

**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 and continued the hearing to July 2, 2025 for
63 discussion of Condition 10 only.
64

65 **NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero,
66 Florida:
67

68 **Section 1. DRI and Zoning Amendments.**
69

70 The Village Council approves with conditions the amendment to the zoning subject to the
71 following conditions and deviations. The Tenth Development Order Amendment and
72 Restatement for Coconut Point DRI is also approved and incorporated herein as Exhibit E.
73

74 **Section 2. Conditions.**
75

76 1. Previous Resolutions and Ordinances
77

78 The terms and conditions contained in previous Resolutions and Ordinances that have
79 not been deleted or amended remain in effect except as modified by the conditions in
80 this approval.
81

82 2. Master Concept Plan and Site Plan
83

84 Development of this project for the proposed hotel on 2.37 acres must be consistent
85 with the Coconut Point MPD Master Concept Plan dated April 17, 2025 (Exhibit A),
86 and the two-page site plan titled “Home2 Suites Site Plan” stamped “Received May 8,
87 2025”. (Exhibit B)
88
89

3. Development Parameters and Uses for 2.37-Acre Parcel

Development is permitted at a maximum as follows:

Hotel – 111 Rooms

Consumption on premises for hotel, per state liquor license

4. Development Intensity

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

1,214 MF Dwelling Units

180 MF-Apartment Units

200 Assisted Living Units

1,438,110 sq. ft. Regional Retail

106,100 sq. ft. Community Retail

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

8,000 sq. ft Bank with Drive-Thru

453 Hotel Rooms

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

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

5. DRI

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

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

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

Minimum Building Setbacks:

Front: 30 feet

Side (East): 30 feet

Side (West): 20 feet

Rear: 30 feet

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

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

7. No Blasting

No development blasting is permitted as part of this project.

8. Utilities

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

9. Pattern Book (2.37-Acre Tract)

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

10. Construction

~~Construction of buildings will be of concrete block, not wood frame. Construction of the exterior walls of the hotel will be concrete masonry (concrete block), and all load-bearing elements will be of concrete with reinforcing steel as required by relevant codes and engineering standards.~~

11. Buffers

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

12. Via Coconut Point Median Landscaping

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

13. Concurrency

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

182 14. Lighting

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

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186 15. Radio Enhancement

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188 The owner or owner's representative shall conduct an assessment model at the time of
189 local development order to determine if the minimum radio signal's strength for the
190 fire department communication is in compliance with NFPA1:11.10, NFPA
191 1221:11.3.9, standards for inbound and outbound signal strength and quality. If
192 minimum signal strength is not available, the applicant shall install radio enhancement
193 in the building.
194

195 16. Hurricane Preparedness

196
197 Hurricane impacts and the required mitigation will be evaluated during the review of
198 the local development order. The evaluation will be in accordance with Section 7-501
199 through 7-505, Land Development Code.
200

201 17. Replat

202
203 Prior to a local development order for the hotel being issued, a replat of the subject
204 property must be submitted, reviewed, and approved.
205

206 18. Land Development Code (LDC)

207
208 Where the Village LDC is referenced in these conditions of approval for
209 implementation of the condition at the time of development order issuance, the LDC in
210 effect at the time of the local development order shall be applicable.
211

212 **Section 3. Deviations.**

213
214 Deviation 1 requests to deviate from the Land Development Code (LDC) Section 5-408.C
215 Open Space Standards, which requires a minimum of 30% open space, to allow 28% open
216 space for this development.
217

218 Deviation 1 is approved.
219

220 Deviation 2 requests to deviate from the Land Development Code (LDC) Section 3-706.C
221 Intensity and Dimensional standards, which allows a maximum building height of 45 feet,
222 to allow a maximum building height of 48 feet to the main parapet and 58 feet 6 inches to
223 the top of the architectural tower element.
224

225 Deviation 2 is approved.
226
227

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.
3. The Planned Development Amendment will address a community need.
4. The Planned Development Amendment as conditioned will be compatible with existing and planned uses surrounding the subject land.
5. The Planned Development Amendment will result in a logical and orderly development pattern.
6. The Planned Development Amendment will not adversely affect the property values in the area.
7. The Planned Development Amendment will result in development that is adequately served by public facilities (roads, potable water, wastewater, solid waste, storm water, schools, parks, police, and fire and emergency medical facilities.)
8. The Planned Development Amendment as conditioned will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.
9. The Planned Development Amendment is compatible with existing or planned uses in the surrounding area.

Section 5. Exhibits.

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

- Exhibit A Coconut Point MPD Master Concept Plan dated April 17, 2025
- Exhibit B Two-page Site Plan titled “Home2 Suites Site Plan” stamped “Received May 8, 2025”
- Exhibit C Legal Description

273 Exhibit D Pattern Book titled “Home2 Suites Supplemental Pattern Book” marked
274 “Received May 8, 2025”.
275

276 Exhibit E Tenth Development Order Amendment and Restatement for Coconut Point
277 DRI and attached Map H Master Concept Plan (plan dated April 17, 2025)
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279 **Section 6. Severability.**
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281 Should any section, paragraph, sentence, clause, phrase, or other part of this Ordinance
282 subsequent to its effective date be declared by a court of competent jurisdiction to be
283 invalid, such decision shall not affect the validity of this Ordinance as a whole or any
284 portion thereof, other than the part so declared to be invalid.
285

286 **Section 7. Effective Date.**
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288 This Ordinance shall take effect immediately upon adoption.
289

290 **PASSED** on first reading the 21st day of May, 2025.
291

292 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,
293 Florida on second reading this ____ day of _____, 2025.
294

295
296 Attest: **VILLAGE OF ESTERO, FLORIDA**
297

298
299 By: _____ By: _____
300 Carol Sacco, Village Clerk Joanne Ribble, Mayor
301

302
303 Reviewed for legal sufficiency:
304

305
306 By: _____
307 Nancy E. Stroud, Village Land Use Attorney
308

309	Vote:	AYE	NAY
310			
311	Mayor Ribble	_____	_____
312	Councilmember Hunt	_____	_____
313	Councilmember McLain	_____	_____
314	Councilmember Fayhee	_____	_____
315	Councilmember Lopez	_____	_____
316	Councilmember Ward	_____	_____
317	Vice Mayor Zalucki	_____	_____