquor license

93 4. Development Intensity

94 The approved development intensity for the DRI and MPD is as follows:

95 1,214 MF Dwelling Units

96 180 MF-Apartment Units

97 200 Assisted Living Units

98 1,438,110 sq. ft. Regional Retail

99 106,100 sq. ft. Community Retail

100 835,777 sq. ft. Office (of which 234,000 sq. ft. for medical office max)

101 8,000 sq. ft Bank with Drive-Thru

102 453 Hotel Rooms

103 The intensity of development in each Development Area and each individual tract is
104 limited as provided for on the approved zoning Master Concept Plan for Coconut Point.
105 (Exhibit A)

106 This hotel project is approved to develop a maximum of 111 hotel rooms.

107 5. DRI

108 Development must be consistent with the Tenth Development Order Amendment and
109 Restatement for Coconut Point DRI attached hereto as Exhibit E and the Map H Master
110 Concept Plan attached to said Development Order.

111 6. Maximum Building Height and Property Development Regulations (2.37-Acre Tract)

112 Height: 48 feet to the main parapet and 58 feet 6 inches to the top of the architectural
113 tower element: see Deviation 2.

114 Minimum Building Setbacks:

115 Front: 30 feet

116 Side (East): 30 feet

117 Side (West): 20 feet

118 Rear: 30 feet

119 Open Space Requirements: 28% minimum: see Deviation 1.

120 Property Development Regulations for other tracts in the DRI are not amended and
121 remain as per Ordinance 2017-02.

122 7. No Blasting

123 No development blasting is permitted as part of this project.

139 8. Utilities

140
141 This development must connect to water and sanitary sewer service at time of local
142 development order. Underground electric utilities will be provided per the Land
143 Development Code.
144

145 9. Pattern Book (2.37-Acre Tract)

146
147 The development must be consistent with the Pattern Book “Home2 Suites At
148 Coconut Point Supplemental Pattern Book” stamped “Received May 8, 2025.”
149

150 10. Construction

151
152 Construction of buildings will be of concrete block, not wood frame.
153

154 11. Buffers

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156 As part of local development order approval, the development order plans must
157 demonstrate buffering consistent with the Home2 Suites Site Plan (Exhibit B), the Land
158 Development Code, and the Pattern Book. As part of local development order approval,
159 all required buffer planting must be 100% native vegetation.
160

161 12. Via Coconut Point Median Landscaping

162
163 The applicant has agreed to install and maintain median landscaping, including irrigation,
164 in the median east of the property as shown in the location in the Pattern Book. The
165 applicant will coordinate with Village of Estero Public Works staff to develop the palette
166 of landscaping. The specific plantings will be determined at the time of local development
167 order.
168

169 13. Concurrency

170
171 Approval of this rezoning does not constitute a finding that the proposed project meets
172 the mandatory concurrency requirements set forth in the Land Development Code and
173 the Comprehensive Plan. The developer is required to demonstrate compliance with
174 all mandatory concurrency requirements prior to issuance of a local development order.
175

176 14. Lighting

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178 Lighting will be reviewed at the time of local development order.
179

180 15. Radio Enhancement

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182 The owner or owner’s representative shall conduct an assessment model at the time of
183 local development order to determine if the minimum radio signal’s strength for the
184 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.

16. Hurricane Preparedness

A Hurricane Preparedness Plan or mitigation will be required at time of local development order per Land Development Code, Sections 7-504 and 7-505.

17. Replat

Prior to a local development order for the hotel being issued, a replat of the subject property must be submitted, reviewed, and approved.

18. 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 issuance, the LDC in effect at the time of the local development order shall be applicable.

Section 3. Deviations.

Deviation 1 requests to deviate from the Land Development Code (LDC) Section 5-408.C Open Space Standards, which requires a minimum of 30% open space, to allow 28% open space for this development.

Deviation 1 is approved.

Deviation 2 requests to deviate from the Land Development Code (LDC) Section 3-706.C Intensity and Dimensional standards, which allows a maximum building height of 45 feet, to allow a maximum building height of 48 feet to the main parapet and 58 feet 6 inches to the top of the architectural tower element.

Deviation 2 is approved.

Section 4. Findings and Conclusions.

Based upon an analysis of the application and the standards for approval in the Land Development Code, and the conditions of approval, the Council finds and concludes as follows:

1. The Planned Development Amendment as conditioned will be consistent with the goals, objectives, and policies of the Comprehensive Plan.
2. The Planned Development Amendment as conditioned will not conflict with any portion of the Land Development Code.

- 231 3. The Planned Development Amendment will address a community need.
- 232
- 233 4. The Planned Development Amendment as conditioned will be compatible with existing and
- 234 planned uses surrounding the subject land.
- 235
- 236 5. The Planned Development Amendment will result in a logical and orderly development
- 237 pattern.
- 238
- 239 6. The Planned Development Amendment will not adversely affect the property values in the
- 240 area.
- 241
- 242 7. The Planned Development Amendment will result in development that is adequately served
- 243 by public facilities (roads, potable water, wastewater, solid waste, storm water, schools,
- 244 parks, police, and fire and emergency medical facilities.)
- 245
- 246 8. The Planned Development Amendment as conditioned will not result in significantly
- 247 adverse impacts on the natural environment, including but not limited to water, air, noise,
- 248 storm water management, wildlife, vegetation, wetlands, and the natural functioning of the
- 249 environment.
- 250
- 251 9. The Planned Development Amendment is compatible with existing or planned uses in the
- 252 surrounding area.
- 253

254 **Section 5. Exhibits.**

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256 The following exhibits are attached to this Ordinance and incorporated by reference:

257

258 Exhibit A Coconut Point MPD Master Concept Plan dated April 17, 2025

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260 Exhibit B Two-page Site Plan titled “Home2 Suites Site Plan” stamped “Received May

261 8, 2025”

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263 Exhibit C Legal Description

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265 Exhibit D Pattern Book titled “Home2 Suites Supplemental Pattern Book” marked

266 “Received May 8, 2025”.

267

268 Exhibit E Tenth Development Order Amendment and Restatement for Coconut Point

269 DRI and attached Map H Master Concept Plan (plan dated April 17, 2025)

270

271 **Section 6. Severability.**

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273 Should any section, paragraph, sentence, clause, phrase, or other part of this Ordinance

274 subsequent to its effective date be declared by a court of competent jurisdiction to be

275 invalid, such decision shall not affect the validity of this Ordinance as a whole or any

276 portion thereof, other than the part so declared to be invalid.

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Section 7. Effective Date.

This Ordinance shall take effect immediately upon adoption.

PASSED on first reading the 21st day of May, 2025.

PASSED AND ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero,
Florida on second reading this ____ day of _____, 2025.

Attest:

VILLAGE OF ESTERO, FLORIDA

By: _____
Carol Sacco, Village Clerk

By: _____
Joanne Ribble, Mayor

Reviewed for legal sufficiency:

By: _____
Nancy E. Stroud, Village Land Use Attorney

Vote:	AYE	NAY
Mayor Ribble	_____	_____
Councilmember Hunt	_____	_____
Councilmember McLain	_____	_____
Councilmember Fayhee	_____	_____
Councilmember Lopez	_____	_____
Councilmember Ward	_____	_____
Vice Mayor Zalucki	_____	_____